

Submission to Examining Inspector for deadline 10th August.

From Christine Jordan your ref EN010072

I see that the Examining Inspector has asked several questions about the mitigation of danger to users and residents of Ffordd Cefn Du. Questions 1.2 and 1.3 have not been satisfactorily answered we feel.

Firstly the legitimacy of detaching safe and proper access for construction traffic from the planning process and dealing with it in a Section 278 agreement with Gwynedd Council must be questioned. The fundamental of such an agreement is that 'it will be of benefit to the public'. I would argue that the 'public' in this case must be the residents who live along the proposed route, and this enormous change from a quiet country lane to 'an industrial estate road' is definitely NOT for our benefit but only for the Applicants. Gwynedd Council have a financial interest in this scheme and cannot be an unbiased or proper body to judge this agreement properly. It should be dealt with within the DCO and decided upon within the same criteria that any individual would have to comply with.

Question 1.2 .b asks for feedback from the 'consultation' held on June 29th 2016 hosted by SPH and Gwynedd Council.

And as one of these residents involved I hope we too can have feedback, we have filled in forms to SPH and written to Gwynedd Council about the proposed works but have had a standard reply to all from Gwynedd Council and no response at all from SPH. Letter from Gwynedd Council is attached.

Reading the document SPH\_GREX\_WED3\_\_03 Ffordd Cefn Du Highway Improvements, prepared by Aecom for SPH, is both distressing and worrying. 6 to 9 months of roadworks before we even start on 4 years of construction traffic. Making our lane to 'industrial estate road specification' is a complete violation of our environment.

It proposes work being carried out in 3 sections simultaneously and will mean some of us enduring 2 sets of delays when trying to leave or return to our homes. The working day is proposed to be 8am to 6 pm, this includes times of people going to and from work, children going to and from school, horse riders and walkers using the lane and THIS IS NOT ACCEPTABLE.

No mitigation for the protection of our water supply has been noted, this is already compromised by any heavy traffic and has been broken by logging lorries regularly. THIS IS NOT ACCEPTABLE

It is noted in 2.2.1 that temporary closures may need to be implemented during the day, how are we to access our homes? The alternative side lane is not passable by most vehicles, my husband is 75, diabetic and cannot walk uphill, how are we to safely visit doctors, hospitals etc? We were told at the consultation that we may have to park in a carpark and walk to our

properties. This has been suggested before and mentioned in the Inspectors last questions no.1.3 but no definite answer. We were told a local landowner may make land available, no doubt he will be paid for this but where will it be? And why should residents have to park away from their homes and walk in sometimes terrible wind and rain to facilitate the quest for profit for faceless remote investors THIS IS NOT ACCEPTABLE.

We asked about traffic movements at the consultation on 29th June, and were told between 6 and 7 lorries an hour, how does this relate to the much smaller figures initially predicted by SPH? THIS MEANS OVER 50 LORRIES A DAY, the time allowed for travel is 7 mins from the junction with the A4085, so at least half the working day will have heavy lorry movements it appears.

The empty lorries will be held at the top and sent down in convoy when the road seems clear we are told. But with so many residents in and out all day, walkers, horse riders and children up and down, being passed by a convoy of lorries on a road with no footpaths or safe verges is frightening and intimidating and THIS IS NOT ACCEPTABLE.

We also understand that all construction of the Penstock is to be accessed from the top now, and will be 24 hr working. How is this to be accessed apart from using Ffordd Cefn Du? If so the working hours conditions must also be met for any of this construction traffic too and absolutely no movements of materials, men or vehicles allowed during the night, where is this in the DCO?

I also asked at the 'consultation' about the speed limit situation. The 30 mph zone ends a few hundred metres past the crossroads and after this is unlimited. We are told that construction traffic will have a speed limit, which we hope will be 10 mph, all along the route but what about cars, vans etc. At the moment the nature of the lane ensures a low speed, but if it is widened and resurfaced will be faced with speeding traffic up to 60 mph when we are trying to leave or return to our homes. If this is to be an 'industrial estate road' 2.1.2, surely we must have a speed limit throughout the whole length of the road. This must be 30 mph for all users and lower for construction traffic

Another point I raised at the very beginning of this Examination, but has never been answered is what will happen in maybe 20 years time, or sooner, when new technology make this small old fashioned scheme unviable. The operating company will go into liquidation and who will pay for the decommissioning or the maintenance of the large headpond and dam? The danger to the village of Waunfawr would be great, and with new battery storage technology now, it will not be long before the outdated pumped hydro system proposed is obsolete. At present the Government is asking for tenders this year to provide these latest lithium-ion battery electricity storage facilities and such schemes can be completed in months rather than years and sited anywhere, not in areas of natural beauty. But where are the safeguards for the local community when this

happens and we are left with an unmaintained industrial site ,and will the tax payer have to foot the bill?

