



Department  
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By e-mail

Your ref:

Our ref: EN010008

15 December 2015

Dear Sir/Madam

## **The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulation 2011**

### **The Brechfa Forest West Wind Farm Order 2013**

This letter is addressed specifically to RWE Innology UK Limited (“the Applicant”), CADW, Natural Resources Wales (“NRW”) and Carmarthenshire County Council (“the Council”). It is also published on the Brechfa Forest West Wind Farm project page on the Planning Inspectorate website: <http://infrastructure.planninginspectorate.gov.uk/projects/wales/brechfa-forest-west-wind-farm/?ipcsection=docs&stage=6&mfilter=Non+Material+Change&filter=Application>. Other interested parties are also welcome to respond.

Following completion of a round of consultation on the application for non-material amendments to the Brechfa Forest West Wind Farm Order 2013, ten representations have been received from interested parties. Whilst the Secretary of State is not seeking to re-open matters already aired and considered during the Examination Authority’s examination of the Development Consent Order (“DCO”) and in her decision, there are a small number of narrow issues on which she would be grateful if the parties identified above and any other parties that wish to comment could provide further clarification/comment. The issues are grouped by topic heading and all documents referred to in this letter can be found on the project page on the Planning Inspectorate’s website.

#### **1. Historic Environment**

CADW has indicated in its response to the consultation dated 15 September 2015 that *“the proposed changes will not have any additional impact on the*



*historic environment.*” However, concerns have been raised from some other interested parties relating to the adequacy/accuracy of the documentation provided on the historical environment and conformity with policy in support of the application (see, in particular, the representations from Jillina Gardiner dated 23 September 2015 and Lissette Cheshire dated 24 September 2015). The Secretary of State would be grateful for CADW’s views on the issues raised in the representations and, in particular, whether they cause CADW to change its previously-expressed opinion.

## **2. Hydrology and Pollution**

NRW has advised the Secretary of State in its representation dated 22 September 2015 that it has “*no objections to the non-material amendments*”. However, concerns have been raised in relation to the impact on hydrology and risk of pollution to watercourses from the proposed changes to access tracks (see, representations from E.O Davies dated 24 September 2015 and E.J Marynicz (undated)). The Secretary of State would appreciate NRW’s view on the representations and, in particular, whether they cause NRW to change its previously-expressed opinion.

## **3. Felling Plans**

The Secretary of State is seeking clarification from the Applicant regarding the effect of article 6 of the proposed amendment order - “*Any references to the plans in the 2013 Order are taken to be as references to those plans as revised by this Order*” - in relation to the revised felling plans. The Secretary of State cannot see a reference in the existing DCO to the original felling plans and is uncertain therefore what the effect of article 6 would be. The Secretary of State notes that the felling plans are not included in the list of plans to be certified in accordance with article 18(1) of the DCO and therefore Requirement 7, which imposes an obligation to carry out the authorised development in accordance with plans so certified, does not apply in relation to the felling plans.

## **4. The views of Carmarthenshire County Council**

Although the Secretary of State notes that no response has been received from the Council in response to the initial consultation, she would be grateful for confirmation of its position on the non-material change application.

**The deadline for any responses is Tuesday 29 December 2015**

Responses to the matters outlined in this letter should be submitted by e-mail to: [Brechfawest@pins.gsi.gov.uk](mailto:Brechfawest@pins.gsi.gov.uk) or posted to:



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Your response will be published on the Brechfa Forest West Wind Farm project page of the Planning Portal website as soon as possible after 29 December 2015.

This letter is without prejudice to the Secretary of State's decision on whether or not to grant the application, and nothing in this letter is to be taken to imply what this decision might be.

Yours sincerely,

*Giles Scott*

Giles Scott  
Head of National Infrastructure Consents