Joint Submission and Community Representation Response to 25/1679/FUL - Erection of a temporary meteorological mast and ancillary structures for measurement of wind and weather data

Joint Submission and Community Representation Response Prepared for and Submitted to the Powys County Council Planning Department in response to planning application 25/1679/FUL - Erection of a temporary meteorological mast and ancillary structures for measurement of wind and weather data on Land South of Ffynnon Ffrydyll, near Merthyr Cynog, Brecon, Powys.

Submitted to Powys County Council by Email on 4th January 2026 (as agreed).

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1. Joint Submission and Community Representation - Forward

This submission is made on behalf of residents and stakeholders who share a well-founded concern regarding the significant errors, omissions, and evidential shortcomings identified in the published planning documentation linked with application 25/1679/FUL.

It represents a coordinated, evidence-based response that combines professional technical expertise with detailed local knowledge, ensuring that both specialist understanding and lived community experience are fully reflected.

Rather than a series of isolated representations, this document is submitted as a unified response that demonstrates the breadth and depth of skill, knowledge, and engagement within the local community. It reflects a collective effort to present the issues clearly and coherently for the consideration of Powys County Council as Local Planning Authority.

The deficiencies identified, spanning environmental assessment, landscape and visual effects, and impacts on community amenity are not confined to a single interest group. They are matters of shared concern across both professional and residential stakeholders, and they raise substantive questions regarding the adequacy of the evidence provided in support of the application.

This joint submission underscores the need for rigorous, transparent scrutiny of the proposals and highlights the importance of properly assessing cumulative and cross-disciplinary impacts within the Council's determination of the application.

This submission is made with my full endorsement and support.

Cllr Iain McIntosh
County Councillor for the Yscir with Honddu Isaf and Llanddew ward in Powys, Wales.

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Community Project Lead - Responsibility

The Community Representation Project Lead for the proposed 25/1679/FUL development is responsible for overseeing the community representation response and acts as the primary liaison with stakeholders. This role includes coordinating the community, publishing this report and addressing concerns raised by the community and is the link with Powys County Council Planning Directorate relating to this application.

Community Project Lead - Introduction

My name is Gary Smith, and I am a *Chartered Fellow of the Institution of Occupational Safety, a Health* and *Safety Engineer*, and a *Fellow of the Royal Society for Public Health*. I have lived in Llanfihangel Nant Bran for more than thirty years. This document provides an independent, professional, and community-led review of the planning application 25/1679/FUL - Erection of a temporary meteorological mast and ancillary structures for measurement of wind and weather data.

It presents a detailed technical evaluation identifying substantive deficiencies, inconsistencies, and departures from established Welsh and UK environmental assessment standards.

The analysis integrates both professional expertise and practical familiarity with the proposed development area - its ecology, topography, and environmental sensitivities.

This response is structured in alignment with the standard Environmental Impact Assessment (EIA) topic framework, with sections addressing;

- Policy and legal framework - assessing compliance with national planning policy, statutory environmental duties and recognised professional guidance.
- Wind resource assessment - reviewing the absence of long-term data correlation, statistical validation and uncertainty analysis needed to justify the meteorological mast.
- Peat, soils and ground stability - examining peat depth, condition, hydrological connectivity, carbon impacts and risks associated with excavation and anchoring.
- Hydrology and water environment - assessing unsupported assumptions of low risk and the lack of catchment-scale and quantitative hydrological modelling.
- Ornithology - reviewing survey coverage, raw vantage point data, flight height analysis, collision risk modelling and proposed mitigation.
- Bat ecology - assessing the absence of raw acoustic data, species-level identification, height and seasonal activity analysis and lighting-related risk.
- Landscape and visual impact - evaluating compliance with GLVIA3, visibility modelling, viewpoint selection and cumulative visual effects.
- Cultural heritage and archaeology - examining impacts on heritage setting, intervisibility, cumulative effects and the specific setting of Maen Richard.

- Construction, access and restoration - reviewing the absence of a Construction Environmental Management Plan, access strategy, peat reinstatement and decommissioning proposals.
- Cumulative impacts - assessing how combined landscape, ecological and hydrological effects have not been considered.
- Overall planning balance - drawing together cross-disciplinary deficiencies and applying the precautionary principle.

Legislative, Policy and Guidance Framework Referenced

- **UK and Welsh Primary Legislation**
  Statutory duties governing biodiversity protection, environmental resilience, sustainable development, and lawful decision-making by public authorities.
- **National Planning Policy (Wales)**
  Overarching Welsh Government policy requiring evidence-based assessment, application of the precautionary principle, protection of irreplaceable habitats, and consideration of cumulative effects.
- **Developments of National Significance (DNS) Framework**
  Statutory determination regime with elevated evidential thresholds, procedural requirements, and reliance on complete and verifiable environmental information.
- **Technical Advice Notes (TANs)**
  Topic-specific Welsh Government guidance supporting national policy, including nature conservation, protected species, and environmental assessment standards.
- **Environmental Impact Assessment Regulations**
  Legal framework governing the content, adequacy, and completeness of environmental information, including the requirement for further information where submissions are deficient.
- **Landscape and Visual Impact Guidance**
  Professional standards governing the assessment of landscape character, visual effects, cumulative impacts, and the treatment of temporary vertical structures.
- **Ecology and Biodiversity Standards**
  Professional and statutory guidance requiring robust baseline surveys, raw ecological data, impact avoidance, and demonstrable mitigation effectiveness.
- **Peat, Soil and Ground Engineering Guidance**
  Best-practice standards for peat depth assessment, ground stability, hydrological integrity, carbon protection, and construction in peatland environments.
- **Hydrology and Catchment Science Frameworks**
  Scientific principles and modelling approaches governing surface and subsurface flow, catchment connectivity, erosion risk, and water-environment impacts.

- **Ornithology and Collision Risk Guidance**
  Established methodologies for assessing bird activity, flight behaviour, collision risk, and the effectiveness of mitigation for guyed structures.
- **Bat Ecology and Tall Structure Risk Guidance**
  Research-led standards addressing bat flight behaviour, migration, collision mechanisms, and data requirements for assessing risk from tall vertical infrastructure.
- **Wind Resource and Engineering Standards**
  Internationally recognised methodologies for wind measurement, data correlation, uncertainty analysis, and justification of monitoring duration.
- **Landscape Visualisation and Modelling Standards**
  Technical requirements for ZTV modelling, wirelines, photomontages, terrain data, calibration, and reproducibility of visual outputs.
- **Construction Environmental Management Standards**
  Requirements for pollution control, peat handling, access management, reinstatement, decommissioning, and post-construction monitoring.
- **Aviation, Safety and Public Risk Frameworks**
  Safeguarding, certification, and public safety considerations associated with tall structures, guy wires, and temporary infrastructure.
- **Relevant Case Law and Legal Precedent**
  Judicial principles governing evidential sufficiency, burden of proof, precaution in the face of uncertainty, cumulative assessment, and the lawfulness of planning decisions.

This compilation demonstrates that this review is evidence-based, aligned with current Welsh and UK standards, and draws upon both statutory requirements and widely recognised professional best practice.

In addition, this review incorporates ‘community derived observations’ relating to local environmental conditions, cultural landscape, meteorological mast placement, hydrology, and ecology intended to assist Powys County Council Planning Directorate and the applicant in achieving a more robust, transparent, and context-sensitive assessment.

I am happy to discuss any aspect of this submission and can be contacted by email at gary@tyclyd.co.uk.

Gary Stephen Smith

Gary S. Smith

Cover image entitled “In the shadow of the informer”

2. Executive Summary

This Joint Submission and Community Representation provides a comprehensive, evidence led technical review of the Environmental Report submitted in support of planning application 25/1679/FUL for the erection of a temporary meteorological mast and ancillary infrastructure at Land South of Ffynnon Ffrydyll, near Merthyr Cynog, Brecon, Powys.

The review has been undertaken by a coordinated group of residents and professionals, integrating specialist scientific, engineering and environmental expertise with detailed local knowledge of the Garreg Fawr uplands. It assesses whether the submitted Environmental Report provides a lawful, robust and verifiable evidence base capable of supporting determination by Powys County Council as Local Planning Authority.

Executive Summary - Overall Finding

The central conclusion of this review is that the Environmental Report is fundamentally and systematically deficient.

Across all key environmental disciplines, the submission fails to provide the baseline data, analytical transparency and methodological rigour required by Welsh planning policy, statutory duties and recognised professional standards.

These deficiencies are not minor or technical; they are foundational and go to the heart of whether the environmental effects of the proposal are understood at all.

As submitted, the Environmental Report does not enable the Council to:

- Apply the precautionary principle;
- Understand or quantify environmental risk;
- Assess cumulative and cross-disciplinary effects; or
- Discharge its statutory duties under Planning Policy Wales, the Environment (Wales) Act 2016 and related legislation.

Executive Summary - Key Areas of Deficiency

The review identifies critical failures across the following areas:

- ***Wind Resource Justification***
  No Measure-Correlate-Predict (MCP) analysis, long-term dataset correlation or uncertainty analysis is provided. As a result, the necessity and proposed five-year duration of the meteorological mast are not scientifically justified.
- ***Peat, Ground Conditions and Carbon Risk***
  Peat depth assessment is based on an excessively coarse probing grid and omits raw peat data, strength parameters, hydrological connectivity analysis and carbon impact assessment. Ground stability and peatland carbon risks cannot be reliably assessed.

- ***Hydrology and Water Environment***
  Hydrological risk is incorrectly screened out based on distance to surface water. No catchment-scale modelling, flow analysis or excavation-hydrology interaction assessment is undertaken in a highly sensitive peatland environment.
- ***Ornithology***
  Raw vantage point data, flight height analysis and Collision Risk Assessment (CRA) are absent. Seasonal coverage is incomplete and reliance on untested mitigation (wire diverters) is unsupported by evidence.
- ***Bat Ecology***
  No raw acoustic data, species-level identification, height-activity analysis or seasonal assessment is provided, despite known collision risks to high-flying bat species from guyed structures.
- ***Landscape and Visual Impact***
  The Landscape and Visual Impact Assessment does not comply with GLVIA3. ZTV source data, calibrated visualisations, representative viewpoints and cumulative assessment are all missing, rendering conclusions unverifiable.
- ***Cultural Heritage and Setting***
  The setting of heritage assets, including the prehistoric standing stone Maen Richard, is not assessed in accordance with Cadw principles. No intervisibility or cumulative heritage analysis is provided.
- ***Construction, Restoration and Decommissioning***
  No Construction Environmental Management Plan, peat reinstatement strategy or decommissioning plan is submitted. Environmental impacts cannot be assessed as reversible or controllable.
- ***Cumulative Impacts***
  The Environmental Report fails to assess cumulative landscape, ecological, hydrological or heritage effects despite increasing development pressure in the wider upland landscape.

Executive Summary - Planning Implications

The scale, severity and interrelated nature of these deficiencies mean that the Environmental Report cannot be remedied through planning conditions or minor clarification. The missing information is determinative and foundational. In these circumstances, Powys County Council Planning Directorate would be acting *ultra vires* if it were it to grant consent without first being satisfied that the environmental effects of the proposal are understood.

Determination of the application based on the submitted Environmental Report would expose Powys County Council Planning Directorate to a significant risk of legal challenge on grounds of inadequate and incomplete environmental information.

In these circumstances, any grant of consent would involve determination in the absence of essential environmental information, contrary to the requirements of the EIA Regulations and Planning Policy Wales.

While Regulation 24 of the EIA Regulations allows for requests for further information, this review concludes that the Environmental Report, as submitted, does not constitute a complete environmental record capable of being corrected incrementally.

