



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Application to deregister and exchange common land or town or village greens

Commons Act 2006: Section 16

Return completed application to:

Planning & Environment Decisions Wales
Cathays Park
Cardiff
CF10 3NQ

Tel: 0303 444 5940

Application to deregister and exchange common land

- Answer all the questions on this form in full and only use a separate sheet where there is insufficient space for your answer.
- Refer to the separate “**Notes for completing an application to deregister and exchange common land or town or village greens**” (the “Notes”) when applying.
- Consult informally and widely about your ideas before developing a formal proposal.
- References throughout this form to ‘Common Land’ apply equally to ‘town or village green’

SECTION A – The common land (or village green) – to be deregistered – the “release land”

(see Notes 1, 2, 3, 4 and 5)

SECTION A1 – The Common:

1. Name of Common CL/VG No.
2. Located in the:
- (a) Community/Town of
- (b) Borough/County Borough/City/County of
3. Commons Registration Authority

Section A2 – The owner (see Note 1):

4. Title (e.g. Mr/Mrs/Miss/Ms/Dr)
- (a) Forename (s)
- (b) Surname
- (c) Position/Organisation (if appropriate)

5. Full Postal Address

Postcode

Telephone number

Mobile No

Fax Number

E-mail address

I prefer to be contacted by

x

Email

Post

Please note that unless you tell us otherwise, we will send all correspondence to the person named above – not to the owner of the replacement land shown in Section B2.

Please tick as appropriate:

Please send all correspondence to the owner above in question 4.....

Please copy all correspondence to the person named in question 15...

***Please note that all correspondence regarding the common land application should be directed to EDF Energy Renewables and not the landowner. Please see the covering letter.**

Section A3 – Area of common and common rights:

1469.99 (acreage from register)

6. What is the total area of common as registered?
(see Note 2)

7. What common rights, if any, are registered (e.g. number and type)? If the land is a town or village green, to what recreational use is it put?

A full copy of the Register and map for MCL 114 is included with the application along with an Extract from the Commons Registration Register Map which denotes areas of the common by letter (see Appendix 1).

The Rights Section of the register for MCL 114 lists current grazing rights that are exercisable over areas A, B & C. The release land is located within the area denoted by the letter 'U' and the replacement land adjoins the area denoted by the letter 'T' The register does not record any grazing rights over these areas. The landowner currently grazes the land by virtue of his ownership rather than as a registered commoner (this is confirmed by the Assistant Commons Registration and Definitive Map Officer at Powys County Council (see Appendix 3).

Recreational use of common section 'U' is rare. There are very few ramblers and/or horse riders. As mentioned there are no grazing rights over this area. The landowner is not aware of this area being used for amenity and recreation. It is anticipated that the introduction of the access track as part of the proposed development and the creation of a cycle route will make this part of the common more accessible.

8. If common rights are registered, are they ever exercised?. Yes No

9. If **Yes**, to what extent (e.g. which commoners are active, which rights are exercised, and how frequently)?

Section A4 – Other rights over the common:

10. Give details of any relevant leaseholders, other occupiers, or those holding any relevant charges over the release land (**see Note 4**) and enclose copies of their written consent to this application (**see Note 3**).

The only leasehold over the release land of which the Landowners are aware is that of the proposed wind farm operator (EDF) who are requesting this application. The Landowners are not aware of any other relevant leaseholders, occupiers or those holding relevant charges over the release land.

Section A5 – Description of the release land:

11. Area of release land (m² or hectares)

12. Description (including location) of release land (**see Note 5**)

The application proposes that the strip of land shown edged in red on the Order plan Map 2, (see Appendix 2) will be de-registered and thereby released from common land MCL 114 so that this land can be used to access the proposed development. The release land (grid co-ordinates - 304253, 282727) is the size of the construction footprint (hence no requirement for a section 38 application).

The release land is almost exclusively improved grassland with a small section of marshy grassland at the western extent, as confirmed by the phase 1 habitat survey within the Garn Fach wind farm Environmental Statement (see Map 3, Appendix 4).

The area of release land is 10m wide which allows for an area for construction and maintenance. This is considered to be the minimum required to allow the works and to enable ongoing maintenance of the track throughout the lifetime of the development. Free access will be permitted to all users of the common over all of the release land post-construction (save in the case of necessary works or maintenance).

An assessment of the proposed access was undertaken and this route was chosen as the most suitable and direct route. There was no suitable alternative route and no route that would have avoided the common.

Section B – The land to be given in exchange – the ‘replacement land’ (see Notes 6,7,8 and 9)

13. Are you proposing to provide replacement land in exchange for the release land?

Yes No

If **Yes**, go to question 14. If **No**, please explain here why you are not providing replacement land (see note 6) and then go to Question 22

Section B1 – Location of the replacement land:

14. Name, if any of the replacement land

The replacement land currently forms part of the land owned by Mr & Mrs Fairclough and Mr & Mrs Vaughan. To the west of, adjacent to and contiguous with the section of MCL 114 comprising area ‘T’ (see Appendix 1) and the replacement land is shown edged light-green on Map 2/Appendix 2 (grid reference 304055, 283438). The land sits to the south of, and abuts CL 101.

The replacement land is located in the:

(a) Community/Town of

Llandinam and Mochdre

(b) Borough/County Borough/City/County of

Powys

Section B2 – The owner of the replacement land (see Note 1)

15. Title (e.g. Mr/Mrs/Miss/Ms/Dr)

Mr and Mrs

(a) Forename (s)

Brian & Catherine and Gareth & Audrey

(b) Surname

Fairclough Vaughan

(c) Position/Organisation (if appropriate)

16. Full Postal Address

Mr & Mrs Fairclough and Mr & Mrs Vaughan live at Cwmrhiewdre, Dolfor, Newtown, SY16 4BW
Please note that all correspondence regarding the common land application should be directed to EDF Energy Renewables and not the Landowners. Please see the covering letter.

Telephone number

Mobile No

Fax Number

E-mail address

I prefer to be contacted by E-mail Post [*Please see covering letter](#)

Please note that unless you tell us otherwise, we will send all correspondence to the person shown in Section A2.

Section B3 – Description of replacement land:

The replacement land is the land offered in exchange for and to replace the release land (which is land which is requested to be permanently taken out of the common to facilitate the construction of Proposed Development). It replaces the Release Land and is being made available to ensure that there is no reduction in or detriment to the common as a result of the Proposed Development.

17. Area of land proposed as replacement land (hectares)

18. Description (including location) of land proposed as replacement land (see Note 5)

The replacement land is adjacent to the area of common denoted by the letter 'T' on the Commons Registration Register Map, forming a natural westerly extension of this section of MCL 114 (see Appendix 1).

The land is in the main semi-improved grassland with some improved grassland, as confirmed by the phase 1 habitat survey within the Garn Fach wind farm Environmental Statement. See Map 3/ Appendix 4.

The replacement land is currently fenced off from area 'T'. It is not intended to remove the fence but the replacement land will be made be accessible to all users of the common. At the southern end of the replacement land access will be achieved through the addition of a 'kissing gate' and the replacement of existing gates 2 & 3 with new gates. At the northern end two stiles will be added to facilitate access from MCL 114 to CL 101 and from area 'T' to the replacement land. These arrangements have been introduced as a result of pre-application discussions with consultees (the Open Spaces Society, the Ramblers Association and the Council).

19. Please confirm that the proposed replacement land is not already registered as common land or town or village green (See Note 7) Yes No

20. Is the proposed replacement land subject to any other formal designation (for example, as public open space)?
(See Note 8) Yes No

If Yes, give full details:

21. Give details of any relevant leaseholders, or other occupiers, or those holding any relevant charges over the replacement land: **(see Note 9)**.

The Landowners are not aware of any rights that exist over the replacement land.

SECTION C – Access arrangements and current features of the lands (see Notes 10, 11 and 12)

For questions 22 to 28 complete both parts of each question if replacement land is being provided. If no replacement land is being provided, complete part (a) of each question.

Section C1 – Access to the lands:

22. To what extent is there public access over the lands to be exchanged?

(a) The release land

Public access to and usage of the release land is extremely rare.

(b) The replacement land

None at present but existing gates will be replaced and a kissing gate will be added in the south to allow access to the replacement land from section 'U' and two new stiles will be provided in the north to allow access to and from the replacement land from area 'T' (see Appendix 1) and CL 101.

23. What will the access arrangements be after the exchange?

(a) The release land

The release land will be closed off only where required for reasons of health and safety and to allow construction during the construction period. On-site track construction would use appropriate methods developed at other wind farm sites. The detailed design of access tracks will depend on the ground conditions encountered.

Prior to the commencement of site construction, detailed engineering criteria on the access track design will be submitted to the local planning authority as part of the Construction Environmental Management Plan (CEMP). The layout of on-site access tracks has been designed to avoid any sensitive environmental constraints whilst being as short as possible to reduce the environmental impact of additional construction. The access track will be left in place after completion of the wind farm construction as it will provide access for on-going operational maintenance and subsequent decommissioning, and also provide improved access options for footpath and bridleway users. The proposed access track would be a cut track as peat probing has confirmed a floating road is not required.

Where there is topsoil overlying freely draining subsoil, or where there is a shallow depth of soft ground (e.g. peat), the topsoil and turf would be stripped to expose suitable subsoil/bedrock. Where appropriate, geotextile / geogrid reinforcement would be laid to reduce the volume of stone required. The track would then be built up on the geogrid by layering and compacting crushed rock. Soils and turf removed from the excavated area would be stored separately in stock piles adjacent to, or near the tracks. Reinstatement work will be carried out as track construction progresses to minimise the storage time of the soils and turf.

The finished track will have a width of 5m when construction is completed and subject to operational requirements the whole of the release land will be made available to those wishing to use the land.

(b) The replacement land

The replacement land will be registered as common land and access will be available for all users of the common. To facilitate this access the existing gates will be replaced and a kissing gate will be added in the south to allow access to the replacement land from section 'U' and two new stiles will be provided in the north to allow access to and from the replacement land from area 'T' and CL 101.

Section C2 – Current condition of the lands:

24. Describe the current condition and use of the:

(a) release land

The release land is almost exclusively improved grassland with a small section of marshy grassland at the western extent, as confirmed by the phase 1 habitat survey within the Garn Fach wind farm Environmental Statement. See Map 3, Appendix 4 for further details.

There are no landscape, archaeological, agricultural and recreational interests

The landowner currently uses the replacement land for open grazing of sheep

(b) replacement land

The land is in the main semi-improved grassland with some improved grassland, as confirmed by the phase 1 habitat survey within the Garn Fach wind farm Environmental Statement. See Map 3 Appendix 4 for further details.

There are no landscape, archaeological, agricultural and recreational interests

The landowner currently uses the replacement land for open grazing of sheep

25. What structures, (e.g. buildings, bridleways, footpaths, walls, fences or other constructions currently exist on the:

(a) release land

The eastern and western boundaries are fenced.

(b) replacement land

None

26. What boundary features e.g. fences, hedges, walls (and access points such as stiles and gates) currently exist on (or on land immediately adjoining) the:

(a) release land

There is a fence running along the eastern and western boundary of the release land.

(b) replacement land

There is a fence running along the eastern extent of the replacement land, a fence at the northernmost extent and a gate crosses the southern extent

27. What, if any, boundary features are proposed to be removed or erected as part of the exchange?

(a) release land

None, there will be no changes on exchange but the fence boundary on the eastern and western extent of the release land will be replaced by gates (for access to the wind farm) when the wind farm construction begins.

(b) replacement land

A kissing gate will be placed at the north west corner of common denoted as area 'U' to permit public access to the replacement land. At the northern boundary two new stiles will be added to facilitate access to section 'T' and to CL101. In the south two old existing gates will be replaced with new and improved gates.

28. Are any works or other things to be done by any party as part of the exchange?

.....

.....Yes No

If **Yes**, give details

(a) release land

No.
For the avoidance of doubt, works to create the track and install the gates at the eastern and western boundaries will take place after the exchange when the wind farm is being constructed.

(b) replacement land

Yes.
Gates and stiles to be added to allow access onto the replacement land as shown on Map 2 of Appendix 4

29. Are any of the lands subject to any other rights or easements not already mentioned on this form?..... Yes No

If **Yes**, give full details:

SECTION D – Details of the exchange or deregistration, and any informal consultations (see Notes 13, 14 and 15)

30. What are the reasons for the exchange or deregistration and the circumstances surrounding it?

The de-registration is necessary to allow an access track to be constructed to enable the construction operation, maintenance and decommissioning of the proposed development of national significance. The replacement land is offered in exchange for the land to be de-registered to ensure that the overall stock of common land is not reduced. There were no viable alternatives in this area that avoided common land or used a smaller area of common land. In addition to this, the minimum area is being taken out of the common. The release land will be made available to all users of the common following construction (save only for any necessary maintenance).

The track will be left in situ to maintain access for the landowners unless removal is required as part of the planning consent.

31. It is strongly recommended that you consult informally on your proposals at an early stage in their development see 'Common Land Guidance – General Overview' note. What **informal** consultation (e.g. with local inhabitants) have you carried out? Give details below and provide written evidence.

Please see attached consultation report at Appendix 5. A thorough consultation has been carried out and any issues raised have been discussed and addressed with the relevant consultees.

32. Are any of the lands subject to this application in or near a site of Special Scientific Interest (SSSI), a Special Area of conservation (SAC), a Special Protection Area (SPA), or Wetland listed in accordance with the Ramsar Convention?Yes No

If **Yes**, please give details, identify on the map (**see section J**), and provide evidence of any consultation you have carried out with Natural Resources Wales (**see Note 16**).

33. Do any of the lands contain a Scheduled Ancient Monument?

..... Yes No

If **Yes**, give details, identify on the map (see section J), and provide evidence of any consultation you have carried out with Cadw (**see Note 17**)

34. Are any of the lands subject to this application in a National Park or Area of Outstanding Natural Beauty?..... Yes No

If **Yes**, give details any consultation you have carried out with the National Park Authority or Countryside Council for Wales

SECTION F – Adjacent Common Land (see Note 18)

35. Does any area of common land or village green, of a different registration number, adjoin the common land or green subject to this application?

..... Yes No

If **Yes**, give details and identify them on the map (**see Section J**):

The replacement land abuts CL 101 (as shown on the Maps in Appendix 4)

SECTION G – Public Access (see Notes 19, 20, and 21)

36. Do the public have a right of access to the release land for air and exercise under section 193 of the Law of Property

Yes No

37. Is the release land subject to an Order of Limitation made under section 193?

..... Yes No

If **Yes**, give its date and other details, and send us a copy:

SECTION H – Scheme of management and local Acts (see Note 22)

38. Is there a Scheme of Management for the release land, made under the Metropolitan Commons Act 1866 or the Commons Act 1899?

.....Yes No

39. Is the release land subject to any other regulatory Scheme or Act (e.g. a Provisional Order Confirmation Act made under the Commons Act 1876) ?

..... Yes No

If **Yes**, to either question, give its date and other details below, and send us a copy of the Scheme or Act. Do you wish to seek any special arrangements to be made in relation to any of these provisions?

You must advertise your proposal in one main local newspaper and at the main points of entry to the lands **within 7 days** of making your application. Use the draft notice at **Annex B** of the **Notes**.

You must also send a copy of the notice (using the letter at **Annex D** of the **Notes**) to the following:

- the commoners council or association (if there is one)
- all known commoners
- others with an interest in the lands e.g. tenants, those with easements or other rights over the lands
- any relevant community/town, borough/county borough, city or county council
- Natural Resources Wales
- Cadw
- National Park Authority (if the lands are in a National Park)
- Open Spaces Society (**see Note 25**)

40. Which newspaper will the advertisement appear in, and on what date?

The advertisement will appear in the Powys County Times on 4th March 2022.

SECTION J – Maps (see Note 26)

You **must** include with your application **two copies** of a map which fully meets the requirements set out in **Note 26**.

41. Two copies of the map that meets the requirements set out in **Note 26** are enclosed
.....

Please see Map 2 Appendix 2

The plans must be accurate because we are being asked to confirm this can be attached to the order if successful, and this will be used to amend the register.

Can we zoom in to the site to produce another map of no less than 1:2,500 if possible and not less than 1:10,000 if no other option is available (i.e. if the common has not been mapped by OS at 1:2,500). The measurements of the release and replacement land will be checked. Release land should be edged red and replacement land edged green. The common land boundary should be dark green. The maps should show at least two road names or other features to assist easy identification of the site.

42. Give the name and address of a suitable place in the locality for holding a public local inquiry or hearing, should this be needed.

SECTION K – Public inquiry or hearing (see Note 27)

42. Give the name and address of a suitable place in the locality for holding a public local inquiry or hearing, should this be needed.

