

ELECTRICITY ACT 1989

CONJOINED WIND FARMS PUBLIC INQUIRY

**The Electricity Generating Stations and Overhead Line (Inquiries
Procedure) (England and Wales) Rules 2007**

**Closing Session of the Conjoined Inquiry
Overall Planning Balance**

**PROOF OF EVIDENCE OF
MARTIN CARPENTER MRTPI
ON BEHALF OF POWYS COUNTY COUNCIL**

MAY 2014

Contents

Qualifications and Experience	3
1.0 INTRODUCTION	4
Approach	5
2.0 POLICY OVERVIEW AND CONTEXT.....	8
UK and Welsh Policy	8
Local Policy	13
3.0 IDENTIFYING AND APPLYING THE POLICY TESTS TO THE PRINCIPAL ISSUES.....	15
Landscape and Visual Impact.....	15
Cultural Heritage.....	16
Ecology	18
Transport	19
Noise	20
4.0 ASSESSMENT OF THE INQUIRY APPLICATIONS AND INTERIM CONCLUSIONS.....	22
Llandinam Repowering	22
Llaithddu	24
Llanbadarn Fynydd	26
Carnedd Wen	28
Llanbrynmair.....	30
5.0 COMBINED IMPACTS.....	33
6.0 CUMULATIVE IMPACTS.....	36
7.0 OVERALL CONCLUSIONS.....	37

Qualifications and Experience

I am a Chartered Town Planner having qualified in 1985. I am the Planning Director of Enplan, a planning, landscape and environmental consultancy that I helped establish in 2000. Prior to this I was Planning Director of DMH Stallard and was based in their Gatwick office. I have extensive experience of a wide variety of planning projects acting for commercial and local authority clients. I have given evidence at many planning inquiries and examinations and advise private and public sector clients on all aspects of the planning process.

My experience includes the promotion of strategic sites for development (often as urban extensions), enabling development projects involving heritage assets, co-ordination of Environmental Impact Assessments and preparation of planning applications including advising on master plan proposals. I am also engaged in the preparation of Neighbourhood Plans acting for various organisations. I have spoken at RTPi seminars, mostly recently concerning Localism within planning.

I am engaged in a number of strategic promotions including and major expansion of Brighton delivering an exemplar mixed use development working closely with the planning authority and stakeholders. I am also co-ordinating a substantial planning application for a care community for the elderly and negotiating an enabling development to secure the restoration and conversion of a significant heritage asset comprising numerous listed buildings including a Grade 2* Pugin chapel.

With regard to renewable energy, I have acted for local authorities in Lincolnshire, Nottinghamshire and Norfolk in respect of wind farm proposals and have provided planning evidence at Inquiries on their behalf. I prepared the statement on planning and energy policy for the Opening session to this Inquiry and also prepared evidence and attended session 3 in respect to the proposed overhead power line application. I have visited the application sites on a number of occasions and have attended a number of Inquiry sessions for the purposes of preparing my evidence.

I am very familiar with sustainability and renewable energy policies and issues. I therefore understand the need to secure the appropriate balance in each case between the support of renewable energy projects and the protection of landscape, visual, environmental and heritage assets.

1.0 INTRODUCTION

1.1. This proof is prepared on behalf of Powys County Council (PCC) and is submitted for the Closing Session of the Conjoined Inquiry to consider six applications under the Electricity Act 1989. Five of the applications propose major wind farms (over 50 MW) and the other application proposes a 132kV overhead electricity line to connect the proposed Llandinam wind farm to Welshpool and this matter was dealt with at Session 3 of the Inquiry. The applications as originally made are as follows:

- An application by VATTENFALL dated 30 November 2007 for consent under section 36 of the Electricity Act 1989 to construct and operate a 59.5MW Wind Turbine Generating Station (**Llanbadarn Fynydd** – application no. BERR/2008/0001).
- An application by FFERM WYNT LLAITHDDU CYF dated 7 May 2008 for consent under section 36 of the Electricity Act 1989 to construct and operate a 66.7MW Wind Turbine Generating Station (**Llaihddu** – application no. BERR/2008/0002).
- An application by CELTPOWER LIMITED dated 9 May 2008 for consent under section 36 of the Electricity Act 1989 to construct and operate a 126MW Wind Turbine Generating Station (**Llandinam Repowering** – application no. BERR/2008/0003).
- An application by RES UK & IRELAND LIMITED dated 27 March 2009 for consent under section 36 of the Electricity Act 1989 to construct and operate a 100 MW Wind Turbine Generating Station (**Llanbrynmair** – application no. BERR/2009/0004).
- An application by RWE NPOWER RENEWABLES LIMITED dated 11 December 2008 for consent to under section 36 of the Electricity Act 1989 construct and operate a 150MW Wind Turbine Generating Station (**Carnedd Wen** – application no. BERR/2009/0001).

- An application by SP MANWEB PLC dated 2 December 2009 for consent under section 37 of the Electricity Act 1989 to install and keep installed a 132kV overhead electric line connection from Llandinam Wind Farm to Welshpool (application no. BERR/2009/0005).
- 1.2. This conjoined Inquiry has presented the opportunity to consider together the individual and combined effects of five major wind farm applications and an overhead electricity line proposal within Powys. In the light of revisions to a number of the schemes and supplementary environmental information (SEI) provided through the course of the Inquiry, PCC is now able to assess the overall environmental impacts of the proposed schemes which in turn assists in identifying the capacity of the SSAs having regard to the planning policy framework and tests contained therein. PCC has used the generic wind energy policy framework as a starting point and each of the schemes has been assessed against that framework in order to reach a conclusion on the scale of its effects and their acceptability within the context of the need for renewable energy addressed in the Opening session of the Inquiry.
- 1.3. The SEIs submitted during the course of the Inquiry, together with discussions with the applicants, has enabled PCC to be satisfied that a number of its original objections can be withdrawn or addressed by the imposition of appropriate planning conditions/obligations. With regard to conditions, PCC has been liaising with all the applicants and has prepared complete draft sets for each scheme. These will be reviewed during the Closing Session of the Inquiry.

Approach

- 1.4. The essential duty of the Secretary of State in relation to each of the applications is to undertake an overall balance to establish where the balance of advantage and disadvantage lies in the overall public interest. This proof sets out PCC's approach and conclusions on the overall planning balance for the Inspector and the Secretary of State.

