

Electricity Act 1989

**The Electricity Generating Stations and Overhead Lines (Inquiries Procedure)
(England and Wales) Rules 2007**

**Statement of Case on behalf of FFERM WYNT LLAITHDDU
CYF in connection with an application dated 7 May 2008 for
consent to construct and operate a 66.7MW Wind Turbine Generating Station in Powys, Mid-
Wales ('Llaithddu') in respect
of the Hearing Session on energy and planning policy of the conjoined inquiry which is also
considering proposals by:**

**VATTENFALL, in connection with an application dated 30 November 2007 for consent to
construct and operate a 59.5MW Wind Turbine Generating Station in Powys, Mid-Wales
(‘Llanbadarn Fynydd’)**

**CELTPower LIMITED in connection with an application dated 9 May 2008 for consent to
construct and operate a 126MW Wind Turbine Generating Station in Powys, Mid-Wales
(‘Llandinam’)**

**RES UK & IRELAND LIMITED in connection with an application dated 27 March 2009 for
consent to construct and operate a 100 MW Wind Turbine Generating Station in Powys, Mid-
Wales (‘Llanbrynmair’)**

**RWE NPOWER RENEWABLES LIMITED in connection with an application dated 11 December
2008 for consent to construct and operate a 150MW Wind Turbine Generating Station in
Powys, Mid-Wales (‘Carnedd Wen’)**

**SP MANWEB PLC in connection with an application dated 2 December 2009 to install and keep
installed a 132kV overhead electric line connection from Llandinam Wind Farm to Welshpool
Substation in Powys, Mid-Wales**

CONTENTS

1	INTRODUCTION	1
2	NATIONAL POLICY STATEMENTS.....	5
3	THE NEED FOR RENEWABLE ENERGY DEVELOPMENT	9
4	WELSH RENEWABLE ENERGY AND PLANNING POLICY.....	13
5	STRATEGIC SEARCH AREA C TARGETS	16
6	CONCLUSIONS.....	24

APPENDIX:

1. Map of the SSA C boundary changes as set out in the Arup Study (2005)
2. Map of SSA C boundary as set out in TAN8 (2005)
3. Map of SSA C zones/sub areas and Table 9a from Arup TAN 8 Annex D Study of Strategic Search Areas B (Carno North) and C (Newtown South) (January 2006)
4. Map of Refined Newtown South SSA C as set out in Powys County Council Interim Development Control Guidance Onshore Wind Farm Developments (IDCG) (April 2008)

1 INTRODUCTION

- 1.1 This Statement of Case has been prepared by Darren Parker on behalf of Fferm Wynt Llaithddu (the applicant) in connection with an application dated 7 May 2008 for consent to construct and operate a 66.7MW Wind Farm Generating Station in Powys known as Llaithddu Wind Farm.
- 1.2 I am a member of the RTPI. I am the Director responsible for the Cardiff office of RPS, which is involved in infrastructure projects across Wales. I have over 20 years planning and development experience including public inquiries and local plan examinations.
- 1.3 The Secretary of State for Energy and Climate Change has given notice (CD/COM/011) in December 2012 that a combined public inquiry will be held under Section 62 (3) and Schedule 8 of the Electricity Act 1989 into the following applications made under sections 36 and 37 of the 1989 Act and the applications for directions under section 90 that planning permission be deemed to be granted for each of the following proposed developments:
- VATTENFALL, in connection with an application dated 30 November 2007 for consent to construct and operate a 59.5MW Wind Turbine Generating Station in Powys, Mid-Wales ('Llanbadarn Fynydd')
 - FFERM WYNT LLAITHDDU CYF in connection with an application dated 7 May 2008 for consent to construct and operate a 66.7MW Wind Turbine Generating Station in Powys, Mid-Wales ('Llaithddu')
 - CELTPOWER LIMITED in connection with an application dated 9 May 2008 for consent to construct and operate a 126MW Wind Turbine Generating Station in Powys, Mid-Wales ('Llandinam')
 - RES UK & IRELAND LIMITED in connection with an application dated 27 March 2009 for consent to construct and operate a 100 MW Wind Turbine Generating Station in Powys, Mid-Wales ('Llanbrynmair')
 - RWE NPOWER RENEWABLES LIMITED in connection with an application dated 11 December 2008 for consent to construct and operate a 150MW Wind Turbine Generating Station in Powys, Mid-Wales ('Carnedd Wen')
 - SP MANWEB PLC in connection with an application dated 2 December 2009 to install and keep installed a 132kV overhead electric line connection from Llandinam Wind Farm to Welshpool Substation in Powys, Mid-Wales

Scope of Statement of Case

- 1.4 This Statement of Case responds to the following matters that have been identified by the Secretary of State (SofS) in his notice as likely to be relevant to his consideration of the proposed wind farm developments:
- SofS Matter 1. the extent to which the proposed developments are consistent with the objectives of the Government Policy on the energy mix and maintaining a secure and reliable supply of electricity as the UK makes the transition to a low carbon economy, and achieving climate change goals;
 - SofS Matter 2. the extent to which the proposed developments are consistent with the policies relating to generation of renewable energy contained within the relevant National Policy Statements for Energy Infrastructure: Overarching National Policy Statement for Energy (EN-1) July 2011 (CD/COM/001) and National Policy Statement for Renewable Energy Infrastructure (EN-3) July 2011(CD/COM/002);
 - SofS Matter 3. the extent to which the proposed developments are consistent with Welsh Government and local policies: including Planning Policy Wales, Edition 4 (2011) (CD/COM/007); Technical Advice Note 8: Planning for Renewable Energy (2005) (CD/COM/016); and Energy Wales: A Low Carbon Transition (2012) (CD/COM/033); and Powys Unitary Development Plan (adopted March 2010) (CD/COM/006);
- 1.5 The Planning Inspectorate letter dated 10 April 2013 also seeks clarification of views on the *'interrelationship between national energy policy statements NPS-01 and NPS-03, and Welsh Policy, including the spatially specific approach and finite environmental capacities for the Strategic Search Areas as set out in TAN8 (as clarified in the Minister's letter of July 2011).'*
- 1.6 This Statement of Case will also respond to this specific matter.
- 1.7 As a S36 Electricity Act (CD/COM/023) application, the primacy of the development plan as set out in S38 (6) of the Planning and Compulsory Purchase Act 2004 does not apply.
- 1.8 Having regard to the current decision making process for schemes for plus 50MW renewable energy schemes the policy hierarchy is set out in the National Policy Statement EN1 and EN3, then Planning Policy Wales, Edition 5 2012 (CD/COM/008); Energy Wales: A Low Carbon transition (2012) and Powys Unitary Development Plan (UDP) (2010).
- 1.9 The National Policy Statements provide the primary policy basis and confirms the urgent need for new electricity capacity and in particular low carbon development including onshore wind. Planning Policy Wales (2012) is also supportive of renewable energy development with a specific objective on providing 2GW of onshore wind by 2015/2017.

