

**Electricity Act 1989: Section 36  
Town and Country Planning Act 1990: Section 90**

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Application by RWE npower renewables Limited

## **Carnedd Wen wind farm and habitat restoration project**

Mid-Wales wind farms conjoined public inquiry

SESSION 4:  
MATTERS IN COMMON / CUMULATIVE EFFECTS

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**STATEMENT OF CASE BY  
RWE NPOWER RENEWABLES LIMITED**

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**JANUARY 2014**

**Electricity Act 1989: Section 36**  
**Town and Country Planning Act 1990: Section 90**

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Application by RWE npower renewables Limited, dated 11 December 2008, for consent to construct and operate a wind farm of up to 150 MW capacity, with ancillary infrastructure and habitat restoration works.

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Statement of case on matters in common and cumulative effects prepared on behalf of RWE npower renewables Limited by:

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## **1. INTRODUCTION**

- 1.1 This statement of case relates to an application made under section 36 of the Electricity Act 1989 by RWE npower renewables Limited ('RWE') for a wind farm with an electricity generation capacity of up to 150 megawatts (MW) on land at Carnedd Wen in Powys. The Applicant is also requesting a Direction under section 90 of the Town and Country Planning Act 1990 granting deemed planning permission for the proposed wind farm and for a habitat restoration and management programme.
- 1.2 The Secretary of State for Energy and Climate Change announced a public inquiry into the Carnedd Wen project following receipt of an objection by the local planning authority, Powys County Council (PCC), to RWE's application in March 2012. The public inquiry is being held under the Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007.
- 1.3 This statement of case sets out RWE's position on the matters in common and cumulative effects that are due for consideration in Session 4 of the Mid-Wales conjoined public inquiry. It should be read alongside RWE's Outline Statement of Case submitted on 21 January 2013, RWE's Statement of Case for the opening inquiry session dated May 2013 and RWE's Statement of Case dated 10 September 2013 for Session 2 of the Mid-Wales conjoined public inquiry, concerning wind farm proposals in Strategic Search Area B (SSA-B).
- 1.4 A draft timetable for Session 4 is currently under discussion between parties and will be submitted to the Inspectors for approval in due course.

## **2. GENERAL SCOPE OF EVIDENCE FOR INQUIRY SESSION 4**

- 2.1 RWE's Carnedd Wen project is one of two wind farms before the current public inquiry that lie within SSA-B, the other being a proposal by RES UK and Ireland Limited for a wind farm at Llanbrynmair. All other wind farm proposals before the inquiry relate to Strategic Search Area C (SSA-C). Matters relating to Carnedd Wen and Llanbrynmair

individually and cumulatively (i.e. cumulative matters arising between the two projects but not extending to TAN8 Strategic Search Area C (SSA-C)) were addressed in evidence in Session 2 of the inquiry. During Session 2, all evidence of relevance to Carnedd Wen was heard on landscape and visual issues and on peat management, hydrology, forestry, ecology and transport.

2.2 RWE's evidence for Session 4 of the public inquiry will relate solely to the cumulative environmental effects of Carnedd Wen, and of the Carnedd Wen development and Llanbrynmair wind farm, with the proposed developments in SSA-C. The programme for the mid-Wales inquiry (Rev. 3, issued by the Inspector on 15 January 2014) states that the following topics will be addressed in Session 4:

- landscape;
- strategic transport;
- socio-economic effects including tourism;
- wildlife and ecology.

2.3 RWE will respond to the Statements of Case of other parties in terms of the scope of evidence that it sees the need to bring to Session 4. However paragraph 4 of this Statement of Case sets out its current intentions.

### **3. UPDATES**

3.1 In December 2013 developers RWE, RES, Vattenfall and Fferm Wynt Llaithddu Cyf submitted a Grid Connections Options Review as supplementary environmental information (SEI). The SEI comprises:

- i). Mid Wales (Powys) Wind Farms: Cumulative Impact Assessment of non- AIL (Abnormal Indivisible Load) Construction Traffic on the Strategic Road Network - AECOM Transportation.
- ii). Mid-Wales Wind Farms Transport Route Environmental Assessment (Renewable UK Cymru / AMEC Environment & Infrastructure UK Limited) 20 December 2013.
- iii). Mid Wales Wind Farms Sections 2 – 5: Stage 1 Road Safety Audit.