- 1.5. My objective is to ensure that the matters raised by the Secretary of State for the Inquiry to consider as set out in the notification letter issued in January 2013¹ (in so far as they are relevant to PCC) are addressed. With regard to the wind farm applications, the relevant matters are no's 1-7, 10 and 14. For clarification and with regard to the proposed over-head electricity line linking the Llandinam Repowering scheme to the substation at Welshpool, matters 1-4, 7a, 7c, and 7d are relevant.
- 1.6. My approach to setting out the planning balance requires the following incremental steps to be taken:
- Identify the national and local policy framework (see generally my Session 1 proof and the Authorities' Statement of Common Ground - SoCG).
 - Identify the appropriate policy tests for assessing the effects of the proposed developments.
 - Consider how each scheme performs against the identified policy tests including an assessment of the level of benefit or harm to be weighed with the identified need and provide interim conclusions.
 - Taking into account the level of harm with mitigation, review and consider whether there are any combined impacts from the Inquiry schemes, including the proposed and future grid connections, that affect the overall balance.
 - Consider if there are any cumulative impacts from other wind farm applications (operational, consented and in planning) that affect the interim conclusions on the planning balance.

¹ [Public Notice issued by the Department for Energy and Climate Change](#)

1.7. My proof of evidence is therefore structured as follows:

- **Policy Review and Context** - this provides a brief summary of the policy framework for the assessment of the proposed developments. It sets out the UK, Welsh and local planning policy tests for assessing wind farm applications and associated grid infrastructure. I then apply the tests to the relevant issues as identified by PCC - these being *landscape & visual, cultural heritage, ecology, transport and noise*.
- **Assessment of the Inquiry Applications and Interim Conclusions** – I assess each of the schemes and consider the level of harm or benefit before considering how much each scheme contributes to the need for on shore wind energy projects. I provide an interim view on the overall balance for each scheme and assess whether the harm clearly outweighs the need for the development.
- **Combined Impacts** - I assess how the in-combination impacts of all the schemes before the Inquiry affect the planning balance.
- **Cumulative Impacts** – I consider the cumulative impacts of the Inquiry applications and the other proposals, namely, wind farms and related grid connection infrastructure proposals, and assess how these affect the balance.
- **Conclusions** – I provide my final conclusions on the overall planning balance.

2.0 POLICY OVERVIEW AND CONTEXT

2.1. In my proof to the Opening Session of the Inquiry (June 2013) I set out PCC's overall position in respect of planning and energy policy². PCC were party to a Statement of Common Ground on planning and energy policy which was also signed by National Resources Wales (NRW) and Snowdonia National Park³. As set out in my approach, the first step in assessing the planning balance is to identify the policy framework and establish the tests for assessing the impacts from the proposed developments.

UK and Welsh Policy

2.2. PCC fully supports both the UK Government's and Welsh Government's planning and energy policy and its targets for renewable energy to reflect the UK's international obligations. To minimise wider environmental harm, PCC also supports the strategic approach to the location of wind farms contained in Planning Policy Wales (PPW)⁴ and TAN 8⁵ which identifies Strategic Search Areas (SSAs) for wind farm development. PCC further endorses the recognition in the National Planning Policy Statements for Energy (NPS) and PPW that energy provision should seek to avoid or minimise the impact on the environment, and should not compromise international and national statutory obligations for designated areas, species and habitats.

2.3. PCC accepts that the relevant NPS's should be afforded substantial weight. They, along with relevant statutory and other policy provisions and material considerations, provide the context for decision making. In general terms each of the wind farm proposals before the Inquiry accords with EN-1 and EN-3 in so far as they seek to meet the need for a greater number of electricity generating schemes that utilise onshore wind energy. The NPS's support the principle of bringing forward renewable energy projects; however, the impacts of such projects are fully recognised in the national policy. Whilst harm, particularly landscape and visual impact, is inevitable with a major wind farm,

² M Carpenter Opening Session Proof of Evidence [[OBJ-002-PLA-SOC-2](#)]

³ Letter dated 9th July 2013 re SoCG position [[OBJ-002-004](#)]

⁴ Planning Policy Wales Edition 6 February 2014 [[RWE/PLA/03](#)]

⁵ TAN 8 'Renewable Energy' [[CD/COM/016](#)]

any harm must be carefully assessed and weighed against the overall need for renewable energy.

- 2.4. EN-1 highlights in particular the role of renewable electricity generation in enabling the UK to source 15% of energy consumption from renewable sources by 2020 and that the need for new renewable electricity generation projects is urgent. It is in that context that EN-1 indicates that the decision maker should start with a '*presumption in favour of granting consent to applications for energy NSIPs*'. In undertaking the planning balance, my starting point has been that a national need exists, it is urgent and that meeting it will deliver the significant benefits identified in national policy. I have applied the presumption in favour to each of the schemes.
- 2.5. With regard to the impacts identified EN-1 and EN-3, their coverage is not intended to be exhaustive and the decision maker should therefore consider any impacts which it determines are relevant and important to its decision⁶. As most renewable energy resources can only be developed where the resource exists and where they are economically feasible, there is no requirement to apply a sequential approach in the consideration of renewable energy projects⁷ (for example, by giving priority to the re-use of previously developed land for renewable technology developments).
- 2.6. With regard to the provision of new electricity generating infrastructure, EN-5 provides the national policy guidance and confirms that all of the generic impacts covered in EN-1 are likely to be relevant for related infrastructure projects. It also advises that additional specific considerations will be relevant – *biodiversity and geological conservation, landscape and visual and noise and vibration*. Whilst EN-5 states that the over head provision of new electricity lines (ie 132kV and above) will often be appropriate, it recognises that they can give rise to adverse landscape and visual impacts and that these can be unacceptable taking account of the local environment and context. Any '*serious concerns*' identified in EN-5 terms will have to be balanced against the

⁶ National Policy Statement for Renewable Energy Infrastructure EN-3 para 2.5.32 [[CD/COM/002](#)]

⁷ National Policy Statement for Renewable Energy Infrastructure EN-3 para 2.5.36 [[CD/COM/002](#)]

need to provide an appropriate connection to the grid and the statutory obligations of the utility provider.⁸

- 2.7. Planning Policy Wales (PPW) 6th Edition 2014 deals with sustainable energy⁹. Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy. At the same time, local planning authorities should ensure that international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed and that mitigation measures are required for potential detrimental effects on local communities whilst ensuring that the potential impact on economic viability is given full consideration.
- 2.8. PPW supports wind energy as it continues to offer the greatest potential for delivering renewable energy. It states that Wales has an abundant wind resource and power generation and using this resource remains the most commercially viable form of renewable energy. The Welsh Government accepts that the introduction of new, often very large structures for onshore wind, needs careful consideration to avoid and, where possible, minimise their impact. However, the need for wind energy is a key part of meeting the Welsh Government's vision for future renewable electricity production as set out in the Energy Policy Statement (2010) and should be taken into account by decision makers when determining such applications¹⁰.
- 2.9. PPW confirms that the most appropriate scale at which to identify areas for large scale onshore wind energy development is at an all-Wales level as set out in TAN 8, which identifies the most appropriate locations for large scale wind farm development, referred to as Strategic Search Areas (SSAs). PPW states that developers will need to be sensitive to local circumstances, including siting in relation to local landform, proximity to dwellings and other planning considerations. The development of large wind farms or other large scale renewable and low carbon energy schemes will not generally be appropriate in internationally or nationally designated areas and sites.

