



AARON & PARTNERS LLP  
SOLICITORS

Mr H Jones  
Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Our Ref: DWK.DPG.TRI17.2  
Your Ref BERR2009/0001  
Date: 13 May 2013

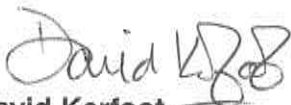
Dear Mr Jones

**Mid Wales Conjoined Wind Farm Inquiry**

1. We act on behalf of Ferm Wynt Llaithddu Cyf and we refer to the above inquiry which is due to convene on the 4th June 2013.
2. You will be aware that under the currently approved timetable issued under cover of the Inspectors meeting note dated 18 March 2013, the parties who will be heard in respect of Strategic Search Area C (SSA C) are required to submit any Supplementary Environmental Information (SEI) by the 12th June 2013.
3. Unfortunately, whilst our clients SEI is generally close to completion we are concerned that we will have some difficulty in circulating the final information by the set date. We would therefore ask the Inspector to approve an extension of this deadline by ten days to the 21st June 2013.
4. Whilst we do appreciate that any extension will reduce the time available to third parties and objectors to respond and comment on the information and incorporate this within any evidence that they wish to put to the Inquiry, we would not expect that this short extension would cause any undue prejudice to the parties given that the Inquiry proper will not reconvene until the 3rd September. Given that proofs of evidence do not need to be finalised and circulated until the 6th August 2013, this still gives some 6 weeks from the proposed extended deadline to this submission date.
5. On that basis we would hope that this can be agreed.
6. On a more specific point, it was acknowledged by the Inspector at the Second PIM that there could be particular problems with producing SEI in respect of ecological matters given that, in most circumstances, relevant surveys can only be carried out within particular timeframes.
7. In our clients case we are advised that the surveys that have been required to properly update the environmental information before the forthcoming inquiry has only been capable of being carried out in the May-June period. Accordingly, given that we were only informed of the Inquiry being held on the 23rd October 2012 and the Inquiry programme was only formally set in March 2013 it has only been possible to undertake the necessary surveys in the current season.

8. Our clients have not been able to fully undertake the necessary survey work and will therefore not be able to hit either the current deadline (12 June 2013) or the proposed extended deadline with regard to SEI relating to ecological matters.
9. Given ongoing negotiations between our clients and Natural Resources Wales (and given that we do not yet know the full extent of the Alliance case in respect of our clients scheme) it may well be that there is no need for those representing the Llaithddu scheme to lead any significant evidence on ecology matters. However, if issues are raised then we would propose two approaches which could resolve the issue and allow the Inquiry to continue substantially in accordance with the proposed timetable and without prejudice to any of the other parties and objectors;
  - a. Ecology evidence is to be dealt with as one of the topics in Session 1. Our clients witness could attend and give evidence, if necessary, during that session in the normal way based upon the information and conclusions in our client's Environmental Statement as it currently stands and upon the assumption that the further ecology SEI will not change those conclusions.
  - b. If subsequently it is demonstrated that those conclusions need revisiting as a result of the ecology SEI this could be picked up and dealt with as evidence prior to Session 4 "Matters in Common/Cumulative Effects"
  - c. Alternatively, Ferm Wynt Llaithddu Cyf could give its evidence on ecology as a whole in Session 4 as a prelude to the parties dealing with any cumulative ecology issues.
  - d. In both cases we would anticipate issuing the proposed SEI by the 24th December 2013, the deadline for SEI relating to cumulative issues and, in any event, as soon as possible once the survey work has been completed and properly analysed.
10. Given that limited ecological impact has been identified by Powys County Council or Natural Resources Wales in respect of our client's scheme we would not expect either of the above proposed approaches to be prejudicial to the conduct of the inquiry or to any of the parties. It would also assist the Inspector by ensuring that any decision he makes is based upon relevant environmental information.
11. We would therefore ask that the Inspector agree that any SEI in respect of ecology matters should be submitted by Ferm Wynt Llaithddu Cyf no later than the 24th December 2013 and, in any event, as soon as possible before that date. We would also ask the Inspector to indicate whether he would agree to one of the two approaches set out in paragraph 9 above and, if so, which approach he would favour.

Yours sincerely



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Partner

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