It is anticipated that any inquiry would be held in accordance with the application for a development of national significance. If separate venues are required the applicant can provide details of suitable venues when approximate number sizes are known.

Checklist (tick to confirm)

I have read the **Notes** in full

I have:

- answered all the questions on this form in full
- enclosed two copies of the map that meets the requirements of Section J
- enclosed a copy of the commons register in respect of this common (i.e. details of the land, rights, and ownership, and the register map)
- enclosed a copy of any document mentioned in answering the questions on this form (e.g. scheme of management, written permission of any relevant leaseholders, letters from informal committees etc)
- understood that any of the application papers may be copied to interested parties on request, and have informed people as necessary

I will, within 7 days:

- advertise the proposal in one local newspaper
- post a copy of the notice at the main entry points to the lands
- send a copy of the notice to all those listed in Section 1
- place a copy of the notice, map and application at the inspection point .

X
X
X
X

I will write to you as soon as possible, using the letter at **Annex D** of the **Notes**, to confirm that the advertising requirements have been met.

X

SECTION L - Declaration

We hereby declare that:

- (a) We are the owners of the land to be deregistered/exchanged as detailed in this application.
- (b) We enclose the written consent of every person who is a relevant leaseholder, or holds a relevant charge, over any of the lands to be deregistered/exchanged
- (c) The contents of this application are true and complete to the best of my/our knowledge and belief.

Signatures of the parties to the deregistration/exchange:

Release Land:

Signature of owner



Name
(in BLOCK letters)

Mr Brian Fairclough

Date

28/02/22

Signature of co-owner
(if applicable)


--

Name of co-owner
(if applicable)

Mrs Catherine Fairclough

Date

28/02/22

Replacement Land:

Signature of owner

[Redacted Signature]

(in BLOCK letters)

Mr Brian Fairclough

Date 28/02/22

Signature of co-owner

[Redacted Signature]

Name
(in B

Mrs Catherine Fairclough

Date 28/02/22

Signature of co-owner

[Redacted Signature]

Name
(in

Mr Gareth Vaughan

Date 28/02/22

Signature of co-owner

[Redacted Signature]

(in BLOCK letters)

Mrs Audrey Vaughan

Date 28/02/22

You must keep a copy of your completed form

Data Protection Act

To process your application, we may need to disclose information we receive from you to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.

APPENDIX 1: Copy of the Commons Register for MCL114 and extract from the register map

Register of Common Land

LAND IN PARISH OF LLANDINAM AND MOCHDRE

Register Unit No.: MCL114

RIGHTS SECTION - Sheet No.

Edition No.:

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
1 30/01/1970	621 02/01/1970	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> TYNYPWLL, DOLWEN LLANDINAM (Tenant) Decision: THE REGISTRATION AT ENTRY NO. 1 ABOVE, BECAME FINAL ON THE 26TH JULY 1973. Registration Amendment:	TO GRAZE:- 200 SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED TYNYPWLL HILL, DOLWEN, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER A.	TYNYPWLL FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED BLUE WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION. Total Acreage:

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
2 30/01/1970	622 02/01/1970	<p>[REDACTED]</p> <p>CWM, DOLWEN LLANDINAM</p> <p>(Tenant)</p> <p>Decision: THE REGISTRATION AT ENTRY NO. 2 ABOVE, BECAME FINAL ON THE 26TH JULY 1973</p> <p>Registration Amendment:</p>	<p>TO GRAZE:- 200 SHEEP OR SHEEP EQUIVALENT OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED CWM HILL, DOLWEN, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER B.</p>	<p>CWM FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED BLUE WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage:</p>

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
3 30/01/1970	623 02/01/1970	<p>[REDACTED]</p> <p>PENLAN LLIDIARTYWAEN LLANIDLOES POWYS (Tenant)</p> <p>Decision: THE REGISTRATION AT ENTRY NO 3 ABOVE, BECAME FINAL ON THE 26TH JULY 1973</p> <p>Registration Amendment: THE REGISTER AT ENTRY NO. 3 ABOVE, HAS BEEN REPLACED BY ENTRY NOS. 7 AND 8</p>	<p>TO GRAZE 50 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p>	<p>PENLAN FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED BLUE WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage: 48.88</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
4 30/01/1970	623 02/01/1970	D. [REDACTED] PENLAN LLIDIARTYWAEN LLANIDLOES POWYS (Tenant) Decision: THE REGISTRATION AT ENTRY NO. 4 ABOVE, BECAME FINAL ON THE 26TH JULY 1973 Registration Amendment: THE REGISTRATION AT ENTRY NO. 4 ABOVE HAS BEEN REPLACED BY ENTRIES 11 & 12 BELOW.	TO GRAZE:- 10 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.	PANTYDWR FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED BROWN WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION. Total Acreage:

Registration Amendment: THE REGISTRATION AT ENTRY NO. 4 ABOVE HAS BEEN REPLACED BY ENTRIES 11 & 12 BELOW.

Decision: THE REGISTRATION AT ENTRY NO. 4 ABOVE, BECAME FINAL ON THE 26TH JULY 1973

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
5 30/01/1970	624 02/01/1970	<p>[REDACTED]</p> <p>CWM, DOLWEN LLANDINAM</p> <p>(Tenant)</p> <p>Decision: THE REGISTRATION AT ENTRY NO. 5 ABOVE, BECAME FINAL ON THE 26TH JULY 1973</p> <p>Registration Amendment:</p>	<p>TO GRAZE:-</p> <p>10 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p>	<p>TYNCELYN FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN COLOURED YELLOW WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage:</p>

Registration Amendment:

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
6 30/01/1970	625 02/01/1970	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> PENYBANK, DOLWEN LLANDINAM (Tenant) Decision: THE REGISTRATION AT ENTRY NO. 6 ABOVE, BECAME FINAL ON THE 26TH JULY 1973 Registration Amendment:	TO GRAZE:- 50 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.	PENYBANK & MOELFRE FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN COLOURED GREEN WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION. Total Acreage:

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
7 20/08/1999	626 03/08/1998	<p>[REDACTED]</p> <p>GARTH FACH, LLIDIARTYWAEN LLANIDLOES POWYS (Landowner)</p> <p>Decision: REGISTRATION FINAL Registration Amendment: WAS PART ENTRY NO. 3</p>	<p>TO GRAZE 43 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p>	<p>PENLAN FARM, DOLWEN IN THE PARISH OF LLANDINAM AS SHOWN VERGED RED WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION. O.S. NOS. 3960, 3962, 3968, 3967, 3963, 4015, 4026, 4024 AND 4025</p> <p>Total Acreage: 41.60</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
8 20/08/1999	0	<p>[REDACTED]</p> <p>PEN-Y-LAN LLIDIARTYWAEN LLANIDLOES POWYS SY18 6JT (Landowner)</p> <p>Decision: REGISTRATION PROVISIONAL Registration Amendment: WAS PART ENTRY NO. 3 THE REGISTRATION AT ENTRY NO. 8 ABOVE HAS BEEN REPLACED BY ENTRY NOS. 9 & 10</p>	<p>TO GRAZE 7 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p>	<p>PENLAN FARM, DOLWEN IN THE PARISH OF LLANDINAM O.S. NOS. 3966, 3964, 3965, 4016 AND 4017</p> <p>Total Acreage: 7.28</p>

Commons Registration Act 1965 26/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
9 14/11/2002		<p>N [REDACTED]</p> <p>GARTH FACH, LLIDIARTYWAEN LLANIDLOES POWYS (Landowner)</p> <p>Decision: REGISTRATION FINAL</p> <p>Registration Amendment: WAS ENTRY NO. 8 THE REGISTRATION AT ENTRY NO. 9 ABOVE HAS BEEN REPLACED BY ENTRY 15 BELOW.</p>	<p>TO GRAZE 7 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p>	<p>BY DEED DATED 18TH SEPTEMBER 2002 THIS PROPORTION OF THE RIGHT AT ENTRY NO. 8 ABOVE, WAS SEVERED FROM THE LAND TO WHICH IT WAS PREVIOUSLY ATTACHED AND BECAME A RIGHT HELD IN GROSS.</p> <p>Total Acreage:</p>

Registration Amendment: WAS ENTRY NO. 8
THE REGISTRATION AT ENTRY NO. 9 ABOVE HAS BEEN REPLACED BY ENTRY 15 BELOW.

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
10 14/11/2002		<p>[REDACTED]</p> <p>PEN-Y-LAN LLIDIARTYWAEN LLANIDLOES POWYS SY18 6JT (Landowner)</p> <p>Decision: REGISTRATION FINAL Registration Amendment: WAS ENTRY NO. 8</p>	NO RIGHTS	<p>PENLAN FARM, DOLWEN IN THE PARISH OF LLANDINAM O.S. NOS. 3966, 3964, 3965, 4016 AND 4017</p> <p>Total Acreage: 7.28</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
11 28/06/2016	16-001M 03/05/2016	<p>[REDACTED]</p> <p>CWM, DOLWEN LLANIDLOES POWYS SY18 6LL (Landowner)</p> <p>Decision: Registration Amendment: WAS PART ENTRY NO. 4</p>	<p>TO GRAZE:- 8 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p> <p>[REGISTRATION AMENDMENT]</p>	<p>PART PANTYDWR FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED RED WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage: 12.01</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
12 28/06/2016		<p>[REDACTED]</p> <p>PANTYDWR COTTAGE, LLIDIARTYWAUN LLANIDLOES POWYS SY18 6JT (Landowner)</p> <p>Decision: Registration Amendment: WAS PART ENTRY NO. 4</p>	<p>TO GRAZE:- 2 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p> <p>[REGISTRATION AMENDMENT]</p>	<p>PART PANTYDWR FARM, DOLWEN IN THE PARISH OF LLANDINAM, AS SHOWN VERGED RED WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage: 3.46</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
13 12/04/2017	16-002M 09/11/2016	<p>[REDACTED]</p> <p>CWM, DOLWEN LLANIDLOES POWYS SY18 6LL (Landowner)</p> <p>Decision: Registration Amendment: WAS PART ENTRY NO. 7</p>	<p>TO GRAZE 41 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p> <p>[REGISTRATION AMENDMENT]</p>	<p>PART PENLAN FARM, DOLWEN, LLANDINAM COMPRISING O.S. NO'S:- 3960 3962 3963 3967 3968 4015 4026 PT 4024 AS SHOWN VERGED RED WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage: 39.49</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
14 12/04/2017		<p>[REDACTED]</p> <p>GARTH FACH, LLIDIARTYWAEN LLANIDLOES POWYS (Landowner)</p> <p>Decision: Registration Amendment: WAS PART ENTRY NO. 7</p>	<p>TO GRAZE 2 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p> <p>[REGISTRATION AMENDMENT]</p>	<p>PART PENLAN FARM, DOLWEN, LLANDINAM COMPRISING O.S. NO'S:- PT 4024 4025 AS SHOWN VERGED RED WITHIN THE BOUNDARY ON THE SUPPLEMENTAL MAP BEARING THE NUMBER OF THIS REGISTRATION.</p> <p>Total Acreage: 2.11</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

1 No. and date of entry	2 No. and date of application	3 Name and Address of every applicant for registration, and the capacity in which s/he applied	4 Particulars of the right of common and the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
15 14/06/2017	17-002M 13/02/2017	<p>[REDACTED]</p> <p>CWM, DOLWEN LLANIDLOES POWYS SY18 6LL (Landowner)</p> <p>Decision: Registration Amendment: WAS PART ENTRY NO. 9.</p>	<p>TO GRAZE 7 COUPLES OF SHEEP OVER PART OF THE LAND COMPRISED IN THIS REGISTER UNIT CALLED PANT-Y-GODRO HILL, THE BOUNDARIES OF WHICH ARE SHOWN BY A RED LINE ON THE REGISTER MAP AND MARKED THEREIN WITH THE LETTER C.</p> <p>[REGISTRATION AMENDMENT]</p>	<p>TRANSFER BY DEED DATED 03/05/2016. RIGHT HELD IN GROSS</p> <p>Total Acreage:</p>

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

Commons Registration Act 1965 28/07/2020 PCC Registration Authority

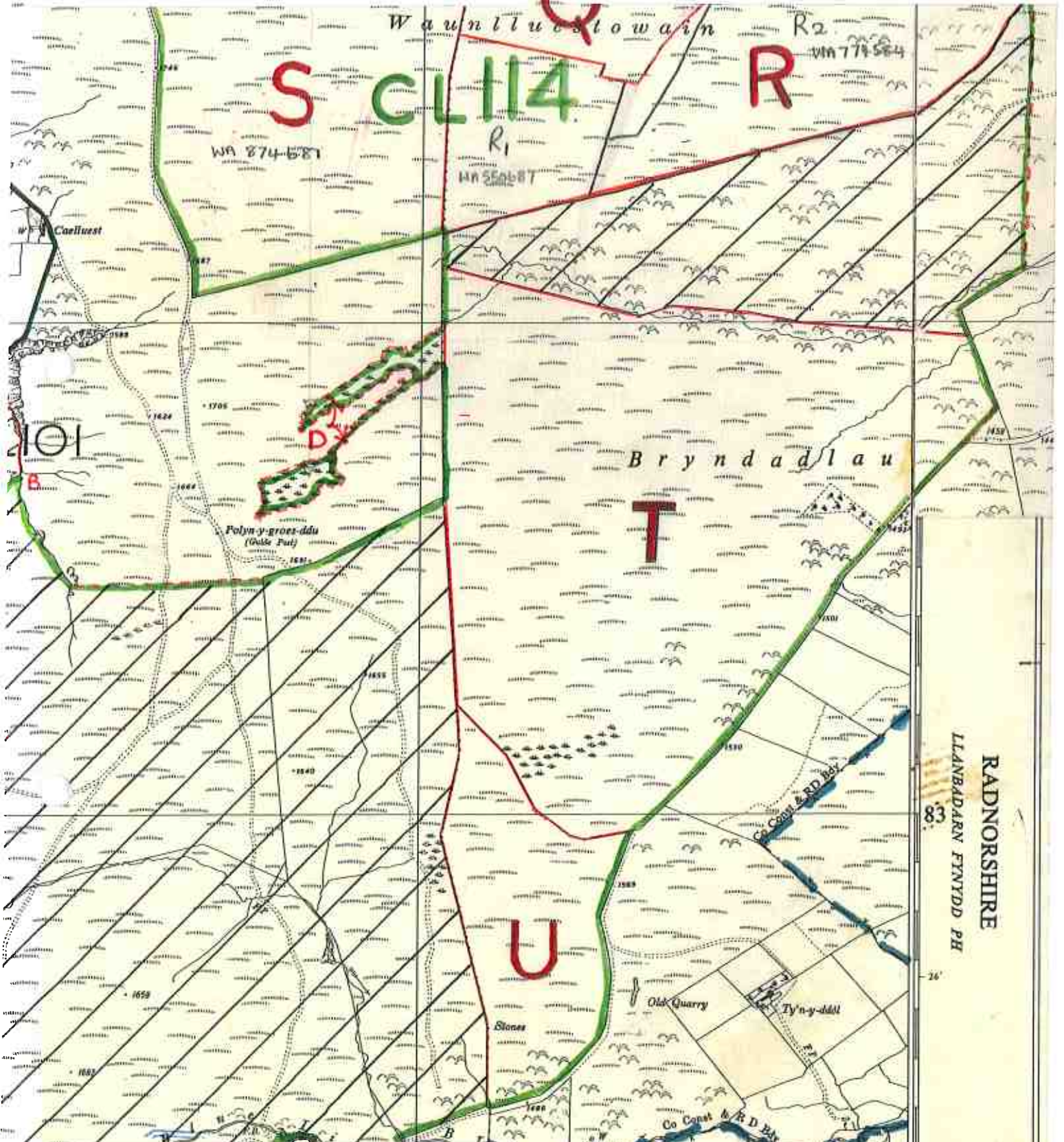


Land Removed from Registration

Common Land Boundary

Ownership or Grazier Boundary

H Hawlfraint y Goron. Cedwir pob hawl 100025371 (2019)
Gwybodaeth ychwanegol © Cyngor Sir Powys (2019)
Ni ddylid gwneud unrhyw gopïau ychwanegol heb ganiatâd y
Cyngor
© Crown Copyright. All rights reserved © 100025371 (2019)
Additional information © Powys CC (2019)
No additional copies should be made without the permission of the
Council



Extract from Commons Registration Register Map

COMMONS REGISTRATION ACT 1965

Sheet No. 50 087 JUL 2020

Unit No. MCL114 POWYS COUNTY COUNCIL
REGISTRATION AUTHORITY



© Crown Copyright, 1963.

