



SCOPING OPINION

Proposed SP Mid Wales Connections



July 2014



CONTENTS

EXECUTIVE SUMMARY

1.0	INTRODUCTION.....	1
2.0	THE PROPOSED DEVELOPMENT	4
3.0	EIA APPROACH AND TOPIC AREAS	13
4.0	OTHER INFORMATION	23

APPENDIX 1 – LIST OF CONSULTEES

APPENDIX 2 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

APPENDIX 3 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT



EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State in respect of the content of the Environmental Statement for the Mid Wales Electricity Connections (SPEN), Mid Wales, to provide the developers of eight proposed onshore wind farm developments with new electricity connections.

This report sets out the Secretary of State's Opinion on the basis of the information provided in the SP Manweb ('the applicant') report entitled 'SP Mid Wales Connections Scoping Report – June 2014' ('the Scoping Report'). The Opinion can only reflect the proposals as currently described by the applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- Biodiversity and Ecology (disturbance/loss during construction);
- Landscape and visual effects (including on the setting of historic/cultural heritage assets);
- Effects from construction traffic; and
- Socio-economic effects related to the temporary loss of access during construction to land used for recreation/tourism.

Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Secretary of State.

The Secretary of State notes the potential need to carry out an assessment under the Habitats Regulations¹.

¹ The Conservation of Habitats and Species Regulations 2010 (as amended)

1.0 INTRODUCTION

Background

- 1.1 On 6 June 2014, the Secretary of State (SoS) received a Scoping Report submitted by SP Manweb plc (SP Manweb) under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) in order to request a scoping opinion for the proposed Mid Wales Electricity Connections ('the Project'). This Opinion is made in response to this request and should be read in conjunction with the applicant's Scoping Report.
- 1.2 The applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an Environmental Statements ('ES') in respect of the proposed development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations, the proposed development is determined to be EIA development.
- 1.3 The EIA Regulations enable an applicant, before making an application for an order granting development consent, to ask the SoS to state in writing their formal opinion (a 'scoping opinion') on the information to be provided in the ES.
- 1.4 Before adopting a scoping opinion the SoS must take into account:
 - (a) the specific characteristics of the particular development;
 - (b) the specific characteristics of the development of the type concerned; and
 - (c) environmental features likely to be affected by the development'.

(EIA Regulation 8 (9))
- 1.5 This Opinion sets out what information the SoS considers should be included in the ES for the proposed development. The Opinion has taken account of:
 - i the EIA Regulations;
 - ii the nature and scale of the proposed development;
 - iii the nature of the receiving environment; and
 - iv current best practice in the preparation of environmental statements.
- 1.6 The SoS has also taken account of the responses received from the statutory consultees (see Appendix 2 of this Opinion). The matters addressed by the applicant have been carefully considered

and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the SoS will take account of relevant legislation and guidelines (as appropriate). The SoS will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a development consent order (DCO).

- 1.7 This Opinion should not be construed as implying that the SoS agrees with the information or comments provided by the applicant in their request for an opinion from the SoS. In particular, comments from the SoS in this Opinion are without prejudice to any decision taken by the SoS (on submission of the application) that any development identified by the applicant is necessarily to be treated as part of a nationally significant infrastructure project (NSIP), or associated development, or development that does not require development consent.
- 1.8 Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) a plan sufficient to identify the land;
 - (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
 - (c) such other information or representations as the person making the request may wish to provide or make’.
- (EIA Regulation 8 (3))*
- 1.9 The SoS considers that this has been provided in the applicant's Scoping Report.

The Secretary of State's Consultation

- 1.10 The SoS has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 1. The applicant should note that whilst the SoS's list can inform their consultation, it should not be relied upon for that purpose.
- 1.11 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2 along with copies of their comments, to which the applicant should refer in undertaking the EIA.
- 1.12 The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the

scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

- 1.13 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the applicant and will be made available on the Planning Inspectorate's website. The applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

- 1.14 This Opinion is structured as follows:

Section 1 Introduction
Section 2 The proposed development
Section 3 EIA approach and topic areas
Section 4 Other information.

- 1.15 This Opinion is accompanied by the following Appendices:

Appendix 1 List of consultees
Appendix 2 Respondents to consultation and copies of replies
Appendix 3 Presentation of the environmental statement.

2.0 THE PROPOSED DEVELOPMENT

Introduction

- 2.1 The following is a summary of the information on the proposed development and its site and surroundings prepared by the applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.

The Applicant's Information

Overview of the proposed development

- 2.2 The proposed development would provide new 132kV connections between eight proposed onshore wind farm developments (from their related substations) and a proposed new 400kV/132kV National Grid (NG) substation near Cefn Coch. The proposed wind farms (listed in Table 1.1 of the Scoping Report (and referred to as the 'Contracted Wind Farms') are located in two of the TAN 8 Strategic Search Areas (SSA) in Mid Wales (SSA B and SSA C). Planning consents for the Contracted Wind Farms have not yet been secured.