- 1.10 Other material considerations of relevance to this inquiry include:
- Legally binding target set out in the EU Renewable Directive 2009/28/EC (CD/COM/021) which requires 15% of renewable energy to be provided by 2020;
 - the extensive UK and Welsh energy policy legislation which promote targets for renewable energy development and the reduction in carbon emission;
 - TAN8 which provides technical advice in support for Planning Policy Wales and identifies Strategic Search Areas in Wales;
 - Research by Garrad Hassan (CD/COM/031) and Arups (CD/COM/010) to inform TAN8;
 - The Interim Development Control Guidance Onshore Wind Farm Developments (IDCG) which was first issued by Powys County Council in February 2006 and was subsequently updated in April 2008 (CD/COM/019). This sets out the results of the SSA refinement process undertaken in accordance with TAN8;
 - Research by Arups to inform IDCG (CD/COM/017)
 - The decision in December 2012 for Brechfa Forest Wind Farm within Strategic Search Area G (CD/COM/007); and
 - John Griffiths Welsh Government's Minister for Environment and Sustainable Development letter dated July 2011 regarding TAN8 targets (CD/COM/020).
- 1.11 These important material considerations are considered within this Statement of Case having regard to the primacy of the NPSs and the policy hierarchy set out above.
- 1.12 It is important to note that Powys County Council (PCC) considered the Llaithddu application at their Cabinet meeting on 25th September 2012 and did not object to the application in terms of the relevant UK and Welsh energy and policy relating to need and targets for onshore wind energy development.
- 1.13 A Developer Statement of Common Ground on Planning and Energy Policy (Developer SCG) has been agreed between the six applicants to which the combined public inquiry is held. This SCG has also been forwarded to Powys County Council in its capacity as the Local Planning Authority for the areas in which these developments would take place, but has not been agreed at the time of writing. The Developer SCG sets out the relevant Climate Change and Planning Policy for the six applications.
- 1.14 This Statement of Case will not repeat the factual context set out in the SGC but will explain the interpretation of policy as it applies to Llaithddu Wind Farm.
- 1.15 This Statement of Case is structured as follows:

- Section 2 explains the extent to which the application is consistent with and contributes to UK renewable energy targets and targets to reduce CO2 and green house gas emissions. This responds to SofS Matter 1.
- Section 3 explains how the application is consistent with National Policy Statements EN1 and EN3. This responds to SofS Matter 2
- Section 4 explains the extent to which the application is consistent with Welsh Government energy and planning policy. This responds in part to SofS Matter 3.
- Section 5 considers how the TAN8 SSAs have been defined, having regard to various technical assessments which inform TAN8, as well as the local SSA boundary refinement process undertaken by Powys CC in line with TAN8 guidance. The spatial areas and targets for SSA C are considered having regard to the interrelationship to NPS-01 and NPS-03 and the specific maximum targets referred to the John Griffiths AM letter from July 2011. This responds in part to S of S Matter 3 and the clarification of views set out in the Planning Inspectorates letter dated 10 April 2013 (see para. 1.5 above)

1.16 This Statement of Case will not provide a detailed assessment of compliance with specific Powys Unitary Development Plan (Powys UDP) policies relating to wind energy or other relevant development management policies set out in the UDP. These policy matters will be addressed in separate Statements of Case and/or Proofs of Evidence for the SSA C Session and the Closing Session which deals with planning balance, general conditions and legal undertakings.

2 NATIONAL POLICY STATEMENTS

Introduction

- 2.1 As explained in the Developers SCG on Planning and Energy Policy, the Planning Act 2008 (CD/COM/025) has introduced a new process for consenting nationally significant infrastructure projects (NSIPs), which include onshore electricity generating stations with a capacity in excess of 50MW.
- 2.2 The applications which are the subject of this inquiry were made to the Department of Energy and Climate Change (DECC) (previously known as BERR) for consent under sections 36 and 37 of the Electricity Act 1989 (CD/COM/023). The applications were submitted between November 2007 and December 2009. Had the Planning Act 2008 been in effect at the time when these applications were submitted the projects would have qualified as NSIPs.
- 2.3 Under the terms of the Planning Act 2008, the primary basis for decision making on NSIPs (and the applications before the inquiry) is the Overarching National Policy Statement (NPS) for Energy (EN-1) (CD/COM/001) and relevant technology specific NPSs, which in the case of onshore wind energy is National Policy Statement for Renewable Energy Infrastructure (EN-3) (CD/COM/002). Both NPSs were published in July 2011.
- 2.4 NPS EN1 and NPS EN3 therefore provide the primary policy basis for nationally significant wind energy infrastructure development. This includes development in Wales as explained at paragraph 1.5.1. As such whilst other relevant policy such as Planning Policy Wales (PPW) (CD/COM/008) and TAN8 (CD/COM/016) (refer to Section 4 of this Statement of Case) are of material considerations, the main policy considerations are set out in NPS EN1 and NPS EN3.

National Policy Statement EN1: Overarching National Policy Statement for Energy

- 2.5 Part 2 of EN1 sets out the Government policy on energy and energy infrastructure development, including the following:
- Legally binding target to cut greenhouse gas emissions by at least 80% by 2050, compared to 1990 levels (para 2.2.1).
 - Move across the EU from a 20% to a 30% emissions reduction target by 2020 (para 2.2.14).
 - To make the transition to a low carbon economy requires a safety margin of spare capacity to accommodate unforeseen fluctuations in supply and demand (para 2.2.20).

- To meet emissions targets, the electricity being consumed will need to be almost exclusively from low carbon sources. Contrast this with the first quarter of 2011, when around 75% of our electricity was supplied by burning gas and oil (para 2.2.22).

2.6 Llaithddu Wind Farm will provide a low carbon resource with an installed capacity of 66.7 MW that will in turn contribute to meeting emissions targets.

2.7 It is important to understand the Governments approach to need for renewable energy and how Llaithddu Wind Farm is consistent with this approach. In the context of NPS EN-1 need is no longer expressed in terms of specific targets and the urgency for new energy infrastructure to be consented is a significant policy objective.

2.8 NPS EN-1 para. 3.1.2 states (applicants emphasis) that:

'It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies.'

2.9 Previously published energy and planning policy documents, in particular the UK Renewable Energy Strategy (CD/COM/04), PPW and TAN8 set targets for the amount of onshore wind energy in the UK Wales and in particular the SSAs. Whilst these documents are still relevant the weight to be attached to the policy and targets needs to be balanced against the primary policy subsequently published in NPS EN-1 and long term needs case for delivering renewable energy policy.

2.10 Interpretation of TAN8 targets as set out in John Griffiths AM letter dated July 2011 (CD/COM/020) suggests maximum installed capacity for each SSA and refers to MW figures set out in research undertaken by Garrad Hassan in 2005 (refer to Section 5 of this Statement of Case). This conflicts with the approach to planning policy targets set out at NPS EN-1, para 3.1.2. Again it is considered that greater weight should be attached to the need for renewable energy as set out in NPS EN-1, than research undertaken in 2005, which was undertaken purely as a technical feasibility study of the SSAs in terms of potential wind farm layouts and calculating energy yields.

2.11 NPS EN-1, para 3.1.3 goes on to confirm that all applications for development consent for the types of infrastructure covered by the energy NPSs (which includes those applications which are the subject of this inquiry) should be assessed on the basis that the Government has demonstrated that there is a need for those types of infrastructure.

2.12 Furthermore para 3.1.4 states that when considering applications for development consent substantial weight should be given to the contribution which projects would make towards satisfying this need.

2.13 The Government needs to ensure sufficient electricity generating capacity is available to meet maximum peak demand, with a safety margin or spare capacity to accommodate unexpectedly

high demand and to mitigate risks such as unexpected plant closures and extreme weather events (para 3.2.3).

- 2.14 As such there is more capacity in the UK than demand and para 3.3.3 explains that the larger the difference between available capacity and demand the more resilient the system will be.
- 2.15 In accordance with NPS EN-1, the need for new onshore wind energy development, is therefore not defined by specific MW targets but is required to ensure the transition to a low carbon economy; to ensure energy consumption is almost exclusively from low carbon sources; to provide sufficient safety margins and to provide a more resilient system and security of supply. Llaithddu Wind Farm is consistent with the need for renewable energy and focus on low carbon provision as defined in NPS EN1. It will make a significant contribution of 66.7MW to satisfying the need for onshore wind farm development and this should be given substantial weight in considering the application
- 2.16 There is an 'urgent need' for new electricity capacity and particularly low carbon to be brought forward as soon as possible to secure energy supplies and to decarbonise the energy sector (para 3.3.15). To minimise risks to energy security and resilience the Government believes it is prudent to plan for a minimum of 59 GW of new electricity capacity by 2025 (para 3.2.23). Although it is not the Government's intention in presenting this figure to set targets or limits on any new generating infrastructure (para 3.3.24).
- 2.17 As set out in the UK Renewable Energy Strategy (CD/COM/004) and the EU Renewable Directive 2009 (CD/COM/022), there is an existing and legally binding UK commitment to sourcing 15% of its total energy from renewable sources by 2020. To meet this target and the wider objective of decarbonising the power sector by 2030 it is necessary to bring forward new electricity generating projects as soon as possible. *'The need for new renewable electricity generation projects is therefore urgent.'* (para 3.4.5)
- 2.18 It is clear that the focus on need for new electricity capacity and in particular low carbon sources as defined in NPS EN-1 has moved forward from the targets set out in other climate change and planning policy. Indeed the NPS is specific in that it does not set targets or limits. As NPS EN-1 and EN-3 provide the primarily planning policy context, significant weight should be attached to the overriding wider need for additional energy development and the urgent need for new renewable energy generating projects.
- 2.19 All five wind farm development within SSA B and C will provide a significant contribution (502.2 MW) to the urgent need for new and particularly low carbon energy development.

