

Powys County Council Mid Wales Conjoined Public Inquiry
Electricity Act 1989 (sections 36, 37, 62(3) & schedule 8) Town and Country
Planning Act 1990 (section 90)

SESSION 4
(MATTERS IN COMMON/CUMULATIVE)
STATEMENT OF CASE
ON BEHALF OF POWYS CC

1. INTRODUCTION

1.1. This statement of case should be read alongside Powys County Council's ("PCC") outline updated statement of case¹. This statement focuses on PCC's position on the matters that PCC understand are to be covered in session 4.

1.2. The inquiry has already considered the planning policy context, and the individual effects of the proposed Llandinam, Llaithddu, Llanbadarn Fynydd, Carnedd Wen and Llanbrynmair. It is due to consider the individual effects of the Llandinam 132kV line in session 3. In the course of considering the individual schemes the inquiry has also considered cumulative impacts between the windfarm schemes in each SSA for all topics save for transport. No consideration has hitherto been given to the cumulative effects of the various schemes with the necessary grid connections.

1.3. Session 4 will therefore cover:

¹ (Document OBJ - 002 - OSOC - 2)

- 1.3.1. The cumulative effects of the proposed schemes between SSAB and SSAC.
- 1.3.2. All non-local transport effects of the schemes².
- 1.3.3. The cumulative effects of the proposed schemes with various grid options in so far as information is available about those grid options.
- 1.4. According to the timetable³ the following issues are listed to be considered in this session:
 - 1.4.1. landscape,
 - 1.4.2. transport (strategic),
 - 1.4.3. socio-economic effects including tourism,
 - 1.4.4. wildlife and ecology
- 1.5. The timetable does not include specific reference to cultural heritage. PCC maintain that it will be relevant for the inquiry to understand the cumulative cultural heritage implications of the various grid combinations, in so far as it is possible to comment on the same.
- 1.6. This statement of case will set out PCC's case under each of those headings.

2. APPLICATION

- 2.1. PCC has previously set out descriptions for each of the six applications before the Inspector and does not repeat the same here.
- 2.2. PCC accept that save for the Llandinam 132kV line, the decision whether to permit any other grid lines is not one for this inquiry process. However the implications of other grid connections are an indirect or

² In the opening session the Inspector agreed with Mr Robinson's description of the effects being considered in session 4 as "*anything in STMP ... Anything affecting more than one site.... When site specific access to one site, that is what we expect to deal with in site-specific matters[ie sessions 1 and 2]*" and noted that sessions 1 and 2 would cover "*once get off main highway and using route used only by one applicant*".

³ Document ID/4

secondary effect of permitting the currently applied for wind farms and potentially a cumulative impact with the windfarms. Therefore it will be important for the inquiry to understand what grid infrastructure will be necessitated by various combinations of wind farm and to give consideration so far as possible to the environmental implications of that grid infrastructure.

2.3. Four of the applicants have commissioned and provided as SEI a report identifying what grid infrastructure is likely to be necessitated by various combinations of wind farms⁴. PCC does not at this stage propose to challenge its conclusions. The main points that PCC will seek to draw from that report are:

2.3.1. If up to 160 MW capacity is permitted through this inquiry in SSAC (representing Llandinam and either most of Llaithddu or Llanbadarn Fynydd) then this can be accommodated on the Llandinam 132kV line if that is upgraded north of Welshpool.

2.3.2. If more than 160 MW capacity is permitted through this inquiry in SSAC (ie if all of Llandinam, Llaithddu and Llanbadarn Fynydd are permitted in full) this will necessitate either a second 132kV line to Shrewsbury or a second 132kV line to area B. The current proposal by SP Manweb is that the second 132kV line to area B would follow the corridor known as CC1.

2.3.3. If future Town and Country Planning Act applications in SSAC are permitted further grid is anticipated including a connection to Knighton from the south-east part of SSAC.

2.3.4. If both Carnedd Wen and Llanbrynmair are permitted their energy could be exported to Legacy on two 132kV lines. Permitting the applications in SSAB presently before the inquiry will not of itself

⁴ Mid Wales Conjoined Wind Farm Inquiry, Grid Options Review, December 2013.

necessitate the current National Grid proposals for a 400kV line on towers and a hub at Cefn Coch.