- iv). Section 3 Addendum to the strategic Traffic Management Plan for Mid Wales Wind Farms.
- v). Technical Review of Alternative AIL Routes Around Welshpool.
- vi). Supplementary Environmental Information (SEI): Conjoined Cumulative Landscape and Visual Graphics and Visualisations.
- vii). a technical assessment of the various options available for connecting the proposed wind farms to the grid and the grid connection infrastructure that this may require. This is set out in a 'Grid Connections Options Review' Report prepared by Mott MacDonald.
- viii). a desk-based assessment of the environmental effects of the various grid scenarios, prepared by Land Use Consultants ('Supplementary Environmental Information on Grid Connection Scenarios LUC – Session 4').
- ix). Non-technical summaries for items 1, 2, 5, 6, 7 and 8.

3.2 Each of the four developers responsible for the SEI has an agreement with SP Manweb for the provision of a grid connection into the existing electricity grid network. The purpose of the SEI submitted in December 2013 is to identify the physical nature and anticipated environmental effects of identified grid connection scenarios in order to supplement the environmental information available to the public inquiry. However, these grid connection options do not form proposals that are before the current public inquiry. It will be the responsibility of network providers National Grid and SP Manweb to promote grid connection proposals to serve the new electricity generation capacity proposed by the four developers, and the network providers are pursuing a separate process of project development, environmental impact assessment and public consultation to this end.

3.3 For these reasons, RWE does not intend to present evidence on cumulative grid connection effects to the current public inquiry. It is noted that grid connection arrangements are not included in the list of topics to be considered in Session 4 of the inquiry.

3.4 Listed below are the statements of common ground (SOCG) that were referred to in the statement of case for Session 2 and have since been submitted to the inquiry:

- i). Landscape and visual matters: (i) SOCG between RWE, Snowdonia National Park Authority (ii) SOCG between RWE and Natural Resources Wales (iii) SOCG between RWE and PCC
- ii). Noise: SOCG between RWE and PCC
- iii). Peat, forestry and ecology: SOCG between RWE, PCC and Natural Resources Wales
- iv). Transport: SOCG between RWE, Welsh Government Transport and PCC

#### **4. PRESENTATION OF THE APPLICANT'S CASE**

4.1 RWE's case in Session 4 at the inquiry will be led by Marcus Trinick QC, partner in Eversheds LLP. Mr Trinick will be calling:-

- Mr Jeffrey Stevenson of Jeffrey Stevenson Associates - landscape and visual effects;
- Mr Stuart Atkinson of Stuart Michael Associates – strategic transport.

4.2 Evidence on the socio-economic and tourism effects of the Carnedd Wen project was submitted by RWE for consideration in Session 2 of the current inquiry. No significant adverse cumulative socio-economic and tourism effects arising between wind farms proposed in SSA-B and SSA-C have been identified in evidence to date, and no objection has been raised on these grounds by Powys County Council. However, RWE wishes to retain *Mr Karl Cradick of Savills* in its potential witness list for Session 4, so that he can be called to present evidence in the event that unforeseen cumulative socio-economic and tourism considerations are identified in Statements of Case from other parties.

4.3 The cumulative effects of the proposed Carnedd Wen development with Llanbrynmair wind farm on ecology and wildlife were considered during Session 2 of the current public inquiry, at which time the intended benefits of the habitat restoration that forms an integral part of the Carnedd Wen project were reviewed. Because no significant cumulative effects on ecology and wildlife arising between wind farms proposed in SSA-B and SSA-C have been identified in evidence to date, RWE does not intend to call an ecology witness during Session 4. However, RWE wishes to retain *Mr Stewart Lowther of Atmos Consulting* in its witness list for Session 4, so that he can be called to present

evidence in the event that unforeseen cumulative ecology considerations are identified in Statements of Case from other parties.

## **5. SCOPE OF THE APPLICANT'S EVIDENCE ON LANDSCAPE AND VISUAL CONSIDERATIONS**

### 5.1 Having:

- addressed cumulative landscape and visual effects concerning SSA 'B' during Session 2 of the Inquiry;
- presented evidence at Session 2 that no unacceptable cumulative landscape and visual effects would arise within SSA 'B' with regard to existing baseline (operational and consented) plus proposed wind energy development;
- included SSA 'C' schemes in the 360 degree cumulative wireframes in the overall corpus of material presented for Session 2 (JSA Proof Appendix 4);
- previously indicated that there would be no significant cumulative effects arising between SSA 'B' and SSA 'C' development;

- the Applicant will demonstrate that no significant cumulative landscape and/or visual effects would arise between SSA 'B' and SSA 'C' as a result of the added presence of Carnedd Wen which would be materially different from those presented already to the Inquiry, and that no new significant landscape and/or visual effects would arise.

- 5.2 Whilst there will be an inevitable landscape and visual consequences in parts of the mid-Wales landscape as a result of the existing (operational and consented) wind energy development, supplemented by the deployment of proposed development in accordance with TAN8, there is sufficient distance between SSA 'B' and SSA 'C' schemes for (a) there to be no significant cumulative landscape effects arising between them and (b) no significant cumulative visual effects between them as adjudged from fixed viewpoints in the landscape.