INDEX TO ADJOINING SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

THE NATIONAL GRID
The Grid Letters are 1000 Yards

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

THE NATIONAL GRID
The Grid Letters are 1000 Yards

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

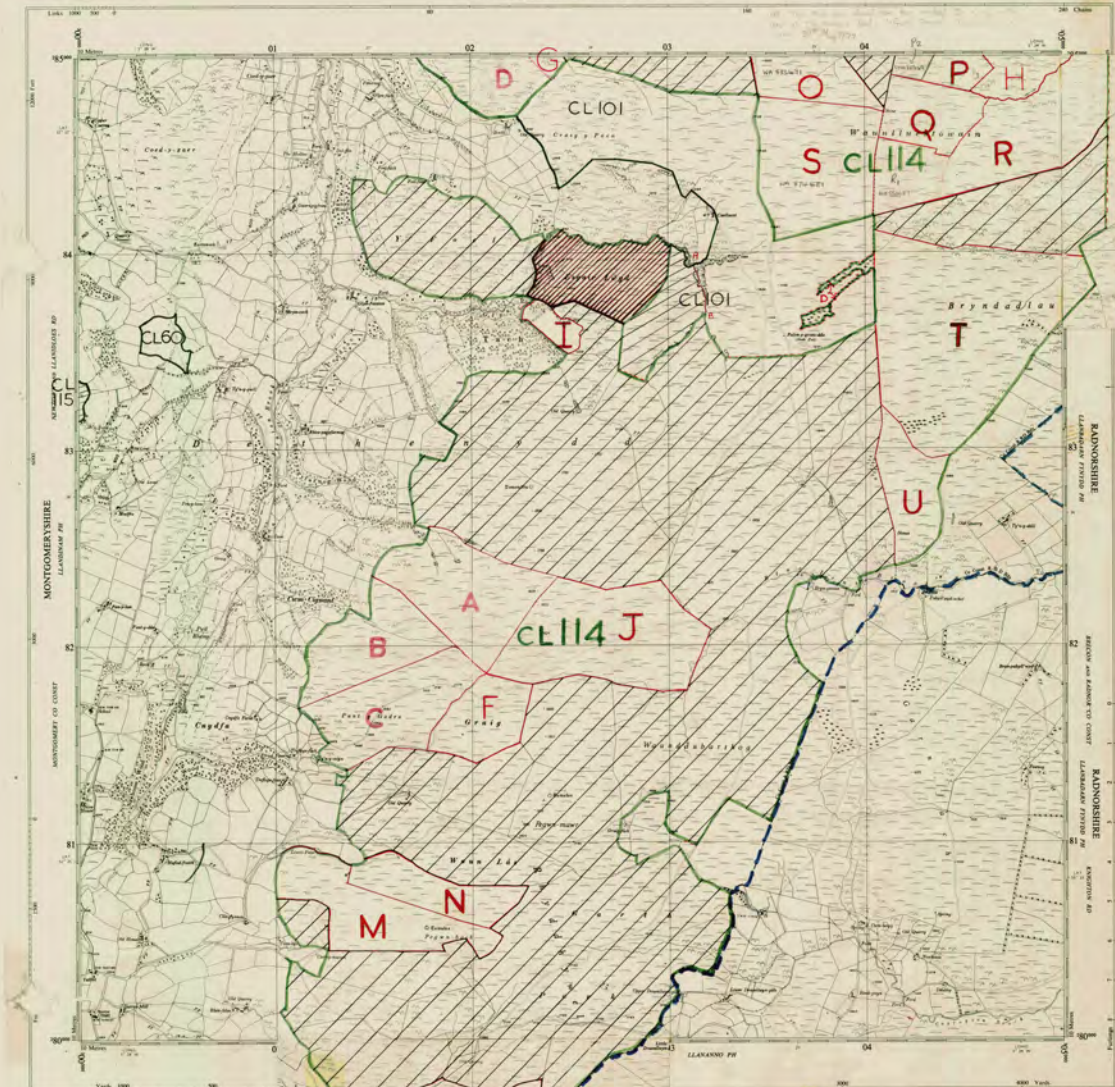
06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

06	07	08	09
85	86	87	88
89	90	91	92

INDEX TO SHEETS

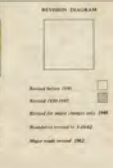
06	07	08	09
85	86	87	88
89	90	91	92



© Crown Copyright 1983

Scale: 1:10,560 or 6 Inches to 1 Mile

1:10,560	1:50,000	1:25,000	1:12,500	1:6,250	1:3,125
1:10,560	1:50,000	1:25,000	1:12,500	1:6,250	1:3,125



Made and published by the Director General of the ORDNANCE SURVEY, CHERTHOBY, WYRE, 1983

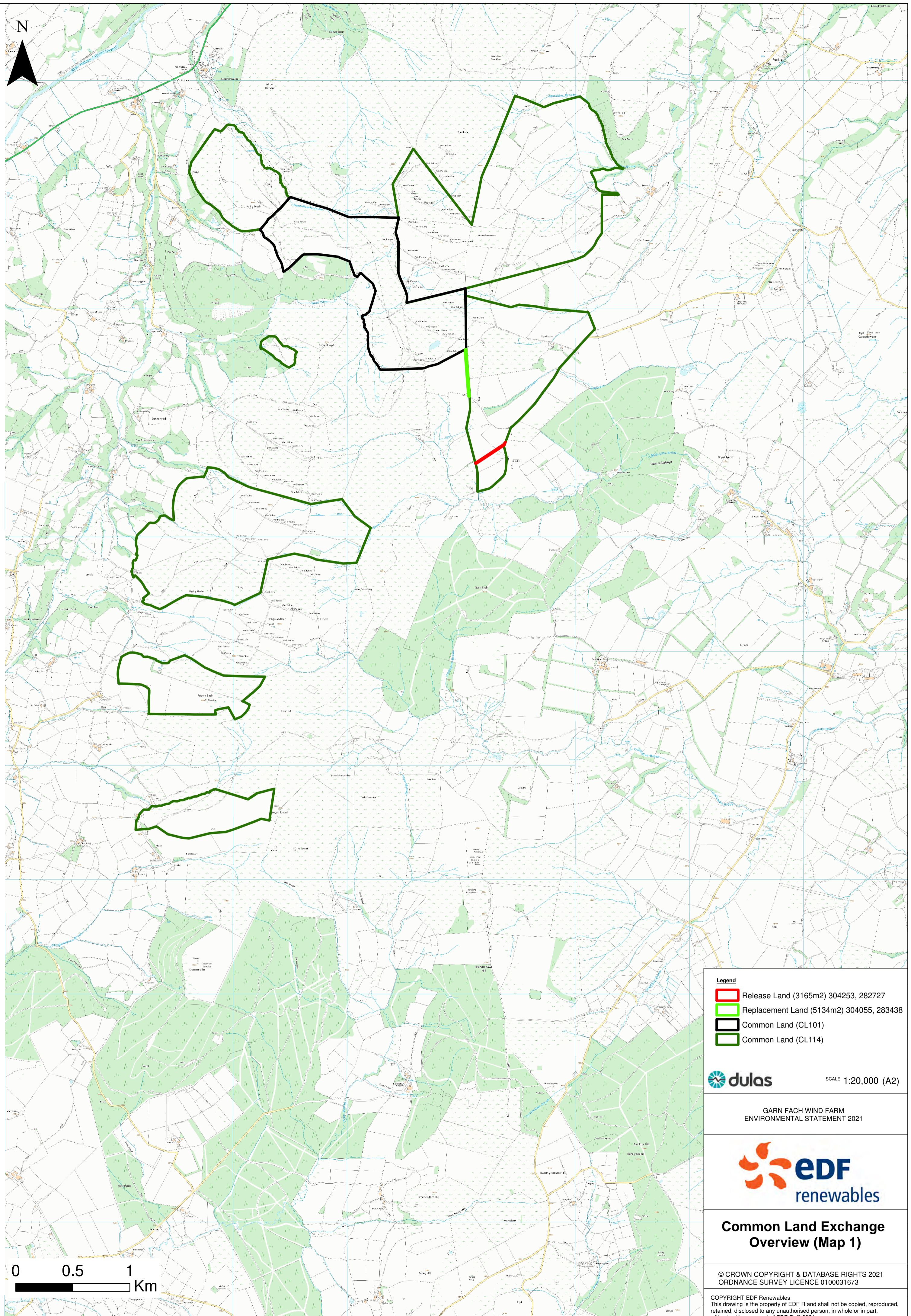
COMMONS REGISTRATION ACT 1965





MONTGOMERYSHIRE
REGISTRATION AUTHORITY

Provisional Register Map of Common Land
Sheet No. **114B**

This is the first edition of this sheet

APPENDIX 2: Order plans



- Legend**
-  Release Land (3165m2) 304253, 282727
 -  Replacement Land (5134m2) 304055, 283438
 -  Common Land (CL101)
 -  Common Land (CL114)

 SCALE 1:20,000 (A2)

GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021

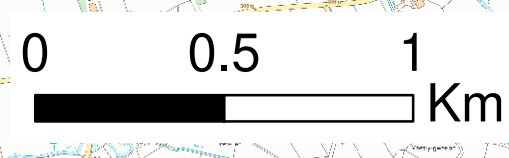
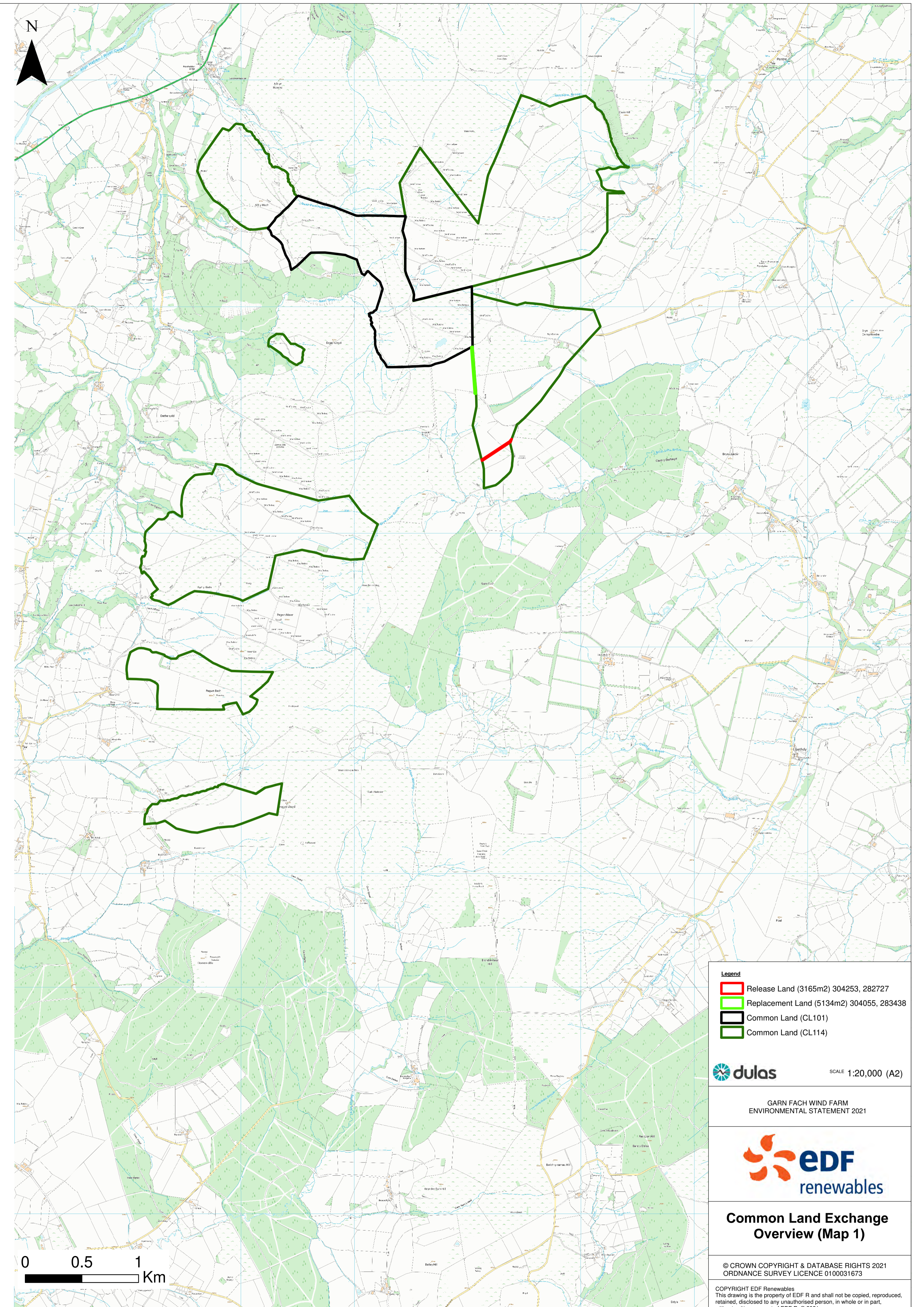






Common Land Exchange Overview (Map 1)

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced,
retained, disclosed to any unauthorised person, in whole or in part,
without written consent of EDF R. © 2021





- Legend**
-  Release Land (3165m2) 304253, 282727
 -  Replacement Land (5134m2) 304055, 283438
 -  Common Land (CL101)
 -  Common Land (CL114)

 SCALE 1:20,000 (A2)

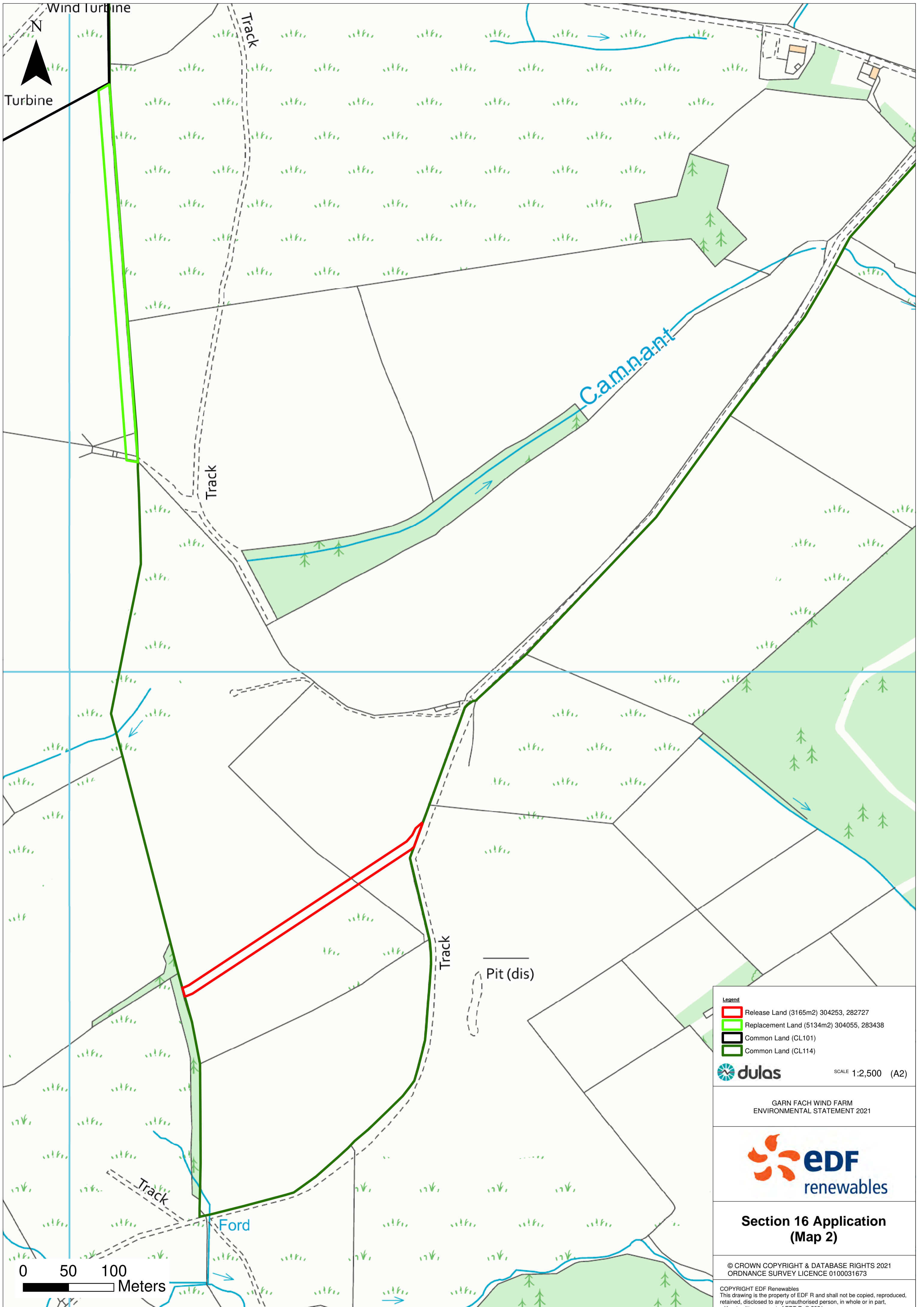
GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021