Executive Summary - Fundamental Technical and Evidential Deficiencies

This submission is accompanied by Appendix A: "*Errors in the Applicant's Submission - Technical Review of Evidential Robustness and Assessment Integrity*" which provides a comprehensive, structured, and independent examination of the Environmental Report and associated technical documentation submitted by the applicant.

The review identifies systemic factual inconsistencies, determinative evidential omissions, and fundamental methodological failures that materially compromise the reliability, transparency, and reproducibility of the assessment. These issues are not confined to matters of professional interpretation or planning balance but go to the integrity of the environmental assessment itself, with the result that the submitted Environmental Report cannot be relied upon to support lawful determination of the application.

Key matters identified include:

- the failure to clearly and consistently define the parameters of the proposed development, including unresolved discrepancies in mast height that underpin all subsequent assessments;
- the use of a non-EIA Landscape and Visual Impact Assessment framework that does not provide a transparent or proportionate evaluation of effects for a tall vertical structure in an open upland landscape;
- a lack of clear analytical linkage between Zone of Theoretical Visibility evidence and written conclusions on landscape and visual effects;
- incomplete assessment of Public Rights of Way and recreational receptors, including the absence of experiential and sequential view analysis;
- heritage conclusions that acknowledge visibility from designated assets but do not adequately explain how setting and significance have been assessed;
- insufficient site-specific evidence in relation to ground conditions, peat depth, and hydrological sensitivity; and
- limited consideration of the proposal's role as enabling infrastructure for future development and its effect on baseline conditions over time;
- the Environmental Report additionally fails to provide verifiable visual evidence, with essential photographic and wireline metadata displaced into a confusing, inconsistently labelled and incomplete supporting annex. As a result, the submitted visualisations cannot be independently calibrated or reproduced and carry no evidential weight in assessing landscape and visual effects.

Taken together, these matters demonstrate that the applicant's submission does not provide a coherent, transparent, or scientifically robust evidence base. As set out in Appendix A, the identified limitations are structural rather than peripheral and cannot be resolved through planning conditions or minor clarification without re-assessment of key elements of the proposal.

Accordingly, the technical and evidential deficiencies summarised above, and detailed in Appendix A, are of direct relevance to the determination of the application and weigh heavily against its approval.

Executive Summary - Conclusion and Requested Outcome

On scientific, methodological and policy grounds, the submitted Environmental Report does not provide a sound or defensible basis for decision-making. The proposal cannot be assessed in a lawful, evidence-based or precautionary manner.

The deficiencies identified are not confined to a single topic area and cannot be remedied independently. They are interrelated, cross-disciplinary and mutually reinforcing, meaning that the absence of evidence in one domain undermines conclusions in others.

Accordingly, on the information currently before Powys County Council, refusal of application 25/1679/FUL is the only reasonable and procedurally robust outcome.

Any alternative course would involve determination in the absence of essential environmental evidence and would be inconsistent with national policy and statutory duties.

3. Introduction

This report provides a full, evidence led scientific and technical review and assessment of the Environmental Report dated 7 November 2025, submitted by Garreg Fawr Energy Park Ltd (Bute Energy) in support of a proposed temporary meteorological mast on Garreg Fawr. This community response is designed to support a formal representation to Powys County Council and the Planning Case Officer, providing the depth, clarity and scientific scrutiny expected in a statutory planning context.

The technical review and assessment reaches the firm conclusion that the Environmental Report is incomplete, lacks transparency, and fails to supply essential datasets required for lawful determination under the planning regime. Across all environmental disciplines - peat science, hydrology, ornithology, bat ecology, landscape and visual impact, heritage, and construction impacts the Environmental Report presents summary commentary in place of data, omits core methodological detail, and fails to demonstrate compliance with relevant standards.

In a sensitive upland location dominated by blanket bog, mineral flush zones, high-elevation hydrological networks, regionally important bird populations, and visible ridgelines, the burden of proof lies with the applicant to demonstrate that effects are fully understood and can be mitigated. The Environmental Report fails to meet that burden. Planning Policy Wales (Edition 12) is clear that developments must be evaluated using “robust, reproducible, evidence-based assessments”, and that decision-makers must apply the precautionary principle where uncertainty exists. The submitted Environmental Report contains profound uncertainties across almost every environmental receptor.

Given the scale and breadth of the omissions identified, the Environmental Report is insufficient to support determination of the application. In these circumstances and having regard to the inability to fully assess impacts or apply the precautionary principle, refusal of the application is the most appropriate outcome.

4. Policy and Methodological Framework

Robust environmental assessment must comply with planning policy, statutory regulation, and scientific best practice. The Environmental Report references several documents, but it does not demonstrate how its methodologies align with their requirements. This section outlines the frameworks that govern this development and highlights specific areas of non-compliance.

Planning Policy Wales (Edition 12)

Planning Policy Wales emphasises:

- protection of biodiversity and ecosystem resilience;
- avoidance of harm where uncertainty persists;
- the need for high-quality, accurate environmental evidence;
- cumulative assessment in areas subject to development pressure;
- effective and enforceable mitigation.

Planning Policy Wales (Edition 12) embeds the precautionary principle, requiring refusal where scientific uncertainty prevents confident assessment of likely significant environmental effects.

The Environmental Report fails to provide the level of detail required to meet these principles. Most critically, Planning Policy Wales emphasises the “polluter pays” principle and requires that all environmental risks be demonstrably understood. The Environmental Report does not provide the scientific information needed to determine risk accurately.

Environment (Wales) Act 2016

The Environment (Wales) Act 2016 places a statutory duty on decision-makers to seek to maintain and enhance biodiversity. In the absence of raw ecological survey data, flight height analysis and collision risk modelling, the Environmental Report does not provide sufficient information to enable Powys County Council to properly discharge this duty.

TAN 5: Nature Conservation

TAN 5 requires ecological survey methodologies to be transparent, replicable and scientifically robust; the provision of raw survey data (including Vantage Point Observation logs, bat acoustic files and transect records); assessment of likely significant effects; and the identification of avoidance and mitigation measures that are evidence led.

The Environmental Report does not meet these requirements and falls materially short of the standards set out in TAN 5.

CIEEM and BS 42020 Biodiversity Standards

CIEEM guidance and BS 42020 require ecological assessments to be evidence led, transparent and capable of independent verification, including provision of raw datasets, clear methodology, stated limitations and justified significance conclusions.

The Environmental Report does not provide the data necessary to enable independent review of its ecological findings.

Landscape Institute Guidelines for Landscape and Visual Impact Assessment

Landscape Institute Guidelines for Landscape and Visual Impact Assessment (GLVIA3) requires:

- Zone of Theoretical Visibility (ZTV) source data;
- calibrated photography;
- wireline metadata;
- analytical transparency.

The failure to provide the information required by GLVIA3, including ZTV source data and calibrated visualisations, means that the landscape and visual effects of the proposal cannot be robustly assessed, which weighs decisively against the grant of planning permission.

Wind Resource Standards: IEC 61400-12-1 and MEASNET

The submitted information does not demonstrate that the proposed wind monitoring campaign has been designed or justified in accordance with recognised industry standards such as those promoted by MEASNET. As a result, the necessity and duration of the proposed meteorological mast cannot be robustly assessed.

These standards set expectations for meteorological mast operation duration, statistical justification, uncertainty analysis, and long-term dataset correlation. The Environmental Report contains none of the required modelling.

Policy and Methodological Framework - Conclusion

In summary, on policy and methodological grounds alone, the Environmental Report is materially deficient and does not constitute a complete environmental record. As submitted, it does not provide a sound or lawful basis for decision-making.

5. Wind Resource Assessment and Statistical Validity

Although meteorological masts are considered temporary structures, they require the same rigor in wind resource planning as permanent infrastructure. The Environmental Report proposes a “five-year” operational period but provides no statistical justification for this length of monitoring. This is inconsistent with international wind engineering practice.

The following significant and determinative elements are absent from the Environmental Report.

Absence of MCP (Measure - Correlate - Predict) Analysis

MCP analysis aligns short-term on-site data with long-term reanalysis datasets. It is fundamental to:

- determining the representativeness of on-site measurements;
- identifying interannual variability;
- reducing the time a meteorological mast needs to operate;
- evaluating uncertainty;

Measure - Correlate - Predict analysis is a standard requirement in commercial wind resource assessment and is routinely relied upon by regulators and financial institutions. IEC 61400-12-1, Brower (2012), Stull (2017), and MEASNET protocols all require long-term correlation or uncertainty quantification. The Environmental Report includes neither.

No Long-Term Dataset Correlation

On-site wind measurements are, by definition, limited in duration and therefore capture only a short snapshot of prevailing conditions. Long-term reference datasets such as ERA5 (ECMWF), MERRA-2 (NASA) and mesoscale models including the New European Wind Atlas (NEWA) are required to place short-term measurements within a statistically robust long-term context.

These datasets allow Measure - Correlate - Predict (MCP) analysis to be undertaken, enabling the effects of interannual variability, seasonal bias and atypical weather periods to be quantified. Without such correlation, it is not possible to assess whether the monitoring period is representative of long-term wind conditions or to justify the duration of the proposed monitoring campaign.

In the absence of comparison with long-term reference datasets, uncertainty cannot be quantified, and the necessity for a multi-year meteorological mast cannot be robustly demonstrated. This approach is inconsistent with established wind engineering practice and with the expectations set out in IEC 61400-12-1 and recognised industry guidance. Without correlation, the dataset cannot be normalised for climatic variation, and it is not possible to distinguish genuine site characteristics from a short-term meteorological anomaly.

No Wind Uncertainty Calculations

In accordance with recognised industry standards, including IEC 61400-12-1 and MEASNET guidance, wind resource assessments are required to quantify key sources of uncertainty, including sampling uncertainty, instrument calibration uncertainty, flow distortion effects and terrain-induced bias.

The Environmental Report provides no uncertainty or error analysis of any kind. In the absence of quantified uncertainty, it is not possible to determine whether the proposed monitoring period is sufficient, representative or necessary. As a result, the justification for the duration of the proposed meteorological mast cannot be regarded as scientifically robust or evidence based.

Wind Resource Assessment and Statistical Validity - Conclusion

The absence of evidence led justification for the proposed operational period means that the necessity, scale and duration of the development have not been demonstrated.

As a result, the application fails to demonstrate compliance with national policy and recognised professional standards and does not provide a sound basis on which planning permission could be granted.

6. Peat, Ground Conditions and Geomorphology

Although the proposal is described as temporary, disturbance to peat soils and peatland hydrology is, by its nature, long-term and potentially irreversible. In peatland environments, 'temporary' development does not equate to temporary impact.

The Garreg Fawr uplands contain extensive peat and organo-mineral soils. These environments are sensitive, carbon-rich, and hydrologically active. Construction in peat requires precise, high-resolution data to avoid irreversible damage.

Inadequacy of the Environmental Report's peat assessment

The peat assessment presented within the Environmental Report is not scientifically adequate and does not provide a reliable basis for assessing peat depth, condition or associated ground stability risk. The use of a 100-metre peat probing grid is excessively coarse and fails to reflect the known spatial variability of upland peat systems.

The Environmental Report relies on peat probing undertaken at approximately 100 metre intervals. Such a sampling resolution is insufficient to characterise peat depth and structure in blanket bog environments and is effectively insensitive to natural variability. Peer-reviewed studies (including Lindsay, 2014; Holden, 2005) demonstrate that peat depth and condition can vary markedly over short distances due to:

- hummock-hollow microtopography (typically 1 to 10 metres);
- localised erosion and deposition features;
- slope-controlled peat accumulation patterns; and
- subsurface hydrological pathways and controls.

