



Planning and Public Protection Section

NORTH WALES WIND FARMS CONNECTIONS NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

DENBIGHSHIRE COUNTY COUNCIL RESPONSE TO SECTION 42 THE PRE-APPLICATION CONSULTATION

(DRAFT)

Author:	Denise Shaw
Date:	[TO BE COMPLETED FOLLOWING COMMITTEE RESOLUTION]
Agreed by:	Denbighshire County Council Planning Committee on [TO BE COMPLETED FOLLOWING COMMITTEE RESOLUTION]

A. PREFACE

Reference is made to your letter dated 17 March 2014 which gave notice of the formal pre-application consultation period and invited comments on the proposed route alignment, Preliminary Environmental Information Report (PEIR) and associated consultation documents in accordance with the provisions of Section 42 of the Planning Act 2008.

Comments on behalf of Denbighshire County Council ('the Council') take the form of an observations report which follows this preface. The response incorporates comments from the Council's renewable energy planning officer, specialist and technical officers and Elected Members of the Council. Please note; reference is made only to sections of the consultation which the Council wish to offer comment on.

As the collector substation will not form part of the Development Consent Order and will instead require planning permission from the Council, we advise that comments are provided without prejudice based on the information available, and do not constitute a formal determination under Town and Country Planning Act 1990. The Council therefore reserves the right to fully assess the matters relating to the positioning and design of the collector substation at planning application stage.

The draft Consultation Response was presented to Denbighshire County Council Planning Committee on 14 May 2014 and the resolution at Committee was [TO BE COMPLETED FOLLOWING COMMITTEE RESOLUTION]

Additional comments that were raised by Denbighshire County Council Planning Committee are included in Section E.

B. COMMENTS ON THE PROPOSED ROUTE ALIGNMENT

GENERAL COMMENTS ON ROUTE ALIGNMENT

Overground lines v underground cables

The Council do not feel sufficient justification has been set out to explain why installing underground cables along the whole route alignment is not a feasible and / or viable option; the only justification for overhead lines appears to be financial rather than environmental or technical. The Council's preference would be for as much of the route as possible to be installed underground.

Further comments are raised in respect to this issue in Section C and D below.

Water supplies:

Within the 2km study zone, there are a number of sources of private water supplies and infrastructure tanks and pipelines of supplies, and there will also be agricultural supplies.

COMMENTS ON SECTION 1: CLOCAENOG TO BWLCH

The proposed route alignment crosses open grazing land on the ridge of Tir Mostyn (300m AOD) and would cross the ridgeline. The Council note Holford Rule 4, which states "*Choose tree and hill backgrounds in preference to sky backgrounds, wherever possible; and when the line has to cross a ridge, secure this opaque background as long as possible and cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees.*"

The exposure of overhead lines on ridges should therefore be avoided, and the Council consider that the cables should be laid underground in this location to ensure the overhead lines are not visible features along the ridgeline; alternatively the route should be amended to ensure the overhead lines do not cross the ridgeline.

Water supplies:

In Section 1 Clocaenog to Bwlch: the properties **Bryn Bach** (Grid reference 302124, 358768) and **Bryn Bach Bungalow** (302018, 358984) are served by private water supply abstracted from the stream which flows generally west to east before going SE to join Afon Concwast - the southern section of the route goes over this stream prior to the abstraction point which is at 301878, 359075. Particular protection of and consideration needs to be made of this.

A planning application has been lodged for a single 850kW turbine (tip height of 81m) at Hafodty ddu, Saron, which is very close to the proposed route alignment. The application is pending.

Planning application ref: 25/2014/0337 / Grid ref: E301191 / N359360.

COMMENTS ON SECTION 2: BWLCH TO ERIVIAT

No specific comments.

COMMENTS ON SECTION 3: ERIVIAT TO PLAS BUCKLEY

Two route options are proposed for this section of the route:

- Option (a) Eriviat to Plas Buckley via Hafod.
- Option (b) Eriviat to Plas Buckey via Henllan.

The Council consider the option (a) via Hafod, which takes the route alignment further away from the village of Henllan, would be preferable. Due to the topography of the land, the second option would significantly reduce the visual impact of the route when viewed from Henllan, which would lessen the adverse impact on the Conservation Area and on local residents.