**Common Land Exchange
Overview (Map 1)**

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021



Legend

- Release Land (3165m²) 304253, 282727
- Replacement Land (5134m²) 304055, 283438
- Common Land (CL101)
- Common Land (CL114)

dulas SCALE 1:2,500 (A2)

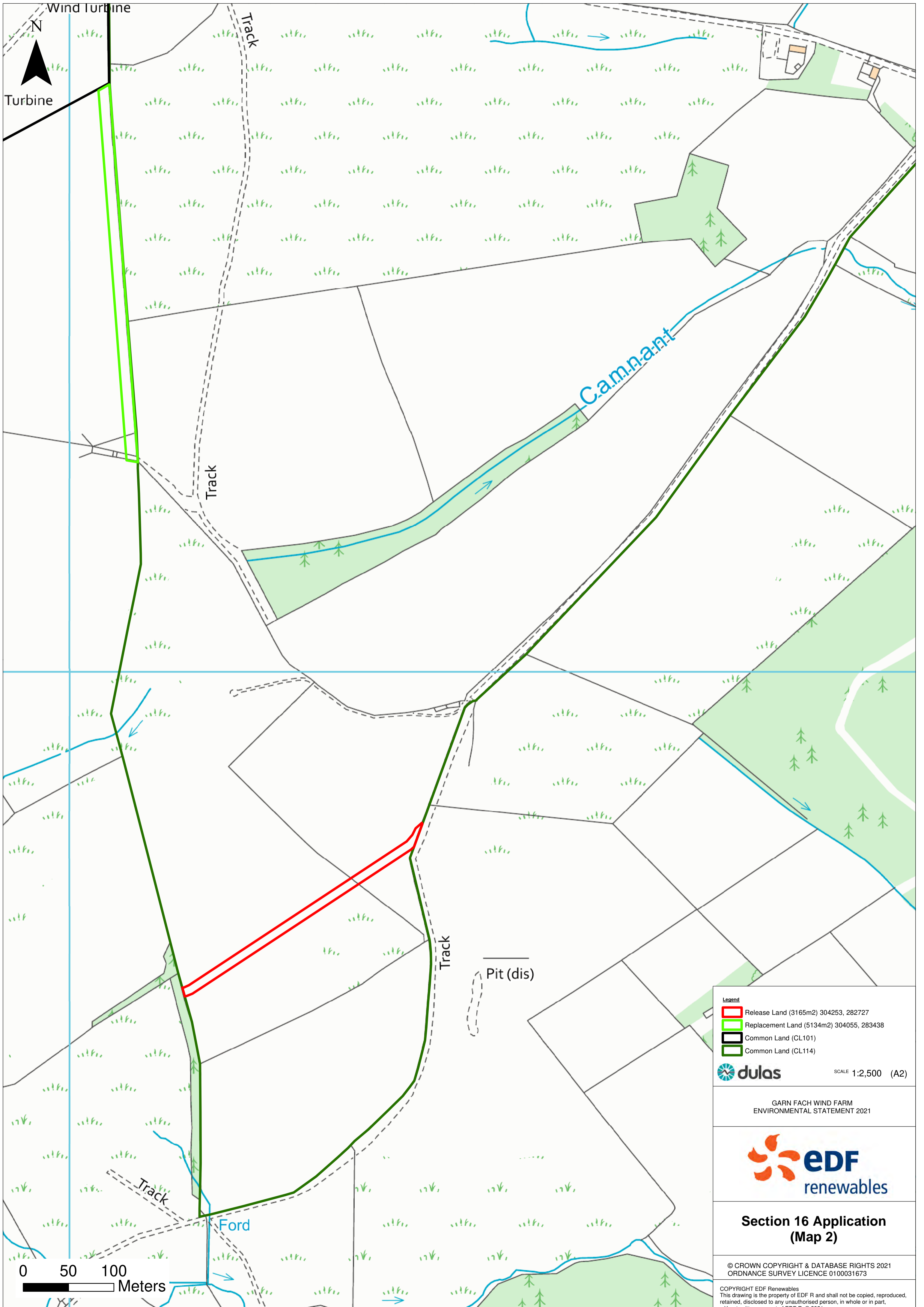
GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021



**Section 16 Application
(Map 2)**

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021



Legend

- Release Land (3165m²) 304253, 282727
- Replacement Land (5134m²) 304055, 283438
- Common Land (CL101)
- Common Land (CL114)

dulas SCALE 1:2,500 (A2)

GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021



**Section 16 Application
(Map 2)**

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021

APPENDIX 3: email from Assistant Commons Registration and Definitive Map Officer at Powys County Council

From: Claire Lewis
To: Simon Morgan
Subject: RE: Common Land 114 Map
Date: 28 July 2020 09:19:12
Attachments: map9504.png

Hi Simon

Yes, there is a Rights Section part of the register for MCL114. It lists current grazing rights that are exercisable over areas A, B & C so by default there are no grazing rights over area 'U'. Just to explain further, the landowner is grazing the land by virtue of his ownership rather than as a registered commoner. Did you need a copy of the rights section? If so it's £8.50.

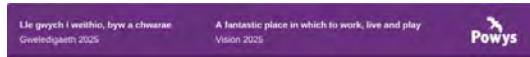
Cofion Cynnes/ Kind Regards

Claire Lewis
Swyddog Cynorthwyol Cofrestru Tir Comin a Mapiau Diffiniol
Assistant Commons Registration and Definitive Map

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

Mae Gwasanaethau Cefn Gwlad a'r Gwasanaeth Hamdden Awyr Agored yn prosesu'ch data personol er mwyn bodloni ein dyletswyddau statudol, ein pwrerau a'n cyfrifoldebau mewn perthynas â hawliau tramwy cyhoeddus a'r canlynol: Y Map Diffiniol, Y Gofrestr Tir Comin, parciau, lleoedd chwarae, a'r lleoedd agored rydym yn eu rheoli. Pe ddymunech wybod mwy am sut rydym yn defnyddio data personol, ewch i: https://secure-web.cisco.com/1ogSR6IzjbljgcToRoHNOI8lQldDvF4CqJkAqAJNLSz7bVvUjVtjvNMWSDdOPNVZ8-FXWwww9RmXGq0b9GAY3MrU3G101EItaIQS2_lkF3PDR8xxSTvzUR2NdEOlrgRYT6fYsDn79JwCmIKL3DHwyXNhjhky7SVKN_VDZnKFl6a4TUm6NKWlQAPCkYvIRmYF2ASvBOGNxRvSuhdkqvBCID8SvTP8PIJR8ne5dlWHQaPvWyo_elybZubONfO9Re5g_xfeTz5-fNt-4Z72npUyTUeGn5O2q8FFIXOpudE1prDbK3tFXG4Bm8NY-IBCKounIHmHP88D1CQ0ybD4U3vXJlS2_sBp5P8l8lC4Q1j/https%3A%2F%2Fcustomer.powys.gov.uk%2Farticle%2F3792%2FPrivacy-Notice-for-Countryside-Service

Countryside Services and Outdoor Recreation are processing your personal data for the purpose of meeting our statutory duties, powers and responsibilities in relation to public rights of way, the Definitive Map, Commons Register, parks, playgrounds and open spaces that we manage. If you would like to know more about how we use personal data, please see https://secure-web.cisco.com/1ogSR6IzjbljgcToRoHNOI8lQldDvF4CqJkAqAJNLSz7bVvUjVtjvNMWSDdOPNVZ8-FXWwww9RmXGq0b9GAY3MrU3G101EItaIQS2_lkF3PDR8xxSTvzUR2NdEOlrgRYT6fYsDn79JwCmIKL3DHwyXNhjhky7SVKN_VDZnKFl6a4TUm6NKWlQAPCkYvIRmYF2ASvBOGNxRvSuhdkqvBCID8SvTP8PIJR8ne5dlWHQaPvWyo_elybZubONfO9Re5g_xfeTz5-fNt-4Z72npUyTUeGn5O2q8FFIXOpudE1prDbK3tFXG4Bm8NY-IBCKounIHmHP88D1CQ0ybD4U3vXJlS2_sBp5P8l8lC4Q1j/https%3A%2F%2Fcustomer.powys.gov.uk%2Farticle%2F3792%2FPrivacy-Notice-for-Countryside-Service



From: Simon Morgan <[redacted]@[redacted].uk>
Sent: 27 July 2020 16:04
To: Claire Lewis
Subject: FW: Common Land 114 Map

Hi Claire,

Many thanks for sending through the attached which has confirmed that the 'U' identified on MCL114 is registered common land within the Garn fach wind farm site boundary. I've spoken to the landowner who states that he's the only registered commoner on this part of the Common. Do you hold a definitive commoners register which confirms this?

Kind regards

Simon



From: Claire Lewis <[redacted]@[redacted].uk>
Sent: 17 July 2020 11:16
To: Simon Morgan
Subject: RE: Common Land 114 Map

Hi Simon

Please find document scans attached.

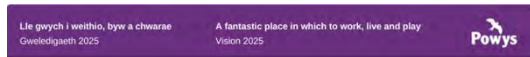
Cofion Cynnes/ Kind Regards

Claire Lewis
Swyddog Cynorthwyol Cofrestru Tir Comin a Mapiau Diffiniol

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

Mae Gwasanaethau Cefn Gwlad a'r Gwasanaeth Hamdden Awyr Agored yn prosesu'ch data personol er mwyn bodloni ein dyletswyddau statudol, ein pwrerau a'n cyfrifoldebau mewn perthynas â hawliau tramwy cyhoeddus a'r canlynol: Y Map Diffiniol, Y Gofrestr Tir Comin, parciau, lleoedd chwarae, a'r lleoedd agored rydym yn eu rheoli. Pe ddymunech wybod mwy am sut rydym yn defnyddio data personol, ewch i: https://secure-web.cisco.com/1JUCngU4uOwm2wDCayvF88esKoraCUXiellvCHG87SLY2ChKYRDvUjld5y040_bymbt8hQl50hp6-K9th_mQ5btEiGseAPurOENZuVUjGUgtjGClOjD3YwbGrsSM9wz_EjFE4V7v7z3l82feAEIKm2D9lEFO3eOvGxpek_WBvrv5mVjEmBHTMlI00F900WHN5LRwOshWR6aGJT-Pj_LiStuUfd_9oQMAalD4lrMecYmzrH-h6l-1Y_gNdPGLW061dk7878n-aNUKCNQ2NGnk8TUIBHjB0ZNo4-F4EQ7hKtRReeHPCaDn8ZTlG2hUjC6Cmeypx8Hh83CNPKd6-8RaekPT-Cvix-W2PovQkDqY5rri9BrN8Bpemk/https%3A%2F%2Fcustomer.powys.gov.uk%2Farticle%2F3792%2FPrivacy-Notice-for-Countryside-Service

Countryside Services and Outdoor Recreation are processing your personal data for the purpose of meeting our statutory duties, powers and responsibilities in relation to public rights of way, the Definitive Map, Commons Register, parks, playgrounds and open spaces that we manage. If you would like to know more about how we use personal data, please see https://secure-web.cisco.com/1JUCngU4uOwm2wDCayvF88esKoraCUXiellvCHG87SLY2ChKYRDvUjld5y040_bymbt8hQl50hp6-K9th_mQ5btEiGseAPurOENZuVUjGUgtjGClOjD3YwbGrsSM9wz_EjFE4V7v7z3l82feAEIKm2D9lEFO3eOvGxpek_WBvrv5mVjEmBHTMlI00F900WHN5LRwOshWR6aGJT-Pj_LiStuUfd_9oQMAalD4lrMecYmzrH-h6l-1Y_gNdPGLW061dk7878n-aNUKCNQ2NGnk8TUIBHjB0ZNo4-F4EQ7hKtRReeHPCaDn8ZTlG2hUjC6Cmeypx8Hh83CNPKd6-8RaekPT-Cvix-W2PovQkDqY5rri9BrN8Bpemk/https%3A%2F%2Fcustomer.powys.gov.uk%2Farticle%2F3792%2FPrivacy-Notice-for-Countryside-Service



From: Simon Morgan <[redacted]@[redacted].uk>
Sent: 16 July 2020 16:59
To: Claire Lewis
Subject: Common Land 114 Map

Dear Claire,

As discussed please find attached the plan which will form the planning application boundary for the Garn Fach wind farm, you'll note it's a large area.

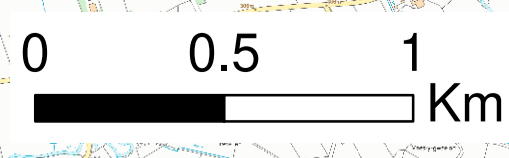
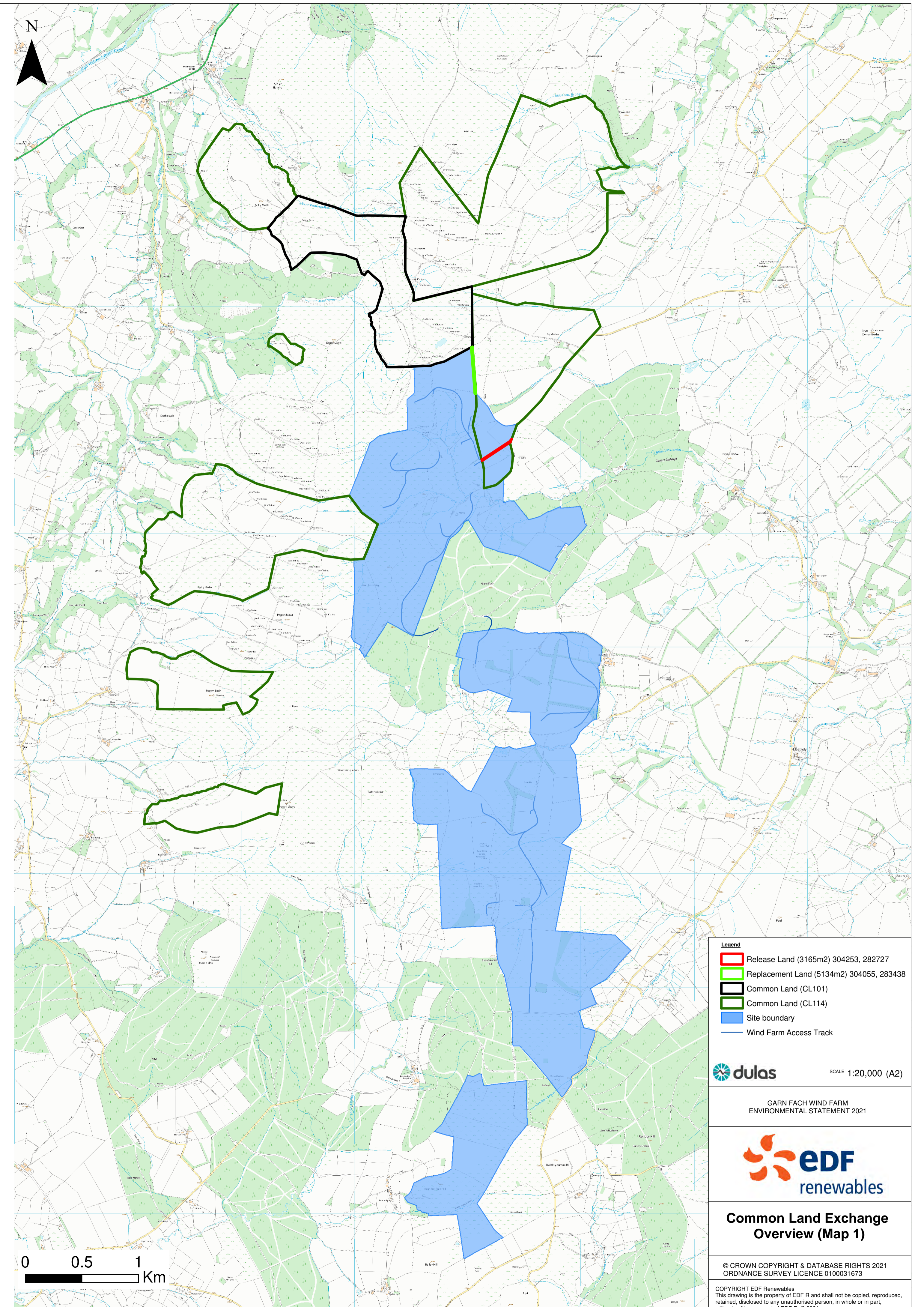
I'll call you in the morning at 10am.







