

**ELECTRICITY ACT 1989 (SECTIONS 36, 37, 62(3) & SCHEDULE 8):
TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 90):**

**APPLICATION BY VATTENFALL DATED 30 NOVEMBER 2007 FOR
CONSENT TO CONSTRUCT AND OPERATE A 59.5MW WIND TURBINE
GENERATING STATION IN POWYS, MID-WALES (“LLANBADARN
FNYDD”)**

**APPLICATION BY FFERM WYNT LLAITHDDU CYF DATED 7 MAY 2008
FOR CONSENT TO CONSTRUCT AND OPERATE A 66.7MW WIND
TURBINE GENERATING STATION IN POWYS, MID-WALES
 (“LLAITHDDU”)**

**APPLICATION BY CELTPower LIMITED DATED 9 MAY 2008 FOR
CONSENT TO CONSTRUCT AND OPERATE A 126MW WIND TURBINE
GENERATING STATION IN POWYS, MID-WALES (“LLANDINAM”)**

**APPLICATION BY RES UK & IRELAND LIMITED DATED 27 MARCH 2009
FOR CONSENT TO CONSTRUCT AND OPERATE A 100 MW WIND
TURBINE GENERATING STATION IN POWYS, MID-WALES
 (“LLANBRYNMAIR”)**

**APPLICATION BY RWE NPOWER RENEWABLES LIMITED DATED 11
DECEMBER 2008 FOR CONSENT TO CONSTRUCT AND OPERATE A
130-250MW WIND TURBINE GENERATING STATION IN POWYS, MID-
WALES (“CARNEDD WEN”)**

**APPLICATION BY SP MANWEB PLC DATED 2 DECEMBER 2009 FOR
CONSENT TO INSTALL AND KEEP INSTALLED A 132KV OVERHEAD
ELECTRIC LINE CONNECTION FROM THE PROPOSED LLANDINAM
WIND FARM TO WELSHPOOL SUBSTATION**

Notice that a combined public inquiry is to be held

THE SECRETARY OF STATE FOR ENERGY AND CLIMATE CHANGE hereby gives notice that a combined public inquiry (“the inquiry”) under section 62(3) and Schedule 8 of the Electricity Act 1989 (“the 1989 Act”) will be held into the above-mentioned applications made under sections 36 and 37 of the 1989 Act (“the applications”) and the applications for directions under section 90 for directions that planning permission be deemed to be granted for each of the above-mentioned proposed developments.

The applications were made to the Secretary of State by the above-mentioned Companies between 2007 and 2009. They consist of proposals to construct and operate onshore wind generating stations with installed capacities ranging between 59.5MW and 130-250MW on land located in with Strategic Search Areas B and C (as identified in Technical Advice Note 8: Planning for Renewable Energy (2005)) in the County of Powys in Mid-Wales and to install and keep installed a 132kV overhead electric line connection between the proposed Llandinam Wind Farm and Welshpool Substation in the County of Powys in Mid-Wales.

The Secretary of State has appointed Mr Andrew Poulter BA, BArch, RIBA an Inspector in Planning Inspectorate Wales, to hold the inquiry on his behalf.

The procedure to be followed at the inquiry into the applications is governed by the Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007 (“the Inquiry Rules”).¹

This notice is given under rules 4(1) and 14 of the Inquiry Rules. It also includes information about registering to participate in the inquiry, given under rule 6(1).

Notice that there will be a pre-inquiry meeting

A pre-inquiry meeting under rule 9 of the Inquiry Rules will be held at 10.00 a.m. on Monday 18 February 2013 and 10.00 a.m. on Monday 25 February 2013 at The Pavilion, Spa Road, Llandrindod Wells, Powys LD1 5EY.

Subject to any duly notified variation of the date, time or place fixed for holding the inquiry under rule 14(4) or (5) of the Inquiry Rules, the inquiry itself will commence at 10:00 a.m. on Tuesday 4 June 2013. The venue(s) for the inquiry will be confirmed in due course. Rule 14(1)(a) of the Inquiry Rules requires the inquiry to start no later than ten weeks after the conclusion of the pre-inquiry meeting unless the Secretary of State considers such a date impracticable. However, given the complexity of the combined public inquiry, the Secretary of State considers it appropriate to allow further time under rule 24 of the Inquiry Rules.

Statement of matters to be considered at the inquiry

Rule 4(1)(c) of the Inquiry Rules requires the Secretary of State, in giving notice that an inquiry is to be held, to provide a statement of the matters which, in his view, are the matters to be considered at the inquiry.

In the view of the Secretary of State, on the information so far available to him, the following matters, which appear to him likely to be relevant to his consideration of the proposed wind farm developments, are the matters to be considered at the inquiry:

¹ Available at http://www.legislation.gov.uk/uksi/2007/841/pdfs/uksi_20070841_en.pdf or <http://www.legislation.gov.uk/uksi/2007/841/made>.