Whilst the Hafod option may have an impact on a belt of ancient semi-natural woodland, the Council understand that mitigation measures, micro-siting and technical engineering solutions could be utilised to minimise the impact on the ancient semi-natural woodland, and therefore the Council considers the benefits of the Hafod option in terms of residential amenity and the historic environment outweigh the adverse impacts.

Water supplies:

Within Conwy, the following properties are served by private water supplies and are within the 2km consultation zone:

- 1 no. property within 300 m of the proposed route (Pen Parc Llwyd, Henllan LL16 5DE SJ Map Ref: 300463 367773) is served by a borehole supply 250 feet deep located at SJ Map Ref: 300473 367747.
- 1 no. property just over 1km to east of proposed route (Dolben Hall, Cefn Meiriadog LL17 0HN map Ref: 301706 70547) is served by a spring supply located at Map Ref: 301677 370524

COMMENTS ON SECTION 4: PLAS BUCKLEY TO GROESFFORDD MARLI

There is already a significant amount of energy infrastructure within the Cefn Meiriadog area, including substations and overhead lines.

The terminal pole is just over 1km to the south-west of the Gwynt y Mor substation, which is adjacent to the site for the consented Burbo Bank Extension onshore substation and the existing National Grid overhead lines, and whilst the terminal pole is set back a little, there is concern that it could give rise to adverse cumulative effects when viewed in combination with the existing and consented energy infrastructure in this area.

The terminal pole site is surrounded by residential properties; the Council consider moving the terminal pole approximately 1km to the south west (e.g. close to Coed y Fadir) and undergrounding an additional 1km of the line would significantly reduce the visual impact of the proposal when viewed from properties in Groesffordd and Cefn Meiriadog, and provide a more significant separation distance between the existing energy infrastructure, which would lessen the cumulative effects and reduce the likelihood of a wirescape developing in this area.

Furthermore, it may also be a more logical solution for the terminal pole to be positioned to the south of the River Elwy, and for the line to then be laid under the river and proceed underground to the existing substation at St. Asaph.

C. COMMENTS ON PEIR

LAYOUT OF THE REPORT

Whilst the layout of PIER would make it an easy document to read in hardcopy, the double landscape page layout does not lend itself to being easy to read as a pdf document; at submission stage, we would advise consideration is given to ensure submission documents are easy to view both in hardcopy and electronic formats.

We would also raise the issue of file size; the consultation documents are very large documents and it may be difficult for interested parties to open / download the files, and therefore consideration should also be given to ensure the file size is reduced as far as practical at submission stage.

SECTION 2: BACKGROUND

The Council would query the relevance of making reference to other windfarm developments in 2.1.5 which are at varying stages in the planning process, but will not be connected to the grid via the project. Inclusion of other windfarm developments is misleading as it may give the impression that other schemes could also connect to the grid via the project, but 2.1.4 clearly states the four connection agreements in place will fill the circuit capacity of the project. Perhaps it would be better to clarify that SMP will only provide a grid connection to meet identified needs where a grid connection agreement has been entered into (i.e. not to serve speculative development) and therefore the scheme has been designed to meet the needs of the four windfarm developers who have signed grid connection agreements.

SECTION 3: THE PROJECT

The Strategic Options Report (4.17-4.22) has ruled out the option of undergrounding the whole route on the basis that overhead lines are more economical and paragraph 3.4.5 explains underground cables will only be considered to overcome technical issues or in areas of highest visual sensitivity; however the Council routinely received queries from the public asking why new grid connections cannot be achieved by underground cables, especially given that grid connections for offshore windfarms within the County (i.e. Gwynt y Mor and the Burbo Bank Extension) have been achieved by wholly undergrounding the cables.

As part of the EIA process, the Council feels that more explanation is required to fully explain why underground cables are not a viable option for the whole route and this should be adequately addressed in the site selection and alternatives section of the Environmental Statement. Please also see the Council's comments on the Strategic Options Report below, which elaborates on this issue further.