Kind regards

Simon



APPENDIX 4: Maps 1, 2 & 3



- Legend**
-  Release Land (3165m2) 304253, 282727
 -  Replacement Land (5134m2) 304055, 283438
 -  Common Land (CL101)
 -  Common Land (CL114)
 -  Site boundary
 -  Wind Farm Access Track



SCALE 1:20,000 (A2)

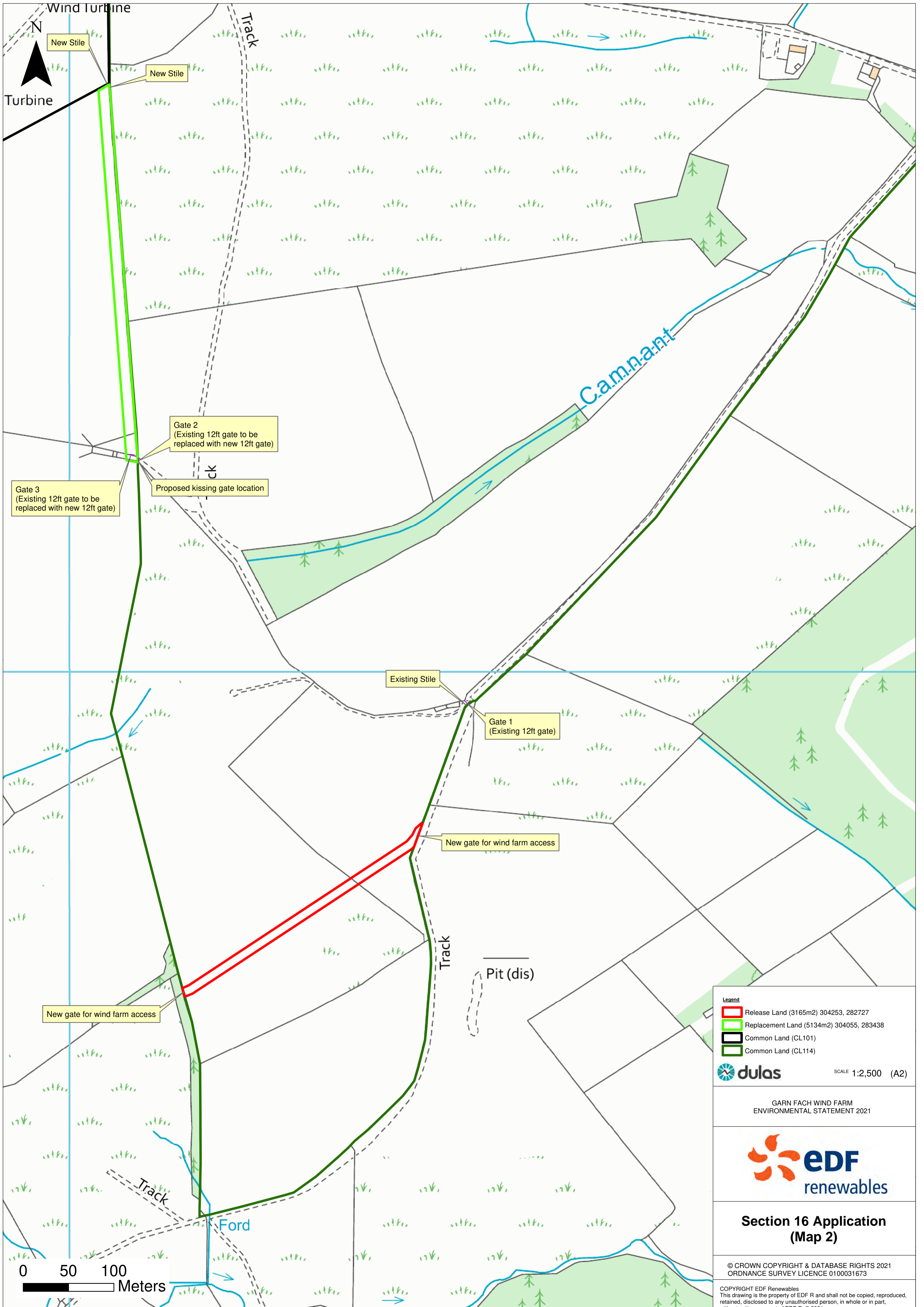
GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021



Common Land Exchange Overview (Map 1)

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021



Legend

- Release Land (3165m²) 304253, 282727
- Replacement Land (5134m²) 304055, 283438
- Common Land (CL101)
- Common Land (CL114)

dulas SCALE 1:2,500 (A2)

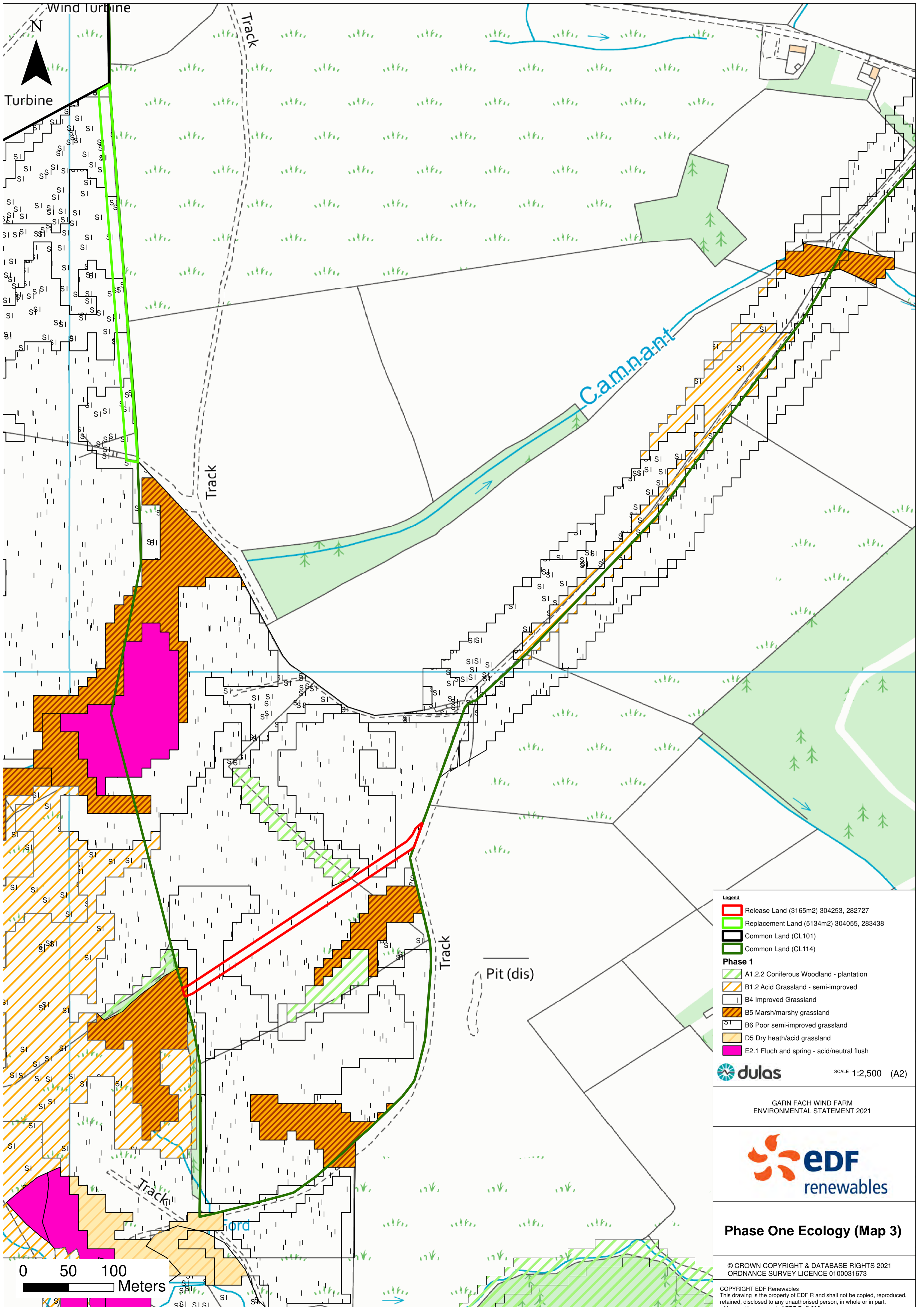
GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021

edf
renewables

**Section 16 Application
(Map 2)**

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021



Legend

- Release Land (3165m²) 304253, 282727
- Replacement Land (5134m²) 304055, 283438
- Common Land (CL101)
- Common Land (CL114)

Phase 1

- A1.2.2 Coniferous Woodland - plantation
- B1.2 Acid Grassland - semi-improved
- B4 Improved Grassland
- B5 Marsh/marshy grassland
- B6 Poor semi-improved grassland
- D5 Dry heath/acid grassland
- E2.1 Fluch and spring - acid/neutral flush

dulas SCALE 1:2,500 (A2)

GARN FACH WIND FARM
ENVIRONMENTAL STATEMENT 2021



Phase One Ecology (Map 3)

© CROWN COPYRIGHT & DATABASE RIGHTS 2021
ORDNANCE SURVEY LICENCE 0100031673

COPYRIGHT EDF Renewables
This drawing is the property of EDF R and shall not be copied, reproduced, retained, disclosed to any unauthorised person, in whole or in part, without written consent of EDF R. © 2021

APPENDIX 5: Pre-application consultation



Fferm Wynt
Garn Fach
Wind Farm

Pre Application Consultation under section
16 of the Commons Act 2006



Commons Consultees	Commons Statement	Draft Application form	Date(s) of Consultee response	Response summary
Mr & Mrs Brian Fairclough and Mr & Mrs Gareth Vaughan (Landowners)	Emailed 29th June 2021	Emailed 21st July 2021	None	n/a
Cadw	Emailed 29th June 2021	Emailed 21st July 2021	8th July 2021	<i>At this stage Cadw has no comments to make</i>
Powys County Council	Emailed 29th June 2021	Emailed 21st July 2021	28th July & 17th August 2021	<i>Comments have been made directly to Simon Morgan by separate email on this application. These have been satisfactorily responded to and therefore Commons Registration does not wish to comment further. Requested kissing gate rather than stile (agreed)</i>
NRW	Emailed 29th June 2021	Emailed 21st July 2021	16th September 2021	<i>We have concerns with the application as proposed. However, we are satisfied that these concerns can be overcome by the determining authority attaching the following condition to any planning permission granted: Condition 1 : No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the determining authority (EDF-R agreed position)</i>
Ramblers Cymru	Emailed 29th June 2021	Emailed 21st July 2021	22nd July & 8th August 2021	<i>Requested gate rather than stile (proposing kissing gate as requested by PCC). Powys ramblers have looked at this and we don't consider that the exchange itself significantly adversely affects the interests of walkers</i>
Llandinam Community Council (Replacement land)	Emailed 29th June 2021	Emailed 21st July 2021	None	n/a
Mochre with Penstrowed Community Council (Release land)	Emailed 29th June 2021	Emailed 21st July 2021	None	n/a
Ward Councillor (Llandinam & Mochdre)	Emailed 29th June 2021	Emailed 21st July 2021	None	n/a
Open Spaces Society	Emailed 29th June 2021	Emailed 21st July 2021	22nd July, 20th September, 25th November 2021, 30th November 2021 & 10th January 2022	<i>We would not in general terms object to the proposed release land. OSS 'welcome concessions' with regards to the replacement land which includes extending the northern boundary to meet CL101, adding new stiles at the northern boundary for access to CL101 and 'T' of CL114, extending the southern boundary and replacing Gates 2 and 3 with new Gates. 10th January 2022 email from OSS: - Hi Simon Thanks: this looks more satisfactory now. regards Hugh</i>
Local Resident enquiry	n/a	n/a	meeting held 15th July 2021	n/a

Simon Morgan

From: Simon Morgan
Sent: 21 July 2021 16:03
To: Brian & Catherine Fairclough [redacted]
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC
Attachments: Draft Application form - Commons Act 2006 Section 16.pdf

Hi both,

Please find attached a Draft application form for the Commons Application, nothing for you to do at this stage, I'm required to do this as part of the pre-submission consultation.

Kind regards

Simon



From: Simon Morgan
Sent: 29 June 2021 18:54
To: Brian & Catherine Fairclough (ca [redacted] uk>
Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Brain, Cath

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



From: [Simon Morgan](#)
To: [REDACTED] Common Land Application for PAC
Date: 29 June 2021 18:44:00
Attachments: [Pre Application Consultation \(section 16 of the Commons Act 2006\).pdf](#)

Dear Cadw

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



Simon Morgan
Principal Project
Development Manager



k

Cadw— er lles pawb.
For us all, to keep.

[Ymunwch â Cadw](#)
[Join Cadw](#)

From: Simon Morgan <[REDACTED]>
Sent: 08 July 2021 13:01
To: Harris, Denise (ESNR-Tourism, Heritage & Sport-Cadw) <[REDACTED]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Denise,

Many thanks for providing the read receipt for the below email which included the Commons Statement (attached again for ease of reference), if you'd like me to send you a hard copy of the statement please let me know

As a statutory consultee to the Commons Application that will be submitted with the main Garn Fach wind farm application I'd be grateful for Cadw to review the statement and provide any feedback prior to the 8th September.

If there are any questions in the meantime please let me know

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

EDF Renewables, United Kingdom
[REDACTED]

From: Simon Morgan
Sent: 29 June 2021 18:45

From: [Simon Morgan](#)
To: [REDACTED] Draft Common Land Application for PAC
Date: 21 July 2021 16:00:00
Attachments: [Draft Application form - Commons Act 2006 Section 16.pdf](#)
[image001.png](#)
[image009.png](#)
[image010.png](#)

Hi Jenna,

Many thanks for Cadw's response to the Commons Statement, a draft application form has also been prepared which I attach for your information.

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

[REDACTED]

[REDACTED]

From: Jenna.Arnold2@gov.wales <[REDACTED]>
Sent: 08 July 2021 14:08
To: Simon Morgan [REDACTED] <>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Hi Simon

I sent Cadw's response to the Garn Fach email address this morning. I have attached a copy for ease of reference.

Kind regards
Jenna



Jenna Arnold
Cangen Amgylchedd Hanesyddol / Historic Environment Branch
Llywodraeth Cymru / Welsh [REDACTED]
[REDACTED]



Llywodraeth Cymru
Welsh Government

Plas Caeveur, Unit 57, Cefn Coed
Parc Nantgarw, Cardiff, CF15 7QQ
Ffôn 0300 025 6000
E-bost Cadw@gov.wales
www.cadw.gov.wales
0300 025 6000
cadw@gov.wales/cadw@llyw.cymru
www.cadw.gov.wales

Simon Morgan
Principal Project
Development Manager
garn.fach@edf-re.uk

Eich cyfeirnod
Your reference 3244499

Ein cyfeirnod
Our reference

Dyddiad
Date 8 July 2021

Llinell uniongyrchol
Direct line 0 [REDACTED]

Ebost
Email: [REDACTED]

Dear Simon,

Pre-Planning Application - Garn Fach Wind farm - Section 16 - Commons Act

Thank you for your email of 26 June 2021 inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application. Our assessment of the pre-application is given below.

At this stage Cadw has no comments to make. Our Senior Historic Environment Planning Officer has provided their assessment below.

The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment

Scheduled Monuments:

MG079 Domen Ddu Round Barrow
MG086 Polyn y Groes-Ddu Round Barrow, Waun Llust Owain
MG253 Waun Llust Owain Round Hut and Long Hut
MG290 Polyn y Groes Ddu Round Cairn II
MG333 Pegwn Mawr, Standing Stone 620m NNE

This advice is given in response to a pre-application consultation in regard to a secondary consent under section 16 of the Commons Act 2006 for the de-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114 as part of the proposed Garn Fach Windfarm development.

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



The land affected by the proposal is located inside 2km of the above scheduled monuments but due to intervening topography it is unlikely that the proposed changes will be visible from them. As such, it is my opinion that the proposals will not have any impact on the settings of these scheduled monuments.

Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Clwyd-Powys Archaeological Trust <http://www.cpat.org.uk/>

Yours sincerely,

Jenna Arnold
Diogelu a Pholisi / Protection and Policy

Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

Simon Morgan

Subject: FW: Garn Fach Wind Farm - Draft Common Land Application for PAC

From: Claire Lewis <[REDACTED]>

Sent: 17 August 2021 21:34

To: garn fach <[REDACTED]>

Cc: Peter Morris <[REDACTED]>

Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Sirs

Thank you for your consultation setting out your proposals under s16 of the Commons Act 2006.

Comments have been made directly to Simon Morgan by separate email on this application. These have been satisfactorily responded to and therefore Commons Registration does not wish to comment further.