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*;*
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 and National Policy Statement for Renewable Energy Infrastructure (EN-3) July 2011;*
3. *the extent to which the proposed developments are consistent with Welsh Government and local policies: including Planning Policy Wales, Edition 4 (2011); Technical Advice Note 8: Planning for Renewable Energy (2005); and Energy Wales: A Low Carbon Transition (2012); and Powys Unitary Development Plan (adopted March 2010);*
4. *the individual and combined landscape and visual impact of the proposed developments taking into account the proximity to Snowdonia National Park (Strategic Search Area B); and cumulative impact with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for;*
5. *the individual and combined impact of construction traffic on the surrounding locality, including transportation access routes and traffic management, taking into account the cumulative impact with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for;*
6. *the individual and combined impact of noise generated during construction and from the operation of the proposed developments taking into account the cumulative impact with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for;*
7. *the individual and cumulative impact of the proposed developments on biodiversity, including the ecological functioning of European Protected Sites (e.g. the River Wye Special Area for Conservation (SAC), Berwyn Special Protection Area (SPA) and South Clwyd Mountains SAC); impacts on European Protected Species under the Conservation of Habitats and Species Regulations 2010 (as amended) “(the Habitats Regulations”); and the likely effectiveness of proposed mitigation measures;*

8. *the individual and combined social and economic impact of the proposed developments, including on tourism;*
9. *the potential impact of the proposed developments on human health;*
10. *the impact of the proposed developments on cultural heritage;*
11. *the individual and combined impact of the proposed developments on aviation;*
12. *the impact of the proposed developments on hydrology and hydrogeology, to include impacts on sensitive water features (streams, ponds, wetlands); impacts on private water supplies; fisheries and watercourses; and impacts on groundwater; and the likely effectiveness of proposed mitigation measures;*
13. *the impact of the proposed developments on peat;*
14. *the potential for the proposed developments to be connected to the electricity grid network (DECC document ‘The consenting process for onshore generating stations above 50MW in England and Wales: a guidance note on Section 36 of the Electricity Act 1989 refers’)²; and*
15. *any other matter the Inspector considers relevant.*

In the view of the Secretary of State, on the information so far available to him, the following matters, which appear to him likely to be relevant to his consideration of the proposed overhead electric line development, are the matters to be considered at the inquiry:

1. *the extent to which SP Manweb’s proposal including any alternatives considered are consistent with Welsh Government and local policies: including Planning Policy Wales, Edition 4 (2011); Technical Advice Note 8: Planning for Renewable Energy (2005); and Energy Wales: A Low Carbon Transition (2012); and Powys Unitary Development Plan (adopted March 2010);*
2. *the extent to which the proposed development is consistent with the objectives of the Government’s 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;³*

² http://www.decc.gov.uk/en/content/cms/meeting_energy/consents_planning/guidance/guidance.aspx

³ *For a description of these objectives and their significance in connection with the development of new energy infrastructure, reference should be made during the inquiry to the most recent Annual

3. *the extent to which the proposed development is consistent with the policies relating to electricity networks infrastructure and also the generation of renewable energy contained within the relevant National Policy Statements for Energy Infrastructure, Overarching National Policy Statement for Energy (EN-1) July 2011, National Policy Statement for Electricity Networks Infrastructure (EN-5) July 2011 and National Policy Statement for Renewable Energy Infrastructure (EN-3) July 2011;*
4. *the relative merits of the proposed development and any alternatives considered, including consideration of undergrounding, in addressing the requirement to maintain security of supply (the Need);*
5. *the potential impact of the proposed development on human health;*
6. *the social and economic impact of the proposed development, including on tourism;*
7. *the relative merits of the proposed development, any alternatives considered and likely effectiveness of mitigation measures to address:*
 - a) *the landscape and visual impact of the proposed development, both individually and cumulatively with existing energy infrastructure and any energy infrastructure which has already been granted planning permission or where planning permission has been applied for, including impact on the Vale of Montgomery Landscape of Outstanding Historic Interest in Wales, Areas of Special Landscape Character and Kerry Ridgeway Regional Path, Severn Way Regional Path and the National Cycle Route near Welshpool Substation;*
 - b) *the impact of the proposed development during construction and operation on biodiversity, including trees and hedgerows and the ecological functioning of protected sites (e.g. River Wye Special Area of Conservation and Leighton Bats Site of Special Scientific Interest); impacts on European Protected Species under the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations”);*
 - c) *the impact of the proposed development on the use and enjoyment of land in the vicinity, including farming activities and on users of Rights of Way, including the Kerry Ridgeway Regional Path, Severn Way Regional Path and the National Cycle Path near Welshpool; and*

d) *the impact of the proposed development on cultural heritage;*
and

8. *any other matters that the Inspector considers relevant.*

Registration

Anyone who wishes to participate in the inquiry should complete the registration form attached and return it along with two copies of their outline statement (a written statement of the principal submissions they wish to make) in hard copy or by e-mail to the Programme Officer, Chris Banks, Banks Solutions, 21 Glendale Close, Horsham, West Sussex RH12 4GR (e-mail: bankssolutionsuk@gmail.com) **by no later than Monday 21 January 2013.**