National Policy Statement EN3: Renewable Energy Infrastructure

- 2.20 The principal purpose of NPS EN-3 is to provide assessment and technology specific information on renewable energy infrastructure. It should be read in conjunction with NPS EN-1.

- 2.21 EN-3 explains that renewable planning policy issued by the Welsh Government will provide important information for applications and regard to these policies should be taken into account. Importantly para. 2.2.1 explains that whether an application conforms to the guidance will not in itself, be a reason for approving or rejecting the application.
- 2.22 The TAN8 indicative capacity target for SSA C is 70MW, although the target is not the definitive capacity for the SSA as noted in TAN8 para 2.5. Whilst Llaithddu Wind Farm (66.7 MW) would effectively meet the whole of this indicative target for SSA C in one application, all three S36 applications in SSA C will provide a significant contribution of 252.5 MW towards the urgent need for renewable energy as expressed in the primary policy document NPS EN-1. Therefore in accordance with NPS EN3 whether Llaithddu Wind Farm and the other wind farms conform to the TAN8 targets is not a reason in itself for rejecting the application.
- 2.23 NPS EN-3 also notes with regard to Welsh renewable energy policy that:
- 'Where the IPC considers that any refinement of boundaries of strategic search areas for onshore wind development that has been undertaken by LPAs in Wales is both important and relevant to its decision, the IPC should be satisfied that such an exercise has been undertaken in accordance with the relevant guidance published by the Welsh Assembly Government.'*
- 2.24 The Powys County Council refinement process for SSA C was undertaken in accordance with the guidance set out in TAN8, Annex D. As such significant weight should be attached to the TAN8 SSA boundary as refined by Powys County Council. Llaithddu Wind Farm falls within the refined boundary.
- 2.25 NPS EN-3 Section 7 provides specific information and assessment guidance on onshore wind energy projects. This Statement of Case does not focus on the specific assessment of individual wind energy proposals. In accordance with the Inquiry programme this guidance will be considered in separate Statement of Case/Proof of Evidence for the SSA C Session and the Closing Session which deals with planning balance, general conditions and legal undertakings.

3 THE NEED FOR RENEWABLE ENERGY DEVELOPMENT

Introduction

- 3.1 There are clear policies in place at all levels of international, European, UK and Welsh Government that confirm the need to meet renewable energy targets. The UK Government's renewable energy target had previously been to generate 10% of UK electricity from renewable energy sources by 2010 with an aspiration to double the figure to 20% by 2020. This is inline with previous European Directive 2001/77/EC and the subsequent Energy Policy for Europe published on 10 January 2007 which established a mandatory target of renewable energy consumption of 20% by 2020.
- 3.2 Following the publication of the Energy Policy for Europe in 2007 there has been a series of UK energy policy legislation and guidance to deliver this mandatory target. These include:
- Energy Act 2008 (CD/COM/029)
 - Climate Change Act 2008 ;
 - The UK Renewable Energy Strategy 2009 (CD/COM/004);
 - The UK Low Carbon Transition Plan 2009 (CD/COM/027);
 - The Coalition Government's Annual Energy Statement (updated November 2012) (CD/COM/012);
 - The National Renewable Energy Action Plan for the United Kingdom 2009 (CD/COM/028);
 - The Carbon Plan: delivering our low carbon future – 2011 (CD/COM/32);
 - UK Renewable Energy Roadmap – 2011 (CD/COM/013);
 - The Promotion of the Use of Energy from Renewable Sources Regulations - 2011;
 - UK Renewable Energy Roadmap Update – 2012 (CD/COM/015).
- 3.3 This legislation and guidance provides a powerful needs case which justifies the extent of renewable energy development required in the UK. Furthermore the contribution of onshore wind energy development in meeting renewable energy targets should not be underestimated. These are both important material considerations in support of onshore renewable energy development. The role of the planning system in enabling renewable energy development to go ahead is also an important material considerations.

Renewable Energy Targets

- 3.4 A detailed overview of the relevant legislation and guidance is set out in the Developer SCG. The key targets and objectives and how Llaithddu Wind Farm is consistent with these targets is summarised below.
- 3.5 The Energy Act 2008 strengthens the renewable obligation to drive a greater and more rapid deployment of renewables in the UK, increasing the diversity of the UK's electricity mix. Alongside the Energy Act the Government introduced further legislation in the Climate Change Act 2008 and the Planning Act 2008, all of which were introduced to work collectively to enable the long term delivery of the UK's energy and climate change strategy.
- 3.6 The Climate Change Act creates a new approach to managing and responding to climate change by setting ambitious, legally binding targets of at least 80% cut in greenhouse gas emissions by 2050, with specific reduction in CO2 emissions of at least 26% by 2020.
- 3.7 It is clear that the Government's key objectives, through the various 2008 Acts, is to maximise and speed up the delivery of renewable energy provision and to reduce greenhouse gas emissions.
- 3.8 In March 2009 the EC issued a Renewable Energy Directive 2009/28/EC (CD/COM/022) which repeals the previous Directive 2001/77/EC. This sets a revised and binding target for the UK of 15% renewable energy by 2020 to contribute to the overall EU target of 20% renewable energy across the member states.
- 3.9 In response to the Renewable Energy Directive the then Government produced the UK Renewable Energy Strategy (RES) in July 2009. This sets the pathway for meeting the nation's legally binding target of producing 15% of its energy from renewable sources by 2020.
- 3.10 As a legally binding target it is imperative that renewable energy and in particular wind farms continue to be developed up to and beyond 2020. Llaithddu Wind Farm is consistent with the EU Directive and the RES. It provides an important and deliverable opportunity to contribute 66.7MW towards UK renewable energy targets.
- 3.11 The 2009 Low Carbon Transition Plan sets out the Governments plan for tackling climate change. Its strategy is to deliver emission cuts of 18% on 2008 levels by 2020. To achieve this, the Plan sets key steps towards emissions targets including deriving 40% of electricity from low carbon sources by 2020 by producing around 30% of electricity from renewable by 2020.
- 3.12 The National Renewable Energy Action Plan for the United Kingdom was released in July 2010. It recognises that the UK has a wealth of energy resources and that the UK needs to radically increase its use of renewable energy.
- 3.13 In July 2011 the Renewable Energy Road Map was published at the same time as the National Policy Statements. Paragraph 1.1 states:

'The Coalition has made clear its commitment to increase the amount of renewable energy deployed in the UK. This will make the UK more energy secure, will help protect consumers from fossil fuel price fluctuations, will help drive investment in new jobs and businesses in the renewable energy sector, as well as keep us on track to meet our carbon reduction objectives for the coming decades.'

3.14 Paragraph 1.2 advises that the Committee for Climate Change suggests that renewable energy targets can be pushed as high as 30% - 45% of all energy consumed in the UK by 2030.

3.15 Paragraph 2.17 explains that:

'renewable energy accounted for 54TWH (3.3%) of the UK's total energy consumption in 2010, having increased steadily since 2005, and by 15% between 2008 and 2009. We will need to see more than a four fold increase in our renewable energy consumption by 2020 if 15% of our energy needs are to be met from renewable sources.'