SECTION 4: DESCRIPTION OF THE PROPOSED DEVELOPMENT

4.6.1 states that should the DCO be granted in 2016, construction would commence as soon as practical. However, with reference to DCO's which have been enacted for other projects, a number of the requirements contained in the DCO's are in essence pre-commencement conditions requiring documents to be submitted to and approved in writing by the local planning authority prior to commencement of works. There are no statutory timescales for approval of condition applications, and as one of the two relevant local planning authorities, the Council cannot commit to approving documentation within a set timescale as it will be dependent on the quality of the documentation submitted, workload and timing for receipt of consultation responses; therefore to avoid the need for approval from the local planning authority prior to commencement, we would advise that documents such as landscaping plans, construction method statements, environmental management plan etc. are finalised in the pre-application stages so they can be submitted as DCO application documents.

SECTION 5: PLANNING POLICY CONTEXT

No comments.

SECTION 6: PRELIMINARY ENVIRONMENTAL INFORMATION

No comments.

SECTION 7: BIODIVERSITY AND GEOLOGICAL CONSERVATION

The proposed route passes through some really sensitive areas in terms of biodiversity, including protected sites and areas known to support protected species. These have been identified satisfactorily in the PIER, but until detailed avoidance, mitigation and compensation proposals are put forward it is very difficult for the Council to ascertain whether or not the proposal would be acceptable from a biodiversity point of view at this stage.

SECTION 8: LANDSCAPE AND VISUAL AMENITY

Denbighshire County Council no longer employs a Landscape Officer, therefore we cannot provide detailed landscape comments at this stage, however we would like to make the following observations:

Denbighshire and Conwy Councils have commissioned the 'Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development' Final Report dated May 2013. Both authorities are in the process of producing wind energy / renewable energy supplementary

planning guidance documents (SPGs), and this report will form part of the SPG evidence base. Therefore, this report should be added to the list of guidance and sources of information listed in paragraph 7.7. An electronic copy of the report can be provided on request.

The Council would also request an assessment of impacts on residential visual amenity, which specifically assesses the impact of the proposal on the residential visual amenity of properties close to the route alignment, is carried out in addition to the landscape and visual impact assessment.

To minimise landscape and visual effects, ridgelines should be avoided.

SECTION 9: HISTORIC ENVIRONMENT

[FURTHER COMMENTS FROM ARCHAEOLOGIST / CONSERVATION OFFICERS PENDING]

All SAMs, listed buildings, conservation areas, historic parks and gardens, essential settings etc. should be clearly identified so the relationship with historic assets is explicit.

As stated in the Council's response to PINS scoping opinion consultation, it is noted that the revised Design Manual for Roads and Bridges is proposed to be used as a framework for the historic environment assessment. The Council consider that all listed buildings and historic landscapes, parks and gardens, regardless of the listing grade, are assets of national importance; the Council therefore consider that all listed buildings and historic landscapes, parks and gardens should be treated as high value assets for the purposes of the historic environment assessment.

SECTION 10: FLOOD RISK

The Council notes a full flood risk assessment will be produced and the scope of works will be agreed with Natural Resources Wales. The Council will therefore reserve judgement on this matter until such time as a detailed flood consequences assessment has been produced.

However, the following will need to be considered as the application proceeds:

- Should any tree and vegetation removal be required to gain access to carry out the work, any consequential increase in surface run off should be mitigated to prevent an increase in flood risk.
- In the event that access to carry out the work requires the forming of a crossing of an ordinary watercourse, Land Drainage Consent might be required.

SECTION 11: LAND USE

Paragraph 11.1.3 bullet point 7 makes reference to water resources and quality, however the Council feel that water resources and quality should be dealt with under a separate chapter of the Environmental Statement, rather than only being referred to in a bullet point under the 'Land Use' section heading.

To this end, the impact of the proposal on hydrogeology, hydrology and water supplies should be explicitly considered. Specifically, the Environmental Statement would be required to include information for the route corridor/s, of sources of water in proximity, used as either or both private water supplies for properties or premises. Water for livestock would also be required to be assessed. Information about private water supplies is available from the local authorities. Public supply source and infrastructure information is obtainable from Water Companies. The presence of a source of water would impose a constraint, depending on type, distance, local hydrogeology, etc.

Please note, many sources of supply are used for private water supply for properties and premises - these would need to be listed separately to water supplies for farming operations.