⁸ National Policy Statement for Electricity Network Infrastructure EN-5 - para 2.8.8 [[CD/COM/003](#)]

⁹ Planning Policy Wales Edition 6 February 2014 - para 12.8 onwards [[RWE/PLA/03](#)]

¹⁰ Planning Policy Wales Edition 6 February 2014 – para 12.8.12 [[RWE/PLA/03](#)]

2.10. Advice is given to determining applications for renewable and low carbon energy development¹¹. The following matters need to be taken into account:

- the contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage, the Coast and the Historic Environment;
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts;
- grid connection issues where renewable (electricity) energy developments are proposed; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal.

2.11. The boundaries of the SSAs are ‘broad brush’ following mainly desk top assessments¹². PCC undertook refinement work to the boundaries of SSA B and SSA C and as the refinement exercise was to an extent evidence based it is to be given some weight. The weight to be accorded to that work, however, will depend on (a) the extent to which they are supported by the more detailed evidence before this inquiry and (b) any inherent flaws within them. Importantly, TAN 8 recognised that not all of the land within SSAs would be environmentally suitable for such major development but that the SSAs identified sufficient land to meet the Welsh Government’s energy policy

¹¹ Planning Policy Wales Edition 6 February 2014 – para 12.10.1 [[RWE/PLA/03](#)]

¹² TAN 8 ‘Planning for Renewable Energy’ - para 2.4 [[CD/COM/016](#)]

aspirations which are expressed inter alia, in the indicative capacity figures for each SSA.

- 2.12. Within the SSAs, whilst cumulative impact can be a material consideration, any such impact must be balanced against the need to provide renewable energy. All conclusions reached must be fully justified in any decisions taken. TAN 8 is clear that developers will need to be sensitive to local circumstances, including the siting of proposals in relation to local landform, proximity to dwellings and other planning considerations¹³. The fact that land lies within an SSA (refined or otherwise) does not lessen the responsibility on applicants either to choose acceptable sites or, having done so, to mitigate those impacts capable of mitigation.
- 2.13. Whilst the approach of identifying SSAs has considerable merit, it is important to appreciate (as I refer to above) that the identification of the SSAs was the product of a high level process. Their importance lies firstly in identifying broad areas within which strategic provision is likely to be least harmful and secondly, in providing a broad measure of the likely cumulative capacity of the areas if the 'least harmful' objective is to be attained¹⁴.
- 2.14. TAN 5 (Nature, Conservation and Planning) recognises that wildlife and its habitats are of fundamental importance to our future wellbeing and prosperity. The development of land can pose a threat to wildlife and natural features however, the advice states that opportunities can be created through enhancing ecological interests and therefore their enjoyment. TAN 5 encourages authorities, developers and stakeholders to work together to deliver more sustainable development that does not result in losses from the natural heritage but rather provide opportunities to enhance it¹⁵.

¹³ TAN 8 'Planning for Renewable Energy' - para 12.8.14 [[CD/COM/016](#)]

¹⁴ Powys CC Opening Statement [[OBJ-002-003](#)]

¹⁵ TAN 5 'Nature, Conservation and Planning' - para 1.6.1 [[CD/CON/003/PLA/011](#)]

- 2.15. TAN 23 (Economic Development) advises that energy generation is included in the list of economic development uses. It also confirms that it is the ‘final use’ of the land which is the important factor in terms of its relevance and potential contribution to economic development¹⁶.
- 2.16. Whilst substantial weight should also be given to the potential contribution of the proposals to securing electricity from renewable sources, it is clear that the UK is now virtually certain to meet its overall target for installed on-shore wind capacity several years in advance of the target year of 2020. Indeed, there is now every likelihood that the target will be exceeded by some margin. The UK Renewable Energy Roadmap Update (November 2013) states:

*‘Since the publication of the last Update in 2012, the UK has made very good progress towards our challenging 2020 renewables target, to deliver 15% of our energy demand from renewable sources. We are fully committed to achieving this target and have seen a significant amount of deployment to date, particularly in the renewable electricity sector. This was demonstrated in 2012 when more than 4% of the UK’s energy came from renewable sources – above our interim target’.*¹⁷

- 2.17. That is not to understate the continued urgency of the need, but in terms of weight and balance it indicates there is no justification for accepting poorly located, poorly designed or inadequately mitigated proposals.

Local Policy

- 2.18. The Powys UDP was adopted in March 2010 and comprises the development plan. Policy E3 concerns wind power and is a permissive policy which includes a balance that is to be made to consider the unacceptable adverse impacts of such proposals. Impacts include those upon; landscape quality, conservation and archaeology, wildlife habitats, public rights of way, local road network and residential amenity (including noise and disturbance). The individual and cumulative effects of proposals are also to be assessed within the policy as well as the provision of an acceptable means of access to enable the scheme to come forward.

¹⁶ TAN 23 ‘Economic Development,’ – para 1.1.5 [[RWE/PLA/04](#)]

¹⁷ UK Renewable Energy Roadmap Update 2013, November 2013 – Ministerial Foreword [[RWE/PLA/02](#)]

Conclusion

2.19. A balanced approach must therefore be taken to assess the advantages and disadvantages in the public interest. This requires taking into account and applying appropriate weight to the relevant material factors including energy and planning policy and environmental issues. The inputs into this balance are perhaps most usefully summarised in EN-1:

'In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:

- *Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and*
- *Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts'.¹⁸*

¹⁸ Overarching National Policy Statement for Energy (EN-1) - para 4.1.3 [[CD/COM/001](#)]

3.0 IDENTIFYING AND APPLYING THE POLICY TESTS TO THE PRINCIPAL ISSUES

3.1. PCC has provided evidence at each Session of the Inquiry to deal with the specific issues it has identified in respect of each application. On some issues it has relied upon the evidence submitted by NRW. The following principal issues were addressed:

- Landscape & visual
- Cultural heritage
- Ecology
- Transport
- Noise

Landscape and Visual Impact

3.2. Taking into account the policy context, where the overall effect of the scheme is significantly detrimental when viewed in the context of the inevitable impacts of a nationally significant infrastructure project, it is unacceptable in either landscape or visual impact terms. This assessment is informed by the following policy references:

- Part 5 of EN-1 (*Generic Impacts*) considers the actual impacts of the projects on a number of issues including historic environment and the landscape and visual character. Section 5.9 deals with landscape and visual and states that the impacts of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development.
- EN-1 (para 5.9.8) recognises that virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.
- Paragraphs 5.9.14 and 5.9.15 of EN-1 state that outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development plan has policies based on landscape character assessment, these should be paid particular attention. The scale of such projects means that they will often be visible within many miles of the site of the

proposed infrastructure. The IPC¹⁹ should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.