Cofion Cynnes/ Kind Regards

Claire Lewis

Swyddog Cynorthwyol Cofrestru Tir Comin a Mapiau Diffiniol

Assistant Commons Registration and Definitive Map Officer

Ffon/Te [REDACTED]

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

Mae Gwasanaethau Cefn Gwlad a'r Gwasanaeth Hamdden Awyr Agored yn prosesu'ch data personol er mwyn bodloni ein dyletswyddau statudol, ein pwerau a'n cyfrifoldebau mewn perthynas â hawliau tramwy cyhoeddus a'r canlynol: Y Map Diffiniol, Y Gofrestr Tir Comin, parciau, lleoedd chwarae, a'r lleoedd agored rydym yn eu rheoli. Pe ddymunech wybod mwy am sut rydym yn defnyddio data personol, ewch i: <https://cy.powys.gov.uk/article/3793/Gwasanaethau-Cefn-Gwlad-Rhybudd-Preifatrwydd>

Countryside Services and Outdoor Recreation are processing your personal data for the purpose of meeting our statutory duties, powers and responsibilities in relation to public rights of way, the Definitive Map, Commons Register, parks, playgrounds and open spaces that we manage. If you would like to know more about how we use personal data, please see: <https://en.powys.gov.uk/article/3792/Countryside-Services-Privacy-Notice>

Lle gwych i weithio, byw a chwarae
Gwledigaeth 2025

A fantastic place in which to work, live and play
Vision 2025



Simon Morgan

From: Simon Morgan
Sent: 09 August 2021 14:36
To: Claire Lewis
Cc: Peter Morris
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC
Attachments: E05398-DWP-The Common Land Exchange Overview plan annotated-V3-20210806-RK.pdf; draft Commons application - site photos.pdf

Hi Claire,

Many thanks for the below, I've got further information from the landowner on the existing and proposed access arrangements to the release and replacement land, please find attached an annotated plan as well as site photos. I'm pleased to confirmed that a kissing gate rather than a stile can be located to access the replacement land from 'U' of MCL114 with existing gates (2 & 3) providing access to the replacement land from 'T' of MCL114.

Kind regards

Simon



From: Claire Lewis <[redacted]>
Sent: 28 July 2021 17:44
To: Simon Morgan <[redacted]>
Cc: Peter Morris <[redacted]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Hi Simon

I did try and give you a call earlier. A couple of points regarding the draft S16 application:

- (1) Q 6: The acreage recorded in the register for MCL114 is 1469.99
- (2) To facilitate public access, a kissing gate rather than a stile installed in the replacement land boundary is preferable— is this possible?
- (3) Q 30. I thought I should mention that a successful s. 16 deregistration and exchange application will deliver a permanent change to the register of common land despite you highlighting 'that the permission is temporary and will fall away after 35 years'
- (4) Q36 & 37: The responses should be no.

Cofion Cynnes/ Kind Regards

Claire Lewis
Swyddog Cynorthwyol Cofrestru Tir Comin a Mapiau Diffiniol
Assistant Commons Registration and Definitive Map Officer
Ffon/Te [redacted]

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

Mae Gwasanaethau Cefn Gwlad a'r Gwasanaeth Hamdden Awyr Agored yn prosesu'ch data personol er mwyn bodloni ein dyletswyddau statudol, ein pwerau a'n cyfrifoldebau mewn perthynas â hawliau tramwy cyhoeddus a'r canlynol: Y Map Diffiniol, Y Gofrestr Tir Comin, parciau, lleoedd chwarae, a'r lleoedd agored rydym yn eu rheoli. Pe ddymunech wybod mwy am sut rydym yn defnyddio data personol, ewch i: <https://cy.powys.gov.uk/article/3793/Gwasanaethau-Cefn-Gwlad--Rhybudd-Preifatrwydd>

Countryside Services and Outdoor Recreation are processing your personal data for the purpose of meeting our statutory duties, powers and responsibilities in relation to public rights of way, the Definitive Map, Commons Register, parks, playgrounds and open spaces that we manage. If you would like to know more about how we use personal data, please see: <https://en.powys.gov.uk/article/3792/Countryside-Services-Privacy-Notice>

Lle gwyth i weithio, byw a chwarae
Gweledigaeth 2025

A fantastic place in which to work, live and play
Vision 2025



From: Simon Morgan <[redacted]>
Sent: 21 July 2021 16:31
To: Planning Services <[redacted]>; Peter Morris <[redacted]>; Claire Lewis <[redacted]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Hi Claire, Peter

In addition to the Garn Fach Commons Statement that you've received a draft application form has also been prepared, attached.

Claire - if you've any questions or would like to discuss please let me know

Kind regards

Simon



From: Simon Morgan
Sent: 29 June 2021 17:56
To: [redacted]; Claire Lewis <[redacted]>
Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Claire, Peter

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully

A large black rectangular redaction covers the signature area. To the left of the redaction is a logo consisting of several orange and red curved shapes arranged in a circular pattern.

Simon Morgan
Principal Project

Ce courrier électronique, et éventuellement ses pièces jointes, peuvent contenir des informations confidentielles et/ou personnelles et a été envoyé uniquement à l'usage de la personne ou de l'entité citée ci-dessus. Si vous recevez ce courrier électronique par erreur, merci de bien vouloir en avvertir l'expéditeur immédiatement par retour à ce courrier et effacer l'original et détruire toute copie enregistrée dans un ordinateur, ou imprimée ou encore sauvegardée sur un disque. Toute revue, retransmission ou toute autre forme d'utilisation de ce courrier électronique par toute autre personne que le destinataire prévue est strictement interdite.

L'Internet ne permettant pas d'assurer l'intégrité de ce message, l'expéditeur décline toute responsabilité au cas où il aurait été intercepté ou modifié par quiconque.

This e-mail and possibly any attachment may contain confidential and/or privileged information and is intended only for the use of the individual or entity named above. If you have received it in error, please advise the sender immediately by reply e-mail and delete and destroy all copies including all copies stored in the recipient's computer, printed or saved to disk. Any review, retransmission, or further use of this e-mail by persons or entities other than the intended recipient is strictly prohibited.



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-157359-V0W0
Eich cyf/Your ref: DNS/3244499

Welsh Government Building,
Rhodfa Padarn,
Llanbadarn Fawr,
Aberystwyth,
Ceredigion,
SY23 3UR

EDF Renewables

16/09/2021

epost/email:

M [REDACTED]

Annwyl / Dear Mr Morgan,

Pre Application Consultation relating to Garn Fach Wind Farm Application under section 16 of the Commons Act 2006

BWRIAD / PROPOSAL: INSTALLATION OF A WIND FARM AND ENERGY STORAGE FACILITY, TOGETHER WITH ASSOCIATED EQUIPMENT, INFRASTRUCTURE AND ANCILLARY WORKS

LLEOLIAD / LOCATION: Garn Fach Wind Farm, Powys

Thank you for the pre application consultation relating to Garn Fach Wind Farm Application under section 16 of the Commons Act 2006 which was received on the 29/06/2021.

We have concerns with the application as proposed. However, we are satisfied that these concerns can be overcome by the determining authority attaching the following condition to any planning permission granted:

Condition 1: No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the determining authority.

Please note, without this condition, we would be likely to object to the planning application. Further details are provided below.

We note this is a pre-application consultation for a secondary consent relating to the Garn Fach wind farm proposal, a development of national significance (DNS). The application proposes that the strip of land shown edged in red on Map 2 (Fferm Wynt Garn Fach, Pre-application Consultation under section 16 of the Commons Act 2006, EDF Renewables, 30th June 2021), will be de-registered and thereby released from common land so that this land can be used to access the proposed development.

We note the development would involve the construction of a new track. We advise that a Construction Environmental Management Plan (CEMP) be prepared in support of this application. The CEMP should integrate any measures identified in Garn Fach Wind Farm

Draft Environmental Statement (EDF Renewables, June 2021) which are site specific to the area associated with the construction of the track e.g. appropriate pollution prevention measures, protected species reasonable avoidance measures (RAMS), peat storage etc.

Condition 1: No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the determining authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

You are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

Daniel Davies

Uwch Cynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales

Simon Morgan

From: Simon Morgan
Sent: 21 July 2021 16:20
To: Mid Planning
Cc: Ifan Gwilym
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC NRW:03592905
Attachments: Draft Application form - Commons Act 2006 Section 16.pdf

Hi Daniel,

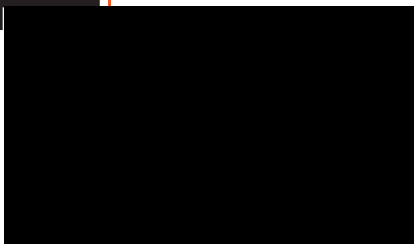
In addition to the Garn Fach Commons Statement that you've received a draft application form has also been prepared, attached.

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager



From: Mid Planning <[redacted]>
Sent: 08 July 2021 13:55
To: Simon Morgan <[redacted]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC NRW:03592905

Dear Simon,

I can clarify receipt of the application. I will be in touch should I require any clarification.

Best regards,

Daniel

Daniel Davies
[Uwch Cyngorthydd Cynllunio Datblygu](#) / Senior Development Planning Advisor
[Cyfoeth Naturiol Cymru](#) / Natural Resources Wales
[Siaradwr Cymraeg](#)
[cyfoethnaturiol.cymru](#) / [naturalresources.wales](#)

----- Original Message -----

From: Simon <[redacted]>
Received: Thu Jul 08 2021 13:48:16 GMT+0100 (British Summer Time)
To: North planning <[redacted]>; North Planning Mailbox Queue <[redacted]>; North Planning <[redacted]>;
Subject: RE: Garn Fach wind Farm - Draft Common Land Application for PAC

Dear NRW,

I've made enquires through 0300 065 3000 today and kindly request safe receipt of the below email (sent 29th June) which included the Commons Statement (attached again for ease of reference), if you'd like me to send you a hard copy of the statement please let me know.

As a statutory consultee to the Commons Application that will be submitted with the main Garn Fach wind farm application I'd be grateful for NRW to review the statement and provide any feedback prior to the 8th September.

If there are any questions in the meantime please let me know

Kind regards

Simon



Simon Morgan

From: Simon Morgan

Sent: 29 June 2021 18:50

To: [Redacted] Application for PAC

Dear NRW

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



Simon Morgan
Principal Project
Development Manager

Ce courrier électronique, et éventuellement ses pièces jointes, peuvent contenir des informations confidentielles et/ou personnelles et a été envoyé uniquement à l'usage de la personne ou de l'entité citée ci-dessus. Si vous receviez ce courrier électronique par erreur, merci de bien vouloir en avvertir l'expéditeur immédiatement par retour à ce courrier et effacer l'original et détruire toute copie enregistrée dans un ordinateur, ou imprimée ou encore sauvegardée sur un disque. Toute revue, retransmission ou toute autre forme d'utilisation de ce courrier électronique par toute autre personne que le destinataire prévue est strictement interdite.

L'Internet ne permettant pas d'assurer l'intégrité de ce message, l'expéditeur décline toute responsabilité au cas où il aurait été intercepté ou modifié par quiconque.

This e-mail and possibly any attachment may contain confidential and/or privileged information and is intended only for the use of the individual or entity named above. If you have received it in error, please advise the sender immediately by reply e-mail and delete and destroy all copies including all copies stored in the recipient's computer, printed or saved to disk. Any review, retransmission, or further use of this e-mail by persons or entities other than the intended recipient is strictly prohibited.

Because of the nature of the Internet the sender is not in a position to ensure the integrity of this message, therefore the sender disclaims any liability whatsoever, in the event of this message having been intercepted and/or altered.

Simon Morgan

From: Simon Morgan
Sent: 09 August 2021 14:47
To: Graham Taylor
Cc: [REDACTED]
Attachments: Garn_Fach Commons & RoW plan.pdf

Graham,

Many thanks for your reply which is helpful, I'll inform you once the application is submitted (currently targeting October).

For your information I attach a plan of PRoWs received from Powys County Council which confirms no existing routes will be impacted by the track across the Common, the western extent of footpath 75 ceases on the boundary of the common and ceases at its eastern end in the NRW plantation.

Kind regards

Simon



From: Graham Taylor <gr[REDACTED]com>
Sent: 08 August 2021 09:42
To: Simon Morgan [REDACTED]
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Simon

Powys rambles have looked at this and we don't consider that the exchange itself significantly adversely affects the interests of walkers. Our only other comment is that the track across the common would be close to a public FP linking two areas of access land. We don't have any information about the route of the rest of the track but it might well cross the FP. If so, the PROW should be protected at all times.

Hope this is helpful

Graham

From: Simon Morgan [REDACTED]
Sent: 26 July 2021 16:02
To: Rebecca Brough <Re[REDACTED]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Hi Rebecca,

Thanks for the below, I've now gathered further information on current access arrangements and can confirm that there are three 12ft gates that provide access to the Release land and Replacement land (please see attached).

I received an email from Graham Taylor today and will respond cc'ing you in.

Kind regards

Simon



Simon Morgan
Principal Project

From: Rebecca Brough <[redacted]>
To: Simon Morgan <[redacted]>
Subject: FW: Garn Fach Wind Farm - Draft Common Land Application for PAC

Hi Simon,

Just to confirm I have seen this. My only comment would be whether the landowner would be willing to improve the access by use of the least restrictive option i.e. a gate rather than a stile?

Rebecca

Rebecca Brough

Policy and Advocacy Manager (Wales)/
Rheolwr Polisi ac Eiriolaeth (Cymru)

Ramblers Cymru

3 Coopers Road Curran Road Cardiff CF10 1NB
3 Ard y Cooper Road Curran Caerdydd

S yddfa Office:
Llinell uniongyrchol Direct dial:
Rhif symudol Mobile:



<http://www.ramblers.org.uk>

T itter: @RamblersCymru

Facebook: Ramblers Cymru

From: Cerddwyr <[redacted]>
Sent: 22 July 2021 10:45
To: Alan Austin <[redacted]>
Cc: Rebecca Brough <[redacted]>
Subject: FW: Garn Fach Wind Farm - Draft Common Land Application for PAC

From: Simon Morgan <[redacted]>
Sent: 21 July 2021 16:24
To: Cerddwyr <[redacted]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Ramblers Cymru,

In addition to the Garn Fach Commons Statement that you've received on the 29th June a draft application form has also been prepared, attached.

I spoke to a lady on telephone number 020 3961 3310 who confirmed that the 29th June email was sent to your policy manager, I'd appreciate if the attached was also sent to the relevant contact and to receive confirmation of receipt of this information.

If you've any questions please let me know

Kind regards



From: Simon Morgan
Sent: 29 June 2021 18:48
To: [Redacted] Draft Common Land Application for PAC

Dear Ramblers Cymru

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114


Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully


Simon Morgan
Principal Project
Development Manager

Ce courrier électronique, et éventuellement ses pièces jointes, peuvent contenir des informations confidentielles et/ou personnelles et a été envoyé uniquement à l'usage de la personne ou de l'entité citée ci-dessus. Si vous recevez ce courrier électronique par erreur, merci de bien vouloir en avvertir l'expéditeur immédiatement par retour à ce courrier et effacer l'original et détruire toute copie enregistrée dans un ordinateur, ou imprimée ou encore sauvegardée sur un disque. Toute revue, retransmission ou toute autre forme d'utilisation de ce courrier électronique par toute autre personne que le destinataire prévue est strictement interdite.

L'Internet ne permettant pas d'assurer l'intégrité de ce message, l'expéditeur décline toute responsabilité au cas où il aurait été intercepté ou modifié par quiconque.

This e-mail and possibly any attachment may contain confidential and/or privileged information and is intended only for the use of the individual or entity named above. If you have received it in error, please advise the sender immediately by reply e-mail and delete and destroy all copies including all copies stored in the recipient's computer, printed or saved to disk. Any review, retransmission, or further use of this e-mail by persons or entities other than the intended recipient is strictly prohibited.

Because of the nature of the Internet the sender is not in a position to ensure the integrity of this message, therefore the sender disclaims any liability whatsoever, in the event of this message having been intercepted and/or altered.

Click [here](#) to report this email as spam.



Follow us: [Twitter](#) | [Facebook](#) | [Instagram](#)

Get involved: [Find a group walk](#) | [Become a member](#) | [Donate](#)

Find out more: <https://www.ramblers.org.uk>

The Ramblers' Association is a registered charity (England & Wales no 1093577, Scotland no SC039799) and a company limited by guarantee, registered in England & Wales (no 4458492). Registered office: 2nd floor, Camelford House, 87-90 Albert Embankment, London SE1 7TW

This email has been scanned by Websense. This e-mail message is confidential and for use by the addressee only. If the message is received by anyone other than the addressee, please return the message to the sender by replying to it and then delete the message from your computer.