A probing grid of this resolution cannot reliably identify localised areas of deep peat, peat instability or hydrological sensitivity. As a result, the assessment does not provide a sound basis for evaluating excavation risk, anchor installation or potential impacts on peat hydrology.

This approach is inconsistent with established best practice, including SEPA *Engineering in Peatlands* guidance (applicable in Wales by analogy), which requires peat probing at much finer resolution (typically 10 metres at all proposed infrastructure locations). The methodology adopted in the Environmental Report therefore falls materially short of recognised professional standards.

Missing Raw Peat Data

The Environmental Report does not provide essential peat survey data, including probe logs, GPS coordinates, Von Post humification classifications, peat moisture content, bulk density or water-table depth measurements. In the absence of this information, the peat mapping cannot be independently verified and the conclusions drawn from it cannot be relied upon.

Established guidance and peer-reviewed research demonstrate that peat depth, condition and stability are highly variable over short distances and that detailed, transparent site-specific data are required to characterise risk (Holden, 2005; Lindsay, 2010; Lindsay, 2014). Best practice guidance for development on peat further requires the presentation of raw peat survey data and hydrological measurements to enable independent review of peat stability and carbon risk (SEPA, 2017).

Without the provision of raw peat survey data and supporting hydrological information, the Environmental Report does not provide a sound or verifiable basis for assessing peat stability, excavation risk or potential impacts on peatland hydrology.

Underestimated Ground Stability Risks

Guyed meteorological mast anchor points impose concentrated loads on peat soils, which are inherently weak, highly compressible and sensitive to changes in effective stress and hydrology. In the absence of assessment of peat shear strength, bearing capacity, load transfer mechanisms and water-table effects, the Environmental Report does not provide sufficient information to assess ground stability risk.

Established geotechnical and peatland research demonstrates that even relatively small imposed loads or localised excavation can result in differential settlement, cracking and progressive instability in peat soils, particularly where hydrological conditions are altered (Skempton & DeLory, 1957; Hobbs, 1986; Holden, 2005).

Guidance on development in peatland environments further emphasises the need for site-specific assessment of peat strength and groundwater conditions at all infrastructure locations, including anchors and foundations (SEPA, 2017; Scottish Government, 2021).

Without quantified data on peat shear strength, bearing capacity and water-table behaviour, it is not possible to determine whether the proposed guy wire anchors could induce settlement, cracking or localised peat instability. As a result, the Environmental Report does not provide a sound or defensible basis for assessing ground stability or construction risk.

No Peat Hydrological Connectivity Assessment

Peatland systems function as hydrologically connected units in which soil structure, water-table position and subsurface flow are intrinsically linked. Excavation within peat, including for anchor installation or trenching, can alter water-table gradients, disrupt subsurface flow pathways and change patterns of saturation across the wider slope.

Even shallow excavations have been shown to initiate new drainage pathways that can propagate downslope over considerable distances, leading to drying, erosion and secondary instability well beyond the immediate footprint of development (Holden, 2005; Evans et al., 2014).

The Environmental Report does not include any assessment of peat hydrological connectivity, flow pathways or catchment-scale response. Hydrology is instead treated as a discrete consideration, separate from soils and ground conditions. This approach is inconsistent with established peatland hydrological science and does not reflect current best practice for assessing risk in upland peat environments.

In the absence of an integrated assessment of peat hydrology and ground disturbance, the Environmental Report does not provide a reliable or evidence-based basis for concluding that excavation, anchoring or trenching would be hydrologically neutral or confined to the immediate site.

Carbon Impact Unquantified

Peatlands function as nationally important carbon stores, and disturbance to peat soils can result in long-term carbon loss through oxidation, vegetation damage and hydrological change. The Environmental Report does not assess or quantify potential carbon impacts arising from peat excavation, vegetation disturbance or alteration of peatland hydrology associated with the proposed development.

Established research demonstrates that even small-scale disturbance to peat can initiate sustained carbon emissions where water tables are lowered or peat structure is compromised (Holden, 2005; Evans et al., 2016; Lindsay, 2014). Changes to surface vegetation and drainage pathways can further exacerbate carbon loss by increasing aerobic decomposition and erosion.

In the absence of any assessment of peat carbon balance, carbon release pathways or potential long-term emissions, the Environmental Report does not provide a reliable basis for concluding that the proposal would be carbon-neutral or consistent with climate policy objectives. This omission is particularly significant in the context of upland peatlands, which are recognised as critical components of Wales' natural carbon store.

Failure to Assess Mycology and Fungal Ecology

To date, ecological survey work undertaken in relation to this proposed development and the wider Garreg Fawr Energy Park project has failed to consider mycology, representing a substantive omission from the baseline ecological assessment. This omission is particularly significant given that the proposed meteorological mast is located less than 2.5 km from the Mynydd Epynt Site of Special Scientific Interest (SSSI), which is internationally recognised for its assemblages of waxcap and other CHEGD fungi (Clavariaceae, *Hygrocybe*, *Entoloma*, Geoglossaceae and *Dermoloma (CHEGD)*).

Records held by the Powys / Bannau Brycheiniog National Park Biodiversity Information Service (BIS) indicate the presence of waxcap fungi within approximately 100 metres of the proposed development site. Furthermore, comparable ffridd and upland pasture habitats at the upper limit of enclosure in the Garreg Fawr / Maen Richard area, as well as across the Epynt Commons more broadly, are known to support diverse and abundant CHEGD fungal communities.

These include species listed on the International Union for Conservation of Nature (IUCN) Red List and within the Powys Nature Recovery Action Plan (Habitat Action Plan: List of Important Species).

In the absence of site-specific mycological survey data, whether through traditional fruiting body surveys undertaken at appropriate times of year, or through complementary environmental DNA (eDNA) methods, it is not possible to determine whether the development site supports functionally linked fungal communities or to assess the risk of direct or indirect harm.

The lack of mycological assessment therefore represents a material gap in the ecological evidence base.

Waxcap grasslands are recognised as high-value semi-natural habitats, functioning as significant subterranean carbon stores and supporting complex soil–fungal systems that are highly sensitive to disturbance. CHEGD fungal communities are particularly vulnerable to soil compaction, excavation, nutrient enrichment and nitrogen deposition (including from construction activity, idling vehicles and inadvertent fertilisation). Where damage occurs, recovery is typically measured in decades, if it occurs at all.

Accordingly, disturbance to such habitats associated with development may result in effectively irreversible loss of biodiversity and associated ecosystem services. The omission of mycological assessment therefore undermines confidence that ecological impacts have been adequately identified, understood or avoided, contrary to the precautionary principle and established best practice in ecological assessment.

Peat, Ground Conditions and Geomorphology - Conclusion

The Environmental Report does not provide a scientifically robust or verifiable assessment of peat depth, condition, hydrology or ground stability within the Garreg Fawr uplands. The reliance on a coarse 100 metre peat probing grid, combined with the absence of raw peat survey data, fails to reflect the well-established spatial variability of blanket bog systems and does not accord with recognised professional guidance for development on peat.

Fundamental datasets required to characterise risk, including probe logs, spatial coordinates, peat classification, strength parameters, water-table behaviour and hydrological connectivity are absent. As a result, the peat assessment cannot be independently verified and does not provide a sound basis for assessing excavation risk, anchor installation or the potential for ground instability.

The Environmental Report further fails to assess peat hydrological connectivity or catchment-scale response to ground disturbance, despite clear evidence that even shallow excavation can alter drainage pathways, propagate downslope impacts and initiate secondary instability. Hydrology is treated as disconnected from soils and geomorphology, contrary to established peatland science and best practice.

In addition, no assessment is provided of potential carbon loss arising from peat disturbance, vegetation damage or hydrological change, despite the recognised role of upland peatlands as long-term carbon stores and the sensitivity of these systems to even small-scale disturbance.

Taken together, these deficiencies are foundational rather than technical. They prevent a reliable assessment of environmental risk, undermine compliance with recognised guidance and climate policy objectives, and do not enable the application of the precautionary principle.

On this basis, the Environmental Report does not provide a defensible or evidence-based foundation for the grant of planning permission.

7. Hydrology and Water Environment

Hydrological sensitivity in the Garreg Fawr uplands is exceptionally high. The Environmental Report's hydrological appraisal is superficial and scientifically incorrect.

Incorrect Assumption of Low Risk Based on Surface Water Distance

The Environmental Report claims low hydrological risk because the meteorological mast is 350 metres from a mapped watercourse. This assumption is inconsistent with established upland hydrological science. Subsurface and near-surface flow routes frequently extend over long distances and do not follow surface water patterns.

Holden (2005), Baird et al. (2017), and Diggins (2020) show that peatlands transmit water horizontally over tens or hundreds of metres. Construction trenches and anchor pits can intercept these flows, altering pressure gradients and potentially increasing erosion risk.

No Catchment Hydrological Modelling

A basic hydrological assessment in upland peat environments would be expected to include analysis of flow direction, flow accumulation, saturation patterns, erosion susceptibility and hydrological connectivity to downstream habitats and receptors. The Environmental Report contains none of these assessments.

In the absence of any catchment-scale hydrological modelling or spatial analysis, it is not possible to understand how ground disturbance, excavation or anchoring could alter drainage pathways, affect saturation dynamics or propagate impacts beyond the immediate site.

As a result, the Environmental Report does not provide a reliable or evidence-based basis for assessing hydrological risk or downstream environmental effects.

No Quantitative Flow Modelling

A proportionate hydrological assessment of upland peat environments would normally include quantitative flow modelling to characterise runoff pathways, infiltration behaviour, sediment transport and hydrological connectivity. Standard analytical tools commonly used for this purpose, including digital terrain-based flow modelling and catchment hydrology models, have not been applied.

The Environmental Report contains no quantitative modelling of flow dynamics, infiltration, runoff generation, sediment transport or connectivity to downstream receptors. In the absence of such analysis, it is not possible to assess how ground disturbance or excavation could alter hydrological behaviour or whether impacts would remain confined to the immediate site.

As a result, the Environmental Report does not provide a robust or evidence-based foundation for assessing hydrological risk or downstream environmental effects.

Excavation - Hydrology Interactions Not Addressed

Excavation for guy wire anchor pits has the potential to intersect subsurface flow pathways, create preferential drainage routes and alter local and downslope water-table behaviour within peat soils. These interactions are well-recognised mechanisms by which small-scale ground disturbance can lead to wider hydrological and geomorphological effects in upland peatland environments.

The Environmental Report does not assess these excavation-hydrology interactions, nor does it consider how anchor installation could modify subsurface flow, affect saturation patterns or influence peat stability beyond the immediate excavation footprint. In the absence of such assessment, the hydrological consequences of the proposed development cannot be reliably evaluated.

Hydrology and Water Environment - Conclusion

The Environmental Report does not provide a scientifically robust or evidence-based assessment of hydrological risk within the hydrologically sensitive Garreg Fawr uplands. The appraisal is founded on an incorrect assumption that hydrological effects can be screened out based on distance from mapped surface watercourses, an approach that does not reflect established understanding of upland peatland hydrology, where subsurface and near-surface flows frequently extend over considerable distances.

Fundamental elements of hydrological assessment are absent. No catchment-scale hydrological modelling, spatial flow analysis or saturation mapping has been undertaken, and no quantitative flow modelling has been applied to characterise runoff pathways, infiltration behaviour, sediment transport or hydrological connectivity to downstream receptors. As a result, the Environmental Report does not enable an understanding of how excavation, anchoring or trenching could alter drainage patterns or propagate effects beyond the immediate site.