2.4. PCC will give their views on the implications of various grid infrastructure under the individual topic headings.

3. OVERVIEW

3.1. As discussed in the opening session, PCC accept the general need for wind farms as set out in EN1. However they consider that there is a finite environmental capacity of the Strategic Search Areas identified in TAN8.

3.2. Through the course of the inquiry PCC is demonstrating which wind farms before the inquiry would be unacceptably harmful (thus exceeding the environmental capacities of the area) and for which permission should be refused. It is also demonstrating those wind farms or parts thereof that could be accommodated within the environmental capacity of the area where necessary, subject to modification or further work on mitigating impacts.

3.3. As PCC have explained they consider that:

3.3.1. Following further work Llandinam wind farm can be accommodated within the environmental capacity of the area subject to demonstrating that it they will not have unacceptable impacts through the proposed strategic transport route, and subject to resolving the outstanding NRW objections.

3.3.2. That the southern array of Llaithddu is not acceptable. That the northern array of Llaithddu can be accommodated within the area without causing unacceptable impacts.

- 3.3.3. That Llanbadarn Fynydd would individually and cumulatively cause unacceptable landscape impacts and cumulatively with other windfarms in the east of SSAC cause unacceptable cultural heritage impacts.
- 3.3.4. That the impacts of all but five of Carnedd Wen's turbines are acceptable and can be accommodated within the environmental capacity of the area.
- 3.3.5. That the landscape and visual impacts of Llanbrynmair's turbines are acceptable. However their current access proposals are unacceptable in landscape and visual terms and have not been subject to adequate ecological assessment.
- 3.4. PCC accept that in principle, where a wind farm scheme has come forwards that (after modification) can be accommodated within the environmental capacity of the area then there will be a need for grid infrastructure to connect that wind farm. It still remains important to consider the acceptability of the proposed grid infrastructure. Given that all infrastructure has a financial cost and environmental impact PCC generally considers it is important to avoid the proliferation of grid infrastructure, although there may be circumstances in which two lines with limited environmental impact are acceptable whereas one line with a much greater environmental impact is unacceptable.
- 3.5. PCC has applied the above approach to consideration of the proposed Llandinam 132 kV line. PCC has explained through session 3 evidence the extent to which they consider the proposed Llandinam 132 kV line can be accommodated within the environmental capacity of the area. They consider that, whilst the chosen route results from a flawed routeing process and causes unnecessary landscape harm it could be accommodated within the environmental capacity of the area provided it is subject to undergrounding in the most sensitive area around the Glog.

4. LANDSCAPE AND VISUAL

4.1. There are three matters that will need to be considered in landscape and visual terms:

4.1.1. The acceptability in landscape and visual terms of the sections of grid infrastructure necessitated by various combinations of wind farms.

4.1.2. The acceptability in landscape and visual terms of the cumulative impacts of the application schemes between SSAB and SSAC.

4.1.3. The acceptability in landscape and visual terms of the works required to permit strategic transport access to the wind farms.

4.2. Acceptability of grid infrastructure

4.2.1. At Session 3 PCC accepted that the Llandinam 132kV OHL (with the undergrounding section) would be acceptable in landscape and visual terms cumulatively with Llandinam Repowering and/or Llaithddu but unacceptable in-combination with Llanbadarn Fynydd and/or Neuadd Goch (and other TACPA schemes, although Neuadd Goch would be by far the greatest contributor to the in-combination effects). In other words, within SSA C PCC supports the combination of Llandinam Repowering, Llaithddu (northern array) and the Llandinam 132kV OHL scheme.

4.2.2. PCC considers that the CC1 132kV OHL route, together with its connections to Llaithddu Neuadd Goch and Llanbadarn Fynydd (CC2 3 and 4 respectively) to be unacceptable in its own right in landscape and visual terms and cumulatively with operational, consented and

in-planning wind farms and other infrastructure. The route corridor of CC1 would have a significant and unacceptable impact on the landscape character, including several landscapes of High overall evaluation as considered by LANDMAP, and significant and unacceptable visual impacts along its length.

4.2.3. PCC considers that the parallel twin 132kV OHL connections from the Llanbrynmair and Carnedd Wen sub-stations (to the proposed sub-station at Cefn Coch and/or beyond to the Oswestry sub-station) could be acceptable in landscape and visual terms, both in its own right and cumulatively, subject to appropriate detailed design and mitigation, including the consideration of undergrounding and alternative designs such as parallel twin “trident” poles, to reasonably minimise the landscape and visual effects.