- 5.3 With respect to the passage through the landscape and having regard to the routes discussed with Powys County Council (Jeff Stevenson and Mr Phillip Russell-Vick – concerning the A458, A470 and A483 along with Glyndwr’s Way), it is considered that no additional significant cumulative effect would arise between SSA ‘B’ schemes and SSA ‘C’ schemes greater than that already identified for Carnedd Wen in Session 2 of the Inquiry.
- 5.4 The above will be demonstrated in Session 4 evidence with reference to cumulative assessment information already before the Inquiry (ES 2008, SEI 2009, SEI 2011, SEI July 2013, evidence submitted by Jeffrey Stevenson to Session 2 in the form of a proof and Appendices) together with the cumulative document submitted by LUC on 24 December 2013 (together with any addendum/corrections) entitled: *‘The Mid-Wales (Powys) Conjoined Wind Farms Public Inquiry Supplementary Environmental Information (SEI) Conjoined Cumulative Landscape and Visual Graphics and Visualisations - December 2013’*.

## **6. SCOPE OF THE APPLICANT’S EVIDENCE ON STRATEGIC TRANSPORT CONSIDERATIONS**

- 6.1 In his evidence, Mr. Stuart Atkinson will make reference to the documents that have been submitted as SEI to the Inquiry in relation to the strategic transport matters, namely:
- i). The strategic Traffic Management Plan (sTMP);
  - ii). Technical Review of Alternative AIL Routes around Welshpool;
  - iii). Stage 1 Road Safety Audit of the sTMP;
  - iv). Cumulative Impact Assessment of non-AIL Construction Traffic on the Strategic Road Network (Aecom);
  - v). Mid-Wales Wind Farms Transport Route Environmental Assessment (AMEC).

- 6.2 Mr Atkinson will refer also to the following information that will be submitted to the Inquiry in advance of Session 4 on related matters:
- vi). The Delivery Process for Abnormal Indivisible Loads (AILs);
  - vii). Water Preferred Policy Assessment.
- 6.3 With reference to these documents, Mr Atkinson will demonstrate that extensive consultation has taken place, with multi-party contributions, concerning the preparation of a strategic traffic management plan (sTMP) and Transport Tool. This has involved all of the highway authorities and police forces responsible for managing traffic on the relevant local and strategic road networks.
- 6.4 An overview will be provided on the measures and procedures proposed in the sTMP/Transport Tool. It will be demonstrated that adequate provisions and controls can be implemented to ensure that the delivery of large wind turbine components such as the blades, the tower sections, hubs and nacelles can, with appropriate traffic management and infrastructure, be made safely and efficiently to the development site without significant delays or inconvenience to other users of the highway network.
- 6.5 Mr Atkinson will report upon the co-ordinated approach agreed amongst developers and the highway authorities, highways agencies, Welsh Government and the Police towards the future management of deliveries of Abnormal Indivisible Loads from the port of entry to the respective development site. It is proposed that Statements of Common Ground will be concluded and submitted to the Inquiry on these matters.
- 6.6 An overview will be provided of the cumulative impact assessment of non-AIL construction traffic. A spreadsheet based model has been produced to enable all available data on the wind farm developments' construction traffic to be assessed exclusively and mutually with other non-Section 36 proposals which are yet to be determined. It will be demonstrated that the combined movements of construction traffic associated with all of the proposed wind farms before this Inquiry, and potentially other future proposals, can be accommodated with generally an impact of slight or neutral significance upon the majority of the strategic and primary road

networks. Where the magnitude of impact is greater it will be shown that this will only be for a relatively short period of time.

- 6.7 Evidence will be presented to demonstrate that an appropriate mitigation strategy can be secured through appropriate planning conditions dealing with both AIL and non-AIL construction traffic, attached to a planning consent. This would be consistent with the manner in which other consented wind farm proposals have been dealt with regionally and nationally.

## **7. OTHER MATTERS ARISING**

- 7.1 RWE reserves the right to call evidence as necessary (either oral or written) to deal with any other issues raised by third parties or consultees in correspondence with DECC or the Planning Inspectorate as part of the inquiry process in so far as it is considered necessary.

- 7.2 Witnesses may provide evidence by way of written statement in the event that this is considered appropriate. However, RWE reserves the right to call those witnesses to give oral evidence in the event that this is deemed necessary following the receipt of proofs of evidence from third parties or otherwise.

## **8. CORE DOCUMENTS**

- 8.1 The developers are preparing a list of core documents for Session 4 which may be referred to during the public inquiry. RWE will seek to refine this list with the other parties to the Inquiry before Session 4 opens.

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