In addition, the Environmental Report fails to assess excavation and hydrology interactions associated with the installation of guy wire anchor pits. The potential for excavation to intercept subsurface flow pathways, create preferential drainage routes or alter water-table behaviour are all well-recognised mechanisms of hydrological impact in peatland environments and are not considered.

Taken together, these omissions are fundamental. They prevent a reliable assessment of hydrological risk, downstream environmental effects and the interaction between ground disturbance and peat stability.

On this basis, the Environmental Report does not provide a defensible or evidence-based foundation for decision-making in relation to the water environment and does not enable the application of the precautionary principle.

8. Ornithology

The Garreg Fawr plateau lies within a region of recognised importance for upland bird species, including species listed for special protection under European birds' legislation and species protected under Schedule 1 of the Wildlife and Countryside Act 1981.

Wind-associated infrastructure, particularly guyed meteorological masts are well documented as posing disproportionate collision risks, especially in poor visibility conditions or during low-altitude flight. Given this sensitivity, robust ornithological assessment requires precise vantage point (VP) data, flight height distributions, collision risk modelling, and clear seasonal analysis.

The Environmental Report does not contain any of these elements and is therefore scientifically unreliable.

Absence of Raw Vantage Point Data

The Environmental Report presents only summarised conclusions regarding bird activity and flight behaviour. It does not provide the underlying vantage point survey data required to support or verify these conclusions.

In particular, the Environmental Report does not include raw vantage point (VP) logs recording species, timing, duration, flight height, flight direction, behaviour or prevailing meteorological conditions; mapped flight lines; species-specific activity budgets; or time-stamped datasets from which activity rates and collision risk could be derived.

In the absence of raw VP survey data, the ornithological assessment cannot be independently verified or tested. This prevents meaningful scrutiny of survey effort, spatial coverage, seasonal representativeness or analytical assumptions.

This approach is inconsistent with the CIEEM *Guidelines for Ecological Impact Assessment* (2019), which require ecological assessments to be transparent and reproducible, with sufficient raw data made available to enable decision-makers to evaluate the validity and adequacy of survey work.

As submitted, the Environmental Report does not meet these requirements and does not provide a reliable evidence base for assessing ornithological risk.

No Flight Height Analysis

Collision risk associated with tall, guyed structures is critically dependent on the vertical distribution of bird flight activity in relation to the meteorological mast, guy wires and anchor lines.

Guyed meteorological masts are recognised as creating collision risk envelopes extending from low-level flight heights to well above ground level.

The Environmental Report does not present any analysis of bird flight height, including flight height histograms, vertical activity distributions or assessment of flight behaviour relative to terrain features such as ridges or slope crossings. There is no evaluation of low-level flight activity or of flight behaviour within the height range occupied by guy wires and associated infrastructure.

In the absence of flight height analysis, it is not possible to determine whether bird activity overlaps with the collision risk envelope created by the proposed meteorological mast. As a result, the Environmental Report does not provide a reliable or evidence-based assessment of collision risk and does not enable meaningful scrutiny of potential effects on bird populations.

No Collision Risk Assessment (CRA)

The Environmental Report does not include a Collision Risk Assessment (CRA) undertaken using the Band model, which is the internationally recognised and widely accepted methodology for evaluating bird collision risk associated with tall structures and overhead wires.

A CRA would normally be expected even for a temporary meteorological mast, given the presence of guy wires and anchor lines that create a defined collision risk envelope. Upland species known to occur in the area exhibit flight behaviours that are potentially vulnerable to collision, including dynamic foraging at wire height, low-level ridge-crossing movements, seasonal migratory passage at predictable altitudes, and nocturnal or poor-visibility activity that increases collision likelihood.

In the absence of a Band model CRA, it is not possible to quantify collision probability, assess species-specific risk or evaluate the effectiveness of any proposed mitigation measures.

The absence of a CRA precludes assessment of both magnitude of impact and population-level significance. The Environmental Report does not provide a robust or evidence-based basis for its conclusion that collision risk would be negligible and consequently, the ornithological assessment does not enable Powys County Council Planning Directorate to confidently conclude that the proposal would not give rise to significant collision risk.

Incomplete Baseline Surveys

A robust ornithological baseline requires survey coverage that reflects seasonal variation in bird presence, behaviour and flight activity. The Environmental Report does not provide such coverage and omits entire components of baseline ornithological assessment.

In particular, the Environmental Report does not include surveys of wintering birds, spring migration, nocturnal activity, raptor flight behaviour or breeding bird territories supported by evidence-based mapping. As a result, the assessment does not capture seasonal changes in species composition, activity levels or flight behaviour that are directly relevant to collision risk and disturbance effects.

The absence of seasonally representative survey data undermines the completeness and scientific integrity of the ornithological baseline. Without this information, it is not possible to determine whether the survey effort is representative or to reliably assess the likelihood of significant effects arising from the proposed development.

Diverter Effectiveness Not Assessed

The Environmental Report proposes the use of visual diverters on guy wires as a mitigation measure but does not provide any evidence to demonstrate their effectiveness under site-specific conditions or for the species likely to be affected.

Independent research has identified significant limitations to the effectiveness of wire diverters, including reduced visibility in mist, fog or low-angle sunlight; limited efficacy for species with lower spatial acuity; and diminished performance during nocturnal activity or periods of migratory movement. These factors are particularly relevant in upland environments where visibility is frequently poor, and bird activity may occur at low light levels.

The Environmental Report does not include any species-specific assessment, behavioural analysis or placement modelling to demonstrate that the proposed diverters would materially reduce collision risk. In the absence of such evidence, the effectiveness of diverters cannot be assumed, and their use cannot be regarded as a mitigation measure of demonstrable efficacy.

Ornithology - Conclusion

The Environmental Report does not provide a scientifically robust or verifiable assessment of ornithological risk within the Garreg Fawr uplands, an area of recognised importance for upland bird species afforded the highest levels of protection under European and UK wildlife legislation. Despite the well-documented collision risks associated with tall, guyed structures, particularly in upland environments and under conditions of poor visibility the ornithological assessment lacks the fundamental components required to support its conclusions.

Critical elements of assessment are absent. No raw vantage point survey data are provided, preventing independent verification of survey effort, spatial coverage, seasonal representativeness or analytical assumptions. There is no analysis of bird flight height or vertical activity distribution, and no Collision Risk Assessment undertaken using the Band model, which is the accepted standard methodology for evaluating collision risk associated with tall structures and overhead wires. As a result, it is not possible to determine whether bird activity overlaps with the collision risk envelope created by the proposed mast and associated guy wires.

The baseline ornithological dataset is further undermined by the absence of seasonally representative surveys, including wintering bird surveys, migration surveys, nocturnal activity assessment, raptor flight analysis and mapped breeding bird territories. Without this information, the assessment fails to capture seasonal variation in species presence and behaviour that is directly relevant to collision risk and disturbance effects.

In addition, the proposed use of wire diverters is not supported by any species-specific evidence, behavioural analysis or placement modelling to demonstrate their effectiveness under site-specific conditions. Given the recognised limitations of diverters in upland environments, their effectiveness cannot be assumed and cannot be relied upon as a mitigation measure of demonstrable efficacy.

Taken together, these deficiencies are fundamental rather than technical. They prevent a reliable assessment of collision risk, undermine compliance with recognised professional guidance including the CIEEM Guidelines for Ecological Impact Assessment, and do not enable Powys County Council Planning Directorate to apply the precautionary principle or to discharge its statutory biodiversity duties.

On this basis, the Environmental Report does not provide a defensible or evidence-based foundation for decision-making in relation to ornithological impacts.

9. Bat Ecology

Guyed meteorological masts pose specific and well-documented risks to bats, particularly high-flying and fast-moving species that operate at heights coinciding with guy wires and mast structures. Of relevance in upland landscapes are species within the *Nyctalus* genus, which are known to commute, forage and migrate at height and have been repeatedly recorded colliding with tall, slender infrastructure. These species are also known to exhibit low detectability at ground-level detector heights.

The Environmental Report asserts modest bat activity and concludes that collision risk would be low, largely based on perceived habitat quality. However, these conclusions are not supported by the provision of raw data, transparent methodology or analysis of flight height, seasonality or behaviour. As a result, the bat assessment does not provide a reliable or verifiable evidence base.

Absence of Raw Acoustic Detector Data

The Environmental Report does not provide the raw acoustic data or metadata necessary to support or verify its conclusions regarding bat activity. In particular, the submission does not include:

- original ".wav" acoustic recordings;
- metadata for detector deployment (make, model, sensitivity settings);
- GPS coordinates of detector locations;
- height above ground at which detectors were deployed;
- survey effort logs (dates, duration, weather conditions);
- outputs from automated call identification software;
- details of any manual vetting or quality assurance methodology.

Without access to raw detector files and associated metadata, it is not possible to independently verify call identification, survey effort, temporal coverage or analytical assumptions. As submitted, the bat assessment lacks transparency and does not meet accepted standards for reproducibility or scrutiny.

Absence of Species Level Identification

The Environmental Report does not identify bat calls to species level, instead grouping calls into broad frequency bands. This approach is not consistent with best practice guidance, including BS 42020 and Bat Conservation Trust (BCT) survey guidance, which require species-level identification wherever reasonably possible, particularly where collision risk is a potential concern.

In upland Wales, high-flying species such as *Nyctalus noctula* (Noctule) and *Nyctalus leisleri* (Leisler's bat) are known to traverse ridgelines, forage over open ground and commute at heights that may intersect with guy wires. Without species-level identification, it is not possible to determine whether such collision-prone species are present, nor to assess their relative activity levels. The grouping of calls therefore masks potentially significant risk and undermines the validity of the conclusions reached.

Absence of Height Activity Analysis

Collision risk for bats is strongly influenced by flight height, particularly in relation to guy wires, anchor lines and mast structures. In upland environments, bat flight height is influenced by a range of factors that are not considered in the Environmental Report, including:

- ridge uplift and orographic effects;
- thermal soaring associated with insect emergence;
- wind speed, direction and atmospheric stability;
- weather-driven changes in foraging behaviour.

The Environmental Report provides no height-specific activity data and does not consider how bat flight behaviour may intersect with the vertical envelope occupied by the proposed mast and guy wires. In the absence of any height-activity analysis, it is not possible to assess whether bats are likely to operate within the collision risk zone.

Absence of Seasonal and Nocturnal Analysis

Bat activity varies substantially across the year and in response to weather conditions. Periods of elevated risk may occur during pre-breeding movements, maternity season, autumn swarming and migration, as well as during nights with favourable temperature and humidity conditions.

The Environmental Report does not provide:

- monthly or seasonal breakdowns of bat activity;
- analysis of activity in relation to temperature, wind speed or humidity;
- assessment of pre-breeding, maternity or autumn swarming behaviour;
- consideration of nocturnal conditions associated with increased activity.

This lack of temporal resolution is inconsistent with Bat Conservation Trust best practice and prevents meaningful assessment of peak activity periods or worst-case scenarios relevant to collision risk.

Lighting and Insect Attraction Effects Not Assessed

Even where permanent lighting is not proposed, temporary lighting associated with construction, maintenance or decommissioning can attract insects and, in turn, bats. This can lead to localised concentrations of bat activity around illuminated structures, increasing collision risk, particularly in the vicinity of guy wires.

The Environmental Report does not assess the potential for lighting-related attraction effects, nor does it consider whether temporary lighting could alter bat behaviour during construction or operational phases. In the absence of such assessment, a potentially important risk pathway remains unexamined.