4.2.4. PCC considers that the route corridor of the 400kV National Grid connection between the proposed Cefn Coch sub-station and the Oswestry sub-station would have a significant and unacceptable impact on the landscape character of a substantial area of the northern Powys landscape, including in particular parts of the Vyrnwy Valley and several landscapes of High overall evaluation as considered by LANDMAP, as well as significant and unacceptable visual impacts along its length. PCC recognises the reduction of overall effects provided by the proposed undergrounded length along part of the Vyrnwy Valley but considers that this would not adequately mitigate the landscape and visual harm of the scheme overall.

4.3. Cumulative implications between SSAB and SSAC

4.3.1. PCC does not consider that unacceptable cumulative landscape and visual effects would occur between the wind farm schemes before the Inquiry in SSA B and C, whilst recognising that from a few

sensitive locations, in particular weather conditions, there is the potential for significant visual effects.

4.3.2. At Session 2 PCC accepted the cumulative landscape and visual effects of the Llanbrynmair and Carnedd Wen wind farm schemes, together with the other existing wind farms in SSA B (subject to PCC's objection to the Llanbrynmair access and the Carnedd Wen five turbines). PCC will provide evidence to demonstrate that the cumulative landscape and visual effects of these two schemes in combination with the operational, consented and in-planning (TACPA) schemes, together with their associated connections and infrastructure, would be significant and unacceptable.

4.3.3. PCC set out its position in respect of the cumulative landscape and visual effects of the three SSA C wind farm schemes at Session 1, considering the effects of Llandinam Repowering, Llaithddu and Llanbadarn Fynydd together to be unacceptable. PCC also considers the cumulative effects of these schemes together with the TCPA schemes before PCC to be unacceptable

4.4. Transport works

4.4.1. In relation to the construction of the SSA C schemes, PCC accepts that there may be the requirement for localised highway improvements at the Mochdre Industrial Estate and at Builth Wells, where a temporary bridge and related highway links may be required to cross the River Wye. PCC considers that the landscape and visual effects of these may be acceptable subject to detailed design and appropriate mitigation but would seek to reserve its position until such details are available.

5. TRANSPORT

5.1. Llandinam and Llaithddu

5.2. Whilst PCC concludes that an AIL route from Newtown to the Llandinam and Llaithddu sites is likely to be achievable there remain issues requiring clarification and further information (which has been requested from the applicants) pending which it reserves its position to argue that the applicant's assessment is insufficient to allow a proper judgment to be made on the transport implications of the proposals.

5.3. In particular, PCC will address:

5.3.1. The lack of sufficient evidence, and hence confidence, that AILs can be appropriately accommodated on the route in terms of highway horizontal alignment, highway vertical alignment and highway structure clearance. PCC will explain that in the absence of this confidence a judgement cannot be made that the safety risks, the environmental risks, the inconvenience to the public, and risks to property, are reasonable or acceptable.

5.3.2. The lack of sufficient evidence, and hence confidence, that AILs will travel at an appropriate average speed to always avoid sensitive periods of the day, where sensitive periods of the day include commuter peak traffic periods, school arrival and departure peak periods and the periods of darkness. PCC will refer to the requirements of the Police.

5.3.3. The lack of sufficient evidence to enable confidence in the forecast degree of inconvenience to road users, and others, caused by the AIL movement. PCC will explain that this lack of confidence prevents a

judgement being made that the inconvenience caused to residents and visitors to Powys is reasonable and acceptable in the round.

5.3.4. The opportunity for, and consequences of, accessing the site from Ellesmere Port via the STMP route.

5.4. The Cumulative Effect, including the STMP

5.5. PCC judges that the AIL route from Ellesmere Port to the combined sites, set out in the STMP, is reasonable and appropriate subject to clarifications and Conditions and in particular subject to clarifications of the route and assessments described in Section 6 of the STMP. PCC will seek clarification in advance of, and if necessary at, Session 4, on matters that include:

5.5.1. The size of the AILs likely to be used, compared with the size of AILs that have been used in tests to inform judgements about which sections of highway network require further assessment and mitigation. Depending on this clarification, whether there further sections of the network that require assessment and mitigation.

5.5.2. The route through Newtown, including in particular the height clearance at the railway bridge on Llanidloes Road and the vertical alignment of the Mochdre Link.

5.5.3. The effects on property, environment, management, inconvenience, and time of implementation of the combined developments, of including the Llandinam site traffic on the STMP route.

