

SNOWDONIA NATIONAL PARK AUTHORITY
OUTLINE STATEMENT OF CASE
DECC REFERENCE: "CARNEDD WEN"

ELECTRICITY ACT 1989 (SECTIONS 36, 37, 62(3) & SCHEDULE 8)

TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 90)
AND

**THE ELECTRICITY GENERATING STATIONS AND OVERHEAD LINES (INQUIRIES
PROCEDURE(ENGLAND AND WALES) RULES 2007**

**APPLICATION BY RWE NPOWER RENEWABLES LIMITED, DATED 11 DECEMBER 2008
FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 TO CONSTRUCT
AND OPERATE A 130-250MW WIND TURBINE GENERATING STATION IN POWYS, MID
WALES ("CARNEDD WEN")**

Snowdonia National Park Authority Outline Statement of Case

Background to the Application

The most recent proposal at Carnedd Wen is for the construction and operation of 50 wind turbines, each with a maximum height of 137 metres to blade tip. Additional works include crane pads, anemometer masts, construction compounds, new and upgraded roads, an electricity cable circuit and substation, along with six borrow pits. The application also includes the felling of over 1,700 hectares of commercial forestry to accommodate the windfarm and the implementation of the proposed Habitat Management Plan. The windfarm would be operational for 25 years, at the end of which it would be decommissioned. The Applicant has committed to undertake habitat management for 50 years.

The site is located within Strategic Search Area (SSA) B, as identified by Technical Advice Note (TAN) 8. This particular SSA is located close to the southern boundary of the Snowdonia National Park and the National Park Authority expressed its concern regarding the proximity, not only of this SSA, but also of the proximity of SSAs A and D in its response to the consultation on the draft of TAN 8 in November 2004.

The Carnedd Wen windfarm is contiguous with the proposed Llanbrynmair windfarm (also considered by this Public Inquiry) which would comprise of 30 turbines, each with a maximum height of 126.5m to blade tip. There are also other applications for windfarms within the SSA, some of which will be determined by Powys County Council as Local Planning Authority, whilst others will be determined by the Secretary of State for Energy and Climate Change following applications to the Major Infrastructure Unit of the Planning Inspectorate.

The Snowdonia National Park Authority (SNPA) formally objected to the Carnedd Wen proposal in a consultation response letter sent to the Department of Energy and Climate Change on 20th January 2010. Subsequent to this objection, the developer amended

the application, which including the removal of a number of turbines closest to the National Park boundary and provided Supplementary Environmental Information (SEI). SNPA maintained its objection to the proposals in a letter dated 7th November 2011.

Powys County Council also resolved to object to the proposal – one of the reasons referred to is the impact on the National Park:

8. The unacceptable landscape and visual impact of the applications including the detrimental effect on tourism and other economic factors both for Powys and the Snowdonia National Park.

The Countryside Council for Wales has also objected to the Carnedd Wen proposal, one of the grounds being the unacceptable impact on the National Park.

The Snowdonia National Park Authority

The Snowdonia National Park was established in 1951 following the National Parks and Access to the Countryside Act (1949). The Environment Act (1995) re-stated national park purposes as being;

to conserve and enhance the natural beauty, wildlife and cultural heritage of the area;

to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public;

It is a long established principle (the Sandford Principle) to give primacy to the first purpose where there is irreconcilable conflict between the two.

Section 62 of the Environment Act 1995, places a duty on “relevant agencies” (which for the purpose of this provision means any Minister of the Crown; any public body; any statutory undertaker; or any person holding public office) to have regard to National Park purposes in carrying out their activities, whether those activities lie within or outside the designated areas.

The Snowdonia National Park takes its name from Snowdon which, at 1085m (3,560 feet), is the highest peak in Wales. The Snowdonia National Park has a rich and varied landscape and townscape. Snowdonia has some 60km of coastline, extensive areas of woodland and over 96,000 hectares of moorland. Whilst the landform of Snowdonia has been formed over millions of years, it is since the end of the last Ice Age, 10,000 years ago, that the interaction between people and nature has shaped the present day landscapes of the National Park, and as a result there are strong cultural associations between people and place. The traditional rural character of settlements is distinct within the National Park and forms part of its historic landscape character.

Snowdonia is very rich in terms of biodiversity, a feature which, along with its outstanding landscapes is integral to its National Park status. There are 15 Special Areas of Conservation and three Ramsar sites located within or partly within Snowdonia. There are also 107 Sites of Special Scientific Interest and 21 National Nature Reserves as well as the Dyfi Estuary which is UNESCO World Biosphere Site.

The area's rivers, lakes, sea and woodlands as well as the mountain biking, white water and mountaineering centres, provide a wealth of opportunities for outdoor recreation. There are 2,742 km of public rights of way within the National Park and 84,697 hectares of land defined as open country under the Countryside and Rights of Way Act 2000.