- EN-3 (paragraph 2.7.46 onwards) states that modern onshore wind turbines that are used in commercial wind farms are large structures and there will always be significant landscape and visual effects from their construction and operation for a number of kilometres around a site. The arrangement of wind turbines should be carefully designed within a site to minimise effects on the landscape and visual amenity while meeting technical and operational siting requirements and other constraints.
- Policy E3 of the UDP which states :-

‘Applications for wind farms including extensions to existing sites and individual wind turbine generators will be approved where:

- *they do not unacceptably adversely effect the environmental and landscape quality of Powys, either on an individual basis or in combination with other proposed or existing similar developments.*
- *Where the cumulative impact of the proposals in combination with other approved or existing wind farms would be significantly detrimental to overall environmental quality they will be refused.’*

Cultural Heritage

3.3. A review of the relevant policy confirms that where there is substantial harm to a heritage asset, this will be unacceptable in cultural heritage terms. Substantial harm to designated heritage asset should be permitted only wholly exceptionally. This assessment is informed by the following policy references:

- EN-1 (para 5.8.12) states that in considering the impact of a proposed development on any heritage assets, account should be had to the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be.

¹⁹ Following amendments introduced by the Localism Act 2011, responsibility for processing development consent applications for NSIPs passed to the Planning Inspectorate (PINS) from the IPC. For the purposes of this proof, I continue to refer to the IPC as set out in the NPS’s

- EN-1 requires the assessment of a proposal to determine if it would cause “*Less than Substantial Harm*” or “*Substantial Harm*” to the significance of an asset or “*Total Loss*” of an asset’s significance. Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset consent should be refused unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm. Such harm should be exceptional.
- Paragraph 5.8.14 sets out the main tests in relation to harm to assets:

“There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.”*
- Paragraphs 5.8.15 and 5.8.18 establish the principle that harm to the significance of an asset needs to be weighed against the public benefit, and that for developments which affect the setting of assets the same tests apply.

“5.8.15 Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the IPC should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.”

“5.8.18 When considering applications for development affecting the setting of a designated heritage asset, the IPC should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the IPC should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval”

- Policy E3 of the UDP states as follows:-

Applications for wind farms including extensions to existing sites and individual wind turbine generators will be approved where:

4. They do not unacceptably impact upon any buildings or features of conservation or archaeological interest.

Ecology

- 3.4. As general principle, development should aim to avoid significant harm to biodiversity and geological conservation interests. A review of the relevant policy sets out the following approach :

- EN-1 states that where significant harm cannot be avoided, then appropriate compensation measures should be sought (para 5.3.7). In taking decisions, appropriate weight must be attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider area.
- Paragraph 5.3.16 deals with the protection of habitats and other species. It states that many individual wildlife species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales. Consent should be refused where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the IPC should give substantial weight to any such harm to the biodiversity features of national or regional importance which it considers may result from a proposed development.
- Policy E3 of the UDP refers to policies ENV 3 - 7 of the plan which covers a range of nature conservation and biodiversity issues, and reflects international and national obligations on these topics in addition to local ones.

- The development of a wind farm must also meet the statutory tests involved by effects on habitats and species and, where necessary, appropriate assessment will have to be carried out separately.
- Policy E3 states:

Applications for wind farms including extensions to existing sites and individual wind turbine generators will be approved where:

2. They do not unacceptably adversely affect wildlife habitats or species that are of international, national or local importance in accordance with policies ENV 3-7.

Transport

3.5. The impacts from nationally important infrastructure projects on the highway network and public rights of way relate principally to the construction phase and these can be substantial. The key test for nationally important projects of this kind is whether the proposed access arrangements would have such a severe impact on the safe use and enjoyment of the highway that they are unacceptable. The following policy context is relevant:

- Section 5.13 of EN-1 deals with traffic and transport. The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.
- A new wind farm development may give rise to substantial impacts on the surrounding transport infrastructure and it should be ensured that the applicant has sought to mitigate these impacts, including during the construction phase of the development.
- EN-3 provides further guidance on transport in paragraphs 2.7.73 onwards. Many onshore wind farms will be sited in areas served by a minor road network. Modern wind turbines are large structures and the construction of a wind farm will therefore require sufficient access for long and wide load items.
- There may be a number of wind farms proposed that use a common port and/or access route and pass through the same towns. Where a cumulative impact is likely then a cumulative transport assessment should form part of the EIA. Paragraph 2.7.82 states that where cumulative effects on the local road network or residential amenity are predicted as a result of multiple wind farm developments, it may be appropriate for applicants for various projects to work together to ensure that the number of abnormal loads and deliveries are minimised.

- Policy E3 of the UDP refers to the following:

Applications for wind farms including extensions to existing sites and individual wind turbine generators will be approved where:

5. they do not unacceptably adversely affect the enjoyment and safe use of highways and the public rights of way network, especially bridleways (including during the construction phase).

6. they would be capable of being served by an acceptable means of highway access and any new or improved roads and accesses required would not have unacceptable environmental impacts.

Noise

- 3.6. The test is whether the proposed development unacceptably affects the amenity of any local occupier recognising the national importance of the projects. Noise impacts can be significant in respect of new wind farms. Factors that will determine the likely noise impact from development include²⁰:

- the inherent operational noise from the proposed development, and its characteristics;
- the proximity of the proposed development to noise sensitive premises
- the proximity of the proposed development to quiet places and other areas that are particularly valued for their acoustic environment or landscape quality; and,
- the proximity of the proposed development to designated sites where noise may have an adverse impact on protected species or other wildlife.

²⁰ Overarching National Policy Statement for Energy (EN-1) - para 5.11.3 [[CD/COM/001](#)]

3.7. The policy references and tests are set out as follows:

- The IPC²¹ should not grant development consent unless it is satisfied that the proposals will meet the following aims:
 - avoid significant adverse impacts on health and quality of life from noise;
 - mitigate and minimise other adverse impacts on health and quality of life from noise; and
 - where possible, contribute to improvements to health and quality of life through the effective management and control of noise.
- EN-3 provides further guidance on noise in paragraphs 2.7.52 onwards. The method of assessing the impact of noise from a wind farm on nearby residents is described in the report, '*The Assessment and Rating of Noise from Wind Farms*' (ETSU-R-97). Where the correct methodology has been followed and a wind farm is shown to comply with ETSU-R-97 recommended noise limits, the IPC may conclude that it will give little or no weight to adverse noise impacts from the operation of the wind turbines. Where a wind farm cannot demonstrate compliance with the recommended noise limits set out in ETSU-R-97, it will be necessary to consider refusing the application unless suitable noise mitigation measures can be imposed by requirements to the development consent.
- Policy E3 in the UDP states:

Applications for wind farms including extensions to existing sites and individual wind turbine generators will be approved where:

3. they do not unacceptably adversely affect the occupants or users of sensitive properties (usually dwellings) or their amenities by reason of noise, vibration, shadow flicker or reflected light.