3.16 It is imperative that renewable energy development continues to come forward, is permitted and eventually development to not only meet 2020 targets but to contribute to the 2030 objectives set out in the Roadmap. Working towards these targets is a step in the right direction but it is essential that the focus on developing more renewable energy continues beyond the 2020 targets. The applications at this inquiry will provide a significant total of 502.2MW (0.5GW) of renewable energy development.

Role of Wind Energy Development in Meeting Renewable Energy Targets

3.17 The role of wind energy in terms of meeting renewable energy targets should not be underestimated and is an important material consideration. The Renewable Energy Strategy (RES) 2009 expects 30% of electricity to be generated by renewables, with on and off shore wind making up two thirds of this contribution. RES, para 2.18 repeats the fact that the majority of growth in electricity production from renewables will be from wind farms. Box 12 of the RES advises that *'wind energy is currently one of the most developed and cost effective renewable electricity technologies. The UK has the largest potential wind resource in Europe.'*

3.18 The Low Carbon Transition Plan explains that electricity generated by wind is expected to provide the majority of renewable energy generation by 2020, whilst coal and gas will remain important to ensure the electricity supply is reliable and secure as the move towards greater dependence on intermittent sources like wind (page 65).

3.19 To meet the binding targets by 2020, the Government expects electricity from installed onshore wind to contribute 14,890MW towards the overall 2020 target (Table 10b of the National Renewable Energy Action Plan). Currently there is approximately 4,000MW of operational onshore wind installed (para 3.5 of the Action Plan).

3.20 Para 3.7 of the Action Plan states:

'The central range indicates that we could see up to around 13GW of onshore wind capacity by 2020. The majority of this would be from large scale projects over 5 MW. Achieving this 9 GW increase would require an annual growth rate of 13% over the next decade, slightly less than the growth rate experienced between 2009-2010. The industry scenarios suggests the potential to bring forward a total of between 10-19 GW of onshore wind by 2020.'

3.21 The Renewable Energy Road Map 2011 provides some useful information of the level of onshore development and the pipeline for future development:

- UK has more than 4GW of installed onshore wind capacity in operation generating 7TWh annually;
- Central range projections indicate that onshore wind could contribute up to 13GW by 2020. To achieve 9GW requires an annual growth rate of 13% over the next decade; and
- There is currently 11GW of onshore wind capacity currently under construction, awaiting construction or in planning in the UK.

Role of Planning System

3.22 The planning system plays a central role in delivering the infrastructure needed to reduced carbon emissions, to ensure continued security of energy supply and help the economy grow.

3.23 The planning system is recognised by the Government as a challenge to the deployment of onshore wind development and paragraph 3.21 of the Renewable Energy Roadmap 2011 notes only some 54% of onshore wind development are permitted in England with over 50% of scheme rejected by planning committee's being approved on appeal. According to paragraph 3.22 of the National Renewable Energy Action Plan factors such as this increase costs, increase delays and risk revenue which can deter developers making applications or drop them if they are initially rejected. This risks some 6GW of onshore wind currently awaiting determination in the UK and projects that have yet to come forward.

3.24 The reform of the planning system for major infrastructure projects over 50MW in England and Wales is designed to speed up the decision making process and provide a decision making framework in National Policy Statements issued in July 2011. Speeding up the system and providing a clear framework is essential particularly taking into account the time that has elapsed since the submission of the five S36 wind farm applications in SSA B and SSA C from 2007 -2009..

4 WELSH RENEWABLE ENERGY AND PLANNING POLICY

Introduction

- 4.1 As outlined in Section 1, SofS matter 3 requires an explanation as to the extent to which the application is consistent with Welsh Government energy and planning policy. The SCG on Planning and Energy Policy which has been agreed between the developers of the six applications provides a factual explanation of the relevant Welsh Renewable Energy Policy; this is not repeated in its entirety here. This section focuses on the main objectives and targets in Energy Wales: A Low Carbon Transition and PPW Edition 5 and establishes the Llaithddu Wind Farm compliance with it.
- 4.2 Technical Advice Note 8: Planning for Renewable Energy (2005) provides technical support to PPW. The document and specifically the Strategic Search Areas are dealt with in Section 5 of this Statement of Case.

Energy Wales: A Low Carbon Transition. March 2012

- 4.3 Energy Wales: A Low Carbon Transition sets out the need to undertake a whole system transition to low carbon energy and sets out how the Welsh Government intends to achieve this in line with achieving economic and community benefits.
- 4.4 Energy Wales sets out the current delivery of renewable energy outlining that *'current operational wind farms have a capacity of 562MW and significant developments such as Gwynt y Môr, due to come on stream next year, will see capacity increase by 576MW from offshore, with a further 263MW from onshore developments'* (page 19). Future aspirations for renewable energy include making the best use of a variety of commercially proven sources, including onshore wind and facilitating appropriate deployment to deliver objectives and contribute to UK and EU targets.
- 4.5 In terms of future aspirations for putting in place required infrastructure Energy Wales states 'We believe the development of the grid in Wales can and should be carried out in a way that is sensitive to its impact on our natural environment. We expect Wales – especially the communities most affected by energy infrastructure development – to gain real benefit from such projects.' (page 14)

Planning Policy Wales - 5th Edition. November 2012

- 4.6 Planning Policy Wales (PPW) 5th Edition was produced in 2012. The 4th Edition was the current version at the time of Powys CCs determination of its position and referred to in SofS matter 3, however as Edition 5 now supersedes the previous version this has been used.

- 4.7 PPW Section 1.4 reiterates the Climate Change Act 2008 requirement for the UK to reduce net greenhouse gas emissions by 80% by 2050 and CO2 emissions by at least 34% by 2020 (para 1.4.4).
- 4.8 PPW provides guidance on development plans and sets out individual planning topics. Section 4 focuses on sustainability which is confirmed as a central organising principle of the Welsh Government (One Wales; One Planet. The Sustainable Development Scheme of the Welsh Assembly Government 2009).
- 4.9 Nineteen sustainability objectives are set out at para 4.4.3 outlining that policies, decisions and proposals should, amongst other things; support the need to tackle the causes of climate change by moving towards a low carbon economy; play an appropriate role in securing the provision of infrastructure to form the physical basis for sustainable communities; maximise the use of renewable resources and promote a low carbon economy.
- 4.10 The Llaithddu Wind Farm proposal is consistent with these objectives.
- 4.11 The Welsh Government has committed to achieve at least a 40% reduction in greenhouse gas emissions in Wales by 2020 (against a 1990 baseline) which makes a significant contribution to the UK Carbon Budgets (para 4.5.2).
- 4.12 PPW recognises that although a changing climate presents the planning system with challenges, it also presents new opportunities that should be maximised (para. 4.5.6). In terms of planning to minimise the causes of climate change (one of the sustainability objectives) the PPW defines this at para. 4.5.7 as taking decisive action to move towards a low carbon economy by proactively reducing the demand for energy, facilitating the delivery of new and more sustainable forms of energy provision at all scales and minimising the emissions of greenhouse gases to the atmosphere.
- 4.13 Chapter 12 reiterates the UK target of 15% of energy from renewable by 2020 as set out in the EU Renewable Energy Directive. The Welsh Government in its commitment to play its part in contributing to reducing carbon emissions and identifies within the Energy Policy Statement (March 2010) the sustainable renewable energy potential for a variety of different technologies to 2020/2025. This information is set out in Appendix 1 of the Energy Policy Statement and repeated in full at Figure 12.1 of PPW.
- 4.14 The identified sustainable renewable energy potential indicates that 0.7GW of on-shore wind capacity is either operational or consented and that on-shore wind could account for 2GW capacity (5TW/hr annual output of electricity generation) in Wales by 2015-17. This 2GW would contribute to the overall total of 22,5GW by 2020/2025. Whilst all renewable energy technologies have a role of play in meeting relevant targets it is unlikely that wave and tidal technologies will provide 12.5GW particularly as these technologies currently contribute nothing to Wales' energy mix.