Bat Ecology - Conclusion

The Environmental Report does not provide a scientifically robust, transparent or verifiable assessment of bat activity or collision risk associated with the proposed guyed meteorological mast. Despite the well-documented vulnerability of high-flying bat species to tall, slender infrastructure, particularly in upland environments, the assessment relies on unsubstantiated assertions and lacks the fundamental data required to support its conclusions.

Critical elements of assessment are absent. No raw acoustic detector files or deployment metadata are provided, preventing independent verification of survey effort, spatial coverage, analytical methodology or call identification. Species-level identification has not been undertaken, masking the potential presence and activity of collision-prone species such as *Nyctalus noctula* and *Nyctalus leisleri*, which are known to traverse ridgelines and operate at heights coinciding with guy wires and anchor lines.

The Environmental Report further fails to assess bat activity in relation to flight height, despite the central importance of vertical activity distribution in determining collision risk. No consideration is given to ridge-related uplift, meteorological influences on flight height, or behavioural responses during periods of elevated insect availability. Without height-specific activity data, it is not possible to determine whether bats are likely to operate within the collision risk envelope created by the proposed mast.

Seasonal and nocturnal variation in bat activity is also not addressed. The absence of monthly or seasonal breakdowns, weather-linked activity analysis, or assessment of pre-breeding, maternity or autumn swarming behaviour means that periods of peak activity and worst-case risk have not been evaluated. This approach is inconsistent with Bat Conservation Trust best practice guidance and undermines the scientific integrity of the baseline.

In addition, the Environmental Report does not assess the potential for temporary or operational lighting to attract insects and bats, despite the recognised role of artificial lighting in altering bat behaviour and increasing collision risk around tall structures.

Taken together, these deficiencies are fundamental rather than technical. They prevent independent verification of survey results, preclude meaningful assessment of collision risk, and do not enable Powys County Council Planning Directorate to apply the precautionary principle or to discharge its statutory duties in respect of protected species.

On this basis, the Environmental Report does not provide a defensible or evidence-based foundation for decision-making in relation to bats, and the conclusion of low risk cannot be relied upon.

10. Landscape and Visual Impact Assessment (LVIA)

The Garreg Fawr ridgeline is a prominent upland feature with extensive visibility across Mid Wales, including from public rights of way, recreational routes, and valued upland viewpoints. In such landscapes, even development described as temporary can exert a strong and sustained visual influence due to elevation, skyline location and long-distance views.

Landscape and visual assessment in this context must therefore meet the transparency, reproducibility and analytical clarity requirements set out in the *Guidelines for Landscape and Visual Impact Assessment* (GLVIA3). The Environmental Report does not meet these standards and does not provide a reliable basis for assessing landscape or visual effects.

Absence of ZTV Source Data

The Zone of Theoretical Visibility (ZTV) is presented only as a static graphic. The Environmental Report does not provide the underlying datasets or parameters required to reproduce or independently verify the ZTV, including:

- digital terrain model (DTM) or digital surface model (DSM) source files;
- spatial resolution of the model (e.g. 2 m, 5 m or 10 m grid);
- vegetation height assumptions or screening parameters;
- atmospheric modelling assumptions;
- earth curvature and atmospheric refraction settings.

An LVIA that cannot be independently reproduced is not an assessment but an assertion. Without provision of ZTV source data and calibrated visualisations, the assessment cannot be independently reproduced or audited. Without this information, it is not possible to understand the assumptions applied or to test the sensitivity of the ZTV outputs. As a result, the ZTV cannot be independently verified and does not meet GLVIA3 requirements for transparency and reproducibility.

Photography and Wireline Visualisations Lacking Metadata

GLVIA3 requires visualisations to be supported by sufficient technical information to enable their accuracy, representativeness and reproducibility to be independently assessed. This includes, as a minimum:

- camera make and model;
- sensor size and focal length;
- tripod height above ground level;
- viewpoint coordinates and bearing;
- atmospheric and lighting conditions at the time of capture; and
- details of any image stitching or post-processing methodology.

Failure of the Supporting Annex to Provide Verifiable Visual Evidence

This information is not provided within the Environmental Report itself, but is instead displaced into a confusing, inconsistently labelled and inadequately presented annex, which is not clearly identified, not complete, and cannot reasonably be relied upon as part of the evidential record.

While elements of metadata appear to be referenced in a supporting annex (variously described within the submission as *Annex 5* and subsequently as *Annex 1*), the documentation is inconsistently labelled and the drawings and supporting information are incomplete.

In the absence of a clearly identified, complete and consistently referenced annex containing the full required metadata, the submitted photomontages and wireline visualisations cannot be calibrated, independently reproduced or subjected to technical verification, and therefore carry no evidential weight in the assessment of landscape and visual effects.

Uncertainty in Site Datum and Absolute Structure Height

The Environmental Report does not clearly define the vertical datum used to describe the height and elevation of the proposed meteorological mast and associated guy wires. It is unclear whether heights are referenced to local ground level, digital terrain modelling, or Ordnance Datum (Newlyn).

In an upland peatland environment with variable topography and compressible ground conditions, the absence of a clearly stated and consistent datum introduces uncertainty into the absolute elevation of the structure above mean sea level.

This uncertainty has implications for landscape and visual assessment, collision risk evaluation, and aviation safeguarding, including assessment of compatibility with MoD low-flying activity associated with the Sennybridge Training Area reviewed in Section 14 of this response.

Without a clearly defined site datum and confirmation of absolute structure height relative to Ordnance Datum, Powys County Council Planning Directorate cannot be satisfied that the environmental and aviation implications of the proposal have been accurately assessed.

Inadequate Viewpoint Selection

The selection of viewpoints is fundamental to a robust LVIA. The generic text found in Appendix 1 LIVA [*sic*] Methodology (Non-EIA) is not wholly applicable to the context of the application.

The Environmental Report omits several categories of viewpoint that are necessary to understand the full range of visual effects, including:

- key ridgeline routes and elevated recreational paths;
- long-distance views from opposing upland summits;
- sequential views experienced along public footpaths, bridleways and access routes;
- viewpoints associated with cultural heritage assets and their settings

The absence of these viewpoints means that both the spatial extent and experiential nature of visual effects have not been adequately assessed. Without a representative and justified viewpoint selection, the conclusions of the LVIA cannot be relied upon.

Absence of Cumulative Landscape and Visual Assessment

GLVIA3 requires cumulative assessment where multiple vertical structures may combine to create landscape clutter, visual stacking or incremental change. Given the presence of existing and proposed energy-related infrastructure in the wider area, cumulative effects are a material consideration.

The Environmental Report does not undertake any cumulative landscape or visual assessment. This omission prevents consideration of whether the proposed mast would contribute to incremental erosion of landscape character or visual amenity when viewed in combination with other developments.

Magnitude and Sensitivity Judgements Not Substantiated

The Environmental Report assigns magnitudes of change and receptor sensitivities but provides no transparent justification for these judgements. GLVIA3 requires that such judgements be supported by:

- clearly stated criteria;
- explanation of how judgements have been calibrated;
- reference to comparable examples or benchmarks.

In the absence of explicit criteria or supporting explanation, the magnitude and sensitivity judgements are subjective and cannot be independently evaluated. Consequently, the significance conclusions derived from them lack credibility.

Landscape and Visual Impact - Conclusion

The Environmental Report does not provide a transparent, reproducible or methodologically sound Landscape and Visual Impact Assessment in accordance with GLVIA3. Fundamental components of assessment are absent, including verifiable ZTV modelling, calibrated visualisations, representative viewpoint selection and cumulative analysis.

The reliance on static graphics without supporting model data or metadata prevents independent scrutiny of visibility assumptions and visual effects.

The omission of key viewpoints and cumulative assessment further undermines the ability to understand the true extent and significance of landscape and visual impacts, particularly within a highly visible upland setting.

In addition, the assignment of magnitude and sensitivity judgements without clear criteria or justification means that conclusions regarding significance of effect are not evidence-based. Taken together, these deficiencies are foundational rather than technical.

On this basis, the Environmental Report does not provide a defensible or credible foundation for assessing landscape and visual effects, does not comply with GLVIA3, and does not enable Powys County Council Planning Directorate to reach a robust or informed conclusion regarding visual impact. The LVIA therefore cannot be relied upon to support the grant of planning permission.

11. Cultural Heritage and Archaeology

The Garreg Fawr uplands form part of a landscape with a high density of archaeological features, including prehistoric monuments, historic routeways and evidence of long-term upland land use. Of relevance is Maen Richard, a prehistoric standing stone and designated heritage asset whose significance is closely tied to its landscape setting, visual prominence and spatial relationship with the surrounding upland environment.

The Environmental Report provides little more than a summary list of recorded heritage assets and does not demonstrate an understanding of setting, intervisibility or the wider historic landscape. As a result, it does not provide a robust or evidence-based assessment of cultural heritage impacts.

No Assessment of Setting in Accordance with Cadw Principles

Cadw's *Conservation Principles for the Sustainable Management of the Historic Environment in Wales* (2011) require that proposals affecting heritage assets consider the contribution of setting to significance. This is particularly important for prehistoric standing stones, such as Maen Richard, whose significance is often derived primarily from landscape context, isolation, skyline position and intervisibility rather than from fabric alone.

The Environmental Report does not assess how the proposed meteorological mast and associated guy wires may affect the setting of Maen Richard. There is no consideration of views to or from the stone, no assessment of visual dominance, distraction or change in perceived remoteness, and no evaluation of how the introduction of a tall modern structure could alter the experiential understanding of the monument within its upland landscape.

For prehistoric monuments, harm to setting may arise even in the absence of physical proximity.

In the absence of a setting assessment specific to Maen Richard, potential harm to the significance of this heritage asset cannot be properly evaluated.

Absence of Intervisibility Analysis and Visual Evidence

Intervisibility is a critical component of heritage setting assessment in upland landscapes, particularly for isolated prehistoric monuments such as Maen Richard. The Environmental Report does not provide:

- wireline views from Maen Richard;
- heritage-specific ZTV mapping illustrating theoretical visibility of the proposed mast from the standing stone;
- photomontages or verified visualisations from the vicinity of Maen Richard or other key archaeological viewpoints.

Without this information, it is not possible to assess whether the proposed mast would intrude into important sightlines, dominate the skyline or alter the visual relationship between Maen Richard and its surrounding landscape. The absence of intervisibility analysis prevents meaningful assessment of setting effects.

Absence of Detailed HER Data and Spatial Information

Historic Environment Record (HER) summaries alone are insufficient to support assessment of cultural heritage impacts. The Environmental Report does not provide the underlying heritage data required to understand asset significance, sensitivity or spatial relationships, including:

- full HER record extracts;
- GIS shapefiles or mapped extents of heritage assets;
- scheduling documentation or designation reports where applicable;
- statements of significance describing the heritage value of affected assets.

In the absence of detailed HER data and spatial information, it is not possible for decision-makers to understand the relative importance of heritage assets, their relationship to the surrounding landscape, or their vulnerability to change. As submitted, the Environmental Report does not provide a sufficient evidential basis for assessing heritage impacts or for determining whether the proposal would preserve the significance of heritage assets and their settings.

Absence of Cumulative Heritage Impact Assessment

The significance of historic upland landscapes is often derived from their overall legibility, coherence and relative absence of modern vertical structures. Incremental change arising from multiple vertical elements can, over time, erode the ability to understand and appreciate prehistoric and historic patterns of land use, movement and monument placement.