²¹ Overarching National Policy Statement for Energy (EN-1) - para 5.11.9 [[CD/COM/001](#)]

4.0 ASSESSMENT OF THE INQUIRY APPLICATIONS AND INTERIM CONCLUSIONS

4.1. This section draws on the evidence of the benefits relied upon by the applicants and of the evidence given by PCC at each of the Inquiry Sessions and reaches a conclusion on the individual acceptability of each scheme by reference to the overall balance in the public interest. This does not include the likely effects of associated grid connections which together with other combined and cumulative impacts are considered in Sections 5 and 6 respectively.

Llandinam Repowering

4.2. This scheme removes the existing wind farm which has been on the site since 1992 and for which there is no de-commissioning scheme. It is a significant wind farm proposal which, on its own will generate some 102 MW of renewable electricity which will make a substantial contribution to the overall need. To put this in context, the TAN 8 indicative upper capacity for SSA C is 98MW. In terms of economic benefits 13 jobs are to be created at the de-commissioning stage of the existing wind farm and a further 175 jobs created during the 2 year construction phase. Of the £130M development costs, some £40M + is estimated to go to procurement of local goods and services. The income for the landowners will facilitate agricultural diversification and provide the long term security of farming operations. Taken together, these are considerable benefits.

4.3. The amendments to the scheme which have been made since the objection by PCC include the deletion of the 5 most northerly turbines together with other layout alterations. In light of the planning policy context, Mr Russell-Vick has concluded that, whilst there will be some significant adverse effects from the Llandinam Repowering scheme, these are limited when seen in the context of the “*real visual enhancements*”²² which will result from the de-cluttering of the landscape by the taller but fewer turbines. The overall effect therefore is not significantly detrimental in terms of landscape and visual impacts.

²² P Russell-Vick Session 1 Proof of Evidence - para 9.4 [[OBJ002\(PCC\)/LAND/POE/RUSSELL-SSA-C](#)]

- 4.4. The only outstanding landscape issue concerns an existing group of trees adjacent to an unclassified road, the U2835. PCC have confirmed that this group should be retained through an amendment to the access route to avoid the trees. It is my understanding that the applicant CeltPower is agreeable to carry out this revision having secured control of the requisite land and it is an issue therefore that can be dealt with by condition.
- 4.5. The deletion of the 5 most northerly turbines has reduced the scale of impact on the Caersws Basin Registered Historic Landscape. PCC are satisfied that the development would not cause substantial harm to the basin or its setting. There would be some limited harm to its setting and other heritage assets which must be taken into account in the overall balance²³.
- 4.6. PCC is satisfied that the local highway access arrangements via Newtown can be mitigated through works to the road network. Accordingly, there is no outstanding objection to these arrangements subject to the imposition of conditions.
- 4.7. The proposed strategic route for AILs (abnormal infrastructure loads) from the south via Newport includes the construction of a bailey bridge at Built Wells in order to cross the River Wye. There likely to be some potentially harmful environmental impacts to these works, but I see no reason why, in principle, a planning application for this temporary crossing should not be approved²⁴.
- 4.8. The acoustic impacts of the proposed wind farm are not significant and can be controlled by appropriate planning conditions including an Amplitude Modulation (AM) condition²⁵.

²³ A. Croft Session 1 Proof of Evidence [[OBJ002\(PCC\)/HISTENV/SPOE/CROFT/SSA-C](#)]

²⁴ M. Axon Session 4 Proof of Evidence [[OBJ-002-TRANS-POE-AXON-S4](#)]

²⁵ P Bufton Session 4 Proof of Evidence - paras 22-24 [[OBJ-002-NOISE-POE-BUFTON-S4](#)]

4.9. In summary, whilst there would be some significant landscape and visual impacts, there would also be visual enhancements. The proposal does not therefore reach the threshold of unacceptability in landscape and visual impact terms. In terms of cultural heritage terms, any effects with the revised proposal are less than substantial. There will be some highway disbenefits but these have been mitigated so as not to be severe and the noise effects are not significant. These harms assessed both individually and in combination do not clearly outweigh the significant benefits of the proposal and I consider that the overall balance in the public interest now justifies the grant of an appropriately conditioned consent.

Llaithddu

4.10. The Llaithddu scheme is effectively in two parts – a northern and southern array – generating some 66.7 MW of renewal electricity. This is a significant benefit as are the economic benefits which the applicants state as being the retention of more than 50% of the project value in the local economy. The scheme also brings forward a programme of land management to enhance future breeding birds and wildlife as well as improved access across the site, and to the scheduled ancient monument known as Fowlers Armchair²⁶. I note the proposal to create a community fund which was addressed in Session 1 of the Inquiry but, for the reasons set out in PCC's legal submission²⁷, in the absence of any guarantee that the fund will be used to mitigate the direct or indirect effects of the schemes and thus fairly and reasonably relate to the wind farm development, I have not taken it into account. For clarity, I take this position for the other proposed wind farms, all of which promote a community fund.

²⁶ Llaithddu June 2013 Non-Technical Summary - para 56 [[AD/FWLC/051](#)]

²⁷ PCC Position Statement - The Materiality of Community Benefits [[OBJ-002-008](#)]

- 4.11. In relation to landscape and visual matters, part of the proposal would not have a significantly detrimental effect on the landscape or visual amenity provided that the Llandinam scheme is approved. At its northern end, where it would abut the Llandinam scheme, the northern array would follow a secondary ridge to the south-east of that occupied by Llandinam and would be largely concealed in views from the Dulas valley to the west. The northern part of Llaithddu would be read as effectively an extension of the Llandinam proposal and its impact is therefore considered limited and supportable in this context.
- 4.12. The southern part of Llaithddu would have a significantly detrimental effect on the Upper Marteg Valley and the setting and visual amenity of Bwlch-y-Sarnau, a hamlet to the south of the development. Mr Russell-Vick has identified that the impacts on this small settlement would be severely detrimental and that this scheme, in his judgement, would have the worst effect on a settlement of any of the proposals before the Inquiry²⁸. In addition, Mr Russell-Vick concludes that the landscape change to this area would be substantial.
- 4.13. With regard to cultural heritage, less than substantial harm has been identified in relation to the southern part of the scheme although it is noted that considerable harm, particularly upon Fowlers Armchair, was identified by CPAT and Mr Kibble (for the Alliance)²⁹.
- 4.14. No highway objection is taken in relation to local highways and access issues. PCC consider the proposed southern strategic route for AILs (via Newport and Built Wells) is acceptable noting that the smaller scale of the turbines does not require the construction of a bailey bridge to cross the River Wye. Subject to appropriate conditions therefore the highway arrangements are acceptable. There would still be some inconvenience to other users of the highway during the construction period but it would be relatively minor and limited in its duration.
- 4.15. Noise impacts are considered to be able to be controlled by appropriate conditions including the AM requirement referred to above.