It is also noted, paragraph 11.1.3 bullet point 7 states, *potential disruption to field drainage and water supplies, requiring diversion or repair*; however diversion or repair would not be applicable in many cases.

The Council would like to draw your attention to the following constraints with respect to water supplies and water quality which fall within the 2km study zone:

- In Section 1 Clocaenog to Bwlch: the properties **Bryn Bach** (Grid reference 302124, 358768) and **Bryn Bach Bungalow** (302018, 358984) are served by private water supply abstracted from the stream which flows generally west to east before going SE to join Afon Concwest -

the southern section of the route goes over this stream prior to the abstraction point which is at 301878, 359075. Particular protection of and consideration needs to be made of this.

- In Section 3: Eriviat to Plas Buckley, 1 no. property within 300 m of the proposed route (Pen Parc Llwyd, Henllan LL16 5DE SJ Map Ref: 300463 367773) is served by a borehole supply 250 feet deep located at SJ Map Ref: 300473 367747.
- In Section 3: Eriviat to Plas Buckley 1 no. property just over 1km to east of proposed route (Dolben Hall, Cefn Meiriadog LL17 0HN map Ref: 301706 70547) is served by a spring supply located at Map Ref: 301677 370524
- Within the 2km study zone surrounding the route corridor, there are a number of sources of private water supplies and infrastructure tanks and pipelines of supplies, and there will also be agricultural supplies. The direct and indirect impact on these water supplies should be fully considered.

SECTION 12: SOCIO ECONOMIC

[FURTHER COMMENTS FROM REGENERATION OFFICERS PENDING]

SECTION 13: TRAFFIC AND TRANSPORT

Proposed assessments:

From the information provided, the proposed traffic and transport assessment would be adequate assess the impacts in the ES, which includes assessing the impact of temporary construction and maintenance accesses onto the public highway at various locations and the consideration of effects on the existing highway network leading to these access points.

However, the local highways authority would need to know the precise location of site compound locations and the Council would request that the cumulative impact of construction traffic in combination with other infrastructure and windfarm development which may be constructed at the same time as this project is fully assessed. In particular, as a worst case scenario, the traffic and transport assessment should take into account the cumulative effects from construction works in combination with construction works for the 4 no. windfarms in the SSA and the Bodelwyddan key strategic site.

Public Rights of Way

Having reviewed the Section Plans with environmental constraints, it appears that public rights of way have not been identified as a constraint, but the Section Plans do identify 'Long Distance paths' (please note, there are no designated National Trails but there is the regional Brenig Way). The Council would request that all public rights of way are identified as constraints for the purposes of the EIA.

The overhead line route proposed appears to substantially avoid rights of way, which may have been the intention, but it does cross a number of paths and an un-surfaced public road. In the past, the Council has found poles and associated stay wires being placed within paths can cause a nuisance to users. This is especially the case with horse riders and includes un-surfaced public roads as well as Bridleways and byways. The proposed overhead line route passes one such road near Foel Gasyth. The Council would therefore seek assurances that poles and supporting stay wires are not erected in or adjacent to any public right of way where there is a right for horses and vehicles to use, and would prefer the same where an overhead line crosses any public right of way. Please note, the Councils Public Rights of Way manager has not considered visual amenity or landscape impact of the overhead lines on the path users as these are not distinct highway management issues.

SECTION 14: NOISE

Good site management practice should control most of the construction noise and environmental health issues (dust, noise, hours of operation etc.).

However, the crackling noise - corona discharge - should be expanded upon. It is stated in 14.1.4 that local effects may result in audible corona discharge in certain conditions but not at a significant noise level, and as such effects during operation have not been assessed within the EIA. However, it is not clear where these local effects will be experienced, or if sensitive receptors will be affected. Furthermore, low background levels will mean that if this noise source is sited close to a residential property, then it may be an issue, as it may be perceived to be a noise nuisance.

SECTION 15: ELECTRIC AND MAGNETIC FIELDS

The EMF issue needs to be highlighted and a precautionary approach should be taken to the matter. The Council are under the assumption that Public Health Wales will comment on this matter in more detail, and therefore would defer detailed comments to Public Health Wales, who have more expertise in this area.

