

DATED *24 August* 2013

IN THE MATTER OF
THE ELECTRICITY ACT 1989 ("ACT")
THE ELECTRICITY GENERATING STATIONS AND OVERHEAD LINES
(INQUIRIES PROCEDURE) (ENGLAND AND WALES) REGULATIONS 2007
THE APPLICATION OF FFERM WYNT LLAITHDDU CYF DATED 7 MAY 2008
FOR CONSENT UNDER SECTION 36 OF THE ACT TO CONSTRUCT AND
OPERATE A 66.7 MW WIND TURBINE GENERATING STATION

STATEMENT OF COMMON GROUND

On

PEAT RESOURCE

Between Fferm Wynt Llaithddu Cyf (1) and The Natural Resources Body for
Wales (2)



AARON & PARTNERS LLP

SOLICITORS

Grosvenor Court
Foregate Street
Chester CH1 1HG

Tel: 01244 405555
Fax: 01244 405566
Ref: RDF.TRI17.2

1. Introduction

- 1.1 Fferm Wynt Llaithddu Cyf ("**FWL**") has made an application dated 7 May 2008 ("**Application**") for consent to construct and operate a 66.7 MW wind turbine generating station in Powys, Mid-Wales ("**Llaithddu**").
- 1.2 The Secretary of State for Energy and Climate Change has given notice that a combined public inquiry will be held under Section 62(3) and Schedule 8 of the Electricity Act 1989 into (inter alia) the above application.
- 1.3 This is a statement of common ground between FWL (1) and the Natural Resources Body for Wales ("**NRW**") on peat resources relating to the Application.

2. The Application

- 2.1 FWL has submitted supplementary environmental information ("**SEI**") to the Department of Energy and Climate Change in connection with the proposed agricultural and soil implications associated with the development of the proposed Llaithddu Wind Farm.
- 2.2 Section 9 (a) of the SEI considers the agricultural and soils implications of the proposed development. The section includes the consideration of:
 - Agricultural Land Quality
 - Farm Holdings
 - Peat Resources
- 2.3 The SEI identifies that the baseline position and assessment of effects with regards to agricultural land quality and farm holdings remains the

same as presented in the 2008 ES. However, with regards to the assessment of peat resources, further consultation with CCW (who became NRW on the 1st April 2013) and detailed assessment work has been carried out and this is described in more detail below.

3. Peat Resource Survey Methodology and Results

- 3.1 Between May 2008, when the application was submitted, and 2010 CCW (now NRW) developed specific guidance on the assessment of peat and peatland habitats in connection with wind farm developments, culminating in the publication of the 2010 "Guidance Note Assessing the Impact of Wind farm Developments on Peatlands in Wales". This guidance advises that the impact of wind farm developments on peat and peatland habitats is critical given the importance of peatland habitats as a nature conservation resource, their wider environmental role in terms of carbon storage and sequestration, and their particular sensitivity to the construction and existence of infrastructure typically associated with wind farms.
- 3.2 As part of the assessment, therefore, the guidance advises that the nature of the physical peat resource should be considered and Section 4 of the guidance provides detail on the assessment of peat depth and characterisation.
- 3.3 Having undertaken further consultation with CCW (now NRW) following the publication of this Guidance, CCW confirmed that it required further soil survey information pursuant to the requirements of the 2010 guidance.

- 3.4 In 2011 RPS therefore carried out a further detailed survey of peat resources likely to be affected by the scheme in order to provide:
- 3.5 A detailed evaluation of the volume and quality of peat resources that could potentially be affected by the proposed wind farm infrastructure including temporary effects arising from the location of crane pads for construction as well as potential permanent effects; and
- 3.6 The evaluation of the potential disturbance of peat resources arising from the scheme as a proportion of the peat resource within the wider land holding;
- 3.7 RPS produced a detailed report on peat resources and recommended some small amendments to the scheme, in order to further reduce potential effects on peat resources. This included the micrositing of Turbine 12 and the stipulation of the crane pad orientation for Turbine 1 within the surveyed area. In addition, although not comprising peaty soils, it was suggested Turbine 24 might be microsited to avoid a waterlogged location.
- 3.8 The micrositing suggested within this report was incorporated into Option 1. There was also discussion about potential amendments to the siting of Turbines 3 and 5 and the track access serving these turbines.
- 3.9 Further refinements to the scheme have been put into place since the peat resource survey was undertaken (Option 1 and 2), which have included the movement of Turbines 3 and 5 and the deletion of Turbines 1 and 2 to address the curlew issue, although these also address the discussions held with CCW in 2011 in relation to the siting of these turbines in regard to peat issues.

- 3.10 In order to assess the further amendments to the proposal in Option 1 and Option 2, a further site visit was carried out in May 2013 to examine soil profiles using a 1.2m dutch combination hand auger at the adjusted locations. The methodology adopted for the sampling density at each turbine location was the same as that undertaken for the 2011 survey
- 3.11 The peat resource work undertaken in 2011 and 2013 has confirmed that there are no significant areas of land within the development footprint that comprise moderately (>50cm) or deep (>1m) peat resources. On the southern part of the site the soils are predominantly non-peaty and where peat resources are encountered these are predominantly shallow (<50cm in depth).

4. Matters of general agreement

Peat Resources

- 4.1 The methodology for the assessment of peat resources on the site was agreed with CCW (now NRW) in June 2011.
- 4.2 It is agreed, as summarised in the response letter to DECC from CCW (NRW) in September 2012 that the impact on peat is localised, with little or no impact on peat for the majority of the site.
- 4.3 It is agreed that, subject to a planning condition requiring the submission, agreement and implementation of a Peat Management Plan, that NRW raise no objection to the proposal on the grounds of the effects on peat resources.

Dated 6th August 2013



.....
For Fferm Wynt Llaithddu Cyf



Tim Jones

Executive Director Operations North and Mid Wales

.....
For The Natural Resources Body for Wales