-
- 4.15 Clearly wind energy is likely to contribute a greater proportion of the total energy mix by 2020/2025 than PPW suggests and this is an important consideration.
- 4.16 Para. 12.8.12 acknowledges the abundance of wind resource in Wales and power generation using wind remains the most commercially viable form of renewable energy and whilst 'the introduction of new, often very large structures for onshore wind needs careful consideration to avoid and where possible minimise their impact,... the need for wind energy is a key part of meeting the Welsh Government's vision for future renewable electricity production as set out in the Energy Policy Statement (2010)'.
- 4.17 PPW recognises that, in respect of the identified SSAs in TAN8 that 'Development of a limited number of large scale (over 25MW) wind energy developments...will be required to contribute significantly to the Welsh Governments onshore wind energy aspiration for 2GW by 2015/17' (para 12.8.13).
- 4.18 The Llaithddu Wind Farm proposal accords with the vision for future renewable energy production and assists in meeting the 2GW aspiration and the overall energy mix of 22.5MW within the Energy Policy Statement and PPW.

5 STRATEGIC SEARCH AREA C TARGETS

Introduction

- 5.1 The previous sections of this Statement of Case have considered the climate change and planning policy of relevance to this Inquiry. There is no question regarding the importance of addressing climate change; the need to meet renewable energy targets; and the emphasis on onshore wind energy to achieve renewable energy targets. The Government acknowledges the important role the planning system plays in delivering renewable energy contributing to the urgent need for renewable energy as set out in NPS EN-1 and EN-3.
- 5.2 Llaithddu Wind Farm is consistent with these policies and will make an important and significant contribution to UK and Welsh renewable energy targets and reduction in greenhouse gas emissions.
- 5.3 TAN8 published in 2005 provides technical advice to supplement the policy set out in Planning Policy Wales. TAN 8 sets out the Assembly Governments target for 4TWh of electricity per annum to be produced by renewable energy by 2010 and 7TWh by 2020. In order to meet the 2010 4TWh target, 800MW of additional installed capacity is required from onshore wind sources and a further 200MW from offshore and other renewable technologies. TAN8 identifies Strategic Search Areas (SSAs) to accommodate large scale onshore wind energy development.
- 5.4 This section of the Statement of Case focuses on how the TAN8 SSAs have been defined, having regard to various technical assessments which inform TAN8, as well as the local SSA boundary refinement process undertaken by Powys CC in line with TAN8 guidance. The spatial areas and targets for SSA C are considered having regard to the interrelationship to NPS-01 and NPS-03 and the specific maximum targets set out in John Griffiths AMs letter from July 2011.

Technical Assessments to Inform Targets within SSA

- 5.5 It is useful to understand how the SSA has been defined in terms of both the spatial areas covered and the specific targets that have been set. As explained in TAN8, para 2.2, in order to meet the target for onshore wind energy development the Welsh Assembly Government commissioned extensive technical work, which concluded that for efficiency and environmental reasons amongst others, that large scale wind farms over 25MW should be concentrated in defined Strategic Search Areas.
- 5.6 The Welsh Assembly Government originally commissioned Arup to undertake an initial assessment in September 2002 to assist in the redrafting of the then TAN8 published in 1996. The Arup assessment was to ascertain the most appropriate areas to locate 800MW of onshore wind energy development to contribute towards the renewable energy target of 4TWh by 2010. The Arup 2002

study identified seven SSA which were included in the draft TAN8 issued in July 2004. Draft TAN8 identified capacity for SSA C as 100 MW.

- 5.7 In winter 2004 Garrad Hassan and Partners were commissioned to carry out a second technical study (Energy Assessment of TAN8 Wind Energy Strategic Search Areas April 2005) of the seven SSAs to provide an informed view of the broad capacity limits of the areas. This would inform the preparation of an updated TAN8. This was undertaken purely as a technical feasibility study of the SSAs in terms of potential wind farm layouts and calculating energy yields to identify the level of MW that could be developed.
- 5.8 The report did not include any definition of the SSA areas or an assessment of matters such as landscape capacity or suggest any changes to the SSA boundaries. Indeed the Garrad Hassan study notes that *'the work does not seek to pre-empt detailed on-the-ground studies that would typically be undertaken by wind farm developers when assessing sites.'*
- 5.9 The Garrad Hassan study identified a total of 1666MW across the seven SSAs, with an identified capacity of 98MW for the SSA C. The capacity for the SSAs was based on the areas identified on the SSA maps in draft TAN8 issued in July 2004.
- 5.10 The figures subsequently published in TAN8 (July 2005) for each of the SSAs are set out in TAN8 Table 1 which sets out indicative capacity targets for each SSA to achieve a total of 1120MW. This is a one-third reduction from the Garrad Hassan total of 1666MW. This appears to have been done as the Welsh Government was only looking for 800MW of additional onshore wind for 2010.
- 5.11 Whilst TAN8 Table 1 sets out SSA totals that exceed the 800MW onshore wind target for 2010 it is recognised in TAN8 that a degree of flexibility is necessary to ensure the targets are met. Furthermore para 2.5 states that *the 'installed capacity targets are intended to assist the planning process and are not seen as the definitive capacity for the areas. There may be practical, technical and/or environmental reasons why the capacity may be more or less than that indicated.'*

SSA boundaries within TAN8

- 5.12 The Welsh Assembly Government appointed Arup to undertake further technical assessment and research in December 2004 to review the consultation responses to the draft TAN8 and to support the final version of TAN8. The Arup study (Facilitating Planning for Renewable Energy in Wales: Meeting the Target June 2005) considered whether the spatial extent of the SSAs should be amended taking into account various issues, including wind speed and noise sensitive properties. With regard to wind speed the Arup study confirms:

'Strategic Search Area C; extending both the eastern and western margins of this SSA would accord with high values of mean annual wind speed recorded in and around the area published in the Draft TAN8. Such an enlargement would increase the (potential) maximum capacity output for the SSA.'

Suggest minor adjustments could be made at the local level to accommodate these areas.'

- 5.13 The Arup study suggested changes to the boundaries for the SSA (as previously set out in draft TAN8) to take into account noise sensitive properties. A copy of the SSA C boundary changes as set out in the Arup study is attached at **Appendix 1**. An amended version of the SSA C boundary taking into account the Arup Study was then included in the final version of TAN8 published in July 2005. A copy of the SSA C boundary as set out in TAN8 is attached at **Appendix 2**.
- 5.14 The TAN8 SSA boundaries are drawn at a 'broad brush' scale. TAN8 para. 2.4 confirms that not all the land within the SSAs may be technically, economically and/or environmentally suitable for major wind farm proposals, however the boundaries are seen as encompassing sufficient suitable land in one or more sites, to deliver the Assembly Government's energy policy aspiration. TAN8 advises that Local Planning Authorities (LPAs) should undertake local refinement to guide and optimise development within each of the areas. Powys County Council has undertaken a refinement exercise for SSAs B and C which is considered in further detail below.
- 5.15 All the SSA maps show a thick hatched line denoting the extent of SSAs. This accords with the 'board brush' nature referred to in paragraph 2.4. Each map includes an explanatory note at the tip regarding how the boundaries maybe refined by the LPAs. All maps state that 'Boundaries maybe slightly refined by Local Planning Authorities'. Additional explanation is provided for SSA C, E, F and G. For SSA C it also explains that:

'scope to increase SSA C has been identified to the south east and west.'