The Environmental Report does not assess cumulative heritage effects arising from the proposed meteorological mast in combination with existing or reasonably foreseeable vertical infrastructure in the wider landscape. No consideration is given to how the introduction of an additional tall, modern structure could contribute to cumulative visual intrusion, landscape clutter or the progressive erosion of historic landscape character.

In the absence of any cumulative heritage assessment, the Environmental Report does not provide a sound or evidence-based basis for determining whether the proposal would preserve the significance of heritage assets or the integrity of the wider historic landscape.

Cultural Heritage and Archaeology - Conclusion

The Environmental Report does not provide a robust, proportionate or evidence-based assessment of cultural heritage and archaeological impacts. It relies on summary Historic Environment Record listings without providing the detailed records, spatial data or significance assessments necessary to understand asset value or sensitivity.

In particular, the Environmental Report fails to assess the setting of Maen Richard, a prehistoric standing stone whose significance is closely linked to its visual and landscape context. No intervisibility analysis, visual evidence or setting assessment has been undertaken in accordance with Cadw's Conservation Principles, and the potential for harm arising from the introduction of a tall, modern, guyed structure within its setting has not been evaluated.

The absence of cumulative assessment further undermines understanding of how incremental change may erode the legibility and integrity of the historic upland landscape.

These deficiencies are fundamental rather than technical. They prevent Powys County Council Planning Directorate from understanding the significance of affected heritage assets, assessing potential harm to setting, or applying the precautionary principle. On this basis, the Environmental Report does not provide a defensible or credible foundation for decision-making in relation to cultural heritage and archaeology and cannot be relied upon to support the grant of planning permission.

12. Construction, Access, Reinstatement and Decommissioning

Construction activity within upland peatland environments presents a range of environmental risks that require careful advance planning, method control and post-construction restoration.

For development of this nature, a clear and enforceable framework governing construction, access, reinstatement and decommissioning is essential to enable environmental risks to be assessed and managed.

The Environmental Report does not provide this framework.

Absence of a Construction Environmental Management Plan (CEMP)

A Construction Environmental Management Plan (CEMP) is a fundamental requirement for development in sensitive upland environments and is essential to demonstrate how environmental risks would be avoided, mitigated and controlled during construction. A proportionate CEMP would be expected to address, as a minimum:

- pollution prevention and incident response measures;
- peat excavation, handling, storage and reuse procedures;
- access track design and construction methodology;
- spoil management and material storage;
- surface water and groundwater protection measures;
- working restrictions linked to weather conditions and ground saturation.

No CEMP has been submitted. In the absence of a CEMP, the Environmental Report does not demonstrate how construction-related impacts on peat, hydrology, water quality or adjacent habitats would be avoided or controlled. In the absence of defined methods, feasibility of mitigation itself remains unproven.

Access Routes and Construction Logistics Not Defined

The Environmental Report does not define how the site would be accessed or how construction activities would be undertaken on the ground. It does not identify:

- the type, weight or footprint of construction machinery;
- access routes across peatland or upland soils;
- assessment of load-bearing ground conditions;
- the need for temporary trackways, matting or ground protection;
- reinstatement methods following vehicle or machinery access.

Without this information, it is not possible to assess the risk of ground damage, compaction, rutting, peat failure or hydrological disruption associated with construction access. These omissions leave significant environmental risks unaddressed.

Absence of a Peat Reinstatement Strategy

Where peat disturbance is proposed, best practice requires a clear reinstatement strategy designed to restore peat structure, hydrological function and carbon storage capacity. This would normally include:

- block removal and replacement techniques;
- measures to minimise peat oxidation and drying;
- protection and reinstatement of the acrotelm;
- restoration of surface microtopography;
- maintenance or reinstatement of hydrological connectivity;
- post-construction monitoring and remedial triggers.

The Environmental Report provides no reinstatement methodology and no monitoring or management programme. In the absence of such information, it is not possible to conclude that peat disturbance would be reversible or that the site could be restored to baseline condition.

Absence of a Decommissioning Plan

Given the proposed operational period of up to five years, a decommissioning plan is essential to demonstrate how all infrastructure would be removed and how the site would be restored at the end of the development's life. A proportionate decommissioning plan would be expected to address:

- removal of the mast, guy wires and anchor systems;
- treatment of anchor pits and excavations;
- reinstatement of peat, soils and vegetation;
- post-removal hydrological stabilisation;
- monitoring to confirm successful restoration.

No decommissioning plan is provided. As a result, there is no assurance that the site could be returned to its original condition or that long-term environmental effects would be avoided.

Construction, Access, Reinstatement and Decommissioning - Conclusion

The Environmental Report does not provide a coherent or evidence-based framework for construction, access, reinstatement or decommissioning. The absence of a CEMP, defined access strategy, peat reinstatement methodology and decommissioning plan represents a fundamental deficiency rather than a matter of detail.

Without this information, the Powys Conty Council Planning Directorate cannot assess construction-related environmental risk, cannot determine whether impacts on peat and hydrology would be reversible, and cannot be satisfied that the site would be restored following decommissioning.

These matters cannot be left to condition, as the underlying feasibility and effectiveness of mitigation and restoration have not been demonstrated.

In the absence of a Construction Environmental Management Plan and decommissioning strategy, it is not possible to conclude that impacts would be temporary, reversible or capable of effective control.

On this basis, the Environmental Report does not provide a defensible foundation for decision-making in relation to construction impacts or site restoration and cannot be relied upon to support the grant of planning permission.

13. Cumulative Impact Assessment

Cumulative impact assessment is a core requirement of environmental appraisal and is particularly important in upland landscapes where multiple energy-related developments may interact spatially, temporally and functionally.

In such environments, individual developments cannot be assessed in isolation, as the combined presence of meteorological masts, wind turbines, grid infrastructure and associated access works can collectively alter landscape character, ecological function and environmental risk.

The Environmental Report does not undertake any meaningful cumulative assessment, despite the presence of existing and proposed vertical infrastructure within the wider area. As a result, it fails to address how the proposal would contribute to incremental and combined effects.

Cumulative Landscape and Visual Effects

The proposed Garreg Fawr meteorological mast would form part of a broader pattern of vertical infrastructure across the upland landscape. Even where described as temporary, such structures contribute to incremental change that can result in:

- introduction of vertical elements along prominent ridgelines;
- fragmentation of perceived openness and remoteness;
- reduction in tranquillity and dark landscape qualities;
- increased visual complexity within expansive moorland settings.

These effects have been documented in comparable upland regions, where the accumulation of energy-related structures has led to perceptible industrialisation of previously open landscapes (Scott, 2019; Tate & Fisher, 2021).

Cumulative effects are not optional where development pressure is foreseeable; they are a legal requirement.

The Environmental Report does not provide cumulative Zone of Theoretical Visibility mapping, sequential visual assessment or analysis of combined skyline effects. Without such assessment, the conclusion that landscape and visual effects would be negligible is unsupported and cannot be relied upon.

Cumulative Ornithological Effects

Regional proposals for wind turbines, meteorological masts and associated infrastructure increase the likelihood of cumulative effects on bird populations, including:

- displacement of raptors from preferred foraging or nesting areas;
- compression and fragmentation of foraging ranges;
- elevated collision risk where birds must navigate multiple vertical obstacles;
- increased energetic stress on breeding and migratory populations.

The Environmental Report provides no regional context for bird flight corridors, migratory pathways or spatial overlap between proposed structures. It does not assess how the proposed mast may interact cumulatively with other developments to influence bird behaviour or collision risk.

Research demonstrates that combined exposure to multiple structures can produce collision and mortality patterns that cannot be predicted by examining individual structures in isolation (Longcore et al., 2013; Murphy, 2016). The absence of cumulative ornithological assessment therefore represents a significant evidential gap.

Cumulative Hydrological and Peatland Effects

Peatland systems are particularly sensitive to cumulative disturbance. Incremental excavation, access works and ground loading associated with multiple developments can lead to:

- progressive gully formation and erosion;
- development of new or enlarged drainage pathways;
- cumulative loss of peat carbon stores;
- increased susceptibility to hydrological instability and slope failure.

Given the presence of multiple existing and proposed developments within the wider catchment, cumulative hydrological and peatland effects should be assessed at a catchment scale.

The Environmental Report does not include any cumulative hydrological modelling, peatland connectivity analysis or assessment of combined carbon impacts.

In the absence of such analysis, it is not possible to determine whether the proposed development would contribute to significant cumulative degradation of peatland function.

Cumulative Impacts - Conclusion

The Environmental Report fails to undertake a cumulative impact assessment of any substance or rigour. It does not assess how the proposed meteorological mast would interact with existing or reasonably foreseeable developments to generate combined landscape, ecological or hydrological effects.

The absence of cumulative landscape and visual analysis, cumulative ornithological assessment and cumulative hydrological and peatland evaluation represent a fundamental deficiency. These matters are central to understanding the true environmental consequences of the proposal in an upland landscape subject to increasing development pressure.

As submitted, the Environmental Report does not meet the legal or scientific requirements for cumulative assessment and does not provide a defensible basis for decision-making. Powys County Council Planning Directorate cannot properly assess the proposal in its wider environmental context, and the Environmental Report cannot be relied upon to support the grant of planning permission.

Cumulative impact assessment is a statutory requirement in environmental appraisal, especially for upland environments already hosting or proposed to host multiple energy-related structures. The Environmental Report does not address cumulative effects in any meaningful way, even though meteorological masts, wind turbines, and grid reinforcement infrastructure in this region form a network of vertical structures that collectively alter landscape character, collision risk, and ecological stress.

14. Ministry of Defence Low-Flying and Military Training Constraints (SENTA)

The proposed meteorological mast lies near the Sennybridge Training Area (SENTA), one of the UK's largest and most intensively used Ministry of Defence military training areas. SENTA is routinely used for low-flying military aviation, including fast-jet and rotary-wing aircraft, as well as integrated air–land training exercises. Low-level flight operations within and around SENTA are a long-established and essential component of military training in Mid Wales (MoD, 2022; Welsh Government, 2019).

Tall, slender structures such as guyed meteorological masts present a recognised aviation hazard in low-flying environments. The combination of mast height, guy wires and anchor lines creates a collision risk that extends beyond the vertical mast itself. Guy wires are particularly difficult to detect visually and are widely acknowledged to increase collision risk, especially under poor weather conditions, reduced visibility, low light, or during manoeuvring flight in complex terrain (CAA, 2016; MoD, 2020).

The Environmental Report does not identify the site's relationship to SENTA, nor does it assess the implications of the proposed structure for military low-flying activity. There is no evidence of consultation with the Ministry of Defence, no aviation safeguarding assessment, and no consideration of whether the proposed mast could constrain, displace or conflict with established low-flying routes or training operations.

MoD safeguarding guidance makes clear that structures which may penetrate low-flying airspace or introduce additional obstacles require careful assessment to ensure that they do not compromise aviation safety or restrict operational training capacity (MoD, 2020).

The absence of any such assessment in the supplied Environmental Report means that Powys County Council Planning Directorate cannot determine whether the proposal would introduce unacceptable aviation safety risks or impose operational constraints on a nationally important defence training asset.

This omission is particularly significant given that SENTA's training value derives from its extensive, relatively unconstrained upland airspace and low-flying environment. Incremental introduction of tall vertical structures has the potential to reduce the availability of safe low-level airspace and to increase operational risk, especially when considered cumulatively with other existing or proposed infrastructure in the wider area (MoD, 2022).

On this basis, the Environmental Report does not provide sufficient information to demonstrate that the proposed development would be compatible with the safe operation of MoD low-flying activity associated with SENTA. This represents a material deficiency in the environmental assessment and weighs against the grant of planning permission.