The local communtiy have no desire for this development,will not gain anything but distress from it ,and our homes are already blighted by the idea of it.Properties that cannot be sold now ,may be let but every Tenancy agreement has to include a clause stating that 'residents shall be allowed to quietly possess and enjoy the property during their tenancy' No one with property alongside the lane could give that guarantee if this scheme goes ahead in it's present form.Another problem for local property owners,not to mention holiday accomodation providers whose businesses will be severely compromised.

In conclusion, this threat has been hanging over us for years now,and seems likely to go on for many more.It would mean the destruction of our community and enviroment,all just for profit .Our everday lives will not be without stress,worry and danger and we do not feel that we have been listened to,or the problems we would encounter sufficiently mitigated.Why have no alternatives for access been investigated properly and are just dismissed ?Fundamently this proposed scheme is so flawed in many ways

The danger of historic ordanance .

The permanent destruction of a historic and beautiful landscape.

The damage to Llyn Padarn .

The damage to the Tourism Industry.

The danger of using a country lane as construction traffic access.

The destruction of a quiet ,pollution free community.

The danger of leaving a permanent unmaintained industrial site in an area of natural beauty and a liability to the taxpayer.

Damage , Danger and Destruction all in the quest of profit.

**Adran Rheoleiddio / *Regulatory Department***  
**Gwasanaeth Cynllunio / *Planning Service***  
Uwch Reolwr Gwasanaeth Cynllunio ac Amgylchedd  
*Senior Manager Planning and Environment Service*  
Gareth Jones



Rhif Ymholiad / *Enquiry No:* 18-Gor-2016

Ymholiad / *Enquiry:* Gwelliannau Ffordd/Highway Improvements  
Lleoliad / *Location:* Ffordd Cefn Du, Waunfawr, Gwynedd

**Annwyl Syr/Madam / *Dear Sir/Madam,***

Cyfeiriaf at eich gohebiaeth diweddar yn dilyn y digwyddiad cyhoeddus a gynhaliwyd yng Nghanolfan y Capel, Caeathro ar 26ain o Fehefin 2016.

Fel yr eglurwyd yn y rhybuddion a'r llythyrau a ryddhawyd cyn y diwrnod ei hun, pwrpas y digwyddiad oedd casglu barn trigolion lleol ynglŷn a'r gwaith i gynnal gwelliannau i'r ffordd er mwyn darparu mynediad i elfennau o gynllun bwriedig Snowdonia Pumped Hydro (SPH). Nid pwrpas y digwyddiad oedd trafod y cais am Orchymyn rhoi Caniatâd Datblygu (Development Consent Order) ond i ddarparu manylion pellach am y gwelliannau ffordd yn unig er mwyn rhoi cyfle i SPH dderbyn eich sylwadau.

Mae'r ffurflenni ymateb a'r holl ohebiaeth yn dilyn y digwyddiad yma felly yn cael eu cyfeirio yn gyntaf i SPH er mwyn iddynt eu adolygu ag ystyried ymhellach fel mae'r cynllun i wella'r ffordd yn symud ymlaen. Mae eich pryderon hefyd yn cael eu nodi gan Uned Trafnidiaeth Cyngor Gwynedd ag fe fyddant yn cael eu trafod ymhellach gyda ymgynghorwyr penodedig SPH.

Er eglurdeb, rôl Cyngor Gwynedd fel rhan o broses y DCO yw fel un o grŵp o ymgynghorwyr cydnabyddedig ynglŷn a'r prosiect yma.

Mae'r Arolygaeth Cynllunio wedi cyhoeddi cyfres o nodiadau cyngor ynglŷn a'r broses DCO. Mae Nodyn Cyngor 2: Rôl Awdurdodau Lleol yn y broses Caniatâd Datblygu, yn datgan " Mae awdurdodau lleol a'r gymuned lleol yn ymgynghorwyr unigol. Tra fod angen i awdurdodau lleol ystyried yr hyn mae cymunedau yn ei ddweud, nid ydynt o reidrwydd yn gorfod mabwysiadu'r farn a roddir iddynt. Yng nghyd-destun hyn, rhaid i awdurdodau lleol yn arbennig, gynnal eu hunain yn unol a datganiadau Polisi Cenedlaethol a chanllawiau perthnasol".

Mae hefyd yn datgan, "Mae'n bwysig cydnabod nad yw'r awdurdod lleol yn gwneud y penderfyniad ond y byddant yn dymuno cyfrannu tuag at ddatblygiad cynigion tebygol ar sail budd i allu cynnig gwybodaeth leol manwl".

