

SPECIAL REPORT

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

NORTH WALES WIND FARMS CONNECTIONS MAJOR INFRASTRUCTURE  
PROJECT

PARTICIPATION IN THE PLANNING PROCESS

1. PURPOSE OF REPORT

1.1 The North Wales Wind Farms Connections Project consists of proposals for a new 17km long 132kilo volt (kV) overhead line between a new collector substation at Clocaenog Forest and a terminal point south of Glascoed Road, the B5381, Cefn Meiriadog. It is classed as a nationally significant infrastructure project and will require development consent from the Secretary of State under the provisions of the Planning Act 2008. The proposed route would cross through both Denbighshire and Conwy.

1.2 Members may recall that previous reports have been presented to Committee with respect to this project and the Council submitted a formal pre-application consultation to Scottish Power Manweb in May 2014. The response set out technical comments on the consultation material and also clearly articulated the opinion of Members that overhead lines would have a significant detrimental impact on local residents, the local landscape and on the local environment.

1.3 At Full Council on 9 September 2014, the Council unanimously agreed a Notion of Motion put forward by Councillors Joe Welch, Colin Hughes, Geraint Lloyd Williams, Meirick Lloyd Davies and Eryl Williams. **The Motion** was as follows: "We would like the support of the council to have a firm stance to demand that the NW Wind Farms connection is placed underground for its entire length".

1.4 The Council has therefore adopted an in principle objection to the overhead line project. Conwy County Borough Council has also adopted a similar stance with respect to the project.

1.5 Officers have subsequently met with Scottish Power Manweb and Officers from Conwy County Borough Council, and despite the Notion of Motion, Scottish Power Manweb have confirmed they intend to progress with proposals for overhead lines and an application for Development Consent is likely to be submitted to the Planning Inspectorate in early 2015.

2. ENGAGING IN THE PLANNING PROCESS.

2.1 Once an application for development consent has been accepted by the Planning Inspectorate, the Council will be formally invited to submit a Local Impact Report, other written representations and attend meetings and Hearing sessions throughout the Examination.

2.2 Whilst there is no legal duty placed on the Council to engage in the process, the

Council has previously committed to fully participate in the process as it is in the public interest to do so. With regards to this project, a report to January Planning Committee sought to update Members on the current status of the North Wales Wind Farms Connections Project and to seek a resolution regarding the extent to which the Council should participate in the planning process. Committee resolved the following:

- That funding be requested from Welsh Government.
- That the Companies involved be asked to contribute.
- That County Council reserves be utilized where appropriate.

2.3 As Members are aware, the Council receives no planning fee for nationally significant infrastructure projects, however significant officer time and resources may need to be allocated to the project during the Examination stage in order to assess local impacts and represent the Council at Hearing sessions.

2.4 The landscape and visual impact of the proposal is likely to be a key planning consideration; the Council may therefore need to procure external landscape consultancy services to help assess the local impacts of the proposal.

2.5 The project affects both Denbighshire and Conwy, so there is the opportunity to work in collaboration with Conwy County Borough Council and share officer resources. The Council previously collaborated with Conwy on the Clocaenog Forest windfarm.

### **3. PLANNING PERFORMANCE AGREEMENT**

3.1 Discussions have taken place between Denbighshire, Conwy County Borough Council and Scottish Power Manweb with respect to a Planning Performance Agreement.

3.2 A Planning Performance Agreement is a legal contract between the Council and the developer. It would commit the Council to carrying out certain activities within specified timescales such as producing a Local Impact Report, commenting on the draft Development Consent Order, agreeing Statements of Common Ground and attending Examination Hearing sessions.

3.3 Entering into a Planning Performance Agreement would therefore commit the Council to fully participate in the planning process and sufficient resources would need to be dedicated to the project to ensure Examination deadlines can be met. In return, Scottish Power Manweb would provide a financial contribution towards costs incurred by the Council to impartially and objectively assess the impacts of the project and participate in the Examination process.

3.4 Whilst Committee had previously resolved for the Council to seek financial contributions from developers, Officers seek a steer from Committee as to whether or not Members feel it is appropriate for the Council to enter into a Planning Performance Agreement. This is having regard to the Notion of Motion at Full Council.

3.5 Members should note that, should the Council decline to enter into the Planning Performance Agreement, the Council can still engage in the process, however

should it be necessary to procure external landscape consultants to help assess the landscape and visual impact of the project, this would need to be funded by Council reserves.

#### 4. RESOLUTION

4.1 Members are requested to consider the options below and a resolution is sought on the preferred option having regard to the Notion of Motion of Full Council on 9 September 2014:

**Option A:** The Council enters into a Planning Performance Agreement (PPA) and engages in the process.

The Council would be obliged to assess the impacts of the proposal, and fully participate in the Examination, however the costs could be recovered from the developer. External landscape consultants could be procured to assess the landscape impact at no cost to the Council.

Officer time would need to be diverted from other work streams and the Council would be bound by the terms of the PPA.

**Option B:** The Council does not enter into a PPA Agreement, but engages in the process.

The Council would endeavour to fully assess the impacts and officer time would need to be diverted from other work streams.

Should it be necessary to appoint an external landscape consultant to help assess the landscape and visual effects of the proposal, Council reserves would need to be drawn down to pay for the landscape consultants. Two sub-options are therefore proposed:

**Option B.1** internal and external resources are utilised. Council reserves would need to be drawn down to pay for external landscape consultants.

**Option B.2** Only internal resources are used. The assessment of landscape and visual impacts would be based on Officer opinion rather than an assessment of a professional landscape architect.

**Option C:** The Council does not enter into a PPA, and does not engage in the process.

The Council declines to engage in the process.