²⁸ P Russell-Vick Session 1 Proof of Evidence – paras 6.21-6.22 [[OBJ002\(PCC\)/LAND/POE/RUSSELL-SSA-C](#)]

²⁹ B Kibble Session 1 Proof of Evidence [[ALL-CULTHER-POE-OHL-03](#)]

- 4.16. Whilst the scheme as a whole would deliver a significant benefit in terms of renewable energy provision and economic benefits in terms of jobs and investment, these come at a severe environmental cost to the Afon Marteg Valley and the settlement of Bwlch-y-Sarnau. In my judgment, those impacts clearly outweigh the benefits of the scheme as a whole and it ought not to be consented.
- 4.17. I have considered whether the impacts could be avoided and, in the light of Mr Russell-Vick's evidence, conclude that with the removal of the 15 southern turbines, the landscape and visual harm can be largely avoided and certainly to a level which does not give rise to significant detriment. The removal of these turbines would also remove the identified harm upon a nationally important heritage asset, Fowler's Armchair. Balancing the benefit of the reduced scheme against its disbenefits, the harms do not clearly outweigh the benefits and therefore a suitably conditioned consent would be justified for the 12 turbines in the northern array which would generate some 27.6MW of renewable electricity.

Llanbadarn Fynydd

- 4.18. Llanbadarn Fynydd proposes 17 turbines generating 59.5MW. In terms of jobs and economic benefits, these are set out in Mr Bell's Socio-Economic proof for Session 4 which states that 41 full time equivalent (FTE) jobs would be created or retained during the construction period and there would also be supply chain benefits. No FTE jobs would be created on site during the 25 year operation but maintenance etc would create 2 FTE jobs. The applicant also states that they would implement an innovative approach to procurement for the construction stage. As the smallest scheme before the inquiry, it would generate the least benefit in terms of the wider public interest albeit that this is still significant. In terms of its impacts, notwithstanding its relative size, it generates the greatest harmful landscape and visual impacts of any wind farm before this Inquiry.

- 4.19. The Llanbadarn Fynydd landscape unit on the eastern part of SSA C is of considerable value (although not designated) and judged to be of a comparable quality to the nearby Shropshire AONB and, critically, it is almost entirely ‘untouched’ by the effect of wind farm development. Mr Russell-Vick has concluded that the Llanbadarn Fynydd scheme would have very substantial harmful landscape effects³⁰. To the extent that it clearly breaches the threshold of acceptability, I see no way in which the scheme could be amended to address the level of harm identified; its siting is simply inappropriate. In addition the Llanbadarn Fynydd proposal would de-sensitise a substantial area of landscape which would ‘open up’ an area currently largely unaffected by wind farm development.
- 4.20. A number of significant cultural heritage impacts were identified by Mr Croft in relation to designated assets including substantial harm to the grade II listed Blaen-nant-du farmhouse³¹. Whilst the overall harm was not considered to be substantial in policy terms, the cumulative effect on the assets would be substantial and should be permitted only in wholly exceptional circumstances.
- 4.21. The local access arrangements are acceptable as is the proposed strategic route for AILs from the north via Ellesmere and Welshpool, subject to appropriate planning conditions³². There would be some inconvenience to other road users during the construction period but this would be minor.
- 4.22. The ecological impacts of this scheme can be addressed through suitable conditions. They are minor.
- 4.23. The noise impacts can also be addressed by conditions including the AM condition as referred to above.

³⁰ P Russell-Vick Session 1 Proof of Evidence – para 7.16 [[OBJ002\(PCC\)/LAND/POE/RUSSELL-SSA-C](#)]

³¹ A Croft Session 1 Proof of Evidence - para 6.78 [[OBJ002\(PCC\)/HISTENV/CROFT/SSA-C](#)]

³² M Axon Session 4 Proof of Evidence - para 2.22 [[OBJ-002-TRANS-POE-AXON-S4](#)]

4.24. Overall the benefits of the Llanbadarn Fynydd proposal are very substantially outweighed by its landscape and visual impacts. The scheme is in an entirely inappropriate location which marks a step change in impacts, namely, development to the east of the Ithon Valley, the effects of which cannot be acceptably mitigated. Consent should be withheld in my view on this ground alone. My conclusion is reinforced by the precedent effect which would be caused by granting planning permission for a scheme which would de-sensitise the landscape to the east of the Ithon Valley to further wind farm development thus magnifying the harmful effects. It would also lead to unacceptable combined and cumulative effects (see below).

Carnedd Wen

4.25. This substantial scheme would generate some 150 MW of renewable electricity within SSA B. The economic benefits were set out by Regeneris on behalf of the applicant who stated that the project would represent a significant economic investment creating business opportunities for the local and Welsh supply chain through the construction, operation and maintenance of the wind farm and the habitat enhancement scheme. Regeneris reported that 50 FTE jobs would be created during the construction phase and £14M would be 'levered' into the local economies of Mid and North Wales. Ongoing operations and maintenance could generate a further 24 FTE and £1.3M to the local economy.

4.26. The scheme includes a significant habitat restoration project which comprises the felling of a substantial area of conifer plantation and the restoration of a large area of blanket bog habitat. In total some 1000+ hectares of restored habitats are proposed to be introduced to the pre-conifer planting condition of the late 1970's. The scheme also proposes the opening up of blocked rights of way and improving existing rights of way through the site. This will enhance public access generally to the area.³³

4.27. Overall these economic and ecological benefits are very significant.

³³ Carnedd Wen July 2013 SEI, Non-Technical Summary – Section 2.3 [[AD/RWE/030](#)]

- 4.28. The scale of the landscape and its upland plateau characteristics means that the proposed wind farm can, in principle, be accommodated. There are however, significant landscape and visual effects arising from the development notably upon the Nant yr Eira Valley and the Banwy Valley. There are also significant effects upon some parts of the Snowdonia National Park to the north. Mr Russell-Vick identifies the most significant landscape and visual effect as being on the Banwy Valley. His assessment of these impacts lead him to seek a partial mitigation of the effect upon the Banwy Valley through the removal of 5 turbines in the north eastern part of the scheme (R23, 26, 28, 29 and 30). These turbines are the closest to the Banwy Valley and their removal would have the greatest individual impacts and, importantly, reinforce the desired perception that the wind farm is contained on the plateau. I endorse this proposed mitigation and the revisions to the scheme.
- 4.29. The scheme raises no cultural heritage concerns from PCC.
- 4.30. In relation to local highway issues, access to the site will be gained directly from the trunk road (the A458) utilising (and upgrading) the existing forestry track which is considered to be appropriate and acceptable to PCC, subject to conditions. PCC also have no objection to the proposed strategic route for AILs via Ellesmere and Welshpool, again subject to conditions. Whilst there would be some inconvenience to other road users during the construction period, this will be minor.
- 4.31. The scheme includes a significant ecological enhancement proposal which is welcomed and supported by PCC.
- 4.32. Noise issues can be addressed satisfactorily by conditions as proposed with the other wind farm schemes.
- 4.33. Whilst the matter is finely balanced, my judgment is that the overall harms of the scheme clearly outweigh its benefits if the 5 turbines remain within it. The harm they cause is wholly disproportionate to their benefit. With the removal of the 5 turbines through a suitably worded condition, I am satisfied that the harms no longer clearly outweigh the benefits and the project can be consented. For clarification this amendment to the scheme would reduce the generation of renewable electricity to approximately 135 MW.