SECTION 16: ROUTE OPTION APPRAISAL

The Councils preference is Option (a) Eriviat to Plas Buckley via Hafod and the Council would agree with the conclusion that effects on the landscape and the ASNW for Option (a) are outweighed by greater effects on residential amenity and the historic environment for Option (b).

Please also see the Councils comments on the proposed route alignment in Section B above.

SECTION 17: SUMMARY AND WAY FORWARD

Paragraph 17.1.17 (not considered likely that there will be any significant environmental effects) is contradicted by 17.1.18 (the PEIR has identified that there are likely to be significant environmental effects).

D. COMMENTS ON OTHER CONSULTATION DOCUMENTS

STRATEGIC OPTIONS REPORT

Please also see comments on Section 3 of PEIR regarding underground cable options appraisal.

The Strategic Options Report (4.17-4.22) has ruled out the option of undergrounding the whole route on the basis that overhead lines are more economical.

The Council routinely received queries from the public asking why new grid connections cannot be achieved by underground cables, especially given that grid connections for offshore windfarms within the County (i.e. Gwynt y Mor and the Burbo Bank Extension), which are higher voltage cables, have been achieved by wholly undergrounding the cable route. Whilst we appreciate that offshore windfarms connect directly to the transmission network and are responsible for installing the cables themselves, we would assume the installation costs are comparable and therefore conclude that underground cables are financially viable in this case. It would therefore be useful for the reasons why overhead lines are a better option under licencing obligations to be elaborated on as part of the EIA.

We would also query the comparison of maintenance costs between overhead and underground cables; are underground cables cheaper or more expensive to maintain than overhead lines? The Strategic Options Report (4.17) states overhead lines provide shorter return to service times under fault conditions, however we would query if the frequency of fault conditions on an underground line is comparable to fault conditions on overhead lines given that underground cables are largely protected from climatic conditions which may damage overhead lines (high winds / storms etc). We would therefore query if the incidence of underground line fault is more or less likely than overhead line fault?

With this in mind, we would suggest the options appraisal takes into account the lifetime cost of installing and maintaining underground cables compared against the cost of installing and maintaining overhead lines, and the maintenance costs should factor in the incidence of line fault as well as the time taken to return to service under fault conditions to substantiate the conclusion that overhead lines are the most efficient and cost effective option.

The options appraisal should also consider the appraise the environmental as well as the cost of

ROUTE CORRIDOR REPORT

The route corridor report discusses that water quality and resources are to be considered at detailed routing and Environmental Impact Assessment stages with detailed method of working identified and implemented in Construction Method Statement and Environmental Management Plan.

Consultation at each stage is required to ensure protection of private water supplies and agricultural water supplies.

OVERVIEW REPORT

The overview report is well laid out and provides a useful overview to the project, whilst not being overly technical, and the use of pictures and maps is helpful. For information, in relation to other EIA

developments (both NSIP and non-NSIP projects), we have previously received comments from the public which criticise the scope of the ES Non-Technical Summary; members of the public and local interest groups often do not have the time or resources to review the full ES and often rely on the Non-Technical Summary as a source of information, but in many cases they have found it to be too brief or overly simplistic, therefore we would recommend that the final Non-Technical Summary and any summary documents continue to provide a sufficient level of information for members of the public to gain a reasonable understanding of the project.

E. ADDITIONAL COMMENTS RAISED BY DENBIGHSHIRE PLANNING COMMITTEE

The draft consultation response was presented to Denbighshire County Council Planning Committee on 14 May 2014 and the resolution at Committee was for [TO BE COMPLETED FOLLOWING COMMITTEE RESOLUTION]. Additional comments raised by Denbighshire County Council Planning Committee are set out below:

- [TO BE COMPLETED FOLLOWING COMMITTEE RESOLUTION]

F. FURTHER INFORMATION

Any queries should be directed to Denise Shaw, Planning Officer for renewable energy schemes in the first instance; contact details for other officers can also be provided on request:

Tel: 01824 706724

Email: denise.shaw@denbighshire.gov.uk

APPENDICES

Plan 1: Route Corridor

Plan 2: Consultation Zone

Plan 3: Section 3 Plan

Appendix: Consultation Non-Technical Overview Report