



Meeting Note

File reference	EN010013 – Clocaenog Forest Wind Farm
Status	Final
Author	Iwan Davies

Meeting with	Developer – RWE npower renewables
Meeting date	15th February 2013
Attendees (Planning Inspectorate)	Susannah Guest (Principal Case Manager) Iwan Davies (Case Officer) Gareth Watts (Assistant Case Officer) Nicola Mathiason (Lawyer) Will Spencer (EIA Advisor)
Attendees (non Planning Inspectorate (PINS))	<u>Developer</u> Martin Cole (RWE) Alex Blake (RWE) Chris Abetianbe (RWE) Peter Lamb (Savills) Stephen Collings (Eversheds)
Location	Temple Quay House, Temple Quay, Bristol, BS1 6PN

Meeting purpose	Clocaenog Forest Wind Farm Draft Documents Meeting
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Summary of key points discussed and advice given	<p>The Planning Inspectorate (PINS) advised on its openness policy, that any advice given will be recorded and placed on the National Infrastructure Portal website under section 51 of the Planning Act 2008 as amended (the 2008 Act) and also to note that any advice given under section 51 does not constitute legal advice upon which applicants (or others) can rely.</p> <p>Project Update</p> <p>PINS requested a project update from the developer and sought clarification on a number of matters concerning the host Local Authorities.</p> <p>The developer advised that it is aiming to submit the application at the end of March 2013.</p> <p>It was confirmed that RWE has a Formal Option Agreement (FOA) with Welsh Government (WG) for developing the wind farm on WG land, dated 20th March 2008. This FOA is in the same format as the RWE/WG agreement for the Brechfa Forest Wind Farm.</p> <p>The Developer confirmed that Denbighshire County Council (DCC) and Conwy County Borough Council (CCBC) had been</p>
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sent the draft versions of the Development Consent Order (DCO); Planning Performance Agreement; s106 Agreement; and Statement of Common Ground. DCC and CCBC have appointed Neil Walters as an acting Planning Officer for both Authorities for the Project and is hence the developer's primary contact.

PINS advised that it may be helpful for the developer to engage in discussions with DCC and CCBC regarding the responsibility of discharging the DCO Requirements. The developer advised that it had been suggested a joint Local Impact Report would be produced by the Authorities – though this would be dependent on powers being delegated.

Pre-Application Consultation

PINS sought clarification on the consultation process undertaken by the developer and advised of the importance of demonstrating that the Project had taken account of all comments made during the Pre-Application stage.

It was also advised that the developer should consider the new pre-application guidance recently published by Department for Communities and Local Government (DCLG) in their application. PINS ensured that the developer was aware of the changes to s43 'Local authorities for the purposes of section 42(1)(b)' of the 2008 Act brought about by the Localism Act 2011.

It was confirmed that the Consultation Report will demonstrate how the developer has considered all comments received during Pre-Application Consultation and that the scheme had been amended as a result. This has included moving the proposed locations of turbines and access tracks away from areas of peat as requested by Countryside Council for Wales (CCW).

The scheme will include mitigation on several matters identified through consultation, with particular emphasis on Ecological issues, including the presence of red squirrels, black grouse, nightjar and dormice. A European Protected Species (EPS) licence for the Dormice will be required and further surveys will be undertaken.

The proposed site boundary of the project has not been amended to that which was originally proposed and consulted upon.

The developer advised that it will respond to all S42 and S47 consultees who submitted a consultation response prior to submitting the application. It was also advised that an update on project progress post consultation is available on the RWE website and will be circulated to the Community Liaison Group.

In response to a query by PINS, it was confirmed that one

s47 comment had been received in Welsh.

Grid Connection

PINS sought clarification on the Grid Connection options included within the DCO.

The developer explained that a separate Grid Connection scheme was being prepared by Scottish Power Energy Networks (SPEN) that would serve this project along with three other consented neighbouring wind farms, namely Brenig, Nant Bach and Derwydd Bach.

The developer confirmed that the locations of both substation options are within DCC.

It was advised that the likely preferred location of the Grid Connections, and hence the substation, would be the northern option.

Water Supplies

The developer explained that several nearby private properties rely on springs, bore holes and the like for their water supply. The Developer has had detailed discussions with the relevant Local Authorities and home owners regarding this matter and considers that it has mitigated against the possible issues that may arise as far as possible.

Habitats Regulations Assessment (HRA)

PINS drew attention to the checklists contained in the appendices attached to Advice Note 10 (Guidance on HRA) which should be completed prior to submission of the application to assist in the production of the developer's HRA Report.

The developer confirmed this would be done prior to submission. The developer also advised that Environment Agency Wales (EAW) had provided comments on the draft HRA which did not raise any significant issues.

DCO and EM

PINS provided advice to assist the developer in preparing the next iteration of the DCO and EM.

In summary:

- PINS advised that it would be helpful if modern Statutory Instrument wording was used in the DCO
- Clarification was sought on the wording of several Articles within the DCO
- PINS advised the developer to review the Requirements set out in the DCO to ensure that they are specific to this project
- PINS advised the developer to ensure that included within the DCO there are methods of securing the mitigation measures relied upon in the Environmental Statement.

	<p>Preparation and Submission of Application Documents</p> <p><u>Shapefiles</u> PINS advised that it would require GIS shape files to be submitted at least two weeks prior to the submission date.</p> <p><u>Electronic File Index</u> PINS requested that the Electronic File Index is used by the Developer in structuring the application documents upon submission.</p> <p><u>Original Consultation Responses</u> PINS advised the developer that Regulation 5(5) of the <i>Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)</i> states that the Secretary of State can request all responses to the consultation carried out under Part 5 of the Planning Act 2008 (PA2008), and as such the developer should be prepared to provide a copy of all the consultation responses that have been received at the pre-application stage should this be requested.</p> <p><u>Fees</u> PINS advised the Developer to ensure they are aware of the most up to date fee structure for the submission of the project.</p> <p><u>Submission date</u> PINS requested the Developer to provide an accurate date of submission as it is required for internal resourcing and to update its website.</p> <p>It was agreed that further information would be provided by PINS on Shapefiles; Electronic File Index; Original Consultation Responses and Fees following the meeting.</p>
Specific decisions/ follow up required?	<ul style="list-style-type: none"> - PINS to provide further information on Shapefiles; Electronic File Index; Original Consultation Responses and Fees - Developer to provide anticipated application submission date and update its website accordingly
Circulation List	Attendees