Llanbrynmair

- 4.34. The Llanbrynmair scheme generates some 90MW of renewable electricity and effectively dovetails with the Carnedd Wen proposals. The economic benefits are set out in the August 2013 SEI and include a temporary workforce of up to 40 FTE during the 2 year construction phase. 1 permanent job will be created to operate and maintain the wind farm. The indicative capital cost of the project is £100M with some 10% being spent on the civil engineering element (roads, foundations etc) and 3-5% on the grid connection. Accordingly it is estimated that approximately £13M will be spent on local contractors. There would be rural diversification benefits as host farms would derive an income which would help sustain the viability of the agricultural businesses. Given the scale of the scheme these are significant benefits.
- 4.35. Due to the close proximity of the proposal to Carnedd Wen and the similar upland landscape characteristics the development can also be accommodated within it. There are some significant landscape and visual impacts from the turbines particularly upon the Nant yr Eira Valley but Mr Russell-Vick concludes that they can be visually accepted.
- 4.36. However, the scale of the landscape and visual impacts of the proposed highway works within the Nant yr Eira Valley are identified as being severe over some 7.25km of a small rural lane. These effects would be wholly unacceptable upon the outstanding scenic value of the Llanerfyl Mosaic Farmlands and in landscape and visual terms Mr Russell-Vick considers that these impacts are sufficient to render the whole scheme unacceptable³⁴. Further the proposed highway works within the Nant yr Eira would cause greater ecological impacts than access through Carnedd Wen, and PCC maintain that not all of the ecological effects of the highway works have been properly assessed.

³⁴ P Russell-Vick Session 2 Proof of Evidence – Section 7 [[OBJ-002-LAND-POE-RUSSELL-SSA-B](#)]

- 4.37. PCC has demonstrated the feasibility of an alternative access arrangement which would enable the Llanbrynmair AILs to use the Carnedd Wen access. For clarification, the applicants access proposals for construction traffic (from the south-west via Talerddig) is acceptable to PCC.
- 4.38. PCC sees no reason why this alternative for AILs should not come forward and PCC's position on this matter is as follows:
- The application as submitted with the proposed highway works to the Nant yr Eira Valley is unacceptable and would be so even if this was the only AIL access proposed for the scheme. In this scenario consent should not be granted for the Llanbrynmair wind farm.
 - With the use of the Carnedd Wen site an acceptable access can be provided.
 - The only alternative arrangement consulted upon before the Inquiry and advanced through SEI is an arrangement with Carnedd Wen to provide access. Accordingly, the SoS can only grant permission subject to Llanbrynmair being served by those arrangements. If Carnedd Wen is not approved, there is no expert evidence that such an access cannot be secured over the Carnedd Wen land but in the absence of any proposal (or SEI) relating to that scenario the options are:
 - i) Refuse permission.
 - ii) Minded to grant permission, subject to a revision to the Llanbrynmair application to provide access over the Carnedd Wen land.
 - iii) Grant planning permission for the turbines alone.
- 4.39. It is recognised that there are significant benefits to the Llanbrynmair proposals. However the works to a rural road are widespread and radical such that the landscape and visual impacts in particular would be overwhelming to the area. There are also significantly harmful ecological impacts associated with these highway works. In addition, there would be notable and harmful disruption to the local community during the extensive construction period of the proposed highway works.

4.40. Overall therefore, the impacts of the works to the Nant yr Eira Valley would be so harmful that they significantly outweigh the benefits that this nationally important project provides. An acceptable alternative access can be secured and this further supports PCC's position that, as submitted, the application should be refused.

5.0 COMBINED IMPACTS

- 5.1. There is a significant distance (approximately 10km) between SSA B and SSA C. The proposed wind farms would be visible between the two and from sensitive locations there is the potential for significant visual effects. However overall, the landscape and visual impacts would not be harmful.
- 5.2. I have already outlined my position concerning Carnedd Wen and Llanbrynmair within SSA B. They are only acceptable with an alternative access for AILs for Llanbrynmair and with the removal of 5 turbines from the north eastern part of the Carnedd Wen scheme. Subject to these revisions, the combined impacts of the two developments are, overall acceptable, in the context of their national significance.
- 5.3. The combined impacts of the approval of the 3 wind farms in SSA C would be very significant. I have described the harms that the southern array of the Llaithddu scheme would have upon the landscape qualities of the area and the severe impacts upon Bwylch y Sarmau. The landscape and visual impacts of the Llanbadarn Fynydd scheme would also be significantly detrimental to the area east of the Ithon Valley. Approval of this proposal would effectively open up the area to future wind farm development and therefore set a precedent that should be resisted bearing in mind the inherent landscape and cultural heritage qualities that have been identified.
- 5.4. The impacts of the grid connections is a further key assessment of the combined impacts. The proposed 132kV overhead line linking the Llandinam Repowering scheme to Welshpool is supported by PPC subject to a section of the route east of the A483 being undergrounded. This proposal can provide grid connection for Llandinam, the northern array of Llaithddu and (if approved by PCC) the Hirddywell scheme (27MW) which is a current application. An upgraded overhead line is entirely achievable which would provide connection to the grid for up to 160MW. This is set out as part of PCC's Scenario 1 as contained in Mr Russell-Vick's proof of evidence for Session 4.

- 5.5. Approval of Llandadarn Fynydd would trigger the proposed Mid-Wales Grid Connection to be implemented which links SSA C to SSA B at the new hub at Cefn Coch or require a further 132kV OHL to run parallel to the existing Welshpool 132kV line before diverting to Shrewsbury. The Mid Wales Connection is shown as part of Scenario 2 of Mr Russell-Vick's Session 4 proof. This step change in terms of grid connection is opposed by PCC in the light of the significant landscape, visual and cultural heritage impacts of these emerging proposals.
- 5.6. With regard to SSA B the Carnedd Wen and Llanbrynmair schemes together with the existing and consented wind farms can be connected by twin 132kV wooden poles to Legacy (as per Scenario 1 referred to above). This would be acceptable to PCC. .
- 5.7. The National Grid proposed to provide a 400kV overhead line from the new hub at Cefn Coch to Oswestry some 50km in length. It is being promoted in response to agreements with wind farm operators to connect some 800 MW of electricity from the proposed wind farms in Mid Wales. This proposal is strongly opposed by PCC due to the significant landscape, visual and cultural heritage impacts. It represents a further unacceptable step change that is wholly unnecessary in the context of PCC's assessment of the environmental capacity of SSA B and SSA C (which has been undertaken for this Inquiry) and TAN 8.
- 5.8. With reference to TAN 8, indicative capacity targets were provided for each SSA. The upper capacity target for SSA C is 98MW and 430MW for SSA B. In my proof for the Opening Session of the Inquiry I set out the position (as at May 2013) for SSA B and SSA C in terms of operational, consented (but not built) and in planning projects. I take this opportunity of updating the position below which in summary shows some 620MW in SSA B and 365MW in SSA C. This is well beyond the identified environmental capacity of the SSAs.