Mae cynnig o'r maint yma yn y pendraw yn cael ei benderfynu gan yr Ysgrifennydd Gwladol ar gyfer Ynni a Newid Hinsawdd tra fod y cais ei hun, fel y gwyddoch, yn cael ei archwilio gan yr Arolygaeth

Cynllunio ( yr awdurdod archwilio ) a fydd yn gwneud argymhelliad i'r Ysgrifennydd ar gyfer penderfyniad terfynol.

Mae gan yr Awdurdod Archwilio ddyletswydd statudol i gwblhau'r archwiliad o fewn 6 mis yn dilyn diwrnod olaf y cyfarfod rhagarweiniol. Mae'r archwiliad yn broses gyfreithiol ffurfiol, a fydd yn rhoi ystyriaeth fanwl i'r holl faterion pwysig a pherthnasol, gan gynnwys cyflwyniadau gan rhai a diddordeb, unrhyw dystiolaeth a gyflwynir ag atebion i gwestiynau a ofynnir.

Yn dilyn cyhoeddi penderfyniad ar ran yr Ysgrifennydd Gwladol, mae cyfnod o 6 wythnos ble gall y penderfyniad gael ei herio yn yr Uchel Lys, proses a adnabyddir fel Adolygiad Barnwrol.

Mae awdurdodau lleol yn debygol o fod yn gyfrifol am rhyddhau nifer o'r gofynion ( sydd yn debyg i amodau cynllunio ) os rhoddir caniatâd datblygu.

Hyderaf fod yr uchod wedi ateb eich ymholiad ag egluro cefndir y broses, os dymunwch drafod unrhyw fater ymhellach, mae croeso i chi gysylltu gyda'r gwasanaeth.

Yn gywir

Glyn Llewelyn Gruffudd  
Uwch Swyddog Rheolaeth Datblygu

\*\*\*\*\*

Dear Sir /Madam,

I refer to your recent correspondence received following the public event held at Canolfan y Capel, Caeathro, on the 26th June 2016.

As explained in the notices and letters issued prior to the day itself, the purpose of the event was to gather local resident's views on the proposed highway improvement works required to provide access to elements of the proposed Snowdonia Pumped Hydro (SPH) scheme. The event was not to discuss the Development Consent Order (DCO) application but to provide further details on the highway improvements only with the opportunity for SPH to receive your views.

Your feedback forms and all other correspondence following that event will therefore be forwarded in the first instance to SPH to review and consider further as the highway improvement scheme progresses. Your concerns have also been noted by Gwynedd Council's Transportation Unit and will be discussed in further detail with SPH's appointed consultants.

To clarify, the position of Gwynedd Council as part of the DCO process has been as one of an identified group of consultees regarding this project.

The Planning Inspectorate has published a series of advice notes regarding the DCO process. Advice Note 2: The Role of Local Authorities in the Development Consent process states: "A local authority and the local community are consultees in their own right. Whilst local authorities should have regard to what the community is saying, it is not intended that they necessarily adopt all of those views put to them. In this context, local authorities in particular must conduct themselves in line with the National Policy Statements and the relevant guidance".

Furthermore, it also states “It is important to recognise that a local authority is not the decision maker but will want to contribute towards the development of the emerging proposals with the benefit of their detailed local knowledge”.

A proposal of this scale will ultimately be decided upon by the Secretary of State for Energy and Climate Change, whilst the application itself, as you’re aware, is being examined by the Planning Inspectorate ( the examining authority ) who will will make a recommendation to the Secretary for his/her final decision.

The Examining Authority has a statutory duty to complete its examination within 6 months after the last day of the Preliminary Meeting. The examination is a formal legal process, during which careful consideration is given to all the important and relevant matters, including the representations of all interested parties, any evidence submitted and answers provided to questions set

Once a decision has been issued on behalf of the Secretary of State, there is a six week period in which the decision may be challenged in the High Court, this is known as Judicial Review.

Local authorities are likely to become responsible for discharging many of the requirements (akin to planning conditions) if development consent is granted.

I’m confident that the above answered your enquiry and provided some explanation regarding the process, if you’d like to discuss any matter further do not hesitate to contact the service.

Yours sincerely

Glyn Llewelyn Gruffudd  
Senior Development Control Officer

Gwefan / *Web site:* [www.gwynedd.gov.uk](http://www.gwynedd.gov.uk) Swyddfa’r Cyngor  
E-bost: [Cynllunio@gwynedd.gov.uk](mailto:Cynllunio@gwynedd.gov.uk) Gwasanaeth Cynllunio  
E-mail: [Planning@gwynedd.gov.uk](mailto:Planning@gwynedd.gov.uk) Ffordd y Cob  
Ffôn / *phone:* [01766 771 000](tel:01766771000) Pwllheli  
Gwynedd  
LL53 5AA

(TEMPLED LLYTHYR)