In this protected landscape of national importance there are special attributes, or qualities which define the area and make it unique. Both the National Park Management Plan and Local Development Plan, adopted in 2009 and 2011 respectively, list those special qualities which make Snowdonia unique:

- *The diversity of high quality landscapes and coastal areas within a small geographic area – ranging from coast to rolling uplands to the rugged mountains for which Snowdonia is famed.*

- *The robust sense of community cohesion, belonging and vibrancy which combine to give a strong 'sense of place'*
- *Continuing vibrancy of the Welsh language as the primary language in social and professional environments. This aspect is evident in local place names that reflect the area's cultural heritage.*
- *An area which has inspired some of the nation's most notable culture, folklore, art, literature and music, which continues to inspire to the present day.*
- *The opportunity for people to understand and enjoy the National Park actively, whilst maintaining areas of tranquillity and solitude, thus promoting aspects of health and wellbeing.*
- *Landscapes and townscapes which chart human impact over centuries, from Neolithic times to the present day. This is evident in archaeological remains, place and field names, oral and written history and present day land management practices. Its architectural heritage is reflected in the density of Listed Buildings and the wider historic environment.*
- *Complex, varied and renowned geology, vital in influencing the disciplines of geology and geography internationally.*
- *Varied biodiversity reflecting Snowdonia's landscapes, geology, land management practices and climate. Some notable species and habitats are of national and international significance, for example species which are remnants of the last ice age, providing a glimpse of semi-Arctic habitats. Snowdonia is the most southerly point in the UK for many such species.*
- *Extensive opportunities for recreation, leisure and learning for people of all ages and ability combined with areas of tranquility.*

It is the SNPA's aim to protect these "special qualities" from inappropriate development and one of the mechanisms to do this is the policy framework set out in the adopted Eryri Local Development Plan (ELDP). The SNPA's evidence will include reference to the relevant policies.

The SNPA is primarily concerned about the landscape and visual impacts of the proposal on a nationally designated area. National Parks must be afforded the highest status of protection from inappropriate developments.

The Carnedd Wen proposed windfarm site occupies part of the north-west extremity of SSA B and the application boundary and nearest turbines are within 0.2km and 2.7km of the National Park boundary, respectively. It therefore occupies a very sensitive part of the SSA with considerable potential to have significant impacts on the landscape of the National Park.

In January 2010, the SNPA formally objected to the windfarm proposal on the basis of its impact on the National Park. Many of the turbines would have been prominent in views from the higher ground within Snowdonia National Park and some turbines would have been visually intrusive from lower ground viewpoints within Cwm Dugood and Cwm Cewydd, including along the main A458 road, an important gateway to the National Park for travellers from eastern Mid Wales and the Midlands of England. The SNPA acknowledged the applicant's subsequent removal of nine of the most prominent turbines, but considered these changes would have little impact on reducing the overall effects of the proposed development on the landscape and visual amenity of the Park. These effects would be most evident at higher elevations within the National Park, where there is still likely to be a significant impact on tranquillity and other special qualities. Furthermore, there would be the scheme's cumulative visual impact and influence upon landscape character when combined with other existing and proposed windfarms within SSA B. In addition, there would be adverse landscape and visual impacts on areas very close to the National Park boundary, arising from the proposed modifications to the existing forestry access track to accommodate the large vehicles used in constructing the wind farm.

The scheme as amended is therefore still considered likely to conflict with the stated aims of the ELDP, and undermines national planning policy to maintain the quality and integrity of the landscape of the National Park. As well as being contrary to national

policies it is the Authority's contention that this proposal is also contrary to policies set out in Powys County Council's UDP adopted in March 2010.

It is the SNPA's contention that the Carnedd Wen proposal because of its large scale, proximity to the National Park boundary and cumulative effects with other windfarm proposals in the vicinity, would have unacceptable adverse direct and indirect impact not only on its landscapes and setting, but also its special qualities. It is for this reason that the Authority maintained its objection in November 2011.

The SNPA will furthermore provide evidence that the setting of national parks may be a material planning consideration in respect of windfarm developments outwith their boundaries.

Planning Policy Considerations

In addition to the documents referred to above the SNPA may make reference in its evidence to some or all of the following policy and other documents. This list may be added to as inquiry preparation progresses:

- Snowdonia National Park Local Development Plan, Adopted, July 2011;
- Overarching National Policy Statement for Energy (EN-1), Department of Energy and Climate Change, July 2011;
- Powys Unitary Development Plan, Adopted, March 2010.

National Guidance

SNPA may make reference to the following sections of Planning Policy Wales (Edition 5, November 2012):

- Chapter 4 - Planning for Sustainability;
- Chapter 5 - Conserving and Improving Natural Heritage and the Coast;
- Ministerial Interim Planning Statement 01/2005: Planning For Renewable Energy; July 2005;

- A Low Carbon Transition, March 2012;
- A Low Carbon Revolution: The Welsh Assembly Government Energy Policy Statement 2010.

Technical Advice Notes that SNPA may refer to include:

- Technical Advice Note (TAN) 8: Planning for Renewable Energy; July 2005.

Supporting strategies, guidance and reports that SNPA may refer to include:

- Snowdonia National Park Management Plan, 2010-2015;
- Snowdonia National Park Authority Supplementary Planning Guidance on Landscape Character (in preparation);
- Written Statement - Planning For Renewable Energy in Wales, June 2011;
- Letter to planning authorities from Minister for Environment and Sustainable Development, John Griffiths, July 2011;
- Guidelines for Landscape and Visual Impact Assessment; The Landscape Institute and Institute of Environmental Management and Assessment; 2nd Edition, 2002 (and 3rd Edition 2013, in preparation);
- Assessing the Cumulative Impact of Onshore Wind Energy Developments, Scottish Natural Heritage; March 2012;
- Siting and Designing Windfarms in the Landscape; Version 1, December 2009; Scottish Natural Heritage;
- Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity (SNH and the Countryside Agency 2006);
- Landscape Character Assessment Guidance for England and Scotland (2002) (and 2013, in preparation)
- Powys Landscape Character Assessment (2007); CCW and Powys County Council;
- Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions; European Commission, May 1999.

- Wales Tranquil Areas Map (2009) Report by Land Use Consultants.