AREA B	MW
Operational (since 2005/TAN 8) and consented	
Mynydd Clogau	14.5
Carno A and B	33.6
Carno extension	15.6
Tirgwynt	28
'In Planning'	
Carno III	45
Esgair Cwm Owen	45
Mynydd Lluest-y-Graig	> 50
Cemmaes III	> 27.6
Dyfnant Forest	>120
<i>Carnedd Wen*</i>	150
<i>Llanbrynmair*</i>	90
TOTAL	>619.3

AREA C	MW
'In Planning'	
Garreg Lwyd	46
Bryngydfa	36
Hirddywel	27
Neuadd Goch	27
<i>Llanbadarn Fynydd*</i>	59.5
<i>Llandinam Repowering*</i>	102
<i>Llaithddu*</i>	66.7
TOTAL	364.2

*Inquiry applications

6.0 CUMULATIVE IMPACTS

- 6.1. The tables above demonstrate the level of wind farm projects within SSA B and SSA C. Taken together they represent an amount of development that in my view would be overwhelming to both areas. They would also trigger both the Mid Wales Grid Connection and the National Grid proposals.
- 6.2. The cumulative effects of this level of development would be significantly harmful and environmentally damaging contrary to UK and national guidance for on-shore wind farm development. Such impacts further reinforce my conclusions on each of the applications the subject of this conjoined Inquiry.
- 6.3. It is noted that the National Grid proposals are not advanced to provide reinforcement to the existing grid. As I referred to earlier, they deliver a connection for the in planning wind farm projects as confirmed by the Project Need Case (July 2012) prepared by the National Grid³⁵. The proposals are contingent on meeting SPMANweb's (and others) connections for wind farms in the region. Clearly, if all of the connections are not required, for example, through consents not being granted, the justification for the 400 KV project declines. The 400kV proposal is not required to provide a grid connection for windfarm schemes which respect the environmental capacity of the SSAs.
- 6.4. The issue of SSA D and its grid connections was raised in session 4 of the Inquiry. The on-shore proposals for SSA D can be connected to the grid without the 400KV scheme and I would refer to Mr Russell-Vick's evidence for Session 4. SSA D and its grid connection are not of course matters for this Inquiry and they will be considered separately in the future. However, my assessment is that it would be wrong to believe that a 400kV OHL is an implicit requirement of TAN8's proposals for renewable energy in Wales.

³⁵ Connection of On-Shore Wind Farms in Mid Wales (via Shropshire) July 2012 [[OBJ-002-PLA-004](#)]

7.0 OVERALL CONCLUSIONS

- 7.1. This conjoined Inquiry has provided PCC with the opportunity (for the first time) to take a strategic view on the impacts of 5 major wind farm proposals within the County. PCC has undertaken an assessment to consider the environments capacity of SSA B and SSA C to inform their approach for this Inquiry. This has enabled PCC to refine its views on the development schemes in order to support the appropriate level of development set against the relevant energy and planning policy and the overall need for renewable energy to contribute towards the European and UK obligations.
- 7.2. My overall planning balance has considered all of the evidence presented by PCC during the Inquiry and has concluded as follows in respect of each application.

Llandinam Repowering

- 7.3. Whilst there would be some significant landscape and visual impacts, there would also be visual enhancements. The proposal does not therefore reach the threshold of unacceptability in landscape and visual impact terms. In terms of cultural heritage terms, any effects with the revised proposal are less than substantial. There will be some highway disbenefits but these have been mitigated so as not to be severe and the noise effects are not significant. These harms assessed both individually and in combination do not clearly outweigh the significant benefits of the proposal and I consider that the overall balance in the public interest now justifies the grant of an appropriately conditioned consent.

Llaithddu

- 7.4. The scheme as a whole would deliver a significant benefit in terms of renewable energy provision and economic benefits in terms of jobs and investment, however, these come at a severe environmental cost to the Afon Marteg Valley and the settlement of Bwlch-y-Sarnau. Those impacts clearly outweigh the benefits of the scheme as a whole and it ought not to be consented.

- 7.5. I have considered whether the impacts could be avoided and conclude that with the removal of the 15 southern turbines, the landscape and visual harm can be largely avoided and certainly to a level which does not give rise to significant detriment. The removal of these turbines would also remove the identified harm upon nationally important heritage assets. Balancing the benefit of the reduced scheme against its disbenefits, the harms do not clearly outweigh the benefits and therefore a suitably conditioned consent would be justified for the 12 turbines in the northern array.

Llanbadarn Fynydd

- 7.6. Overall the benefits of this proposal are very substantially outweighed by its landscape and visual impacts. The scheme is in an entirely inappropriate location which marks a step change, namely, development to the east of the Ithon Valley, the effects of which cannot be acceptably mitigated. Consent should be withheld in my view on this ground alone. My conclusion is reinforced by the precedent effect which would be caused by granting planning permission for a scheme which would de-sensitise the landscape to the east of the Ithon Valley to further wind farm development thus magnifying the harmful effects. It would also lead to unacceptable combined and cumulative effects.

Carnedd Wen

- 7.7. The economic and ecological benefits of this scheme are significant and weigh in its favour. My judgment, however, is that the harms identified in respect of the 5 turbines are wholly disproportionate to their benefit. Therefore, with the removal of the 5 turbines through a suitably worded condition, I am satisfied that the harms no longer clearly outweigh the benefits and the project can be consented.

Llanbrynmair

- 7.8. There are significant benefits to the proposals, however, the highway works to the rural road within the Nant yr Eira Valley are widespread and radical such that the landscape and visual impacts in particular would be overwhelming to the area. There are also significantly harmful ecological impacts associated with these highway works. In addition, there would be notable and harmful disruption to the local community during the extensive construction period of the proposed highway works.
- 7.9. Overall therefore, the impacts of the works to the Nant yr Eira Valley would be so harmful that they significantly outweigh the benefits that this nationally important project provides. An acceptable alternative access can be secured and this further supports PCC's position that, as submitted, the application should be refused.