

## Upper Ogmore Wind Farm and Energy Storage Facility

Application under the Developments of National Significance (Procedure) (Wales)  
Order 2016

Reference DNS/3213662

### Public Rights of Way Diversions Consenting Strategy

1. The primary application under the DNS Order is for a Proposed Development of seven wind turbines, an energy storage facility and associated infrastructure.
2. A secondary application, accompanying the primary application, is for consent under section 16 of the Commons Act 2006 to enable construction of part of the Proposed Development on Mynydd Llangeinor Common.
3. Section 9 of the application form for consent under the DNS Order lists the secondary consents which are to be considered by the Welsh Ministers alongside the primary application. The diversion of public rights of way (PRoW) is not included in the list of secondary consents and an application for the diversion of PRoW will be submitted separately under section 257 of the Town and Country Planning Act 1990.
4. Bridgend County Borough Council (BCBC) has confirmed that an application for the diversion of PRoW would only be considered after consent of the primary application has been granted.
5. There is no statutory requirement for wind turbines to be a minimum distance from PRoW, however it is recognised that some walkers and horse riders prefer to maintain distance from them. The locations of the PRoW and the routes of the proposed PRoW diversions are shown on Figure 12.1 of the Environmental Statement (ES) accompanying the DNS application and a copy is attached to this consenting strategy note.
6. It should be noted that the PRoWs and proposed diversions lie within an area of the site designated as Open Access Land, meaning that the public is free to walk up to the turbines or to pass at greater distances from the turbines if they prefer. However it is recognised that walking on unprepared ground, away from footpaths, is more difficult and, accordingly, if consent for the primary application is granted under the DNS Order, then applications for the following PRoW diversions will be submitted to BCBC:
  - Temporary diversion of Footpath FP31 OGV to enable the construction of a borrow pit to extract stone for construction of the wind farm infrastructure (including new tracks and hardstandings);
  - Permanent diversion of Footpath FP103 GWV / BW38 OGV to provide alternative access for walkers to maintain a distance of approximately 200m from turbines should they so wish.

- Permanent diversion of Bridleway BW64 GWV to provide alternative access for horse riders to maintain a distance of approximately 200m from turbines should they so wish.
7. Paragraphs 12.93 to 12.97 of ES Chapter 12: Socioeconomics, Land Use and Public Access provide further details about routes and distances of the proposed diversions and the nature of the ground and vegetation along the existing and proposed PRow.
  8. Full details about the proposed PRow diversions will be provided when applications under section 257 of the Town and Country Planning Act 1990 are submitted to BCBC, should consent for the primary DNS application be granted.