Refinement of the SSA boundaries by Powys County Council

- 5.16 TAN 8, Annex D sets out advice regarding the potential methodology for LPAs to refine the Strategic Search Areas. Annex D, para 2.2 confirms that 'An overall study area of some 5km radius from the margins of each SSA is recommended to allow consideration of technically feasible areas for possible wind turbines.'
- 5.17 Llaitthdu Wind Farm is within this 5km study area for SSA C as defined in TAN8, Annex D.
- 5.18 Powys CC commissioned Arup to undertake a local assessment and refinement study of SSA B and C (TAN 8 Annex D Study of Strategic Search Areas B (Carno North) and C (Newtown South) January 2006).
- 5.19 The assessment considered the SSAs and their margins up to 5km, inline with the refinement process noted in TAN8, Annex D. The area was subdivided into zones/sub-areas which coincided with areas considered to be technically feasible for large scale wind farm development and free of other environmental constraints. These environmental constraints included wind speed, slopes, residential properties, SSSI and Scheduled Ancient Monuments, presence or absence of settlements and suitable wind resource.

5.20 Taking into account the landscape character and the historic landscape performance an overall rating for the SSA zone/sub-areas in landscape and visual terms is set out at Table 9a of the Arup 2006 study. There are 15 zones/sub-areas within SSA C. A copy of the zones/sub areas and Table 9a are attached at **Appendix 3**.

5.21 Llaithddu Wind Farm falls within the top 4 ranked zones having regard to landscape and visual considerations.

Interim Development Control Guidance Onshore Wind Farm Developments (IDCG)

5.22 Powys CC first published their Interim Development Control Guidance (IDCG) in February 2006. The IDCG is intended to offer guidance which will assist developers, members of the public, councillors and officers on the Council's planning policies relating to wind farms.

5.23 The first draft of the IDCG was formally authorised by Powys CC's Board on 14 February 2006 for development control and consultation purposes. A second draft of the IDCG was formally authorised by Powys CC's Board on 22 April 2008 for use in development control. Following adoption of the Powys Unitary Development Plan on the 1 March 2010, the IDCG was confirmed as Supplementary Planning Guidance by Powys CC's Board on 22 June 2010 and is a relevant consideration to be taken into account when making decisions on planning applications.

5.24 As a result of the detailed assessment undertaken by Arup in 2006, the IDCG, includes revised SSA areas preferred by Powys CC. TAN8 SSA C is referred to as 'Refined Newtown South SSA C' to differentiate with the SSA in TAN8. A copy of the Refined Newtown South SSA C is set out at **Appendix 4**.

5.25 Llaithddu Wind Farm is within the Refined Newtown South SSA C boundary.

5.26 IDCG, paragraph 6.7 confirms that:

'The Council considers that its refined SSA boundaries represent the maximum potential for the development of large and medium sized wind farms within Powys without creating a level of impact that is unacceptable when having regard to the full range of planning considerations. There will, therefore, be a presumption against approval of proposals outside the refined boundaries.'

5.27 Paragraph 6.8 explains that the refined SSA boundaries have been identified at a strategic level and does not provide site specific guidance. It will be necessary therefore to prepare detailed assessments for each proposal. Furthermore paragraph 7.1 confirms that the refined SSAs will be the only areas where 25MW plus wind farms will be permitted.

Interpretation of SSA Targets

- 5.28 SSAs are a planning policy tool to guide large scale wind farm development. They are not intended to provide definite or maximum capacities for areas, but rather provide indicative targets to assist the planning process. Similarly the TAN8 SSA boundaries are 'broad brush' and TAN 8 para. 2.4 states that land outside but close to SSA may be suitably unconstrained to accommodate wind farms.
- 5.29 As such the TAN8 targets are broad capacities and do not include any assessment of on-the-ground surveys and studies that inform a wind farm application. For the Welsh Government to rely upon research in the Garrad Hassan study to set maximum limits for the SSAs is flawed. By its own admission the study has no regard to site specific environmental assessment of a site for wind farm development. The purpose of the SSAs and the research that informed them is simply to guide large scale wind development. The capacity in terms of environmental impact should then be the subject of specific applications and the supporting information set out in an Environmental Assessment. This impact is then set alongside the fulfilment of renewable energy and low carbon targets.
- 5.30 Furthermore the TAN8 targets only look at those areas within the broad brush boundaries for the SSA. The figures prepared by Garrad Hassan were specifically only for the broad capacity of each of the areas defined in the published TAN8 SSA and did not include any assessment of the possible resource within the 5km buffer zones around each SSA boundary. The Powys County Council refinement process has specifically identified other suitable sites and locations for wind energy development outside the TAN8 SSA C boundary.
- 5.31 It should also be taken into account that the SSA targets have been identified to contribute to the wider 4TWH 2010 target for renewable energy. The 2010 targets are effectively out of date as the focus should now be on the 2020 targets which are a legally binding requirement, in accordance with EU Renewable Directive 2009.
- 5.32 Restricting the capacity of the SSAs to the 2010 targets as set out in TAN8, conflicts with the specific guidance in TAN8 regarding definitive capacities. The original purpose of the SSAs was to guide large scale wind farms which could provide significant contributions towards meeting renewable energy targets. If further large scale wind farms are not consented it is unlikely the significant 2020 targets will be met elsewhere either through other forms of renewable energy or from small/medium sized wind farm developments outside the SSAs.

Interrelationship between NPS EN-1, NPS EN-3 and SSA Targets having regard to John Griffiths AM letter July 2011

- 5.33 In July 2011 the Welsh Government's Minister for Environment and Sustainable Development , John Griffiths wrote to all Welsh local planning authorities to clarify what he considers to be the

maximum installed capacity for each of the SSA. The letter referred to the study by wind energy consultant Garrad Hassan which identifies a maximum capacity of almost 1,700MW for all seven SSAs, with a further generation from wind energy developments under 25MW.

- 5.34 In respect of this Inquiry the Planning Inspectorate letter dated 10 April 2013 specifically seeks clarification of the:

'interrelationship between national energy policy statements NPS-01 and NPS-03, and Welsh Policy, including the spatially specific approach and finite environmental capacities for the Strategic Search Areas as set out in TAN8 (as clarified in the Minister's letter of July 2011).'

- 5.35 NPS EN-1 and NPS EN-3 provide the primary policy basis for 50MW plus wind farm applications. NPS EN-1 para. 3.1.2 states that:

'It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies.'

- 5.36 In accordance with NPS EN-1, the need for new onshore wind energy development, is not defined by specific MW targets but is required to ensure the transition to a low carbon economy; to ensure energy consumption is almost exclusively from low carbon sources; to provide sufficient safety margins and to provide a more resilient system and security of supply.

- 5.37 NPS EN-1 confirms an 'urgent need' for new electricity capacity and particularly low carbon to be brought forward as soon as possible to secure energy supplies and to decarbonise the energy sector (para 3.3.15). To minimise risks to energy security and resilience the Government believes it is prudent to plan for a minimum of 59 GW of new electricity capacity by 2025 (para 3.2.23). Although it is not the Government's intention in presenting this figure to set targets or limits on any new generating infrastructure (para 3.3.24).

- 5.38 Interpretation of TAN8 targets as set out in John Griffiths, (Minister for Environment and Sustainable Development) letter dated July 2011 suggests a maximum installed capacity for each SSA and refers to MW figures set out in research undertaken by Garrad Hassan in 2005.

- 5.39 This conflicts with the approach to planning policy targets set out at NPS EN-1, para 3.1.2. The need for additional renewable energy as expressed in NPS EN-1 is no longer defined by specific targets but rather a much wider qualitative need to decarbonise the energy sector.

- 5.40 The problem with setting maximum limits or targets is that once that target has been met this suggests there is no further need for such development to come forward. This is clearly not the objective of UK and Welsh energy policy which has historically always presented increased targets rolling forward to future dates. The Welsh Government Minister's letter of July 2011, is the first time such targets have been expressed as a maximum.

5.41 It is useful to understand why the Welsh Minister considered it necessary to interpret targets as a maximum in July 2011. His letter states:

'You will be aware that the UK Government has issued National Policy Statements for Renewable Energy Infrastructure for consideration by Parliament, which will provide the primary basis for decisions by the Infrastructure Planning Commission (IPC) on projects over the devolved threshold of 50MW in Wales. Nevertheless, we expect all decision makers in Wales, including the IPC and its successor, to recognise our spatially specific policy outlined in TAN 8 and to respect the fact that the Strategic Search Areas have a finite environmental capacity and output should not exceed the maximum levels as assessed in 2005 and outlined above.'