5.6. PCC will seek Conditions requiring a common approach to mitigation design and implementation, as well as traffic management, between individual developments utilising the same routes or the same services.

6. CULTURAL HERITAGE

6.1. The development of electric supply connections from wind farms has the potential to harm the significance of designated and non-designated heritage assets and can result in significant adverse environmental effects. The scale of such harm depends on the nature of the affected asset, the technology employed for the connection and the location of the route in relation the asset.

6.2. PCC will provide evidence highlighting the likely impacts on designated heritage assets of the currently proposed connections including: the CC1 to CC4 connections from SSA C to the proposed National Grid sub-station; connections from Llanbrynmair and Carnedd Wen to the proposed National Grid sub-station; and onward connections from the proposed National Grid sub-station including the proposed 400kv line.

6.3. This evidence will demonstrate that connections from the proposed developments in the eastern part of SSA C would result in significant additional cumulative impacts on the historic environment. PCC consider that these cumulative impacts further weigh against the acceptability of these proposed wind farms in terms of their impact on the historic environment.

6.4. The evidence will also highlight the likely scale of impact on the historic environment that may be associated with the proposed National Grid sub-station and its onward connections to the extent possible on the information available.

7. WILDLIFE AND ECOLOGY

7.1. As recommended at the pre-inquiry meeting, PCC is working closely with NRW in relation to the presentation of evidence.

7.2. PCC will not itself lead evidence in relation to wildlife and ecology as NRW will be providing evidence on this point and PCC is anxious to comply with the Inspector's request to avoid duplication of evidence. If the applicants are able to satisfy NRW that their outstanding objections can be overcome then PCC will not rely on any cumulative wildlife case.

8. SOCIO-ECONOMIC EFFECTS INCLUDING TOURISM

8.1. In their original reasons for objection PCC reserved the right to raise objections on other grounds including socio-economic impacts. In their updated outline statement of case⁵ they noted that:

"In relation to socio-economic impacts, the Council are in the process of investigating socio-economic impacts and at the moment propose to call currently anticipates calling evidence on the impact of the proposal, individually and cumulatively with the other applications before this inquiry and in the planning process, on tourism and other economic factors, and to demonstrate that the Applicant's assessment of the socio-economic impacts in their ES is inadequate. If the Council provide such socio-economic evidence it will be presented in the timetabled session 4 (March/April 2014) in conjunction with the other individual and cumulative socio economic points relating to other proposals."

8.2. By an addendum to that statement of case⁶ served in September 2013 PCC confirmed that they had researched the socio-economic position

⁵ OBJ/002/OSOC/2

⁶ OBJ-002-OSCO-2-ADD Addendum to Revised Statement of Case

mindful of the policy approach to socio-economic impacts in EN-1. They noted in the addendum:

“The Council have now concluded their investigations and has concluded that, given the siting of the proposals within SSA’s and given that the proposals are for nationally important infrastructure projects, there is insufficient evidence to support an impact on socio-economic interests of sufficient magnitude to give rise to a refusal of some or all of the projects on this ground. In the circumstances PCC do not intend to call evidence on the socio-economic impacts of these developments and do not intend to pursue an argument that they should be refused on that basis.”

8.3. That remains the position and PCC does not propose to call evidence on socio-economic impacts.

9. CONCLUSION

9.1. Thus PCC will demonstrate that in landscape and visual, and cultural heritage terms, no more than 160MW of capacity should be permitted in SSAC. In accordance with their previous arguments PCC will argue that this should be from Llandinam and Llaithddu north, not Llanbadarn Fynydd. While there will be impacts from the grid infrastructure associated with the applications from SSAB they will not be unacceptable from the two applications before this inquiry. This is likely to change if future applications are permitted in SSAB.

9.2. In terms of cumulative transport impacts PCC consider that Llandinam and Llaithddu have not yet demonstrated that they can deliver AILs from the southern route without unacceptable impacts. They consider that subject to resolving a number of inquiries it has been shown that AILs can be delivered along the STMP route without unacceptable impacts.

10. WITNESSES

1.1. PCC will call the following witnesses on the following topics in this session:

1.1.1. Landscape and visual (Philip Russell- Vick)

1.1.2. Cultural heritage (Andrew Croft)

1.1.3. Transport (Mike Axon)

1.1.4. PCC reserve the right to call a witness in relation to what grid infrastructure may be necessitated by various options.