Simon Morgan

From: Simon Morgan
Sent: 21 July 2021 16:35
To: [REDACTED]
[REDACTED] RE: Garn Fach Wind Farm - Draft Common Land Application for PAC
Attachments: Draft Application form - Commons Act 2006 Section 16.pdf

Dear Llandinam Community Council,

In addition to the Garn Fach Commons Statement that you've received a draft application form has also been prepared, attached for your information.

If you've any questions or would like to discuss please let me know

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

From: Simon Morgan
Sent: 29 June 2021 18:39
To: [REDACTED]
Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Llandinam Community Council,

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



Simon Morgan

From: Simon Morgan
Sent: 21 July 2021 16:37
To: [REDACTED]
[REDACTED] Act 2006 Section 16.pdf

Dear Kath,

In addition to the Garn Fach Commons Statement that you've received a draft application form has also been prepared, attached for your information.

If you've any questions or would like to discuss please let me know

Kind regards

Simon



Simon Morgan
Principal Project

From: Simon Morgan
Sent: 29 June 2021 18:42
To: [REDACTED]
Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Kath (clerk of Mochre with Penstrowed Community Council)

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



Simon Morgan
Principal Project
Development Manager

Simon Morgan

From: Councillor Karl Lewis <[REDACTED]>
Sent: 28 July 2021 15:20
To: Simon Morgan
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Thank you.

From: Simon Morgan <[REDACTED]>
Sent: 22 July 2021 10:01
To: Councillor Karl Lewis <[REDACTED]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Good morning Cllr Karl,

Thanks for your email.

I can confirm that the Commons Statement and draft application form have been sent to Peter Morris and Claire Lewis at PCC and the clerks of Mochdre and Llandinam Community Councils. Angharad and I attended (virtually) Mochdre's meeting on the 5th July and Llandinam's on the 7th July, we presented the Commons Statement to the community councillors at these meetings.

Kind regards

Simon

From: Councillor Karl Lewis <[REDACTED]>
Sent: 21 July 2021 23:30
To: Simon Morgan <[REDACTED]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Good evening Simon

Thank you for your email. I have been away in Scotland last week and most of this week so I have not been able to read through it properly.

Two questions I do have, have the respected Community Councils seen this documentation? And has Gwilym Davies or Peter Morris seen it from PCC?

Kind regards

Karl

From: Simon Morgan <[REDACTED]>
Sent: 21 July 2021 16:33
To: Councillor Karl Lewis <[REDACTED]>
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Cllr Karl,

In addition to the Garn Fach Commons Statement that you've received a draft application form has also been prepared, attached.

If you've any questions or would like to discuss please let me know

Kind regards

Simon



From: Simon Morgan
Sent: 29 June 2021 17:59
To: [REDACTED]
Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Cllr Karl,

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

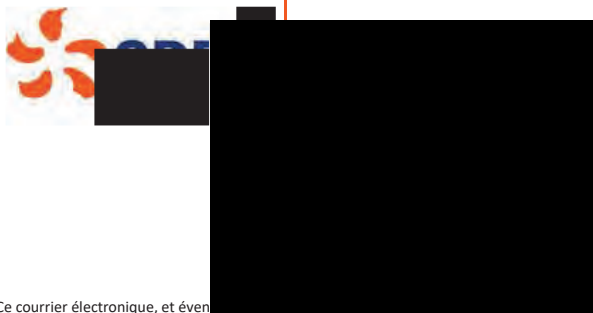
Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

Yours Faithfully



Ce courrier électronique, et éventuellement les pièces jointes, est confidentiel et/ou personnel et a été envoyé uniquement à l'usage de la personne ou de l'entité citée ci-dessus. Si vous recevez ce courrier électronique par erreur, merci de bien vouloir en avvertir l'expéditeur immédiatement par retour à ce courrier et effacer l'original et détruire toute copie enregistrée dans un ordinateur, ou imprimée ou encore sauvegardée sur un disque. Toute revue, retransmission ou toute autre forme d'utilisation de ce courrier électronique par toute autre personne que le destinataire prévue est strictement interdite.

L'Internet ne permettant pas d'assurer l'intégrité de ce message, l'expéditeur décline toute responsabilité au cas où il aurait été intercepté ou modifié par quiconque.

This e-mail and possibly any attachment may contain confidential and/or privileged information and is intended only for the use of the individual or entity named above. If you have received it in error, please advise the sender immediately by reply e-mail and delete and destroy all copies including all copies stored in the recipient's computer, printed or saved to disk. Any review, retransmission, or further use of this e-mail by persons or entities other than the intended recipient is strictly prohibited.

Because of the nature of the Internet the sender is not in a position to ensure the integrity of this message, therefore the sender disclaims any liability whatsoever, in the event of this message having been intercepted and/or altered.

Mae'r e bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddosbarthu na'i ddangos i unrhyw un arall a dylech gysylltu gyda Cyngor Sir Powys ar unwaith. Mae unrhyw gynnwys nad yw'n ymwneud gyda busnes swyddogol Cyngor Sir Powys yn bersonol i'r awdur ac nid yw'n awdurdodedig gan y Cyngor.

This e mail and any attachments are confidential and intended for the named recipient only. The content may contain privileged information. If it has reached you by mistake, you should not copy, distribute or show the content to anyone but should contact Powys County Council at once. Any content that is not pertinent to Powys County Council business is personal to the author, and is not necessarily the view of the Council.

Mae'r e bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddosbarthu na'i ddangos i unrhyw un arall a dylech gysylltu gyda Cyngor Sir Powys ar unwaith. Mae unrhyw gynnwys nad yw'n ymwneud gyda busnes swyddogol Cyngor Sir Powys yn bersonol i'r awdur ac nid yw'n awdurdodedig gan y Cyngor.

This e mail and any attachments are confidential and intended for the named recipient only. The content may contain privileged information. If it has reached you by mistake, you should not copy, distribute or show the content to anyone but should contact Powys County Council at once. Any content that is not pertinent to Powys County Council business is personal to the author, and is not necessarily the view of the Council.

Simon Morgan

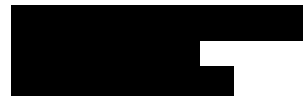
Subject: FW: Garn Fach wind farm: s.16 proposal

From: [REDACTED] uk>
Sent: 10 January 2022 10:10
To: Simon Morgan <[REDACTED]>
Subject: RE: Garn Fach wind farm: s.16 proposal

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Simon
Thanks: this looks more satisfactory now.
regards
Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames
RG9 2BA*



*Please note that I work mornings only
(Registered in England and Wales, limited company number 7846516
Registered charity number 1144840)*

Support our Grant a Green Appeal
*and help fund our campaign to protect open space
through voluntary registration as town or village green*



The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice. Please obtain our permission before sharing, reproducing or publishing any opinion.

From: [Simon Morgan](#)
To: [Hugh Craddock](#)
Subject: RE: Garn Fach wind farm: s.16 proposal
Date: 07 December 2021 12:41:00
Attachments: [E05398-DWP-The Common Land Exchange Overview plan annotated-V5-20211203-RK.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Hugh,

I've been in further dialogue with the landowner to address your outstanding points below. I can confirm that:

- The Southern End of the Replacement Land has been extended so that access from the kissing gate is straight into it (the previous pointer for the kissing gate was too low)
- 2 new stiles will be located in the Northern part of the Replacement land for direct access to CL101 and 'T' of CL114 (I will not be able to get landowner approval for kissing gates or gates here)

The above is illustrated on the attached plan

I'm in the process of finalising this secondary application with the DNS application and aim to submit this month, or early in the new year.

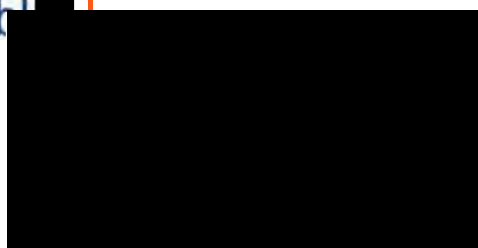
Many thanks for your valuable input

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager



From: Hugh Craddock [redacted] >
Sent: 30 November 2021 10:24
To: Simon Morgan [redacted] >
Subject: RE: Garn Fach wind farm: s.16 proposal

Hi Simon

I'm afraid this doesn't help.

On your plan 'Draft Section 16 Application (Map 2)', there is an annotation for 'Proposed kissing

gate location'. This would cross the fence between U and the land to the west, just south of the two existing gates which we discussed. The land to the west is not part of the replacement land: it is roughly 15m to the south of the southern end of the replacement land. Thus how does it, 'provide access from 'U' to the Replacement land'?

And in terms of access to the replacement land at the northern end, we asked about access from it into T and CL101. Presumably, there will be a fence across that northern end, restricting such access. How do 'the existing Llandinam access tracks' help? And how is the screenshot relevant? What is needed is two further kissing gates, to facilitate such access north into CL101, and east into T.

regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames
RG9 2BA*

*gs only
les, limited company number 7846516
Registered charity number 1144840)*

Support our Grant a Green Appeal

*and help fund our campaign to protect open space
through voluntary registration as town or village green*



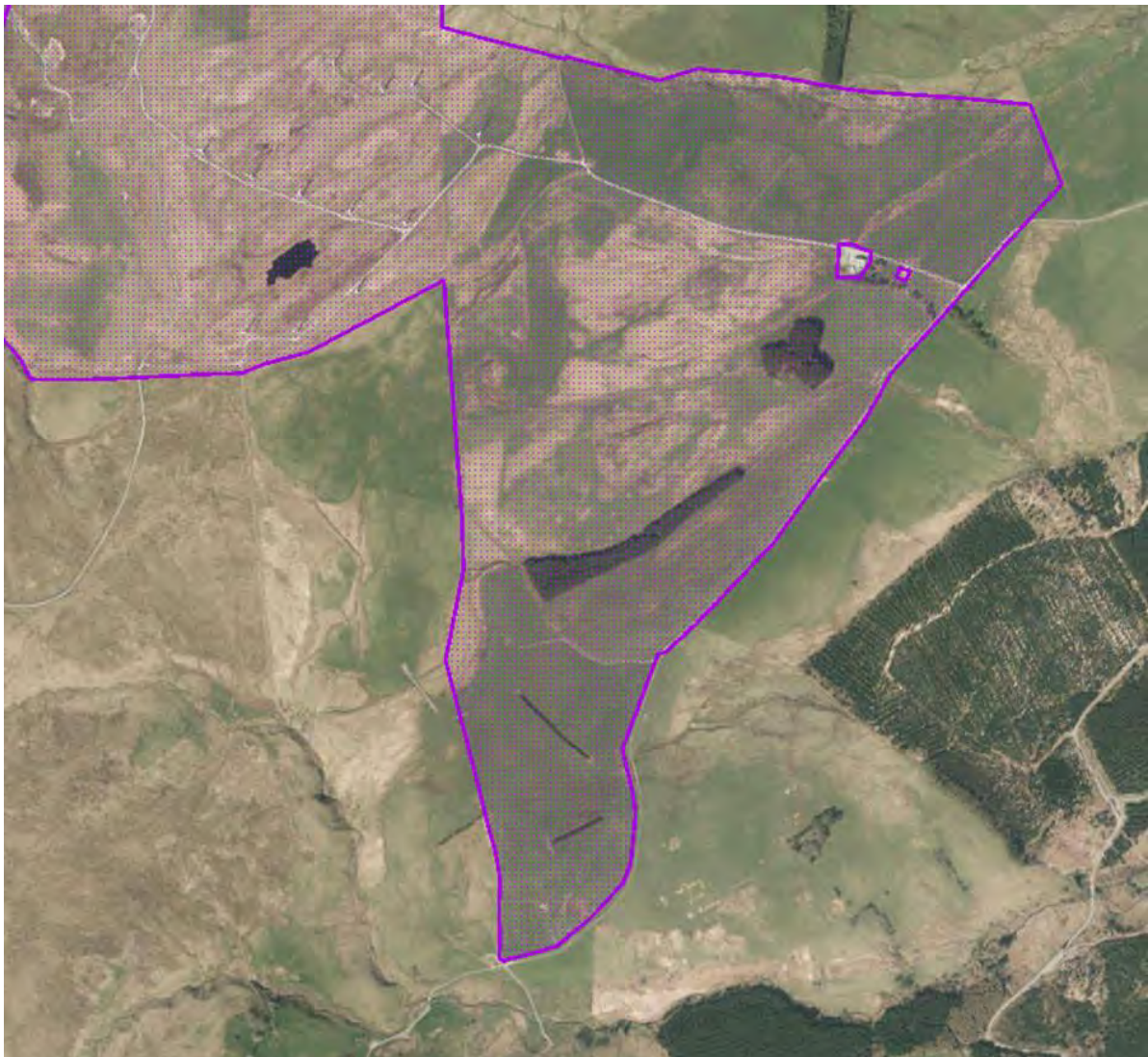
The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice. Please obtain our permission before sharing, reproducing or publishing any opinion.

From: [Simon Morgan](#)
To: [Hugh Craddock](#)
Subject: RE: Garn Fach wind farm: s.16 proposal
Date: 26 November 2021 16:00:00
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Hugh,

Thanks for your quick response.

The function of the kissing gate is to provide access from 'U' to the Replacement land. As for pedestrian access to CL101 and T there are the existing Llandinam access tracks, here is a screenshot from the NRW interactive map (purple being registered common land).



Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

From: Hugh Craddock <[redacted]>
Sent: 25 November 2021 07:09
To: Simon Morgan [redacted]
Subject: RE: Garn Fach wind farm: s.16 proposal

Hi Simon

Thank you for your reply: these are welcome concessions.

Where you refer below to a kissing gate, is this in response to the comment, 'I do not understand the function of the kissing gate'? If so, notwithstanding that it has been requested, it remains unclear what it is intended to facilitate.

We are glad that the replacement land will extent north to the boundary with the adjacent common to the north. Please would you confirm that there will be pedestrian access into both CL101 and 'T' at the northern end?

regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames*

[redacted]
(Registered in England and Wales, limited company number 7846516
Registered charity number 1144840)

Support our Grant a Green Appeal

*and help fund our campaign to protect open space
through voluntary registration as town or village green*



The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice. Please obtain our permission before sharing, reproducing or

[publishing any opinion.](#)

From: Simon Morgan [mailto: [REDACTED]]
Sent: 24 November 2021 17:18
To: Hugh Craddock
Subject: RE: Garn Fach wind farm: s.16 proposal

Hi Hugh,

Thanks you for your email dated the 20th September, I'm now in a position to provide a further update following the closure of the consultation, further liaison with the landowner and importantly taken onboard your correspondence which I'm grateful to you for.

I went to site again the other day and specifically went to Gates 2 and 3, I agree they are not fit for purpose so they'll be replaced with new 12ft Gates should the application be consented. I've also taken onboard your comment regarding the Replacement Land boundary not running up to CL101, I've agreed with the landowner to do this, thus further increasing the area. For your information the Council requested a kissing gate (Ramblers Wales requested a gate) which I've agreed to provide. The intention is not to fence off or otherwise demarcate the western boundary of the replacement land, the eastern boundary will need to remain in place as it's a landowner boundary.

I'm still intending to submit the Commons and DNS application this year but it could spill into January.

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

[REDACTED]

From: [Hugh Craddock](#)
To: [Simon Morgan](#)
Subject: RE: Garn Fach wind farm: s.16 proposal
Date: 20 September 2021 11:39:15
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Simon

Thank you for your email of 16 August with some further information about the proposed exchange.

I do not understand the function of the kissing gate: it appears to provide access from 'U' parcel west into the parcel to the south of the enclosure containing the proposed replacement land. As the latter parcel is not subject to public access, it is not clear in what way the public will benefit from it.

As to gates 2 and 3, I suggest you have a close look at the photo of these — are you seriously suggesting that these gates, tied up at each end, no longer on hinges, are 'highly accessible'? Perhaps, when you are next on site, you would like to negotiate them, and report your experience?

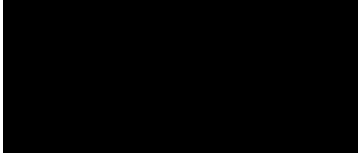
But in general, the proposal will remain unacceptable to us unless the replacement land extends north to connect with CL101, with pedestrian access into both CL101 and 'T' at the northern end. You have not explained why it is thought fit to terminate the extent of the replacement land approximately 10m short of the boundary with CL101?

Please would you also clarify whether there is any intention to fence off or otherwise demarcate the western boundary of the replacement land?

regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames
RG9 2BA*

 *ings only
ales, limited company number 7846516
Registered charity number 1144840)*

[Support our Grant a Green Appeal](#)
*and help fund our campaign to protect open space
through voluntary registration as town or village green*



The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice. Please obtain our permission before sharing, reproducing or publishing any opinion.