15. Overall Risk Assessment and Planning Balance

This technical review concludes that the Environmental Report is materially and systematically deficient across all key environmental disciplines. The absence of raw datasets, transparent analytical methods and evidence-based reasoning makes it exceedingly difficult for Powys County Council Planning Directorate to form a confident, lawful or scientifically robust judgment on the acceptability of the proposal.

Planning Policy Wales embeds the precautionary principle, requiring that where there is uncertainty or lack of scientific evidence regarding environmental effects, decision-making must err on the side of environmental protection. In this case, uncertainty does not arise from complex impacts that are difficult to predict, but from the failure of the Environmental Report to provide the basic information necessary to understand risk in the first place.

Across peat, hydrology, ornithology, bats, landscape and visual impact, cultural heritage, and construction and restoration, the Environmental Report relies on assertion rather than data.

Key elements of assessment that would normally underpin the planning balance are absent, including:

- a statistically justified wind resource assessment supported by recognised long-term datasets and uncertainty analysis;
- adequate peat depth, condition and hydrological data capable of supporting ground stability and carbon risk assessment;
- raw ornithological survey data, flight height analysis and collision risk modelling;
- raw bat detector files, species-level identification and height- and season-specific activity analysis;
- a Landscape and Visual Impact Assessment compliant with GLVIA3 and supported by verifiable modelling and calibrated visualisations;
- a proportionate and policy-compliant assessment of cultural heritage setting, including intervisibility and cumulative effects;
- a Construction Environmental Management Plan, peat reinstatement strategy and decommissioning plan capable of demonstrating that impacts would be controlled and reversible.

Taken together, these deficiencies are foundational rather than technical. They prevent Powys County Council Planning Directorate from understanding the nature, scale and significance of environmental effects and from determining whether such effects could be avoided, mitigated or reversed. In these circumstances, it would not be reasonable to conclude that environmental impacts are understood or manageable.

While Regulation 24 of the EIA Regulations provides a mechanism to request further information, the scale, breadth and interrelated nature of the missing evidence means that the Environmental Report, as submitted, cannot reasonably be treated as a complete environmental record. In my professional opinion, the absence of determinative information weighs decisively against the proposal.

Accordingly, the application does not provide a sound or defensible basis for the grant of planning permission.

On the information currently before Powys County Council, refusal of the application is the most appropriate and procedurally robust outcome.

16. Final Scientific Conclusion: Systemic Scientific and Evidential Failure

The Environmental Report submitted in support of the proposed Garreg Fawr meteorological mast does not provide the level of scientific evidence required to support a lawful or informed planning determination.

Across all key environmental receptors including peatland carbon systems, hydrology, upland ornithology, bat assemblages, landscape and visual character, cultural heritage, and construction-related impacts, the assessment falls materially short of recognised professional standards.

The deficiencies identified throughout this review are systemic rather than technical. They arise from the absence of raw datasets, lack of analytical transparency, failure to apply recognised methodologies, and omission of determinative assessments. As a result, the Environmental Report does not enable Powys County Council, Natural Resources Wales or other relevant case officers to understand environmental risk, apply the precautionary principle, or discharge their statutory duties with confidence.

In its present form, the Environmental Report cannot be relied upon as a complete or credible environmental record. While Regulation 24 of the EIA Regulations provides a mechanism to request further information, the scale, breadth and interrelated nature of the missing evidence is such that the Environmental Report cannot reasonably be remedied through clarification alone.

Accordingly, on scientific, methodological and policy grounds, the application does not provide a sound basis for decision-making. On the information currently before Powys County Council Planning Directorate, refusal of the application due to insufficient environmental information is the most appropriate and procedurally robust outcome.

Only a fully revised submission, supported by complete datasets, transparent analysis and evidence-based conclusions, could enable a lawful environmental assessment.

17. Accountability

In addition to the technical and environmental considerations outlined above, accountability and verification are central to ensuring that the Environmental Statement process is transparent, evidence led, and capable of independent validation.

We acknowledge the statutory independence and professional standards maintained by Powys County Council Planning Directorate and welcome the opportunity to contribute to the response to the proposed scoping of the proposed erection of a temporary meteorological mast and ancillary structures for measurement of wind and weather data on Land South of Ffynnon Ffrydyll, near Merthyr Cynog, Brecon, Powys

The following procedural recommendations are proposed to strengthen data integrity, enhance auditability, and support informed decision-making by Powys County Council and statutory consultees.

Given the scale of the proposed development and its potential classification and alignment with other significant local energy generation and transmission projects, the following steps would provide a consistent and objective framework for quality assurance:

- Independent verification of key datasets and methodologies, commissioned and funded by the developer but undertaken by an independent and suitably qualified third party. The verification report should be made available to Powys County Council and statutory consultees to confirm the completeness, accuracy, and reliability of baseline data and impact assessments.
- Structured stakeholder engagement to inform the verification process, following recognised assurance protocols such as ISAE 3000 (Revised, 2013) and AccountAbility AA1000AS v3 (2020). This ensures that relevant local knowledge, field observations, and community inputs are captured and reflected within the data collection and analysis phases.
- Declaration of relevant interests by all organisations and consultants contributing to the Environmental Statement, including any financial or contractual relationships with the developer, to maintain procedural transparency and ensure objective assessment of findings.
- Quality review of risk and mitigation assessments, particularly those concerning peat and ground conditions, hydrology and water environment, ornithology and bats, landscape and visual effects, cultural heritage, construction impacts and decommissioning. Verification of modelling assumptions, input parameters, and sensitivity analyses would enhance confidence in the robustness of conclusions drawn.

These procedural measures are consistent with established assurance frameworks and align with the guidance principles outlined in Audit Wales' Wales Infrastructure Investment Strategy (May 2025).

Incorporating such verification steps within the Environmental Statement process would help ensure that the evidence submitted to Planning and Environment Decisions Wales meets a verifiable standard of accuracy and completeness, thereby facilitating a more efficient and reliable planning determination process.

The implementation of these procedural safeguards would also provide a clear, auditable chain of evidence for all data used within the Environmental Statement, reinforcing transparency and accountability throughout the assessment process.

18. Conclusion

This Joint Submission and Community Representation has demonstrated, through detailed and cross-disciplinary technical analysis, that the Environmental Report submitted in support of planning application 25/1679/FUL is materially and systematically deficient. The shortcomings identified are not matters of presentation or minor clarification; they are foundational failures that prevent a lawful, evidence-based and precautionary determination of the proposal.

Across peat and ground conditions, hydrology, ornithology, bat ecology, landscape and visual impact, cultural heritage, construction methodology, decommissioning, and cumulative effects, the Environmental Report repeatedly relies on assertion in place of data, omits essential raw datasets, and departs from recognised Welsh policy requirements, statutory duties and established professional standards. As a result, the magnitude, significance and reversibility of environmental effects cannot be understood with any degree of confidence.

The technical and evidential limitations identified within this report, and detailed in Appendix A, demonstrate that the applicant's submission does not provide a clear, consistent, or sufficiently robust basis upon which the environmental effects of the proposed development can be reliably assessed. The issues identified relate to fundamental aspects of the assessment process, including the definition of the development, the interpretation and application of technical evidence, and the transparency of analytical reasoning across landscape, visual, heritage, and ground condition considerations.

The failure to present a clearly identified, complete and verifiable annex of visual evidence fundamentally undermines the reliability of the Landscape and Visual Impact Assessment and precludes its use as a sound basis for decision-making.

As these matters cannot be addressed through planning conditions or minor clarification without re-assessment of key elements of the proposal, the application is not supported by an evidence base of sufficient clarity or robustness to justify approval.

In these circumstances, we are of the view that Powys County Council Planning Directorate, acting as Local Planning Authority, cannot properly discharge its statutory obligations under Planning Policy Wales, the Environment (Wales) Act 2016, the EIA Regulations, or related guidance. The precautionary principle cannot be meaningfully applied where uncertainty arises not from complex environmental interactions, but from the absence of the most basic evidential foundations.

Importantly, the deficiencies identified cannot reasonably be addressed through the imposition of planning conditions or by seeking limited further clarification. The Environmental Report, as submitted, does not constitute a complete or coherent environmental record capable of being remedied incrementally. To proceed on this basis would expose the Council to avoidable legal and procedural risk and would undermine confidence in the integrity of the planning process.

Accordingly, and having regard to the evidence presented throughout this submission, it is concluded that refusal of application 25/1679/FUL is the only reasonable, proportionate and procedurally robust outcome available to Powys County Council Planning Directorate on the information currently before it. Any alternative course would involve determination in the absence of essential environmental evidence and would be inconsistent with national planning policy, statutory duties, and established principles of sound decision-making.

This conclusion is offered in a constructive spirit, with respect for the role and independence of Powys County Council Planning Directorate, and with the intention of supporting a transparent, lawful and defensible planning determination in the public interest.

19. Concluding Remarks

In its present form, the Environmental Report submitted in support of the Garreg Fawr temporary meteorological mast does not provide confidence that the significant environmental effects of the proposal have been properly identified, assessed or addressed. As detailed above, key environmental receptors and assessment requirements have been omitted, inadequately scoped or considered based on unsupported assumptions.

Significant aspects of the receiving environment including peatland extent and condition, hydrological connectivity, ornithological and bat activity at height, landscape and visual effects, cultural heritage setting (including Maen Richard), construction impacts and cumulative effects have not been properly defined or evidenced. In several instances, spatial data, baseline information and geospatial references are missing or materially flawed, preventing meaningful assessment.

These are not matters that can be deferred without consequence. There are material gaps and assumptions that must be corrected at the scoping stage if any Environmental Statement is to be capable of supporting lawful determination.

The issues identified above demonstrate that the application cannot be supported and should be refused due to the likelihood that any further submission would repeat the same fundamental evidential deficiencies.

The consistent themes arising from this review are the need to define the proposal unambiguously; to establish complete, site-specific baseline datasets; to adhere to relevant planning policy, statutory duties and recognised best-practice guidance; and to engage transparently with environmental risk, uncertainty and cumulative effects. These requirements are fundamental to the assessment of a tall, guyed structure in a sensitive upland environment.

It is therefore requested that Powys County Council Planning Directorate reflects these matters explicitly in any scoping response provided to the applicant. While local knowledge may assist contextual understanding, responsibility for providing a complete, accurate and professionally robust environmental assessment rests with the applicant.

Previous consultation exercises associated with this Developer have raised concerns regarding transparency and completeness. These concerns would need to be addressed comprehensively within any future Environmental Statement and Consultation Report if the process is to be credible.

The purpose of this submission is to ensure that any decision taken by Powys County Council is informed by a rigorous, complete and truthful assessment of environmental effects, in accordance with statutory requirements and national planning policy.

The supplied submission demonstrates that the Environmental Report submitted in support of the proposed Garreg Fawr temporary meteorological mast is fundamentally inadequate. Across peat and hydrology, ornithology and bats, landscape and visual impact, cultural heritage (including the setting of Maen Richard), construction methodology, restoration and cumulative effects, the assessment lacks the data, transparency and analytical rigour required to support lawful decision-making.

These deficiencies are not matters of detail that can be resolved by condition. They prevent Powys County Council from understanding the nature, scale and significance of environmental effects, from applying the precautionary principle, and from discharging its statutory duties with confidence. In the absence of sufficient and reliable environmental information, the impacts of the proposal cannot be demonstrated to be acceptable or manageable.

Accordingly, the supplied application does not provide a sound or defensible basis for the grant of planning permission.

On scientific, methodological and policy grounds, refusal of the application is the appropriate and procedurally robust outcome.