5.42 Based on timing it would appear that his interpretation of targets is in response to the planning policy in NPS EN-1 and NPS EN-3 issued at the beginning of July 2011.

5.43 The Welsh Ministers letter is not actual policy but an opinion on how decision makers should apply TAN8 in the context of the NPSs. As such the letter and its specific interpretation of maximum targets carries little weight as a material consideration having regard to the primary policy in NPS EN-1, NPS EN-3 and Planning Policy Wales.

5.44 The Planning Inspectorates Recommendation to the Secretary of State for Energy and Climate Change in 12 December 2012 regarding the NSIP Brechfa Forest West Wind Farm (BFWWF) provides a useful precedent with regard to TAN8 Capacity Limits and specifically the interpretation of limits by the Welsh Government.

5.45 The BFWWF proposal was for maximum capacity of 84 MW within SSA G (Brechfa Forest). It was one of four applications within this SSA which in total would provide 191MW. The maximum capacity for SSA G as identified in the Welsh Government Ministers letter from July 2011 is 132MW. The Inspector for the BFWWF examination notes at para. 4.170 that:

'If all proposed wind farms were constructed, then the capacity limits proposed by the Welsh Government would be exceeded.'

5.46 The same scenario applies for SSA C. The Welsh Government proposes a capacity limit of 98MW, whilst the three wind farm developments in SSA C, Llaithddu, Llandinum and Llanbadarn Fynydd would provide 252.2MW.

5.47 The Inspector explained at para. 4.171 that:

'While TAN8 is a relevant material consideration the main policy considerations are the national policy statements (NPS EN-1 and NPS EN-3) which identify the need for additional capacity.'

-
- 5.48 The Inspector concludes at para 4.172 that ‘TAN8, as modified by the WG in 2011, does not provide grounds for rejecting the proposal for Brechna Forest West Wind Farm.
- 5.49 Greater weight should be attached to the need for renewable energy as set out in NPS EN-1, than research undertaken in 2005 which just focused on potential wind farm layouts and calculating energy yields.
- 5.50 Llaithddu Wind Farm is consistent with the need for renewable energy and the focus on low carbon provision as defined in NPS EN-1. It will make a significant contribution to satisfying the need for onshore wind farm development and this should be given substantial weight in considering the applications before this inquiry.

6 CONCLUSIONS

- 6.1 The primary basis for decision making on NSIPs, which includes the applications before the inquiry is NPS EN-1 and NPS EN2. The need for new onshore wind energy development is required to ensure the transition to a low carbon economy; to ensure energy consumption is almost exclusively from low carbon sources; to provide a more resilient system and security of supply.
- 6.2 More installed onshore wind capacity will need to be delivered to meet the following 2020 targets:
- 7TWhs as set out in TAN8 (2005);
 - The legally binding requirement, in accordance with EU Renewable Directive 2009;
 - 15% of energy consumption from renewable sources by 2020 as set out in the UK Renewable Energy Strategy (2009);
 - 2GW (2000MW) by 2020/2025 as set out in Planning Policy Wales: edition 5 November 2012;
 - The urgent need for renewable energy development as set out in NPS EN-1.
- 6.3 Llaithddu Wind Farm will make a significant contribution of 66.7MW towards meeting this need.
- 6.4 The Llaithddu Wind Farm falls within SSA C as refined by Powys county Council. The purpose of the SSAs is to guide large scale wind farm development and they are not intended to provide definitive or maximum capacities. It is considered that the interpretation of maximum targets as set out in the Welsh Ministers July 2011 letter is flawed and as such limited weight should be applied to this opinion.

APPENDICES

APPENDIX 1

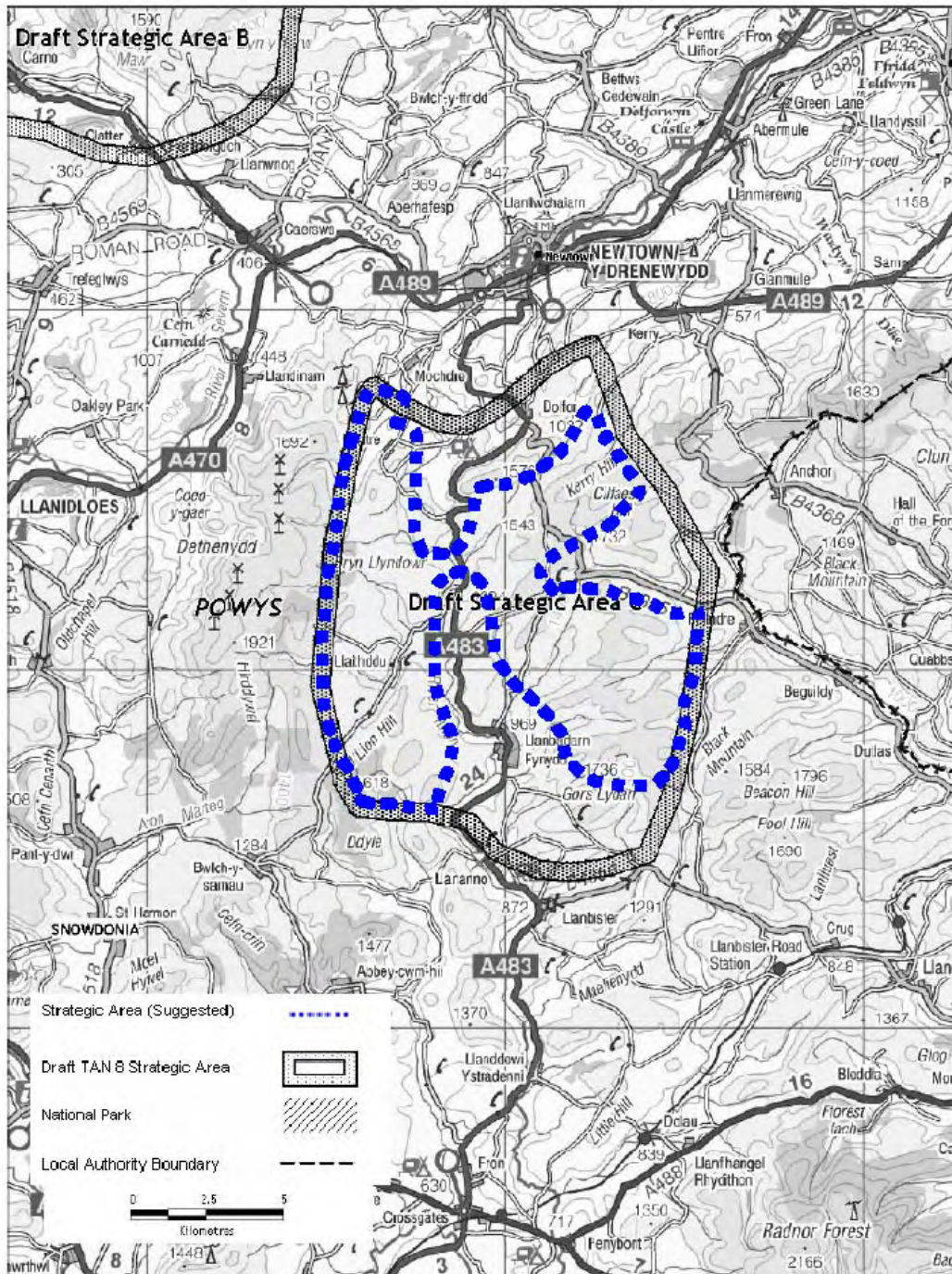
Map of the SSA C boundary changes as set out in the Arup Study (2005)

SUGGESTED SSAs FOR FINAL TAN 8 – AREA C NEWTOWN SOUTH



Facilitating Planning For Renewable Energy
June 2005

Area 3 of 7



Boundaries to be refined by Local Planning Authorities
Scope to increase SSA has been identified to the south-east and west