From: Simon Morgan [mailto:]
Sent: 16 August 2021 08:56
To: Hugh Craddock
c: Ellen Froggatt; Christine Hunter
Subject: RE: Garn Fach wind farm: s.16 proposal

Dear Hugh,

Many thanks for the below, I've got further information from the landowner on the existing and proposed access arrangements to the release and replacement land, please find attached an annotated plan as well as site photos. I'm now able to confirm that a kissing gate rather than a stile can be located to access the replacement land from 'U' of MCL114 with existing gates (2 & 3) providing access to the replacement land from 'T' of MCL114, at Gate 1 there is also an existing stile.

I'm pleased to hear that in general terms the OSS does not object to the release land; as stated in the Commons Statement the release land is the construction footprint (10m corridor) of a 300m section of access track for the Garn Fach wind farm (no other infrastructure i.e. turbines are located on MCL114), the finished running width of the track will be 5m.

For the Section 16 application I'm required to provide like for like replacement land which I firmly believe has been achieved i.e the replacement land is:

- a natural extension to MCL114
- essentially the same habitat as confirmed by the Phase 1 Ecology plan
- highly accessible as confirmed above
- x1.5 times the size of the release land, providing a net increase in the size of the Common, therefore being a meaningful extension to the common

I can also confirm that there are no commoners associated with 'U' or 'T' of MCL114, with grazing rights only attributed to the freehold landowners in these areas. The definitive register and plan only shows commoners rights on 'A', 'B' and 'C' of the Common which you'll note from the attached, whilst forming part of MCL114, are isolated from 'U' and 'T'. I therefore believe there are no impacts to any commoners and public access is overall improved; as part of the wind farm planning application I'm proposing an Access Strategy that'll improve recreation of the site, for example the internal access tracks will be promoted as cycle route, with dedicated car parking in the south of the site.

I trust this information provides further clarity and would be happy to review further feedback prior to submission, which is targeted for October.

Kind regards

Simon

From: [Hugh Craddock](#)
To: [Simon Morgan](#)
Subject: Garn Fach wind farm: s.16 proposal
Date: 22 July 2021 08:09:20
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Dear Simon

Thank you for the information about the proposed section 16 application in respect of Garn Fach wind farm.

We would not in general terms object to the proposed release land. However, we do not find the proposal for the replacement land to be satisfactory.

As you may be aware, what was open moorland at the time of provisional registration of the common, has since been enclosed and improved. So far as we are know, none of this was done with the necessary ministerial consent under s.1 of the Law of Property Act 1925.

What is now proposed as replacement land is cosmetic. It is a narrow, long strip of land bordering the west side of the inclosed lands, and will be separated from them by the existing fence which follows the community boundary. It is not clear whether the strip also will be inclosed on its western side, or whether this western boundary will be left undefined. It is suggested that one stile will give access to this land but this will be of no practical use. The strip will not make contact with the unenclosed common land at its northern end there being a short gap, and does not have any useful function.

We propose that the replacement land should be a genuine and practical addition to the existing commons, so that the land added provides a physically meaningful extension to the commons, is undivided from the existing commons, and so is available for use by the commoners and by the public. We would be happy to comment on revised proposals.

Regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames*

*Please note that I work mornings only
(Registered in England and Wales, limited company number 7846516
Registered charity number 1144840)*

Support our Grant a Green Appeal

*and help fund our campaign to protect open space
through voluntary registration as town or village green*



The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing

From: [Simon Morgan](#)
To: [Hugh Craddock](#)
c: [REDACTED]
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC
Date: 21 July 2021 16:06:00
Attachments: [Draft Application form - Commons Act 2006 Section 16.pdf](#)

Dear Hugh,

In addition to the Commons Statement that you've received I attach a draft application form.

If you're intending to visit the site please let me know and I'd be delighted to show you around (as previously mentioned EDF Renewables would be happy to cover any travel costs).

Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

[REDACTED]

[REDACTED]

[REDACTED] Simon Morgan

Sent: 29 June 2021 18:53

To: [REDACTED]

Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Open Spaces Society

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd

area of land in the locality. In conjunction with the DNS application, EDF Energy Renewables Ltd will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of X1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP. 1 Callaghan Square, Cardiff, CF10 5BT.

I would be delighted to escort a representative of your organization on a site visit to fully appreciate the proposal, please respond to this email to arrange.

Yours Faithfully



Simon Morgan
Principal Project
Development Manager

EDF Renewables, United Kingdom

From: [Simon Morgan](#)
To: [Hugh Craddock](#)
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC
Date: 13 July 2021 12:27:00
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[MCL114 Rights.pdf](#)
[MCL114-Sheet_SO08_NE.pdf](#)
[MCL114-Sheet_SO08_NW.pdf](#)
[MCL114-Sheet_SO08_SE.pdf](#)
[MCL114-Sheet_SO08_SW.pdf](#)

Dear Hugh,

The grid co-ordinates for the Release and Replacement land are shown on the keys of the 3 figures appended to the Commons Statement:

- Grid co-ordinate of Release Land (3165m2): 304253, 282727
- Grid co-ordinate of Replacement Land (4748m2) 304055, 283438

I attach scans of the Definitive Map received from the Assistant Commons Registration and Definitive Map Officer at Powys County Council together with the Rights Register. The name on the Register just refers to 'LAND IN PARISH OF LLANDINAM AND MOCHDRE'

As discussed with Christine I'd be happy to escort your local volunteer on a site visit and would be happy to cover any travel costs.


Kind regards

Simon



Simon Morgan
Principal Project
Development Manager

A large black rectangular redaction box covering the signature area of the email.

From: Hugh Craddock 
Sent: 13 July 2021 12:12
To: Simon Morgan 
Subject: RE: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Simon

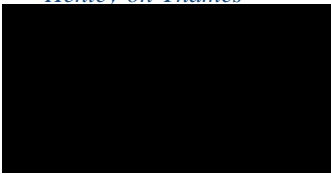
Thank you for your email about the Garn Fach wind farm project.

Please would you send me a grid reference location for the maps, and the name of the common which is represented by register until CL11 ?

regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society
25a Bell Street
Henley-on-Thames*



ings only

*(Registered in England and Wales, limited company number 7846516
Registered charity number 1144840)*

Support our Grant a Green Appeal

*and help fund our campaign to protect open space
through voluntary registration as town or village green*



The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice.

From: Simon Morgan <[redacted]>

Sent: 29 June 2021 18:53

To: Ellen Froggatt <[redacted]>; Kate Ashbrook <[redacted]>

Subject: Garn Fach Wind Farm - Draft Common Land Application for PAC

Dear Open Spaces Society

I am writing to you to notify you that EDF Energy Renewables Ltd intends to submit a planning application to the Welsh Government for the Garn Fach Wind Farm in Powys. The project is a Development of National Significance (DNS) and planning permission will be sought for the following:

- Installation of a wind farm and energy storage facility, together with associated equipment, infrastructure and ancillary works

The proposed development requires an area of Common Land to be de-registered to allow an access track to be created. The de-registered common Land will be replaced with an alternative

will also be seeking approval from the Welsh Government for a secondary consent under s16 of the Commons Act 2006 for the:

- De-registration of land at CL114 to be occupied by an access track as part of the development proposed, and the associated provision and registration of replacement land adjacent to CL114

Pre-application consultation for both the above will commence on the 30th June and close on the 8th September. I am pleased to attach a Pre-Application Consultation document setting out our proposals under the s16 of the Commons Act 2006. The document identifies the land to be de-registered from Common Land 114 and the replacement land which will be incorporated into the same Common. In summary

- Release Land is the construction footprint for a section of access track to serve the Garn Fach wind farm, this occupies an area of 3,165m² which we're proposing to remove from the Common Land 114
- Replacement Land covering an area of 1.5 the Release land (4748m²) which is adjacent to CL114 which would be incorporated into the Common Land 114
- As a result CL114 will increase in size by 1,583m²

The wind farm application together with the Commons application is programmed to be submitted to the Welsh Ministers in Autumn 2021.

The attached statement informally requests a pre-application consultation response for the forthcoming application under s16 of the Commons Act 2006. I would be grateful if you will kindly respond to this statement by 8th September 2021. Representations can be made to garn.fach@edf-re.uk or sent for the attention of Kee Evans to Eversheds LLP, 1 Callaghan Square, Cardiff, CF10 5BT.

I would be delighted to escort a representative of your organization on a site visit to fully appreciate the proposal, please respond to this email to arrange.

Yours Faithfully



Simon Morgan
Principal Project
Development Manager



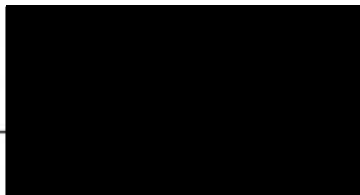
Caerllyn
Troed yr Allt
Llandiloes,
SY18 6HY

EDF Renewables
Unit 502
Glan-Yr-Afon Ind Estate
Llanbadarn Fawr
Aberystwyth
SY23 3JQ

Date 15th July 2021]

I, Mrs Mary Joyce Jones confirm that I meet Simon Morgan from EDF Renewables on the 15th July 2021 to discuss a Commons Application under Section 16 of the 2006 Commons Act which will accompany the Garn Fach wind farm application, a development of national significance. I was provided the plans and the register for MCL114 which EDF Renewables obtained from Powys County Council.

Signature



Date

15/7/2021

APPENDIX 6: Title and plan WA934449 (Release Land)



Official copy
of register of
title
Copi
swyddogol o
gofrestr teitl

Title number / Rhif teitl
WA934449

Edition date / Dyddiad yr
argraffiad 01.08.2019

- This official copy shows the entries on the register of title on 31 JAN 2022 at 17:47:53.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 31 Jan 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Wales Office.
- Mae'r copi swyddogol hwn yn dangos y cofnodion yn y gofrestr teitl ar 31 IONAWR 2022 am 17:47:53.
- Rhaid dyfynnu'r dyddiad hwn fel y "dyddiad y chwilir ohono" mewn unrhyw gais am chwiliad swyddogol sy'n seiliedig ar y copi hwn.
- Y dyddiad ar ddechrau cofnod yw'r dyddiad y gwnaethpwyd y cofnod yn y gofrestr.
- Cyhoeddwyd ar 31 Ionawr 2022.
- Dan adran 67 Deddf Cofrestru Tir 2002, mae'r copi hwn yn dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol.
- Gweinyddir y teitl hwn gan Gofrestrfa Tir EM Swyddfa Cymru.

A: Property Register / Cofrestr Eiddo

This register describes the land and estate comprised in the title.

Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

POWYS

- 1 (07.10.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Coedpoeth Hill, Mochdre.

B: Proprietorship Register / Cofrestr Perchnogaeth

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Mae'r gofrestr hon yn nodi'r math o deitl ac yn enwi'r perchennog. Mae'n cynnwys unrhyw gofnodion sy'n effeithio ar yr hawl i waredu.

Title absolute/Teitl llwyr

- 1 (07.10.1999) PROPRIETOR: BRIAN RICHARD FAIRCLOUGH and CATHERINE LOUISE FAIRCLOUGH of Cwmrhiewdre, Dolfor, Newtown SY16 4BW.
- 2 (01.08.2019) RESTRICTION: No disposition of the registered estate by

Title number / Rhif teitl WA934449

B: Proprietorship Register continued / Parhad o'r gofrestr perchnogaeth

the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by EDF Energy Renewables Limited (Co. Regn. No. 06456689) of 40 Grosvenor Place, Victoria, London SW1X 7EN or their conveyancer that the provisions of clause 5.10 of an Option Agreement dated 19 July 2019 made between (1) Brian Richard Fiarclough and Catherine Louise Fiarclough and (2) EDF Energy Renewables Limited have been complied with.

C: Charges Register / Cofrestr Arwystlon

This register contains any charges and other matters that affect the land.

Mae'r gofrestr hon yn cynnwys unrhyw arwystlon a materion eraill sy'n effeithio ar y tir.

- 1 (01.08.2019) A Licence and Option dated 19 July 2019 made between (1) Brian Richard Fairclough and Catherine Louise Fairclough and (2) EDF Energy Renewables Limited relates to the construction and operation of a wind farm.

NOTE: Copy filed.

End of register / Diwedd y gofrestr

H.M. LAND REGISTRY

TITLE NUMBER

WA 934449

ORDNANCE SURVEY
PLAN REFERENCE

SO08SW

Scale
1/10000

ADMINISTRATIVE AREA POWYS

© Crown Copyright



APPENDIX 7: Title and plan CYM171593 (Replacement Land)



Official copy
of register of
title
Copi
swyddogol o
gofrestr teitl

Title number / Rhif teitl
CYM171593

Edition date / Dyddiad yr
argraffiad 19.08.2019

- This official copy shows the entries on the register of title on 18 FEB 2022 at 11:51:16.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 18 Feb 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Wales Office.
- Mae'r copi swyddogol hwn yn dangos y cofnodion yn y gofrestr teitl ar 18 CHWEFROR 2022 am 11:51:16.
- Rhaid dyfynnu'r dyddiad hwn fel y "dyddiad y chwilir ohono" mewn unrhyw gais am chwiliad swyddogol sy'n seiliedig ar y copi hwn.
- Y dyddiad ar ddechrau cofnod yw'r dyddiad y gwnaethpwyd y cofnod yn y gofrestr.
- Cyhoeddwyd ar 18 Chwefror 2022.
- Dan adran 67 Deddf Cofrestru Tir 2002, mae'r copi hwn yn dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol.
- Gweinyddir y teitl hwn gan Gofrestrfa Tir EM Swyddfa Cymru.

A: Property Register / Cofrestr Eiddo

This register describes the land and estate comprised in the title.

Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

POWYS

- 1 (22.03.2004) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land at Mochdre, Borth Hill, Newtown.
- 2 (22.03.2004) A Conveyance of the land in this title dated 25 November 1974 made between (1) Islwyn Edmund Evan Davies (2) Cambrian Land Limited and (3) Elwyn Hugh Davies is expressed to grant rights of way.

NOTE 1: These rights are included in the registration only so far as the grantor was entitled to grant them. The evidence produced on registration did not show whether the grantor owned the servient land, or had sufficient rights over it to make the grant.

NOTE 2: Copy filed.

- 3 (22.03.2004) The land has the benefit of the rights granted by a Deed dated 4 March 2004 made between (1) Colin Robert Morgan and (2) Elwyn Hugh Davies, Dilwyn Ellis Davies and Ursula Cheryl Davies.

NOTE: Copy filed.

Title number / Rhif teitl CYM171593

B: Proprietorship Register / Cofrestr Perchnogaeth

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Mae'r gofrestr hon yn nodi'r math o deitl ac yn enwi'r perchennog. Mae'n cynnwys unrhyw gofnodion sy'n effeithio ar yr hawl i waredu.

Title absolute/Teitl llwyr

- 1 (22.03.2004) PROPRIETOR: WILLIAM GARETH VAUGHAN, AUDREY KATHLEEN JONES VAUGHAN, BRIAN RICHARD FAIRCLOUGH and CATHERINE LOUISE FAIRCLOUGH of Cwmrhiewdre, Dolfor, Newtown SY16 4BW.
- 2 (22.03.2004) The price stated to have been paid on 5 March 2004 was £126,000.
- 3 (22.03.2004) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (01.08.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by EDF Energy Renewables Limited (Co. Regn. No. 06456689) of 40 Grosvenor Place, Victoria, London SW1X 7EN or their conveyancer that the provisions of clause 5.10 of an Option Agreement dated 19 July 2019 made between (1) William Gareth Vaughan, Audrey Kathleen Jones Vaughan, Brian Richard Fairclough and Catherine Louise Fairclough and (2) EDF Energy Renewables Limited have been complied with.

C: Charges Register / Cofrestr Arwystlon

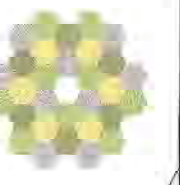
This register contains any charges and other matters that affect the land.

Mae'r gofrestr hon yn cynnwys unrhyw arwystlon a materion eraill sy'n effeithio ar y tir.

- 1 (01.08.2019) A Licence and Option dated 19 July 2019 made between (1) William Gareth Vaughan, Audrey Kathleen Vaughan, Brian Richard Fairclough and Catherine Louise Fairclough and (2) EDF Energy Renewables Limited relates to the construction and operation of a wind farm.

NOTE: Copy filed.

End of register / Diwedd y gofrestr



This official copy issued on 11 January 2019 shows the state of this title plan on 11 January 2019 at 11:24:44.
It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.
This title is dealt with by HM Land Registry, Durham Office.