Gary Stephen Smith

Gary S. Smith CFIOSH FRSH

20. Appendix A

Technical Review of Widespread Evidential Errors and Assessment Integrity

This review evaluates whether the submitted Environmental Report and associated supporting documentation demonstrate a level of evidential rigour, internal consistency and methodological competence sufficient to support informed and lawful decision-making. It identifies widespread and recurring factual inaccuracies, internal contradictions, evidential omissions and procedural failures that collectively undermine confidence in the reliability of the assessment.

The deficiencies identified are systemic rather than incidental. They extend beyond matters of professional judgement or presentation and instead reflect a failure to apply basic standards of evidence management, methodological transparency and technical verification. As a result, key conclusions within the Environmental Report are not demonstrably supported by the information presented and cannot be independently tested, reproduced or relied upon.

This review does not seek to re-run the applicant's assessments or substitute alternative professional opinions. Its sole purpose is to assess whether the submission, as presented, meets the minimum threshold of evidential robustness and assessment integrity required to underpin precautionary, transparent and legally sound determination by the Planning Authority. On that basis, the review concludes that it does not.

Definition of the Proposed Development - Inconsistent Mast Height

Across the submitted documents, the proposed mast height is described inconsistently, including:

- 117 m and 117.1 m in the Indicative Elevation Plan and engineering drawings;
- 122.5 m in the Environmental Report text and Zone of Theoretical Visibility (ZTV).

The submission does not clarify:

- which height represents the proposed development;
- whether ancillary elements (e.g. lightning protection or aviation fittings) are included;
- which height has been used for visual, landscape, and heritage modelling.

From a technical perspective, mast height is a primary input variable for:

- ZTV modelling;
- magnitude of visual change;
- assessment of effects on heritage setting;
- aviation and cumulative considerations.

Where this fundamental parameter is unclear, it is not possible to confirm that the associated assessments are based on a consistent or accurate development envelope.

LIVA [*sic*] Misrepresentation - Use of Non-EIA LVIA Framework

The Landscape and Visual Impact Assessment is explicitly framed as a non-EIA LVIA and, as such, avoids conclusions on the significance of effects. While this approach is not inherently inappropriate, its application in this instance is disingenuous and requires scrutiny given:

- the height of the structure (exceeding 120 m in some documentation);
- the open upland context;
- the extent of visibility demonstrated by the ZTV.

GLVIA3 emphasises the importance of professional judgement and proportionality. In this case, the absence of significance evaluation limits the ability of Powys County Council Planning Directorate and Stakeholders to understand the practical implications of the identified visual exposure.

As a result, the assessment does not clearly translate technical findings into a form that enables robust planning judgement.

Failure to Reconcile ZTV Evidence with Written Conclusions

The ZTV mapping indicates extensive theoretical visibility across the surrounding upland landscape and into the wider setting of the Bannau Brycheiniog National Park. The accompanying narrative, however, frequently concludes that effects would be minimal or negligible, without:

- explicit analysis of skyline or ridgeline visibility;
- discussion of receptor sensitivity at distance;
- explanation of how extensive visibility has been weighed in forming conclusions.

From a scientific and analytical standpoint, the absence of a clear interpretive link between mapped visibility and written conclusions reduces transparency and makes it difficult to test or reproduce the reasoning applied.

Failure to Assess Public Rights of Way and Recreational Visual Experience

The applicant’s submission relies on distance to the nearest Public Right of Way (PRoW) and makes limited reference to recreational routes in the wider area. This approach is methodologically flawed because the proposed mast is located within an open upland landscape where public use and visual experience are not confined to linear PRoWs.

In Wales, extensive areas of open country and registered common land are mapped as open access land, where the public has a statutory right of access on foot beyond defined routes.

A robust LVIA should therefore assess the likely experience of dispersed recreational receptors across the access land (including off-route users seeking open upland views), rather than treating PRoW distance as a proxy for sensitivity or magnitude of effect.

In addition, the assessment fails to incorporate evidence from the Epynt Way Association and the Epynt Way itself, a promoted, waymarked recreational route used by walkers, equestrians and cyclists, explicitly valued for its upland scenery and long-distance views.

In particular, the LVIA does not include:

- analysis of views experienced while travelling along routes (including the Epynt Way);
- sequential / evolving views for moving receptors;
- evaluation of recreational sensitivity in open upland landscapes where skyline effects are a primary component of experience; and
- any structured use of user-group or route context evidence (including Epynt Way Association materials).

Distance alone is not sufficient to characterise visual experience or recreational sensitivity, particularly for a tall vertical structure in an exposed upland setting. The omission of access-land and route-based experiential assessment materially reduces the completeness and reliability of the LVIA.

Cultural Heritage Assessment Inaccuracies - Visibility and Setting

The heritage assessment identifies that the proposed mast would be visible from multiple heritage assets, including Scheduled Monuments, as demonstrated through ZTV and wireline analysis.

In several cases, the assessment concludes that this visibility would not result in an effect on setting or significance, but without:

- explicit analysis of how setting contributes to significance;
- explanation of why visibility of a tall modern structure is considered neutral in effect.

For assets identified as landscape markers or features intended to be seen within their surroundings, this reasoning is not clearly articulated. The lack of transparent linkage between evidence and conclusion limits confidence in the robustness of the heritage judgements reached.

Failure to Undertake Asset-Specific Heritage Assessment

Appendix 8 repeatedly applies near-identical wording and conclusions to multiple heritage assets of markedly different type, date and contextual setting. This pattern is immediately apparent on review and demonstrates that the assessment has not engaged with the individual characteristics or settings of the assets concerned.

Although a consistent structure is appropriate, the replication of evaluative language reveals a template-driven approach in place of asset-specific analysis. As a result, it is unclear how the sensitivities, intervisibility, or contextual relationships of individual assets have been identified or weighed.

This “cut-and-paste” methodology falls short of accepted heritage assessment practice, is not analytical in nature, and undermines confidence in the accuracy and reliability of the heritage evidence presented.

Incomplete Data and Analysis - Ground Conditions, Peat and Hydrology

The submission states that peat depth is shallow and that hydrological risk is low. These conclusions appear to rely primarily on interpolated datasets and desk-based information. The submission does not clearly present:

- site-specific peat probing results;
- reconciliation between anchor excavation depth and peat/hydrology mapping;
- assessment of cumulative disturbance from multiple guy anchor excavations.

Given the proposed ground disturbance (including anchor excavations of up to approximately 2 m depth), the evidential basis provided is limited.

Treatment of Temporariness and Future Context

The assessment places significant emphasis on the temporary nature of the mast. At the same time, the submission confirms that the mast is required to inform a future wind energy development and that consent is sought for up to five years.
The assessment does not consider:

- how the presence of enabling infrastructure alters baseline conditions;
- perception of landscape change over time;
- the relationship between the mast and known future development intentions.

From an analytical perspective, this separation limits understanding of the proposal’s full context.

Failure of Document Control and Quality Assurance

The submitted Environmental Report and supporting planning information contain a recurring pattern of typographical errors, spelling mistakes, incorrect cross-referencing, inconsistent terminology, and formatting anomalies across multiple documents and appendices. These include, but are not limited to:

- inconsistent appendix numbering and internal referencing, where appendices cited in the main text do not correspond clearly with submitted plans or drawings;
- inconsistent figure titles, numbering, and descriptions between the Environmental Report and supporting figures;
- typographical and drafting errors within technical sections that reduce clarity and, in some instances, alter the meaning or precision of statements;
- inconsistent terminology used to describe the same development parameters, features, or assessment elements, including mast height and component descriptions;
- formatting inconsistencies across tables, headings, and bullet lists, indicating a lack of document control and version management;
- repeated or near-identical text blocks across different technical sections and heritage asset descriptions, with limited evidence of site-specific tailoring;
- minor numerical discrepancies between narrative text, figures, and appendices that are not explained or reconciled;
- references to figures, plans, or appendices that are incomplete, outdated, or not readily identifiable within the submitted document set.

Individually, such errors might be regarded as minor. However, their repeated occurrence across a submission that relies heavily on technical accuracy, precision of data handling, and transparent analytical reasoning indicates an absence of robust quality assurance and editorial oversight. In combination with the substantive technical deficiencies identified elsewhere in this Annex, this pattern of errors further undermines confidence in the professionalism, reliability, and evidential integrity of the applicant's submission.

Specific Examples of Accuracy and Presentation Errors

Examples of identifiable errors and inconsistencies within the submitted planning information include the following:

- Inconsistent use of technical terminology, including references to both *"LVIA"* and *"LIVA* [*sic*]*"* within the same submission to describe the Landscape and Visual Impact Assessment, despite LVIA being the correct and standard term.
- Conflicting appendix references, including instances where the Environmental Report refers to an appendix number that does not correspond with the title or numbering of the appendix as submitted (for example, elevation plans and LVIA appendices being cited under different appendix numbers in different sections of the report).

- Inconsistent mast height descriptions presented as factual statements rather than assessed parameters, with the proposed structure described as approximately *117 m*, *117.1 m*, and *122.5 m* in different parts of the submission, without explanation or reconciliation. While substantive in effect, this also represents a basic internal consistency failure in document preparation.
- Incorrect or unclear figure cross-referencing, where figures are cited in the text but are either mislabelled, inconsistently titled, or difficult to identify within the submitted drawing set.
- Repetition of near-identical text blocks across multiple heritage asset assessments in Appendix 8, including identical phrasing used to describe setting and significance for assets of different type, period, and landscape context, indicating template-based text reuse without adequate asset-specific editing.
- Formatting and drafting inconsistencies, including irregular bullet styles, inconsistent heading hierarchies, and variable table layouts between sections, suggesting that multiple document versions have not been subject to final editorial alignment.
- Typographical and grammatical errors within technical narrative sections, including missing words, incorrect spacing, and sentence construction errors that reduce clarity and precision in otherwise technical passages.
- Unexplained numerical or descriptive discrepancies between narrative text and figures (for example, distances, heights, or descriptors), which are presented without reconciliation or clarification.

Overall Implications for Decision-Making

The matters identified in this appendix demonstrate that the submission contains:

- unresolved factual inconsistencies;
- incomplete assessment of key receptors;
- limited transparency in analytical reasoning;
- insufficient site-specific evidence in sensitive environmental areas.

These issues collectively reduce confidence that the conclusions presented are fully supported by the evidence provided.

As a result, the submission does not provide a sufficiently robust or transparent basis for Powys County Council to conclude that the effects of the proposal have been adequately understood or assessed.

Technical and Evidential limitations - Conclusion

The matters identified in this appendix demonstrate that the submitted Environmental Report and associated supporting documentation are affected by widespread, systemic and unresolved evidential failures. These include fundamental inconsistencies in the definition of the proposed development, reliance on inappropriate assessment frameworks, omissions in the assessment of key receptors, and a lack of transparent linkage between technical evidence and stated conclusions.

Taken collectively, these deficiencies undermine the internal coherence, verifiability and scientific reliability of the submission. They are not limited to matters of emphasis or professional judgement but reflect a failure to apply basic standards of evidence management, methodological transparency and asset-specific analysis across multiple technical disciplines. As a result, the conclusions presented within the Environmental Report are not demonstrably supported by the information relied upon and cannot be independently tested or reproduced.

Importantly, the deficiencies identified are structural and interrelated, such that they cannot reasonably be addressed through planning conditions, minor clarification or post-submission refinement. Remedying these shortcomings would require substantive re-definition of the development parameters and re-assessment of landscape, visual, heritage, recreational and environmental effects on a consistent and transparent basis.