APPENDIX 2

Map of SSA C boundary as set out in TAN8 (2005)

APPENDIX 3

Map of SSA C zones/sub areas and Table 9a from Arup TAN 8 Annex D Study of Strategic Search Areas B (Carno North) and C (Newtown South) (January 2006)

Figure 7b - LANDMAP Visual and Sensory value of zones in SSA B

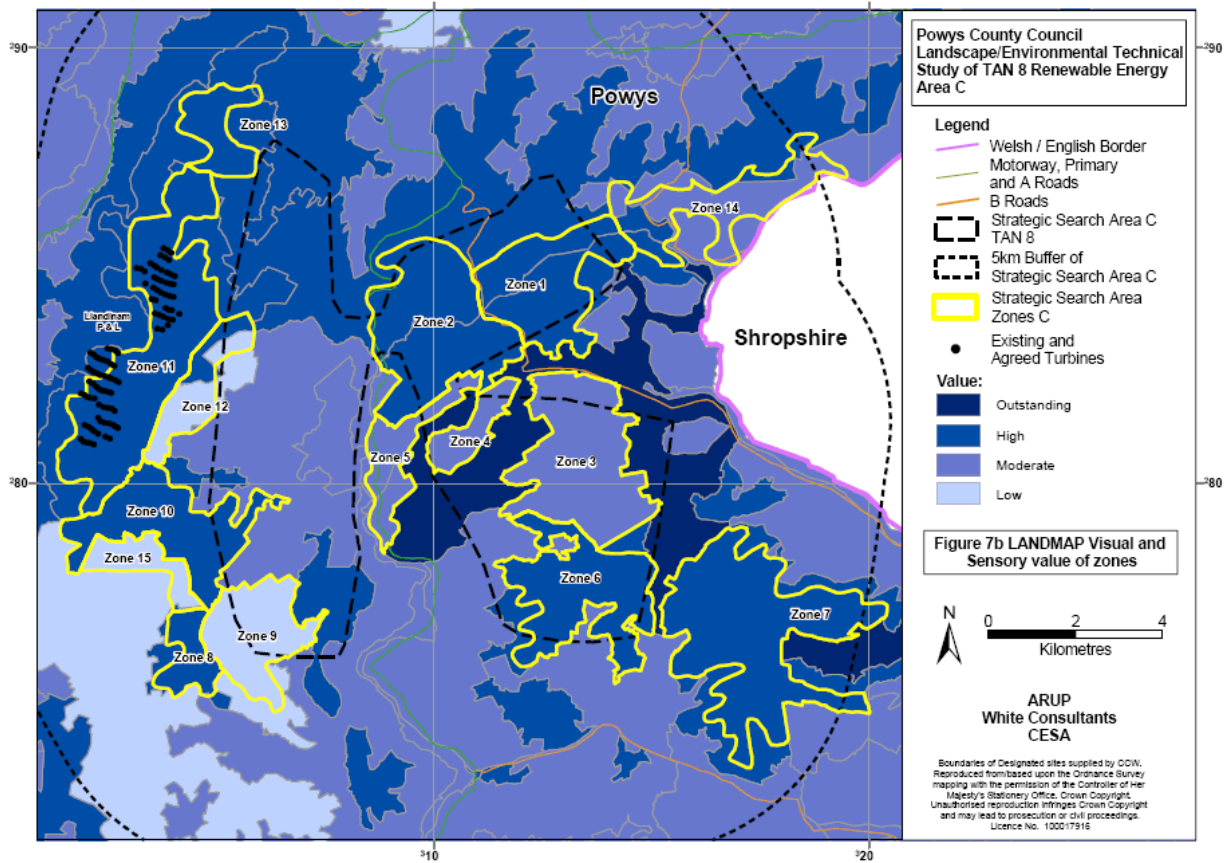


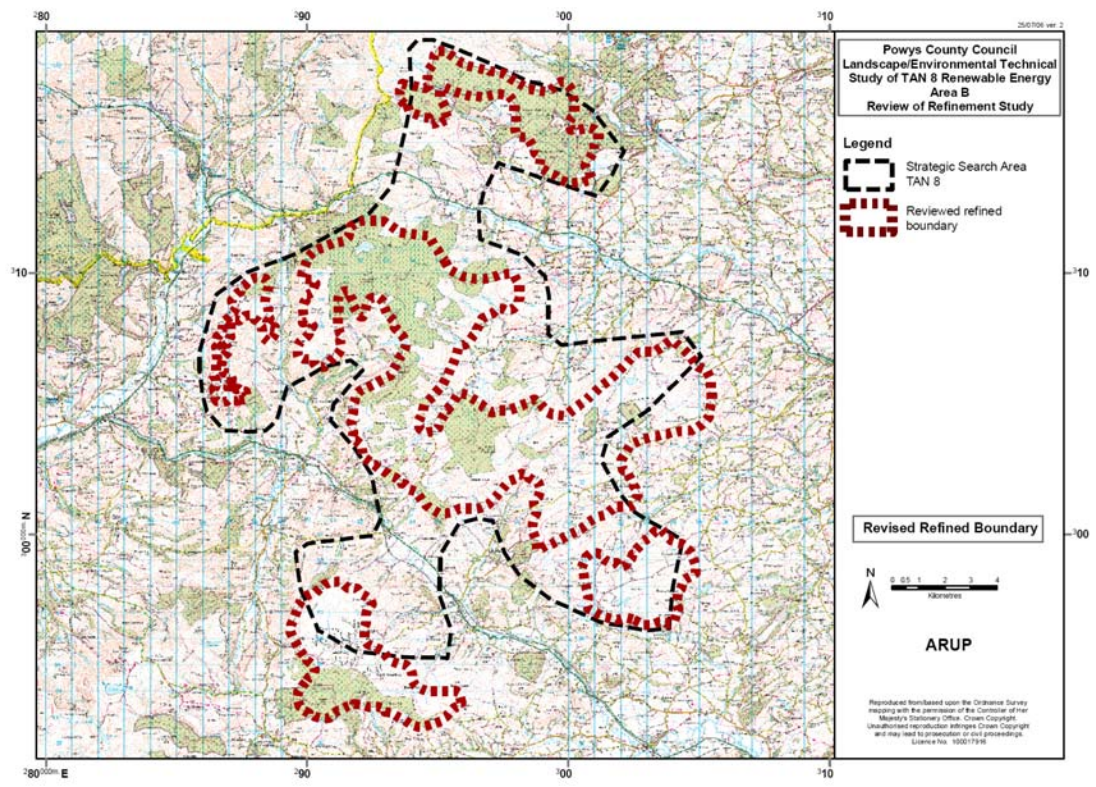
Table 9b - Summary Visual and Landscape ranking for SSA C

Zone	LANDMAP visual and sensory value	Landscape sensitivity	Ranking: Overall visual effects	Ranking : Landscape/Sensitive outdoor receptors visual effects	Ranking: People day by day sensitive receptors	Sum of Ranks	Summary rank
1	8	13	10	11	11	53	12
2	8	2	5	10	12	37	11
3	4	2	6	12	9	33	9
4	4	2	9	9	2	26	6
5	4	2	6	7	5	24	5
6	8	11	12	12	12	55	13
7	8	13	12	14	14	61	15
8	8	2	14	5	7	36	10
9	1	2	10	8	9	30	8
10	8	2	4	2	4	20	3
11	8	1	1	5	7	22	4
12	1	2	1	3	1	8	1
13	8	13	1	1	5	28	7
14	4	11	15	14	15	59	14
15	1	2	6	3	2	14	2

APPENDIX 4

Map of Refined Newtown South SSA C as set out in Powys County Council Interim Development Control Guidance Onshore Wind Farm Developments (IDCG) (April 2008)

MAP 1: Refined Carno North Strategic Search Area B



MAP 2: Refined Newtown South SSA C

