

SPECIAL REPORT

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

**NORTH WALES WIND FARMS CONNECTIONS MAJOR
INFRASTRUCTURE PROJECT**

RESPONSE TO APPLICATION FOR DEVELOPMENT CONSENT

1. PURPOSE OF REPORT

- 1.1 The report seeks Members agreement to actions in relation to the presentation of the Council's response to the above nationally significant infrastructure project, which is the subject of an application for development consent which has been submitted to the Planning Inspectorate.
- 1.2 Members may be aware that the North Wales Wind Farms Connections Project consists of proposals for a new 17km long 132,000volt (132kV) 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.
- 1.3 The route of the overhead line and terminal pole is shown on the plans at the front of this report, and in Appendix A.
- 1.4 Scottish Power Manweb submitted an application for development consent to the Planning Inspectorate on 20 March 2015. The Planning Inspectorate formally accepted it for consideration on 17 April 2015. The Council will be invited to submit a formal written representation and a 'Local Impact Report' to the Planning Inspectorate, and to participate in Examination Hearing Sessions. Scottish Power Manweb has also requested the Council enter into a Statement of Common Ground.
- 1.5 The Examination timetable is expected to be announced in mid / late July.
- 1.6 Due to the anticipated deadline for the submission of formal written representations and the Local Impact Report, it is unlikely there will be an opportunity to present further information to Planning Committee in advance of the deadline, and therefore the purpose of this report is to:
 - Request Members agree the format of the draft Local Impact Report (attached as Appendix D).
 - Agree for a final version of the Local Impact Report be submitted to the Planning Inspectorate, in consultation with relevant Ward Members.
 - Seek a resolution from Members on the formal Representation the Council wishes to submit in respect of the application.
 - Nominate Members to represent the Council at Examination Hearings, should this be the wish of the Committee.

2. BACKGROUND.

- 2.1 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.

2.2 At Full Council on 9 September 2014, Members 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".

2.3 The Council has therefore adopted an in principle stance in relation to the overhead lines project.

2.4 In December 2014, Planning Committee resolved for the Council to enter into a Planning Performance Agreement (PPA) with Scottish Power Manweb and to engage in the Examination process once an application for development consent had been submitted. Officers have agreed a Planning Performance Agreement in principle with Scottish Power Manweb which, once it has been entered into, will cover the internal costs associated with engaging in the Examination. .

2.5 The pre-examination meeting is due to be held in mid – late July 2015 which will mark the start of the Examination period. The Examination timetable has not yet been published, but the timescales are prescribed by law and therefore it is likely the formal written representations, the Council's Local Impact Report and any Statements of Common Ground between the Council and the developer would need to be submitted to the Planning Inspectorate sometime in late August / early September 2015, and therefore due to the summer recess, there may not be the opportunity to present further information to Planning Committee in advance of the deadline.

2.6 Officers have initiated an internal consultation and prepared a draft Local Impact Report, which is attached in Appendix D, but due to a number of consultation responses remaining outstanding, it has not been possible to finalise the Local Impact Report at the time of writing this report.

3. DETAILS OF THE DEVELOPMENT CONSENT ORDER APPLICATION

3.1 The application is for the construction, installation, operation and maintenance of a 17km 132,000 volt (132kV) electric line above ground within the administrative boundaries of Denbighshire and Conwy. The electric line would extend from a proposed collector substation at Clocaenog Forest to a terminal point at Groesfordd Marli, to the south of Glascoed Road (B5381), near St. Asaph. The line crosses into the county of Conwy near Henllan and back into Denbighshire at the Afon Elwy. The location of the route is shown on the location plan attached as Appendix A. An underground cable will then connect from the terminal pole to an existing Scottish Power substation in St. Asaph where the electricity will be exported to the electricity distribution network.

3.2 The proposed 132kV overhead line would comprise conductors supported by double wood poles. The wood poles are generally no larger than 470mm in diameter and would range between 11m and 16.6m in height. The average span between poles is 79m. The double wood pole proposed is illustrated in Appendix B and Appendix C is an example photomontage and wireframe image of the proposed overhead line in-situ.

3.3 In addition to the electric line above ground, the following works form part of the application for development consent:

- A temporary construction compound at Broadleys Farm, A543, Denbighshire and temporary storage or 'laydown areas' along the alignment;
- Access points for pedestrians and vehicles along the length of the route alignment for construction and maintenance;
- Landscaping and ecological measures to restore trees and other vegetation that have been removed during construction;
- Landscaping to mitigate any adverse effects; and
- Other integral works such as site preparation and clearance, earth works, alteration of existing services and minor street works.

- 3.4 The limitations of the Planning Act 2008 in Wales means that ancillary development, such as substations cannot be included within the application for development consent and therefore require separate consent under the Town and County Planning Act 1990. The proposed collector substation at Clocaenog Forest is therefore the subject of separate planning application submitted to Denbighshire County Council (application reference 23/2014/1440). The proposed underground cable between the terminal pole and the existing substation in St. Asaph also does not form part of the application for development consent and would instead be installed under the statutory undertakers permitted development rights.
- 3.5 In addition to seeking development consent for the proposed above ground electric line, the draft Development Consent Order submitted with the application contains provisions seeking ancillary powers to be transferred to Scottish Power Manweb, including, amongst others:
- Compulsory purchase powers
 - Application and modification of Hedgerow Regulations 1997 - meaning there will be no additional requirement to obtain consent from the local planning authority to remove hedgerows where it is necessary for carrying out the development
 - Highways and street works powers – meaning the Order will transfer powers to the undertaker to alter the layout of streets, including permanent and temporary alterations, creation of new accesses, temporarily alter, divert or restrict the use of streets and public rights of way, powers to make traffic control orders etc. where it is necessary for carrying out the development without the need to seek consent from the local highway authority.
- 3.6 The Council can also comment on the draft provisions in the Local Impact Report.

4. RECOMMENDATION

- 4.1 Members are requested to consider the contents of the draft Local Impact Report attached and to make a resolution on the following to:
- Agree to the format of the draft Local Impact Report attached as Appendix D and for a final Local Impact Report to be submitted to the Planning Inspectorate, in consultation with relevant Ward Members.
 - Vote on the formal Representation the Council wishes to submit in respect of the application. (Should the Council wish to object to the development proposal, clear planning reasons will need to be cited for inclusion in the response).
 - Nominate Members to represent the Council at Examination Hearings, should this be the wish of the Committee.