Description of the site and surrounding area

The Application Site

- 2.3 A map showing the location of the proposed development and an Indicative DCO Boundary are shown in Figures 1 and 2 (Appendix A) of the Scoping Report. The boundary delineates the area in which the proposal will be constructed and encompasses the Preferred Line Route Alignments. A finalised DCO Site Boundary will be submitted with the DCO Application.
- 2.4 The Preferred Line Route Alignments (PLRA) comprise corridors of land approximately 100m wide and are based on an indicative centre line alignment. They are indicative at this stage and will be adjusted in response to the detailed line design process, the EIA and on-going consultation process.
- 2.5 The PLRA are individually labelled as follows:
- **BNC Preferred Line Route Alignments** (shown in red in Figures 1 and 2): link the contracted wind farms in Strategic Search Area (SSA) B North to the proposed NG substation.
 - **BSC Preferred Line Route Alignments** (shown in blue in Figures 1 and 2): link the proposed Carno III wind farm in SSA B South with the proposed NG substation.

- **CC Preferred Line Route Alignments** (shown in green in Figures 1 and 2): link the contracted wind farms in SSA C to the proposed NG substation.

- 2.6 The PLRA pass through the rural valleys of Powys County where there is a variety of land types and uses, including: farmland; residential properties and villages; woodland and plantations; wind farms and moorland. They cross an area of Mid Wales extending southward from the proposed Dyfnant Forest Wind Farm, past the settlements of Carno, Treglwyn, Llanidloes and Llwydiarth. The alignment would then traverse in an easterly direction, passing to the north of Banc Du to the proposed Llanbadarn (Fyndd) wind farm near the Camnant valley.
- 2.7 The PLRA lie to the north east of the Cambrian Mountains and pass through the landscape of hills and valleys, crossing a number of water courses including the Afon Banwy, Afon Carno, Afon Trannon, Afon Hafren/River Severn and the River Ithon.

The Surrounding Area

- 2.8 The wider landscape context for the Proposed Development is shown in Figure 2 (Appendix A) of the Scoping Report. The wider landscape incorporates parts of the Carno, Trannon and Severn valleys. These valleys flow broadly west to east through an area of undulating pastoral farmland with open moorland to the north and south
- 2.9 To the west lie the moors which form the eastern edge of the Cambrian Mountains. These merge eastwards into rolling farmlands interspersed with broad low lying valleys. In the southern half of the Mid Wales area, another area of higher ground rises south of the Severn valley.
- 2.10 Land use is mainly rural, with a mix of pastoral and small scale arable farming in lower-lying areas. On higher ground, rough grassland and heather moorland predominates. There are also some relatively large areas of commercial forestry such as Dyfnant Forest.
- 2.11 Settlements in the area include small villages, hamlets and dispersed individual properties with the large settlement of Newtown 7 km to the north east of the CC Preferred Route Line Alignment. Settlement is denser in the valleys, becoming sparser in the uplands to the south and west.
- 2.12 Environmental designations/features within 10km of the PLRA include:
- Local Wildlife Sites/Nature Reserves;
 - Special Protection Areas (SPA)/Special Areas of Conservation (SAC);

- Various protected species including badgers, water voles, otter, dormice, bats, red squirrels, nesting/breeding birds, great crested newts and various reptiles/invertebrates/fish;
 - Sites of Special Scientific Interest (SSSI);
 - Conservation Areas/Listed Buildings;
 - Designated and undesignated archaeological sites;
 - Areas of Outstanding Natural Beauty (AONB);
 - National Park;
 - National Forest;
 - Natural/Ancient Woodland; and
 - Flood Zones.
- 2.13 The most significant roads in the surrounding area are the A458, B4395, A470, B4568, B4569, A489, A483 and A44 (Figure 2, Appendix A of the Scoping Report refers).
- 2.14 The Cambrian rail line between Shrewsbury and Aberystwyth crosses the BSC and CC Preferred Line Route Alignments 1.6 km northwest of Carno and 1.25 km northwest of Clatter (see Figure 2, Appendix A of the Scoping Report).

Alternatives

- 2.15 Schedule 4 of the EIA Regulations requires the ES to include an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking into account the environmental effects.
- 2.16 Section 4.10 of the Scoping Report advises that the ES will summarise the evolution of the proposals, the modifications to the design that were undertaken, and the environmental considerations which led to those modifications. In doing so, the ES will provide a record of the alternatives that were considered.

Description of the proposed development

- 2.17 Paragraph 2.1 of the Scoping Report identifies the following principal components of the proposed development:
- Approximately 67 km 132kV single circuit overhead wood pole lines and 4 km 132kV double circuit overhead steel tower design;
 - Options for potential 132kV underground cable;
 - Diversion of approximately 150 m of the existing 132kV overhead line that runs from Carno I and Carno II wind farms into the existing 132kV Newtown – Oswestry circuit;
 - Integral undergrounding of a section of the existing 33kV overhead line south of Trefeglwys;
 - Integral construction works and accesses for the above works; and
 - Integral Mitigation works for the Proposed Development (e.g. screen planting, habitat enhancements).

The majority of the 132kV connections will be single circuit overhead lines on wood pole structures. The type of wood pole structures is subject to on-going detailed design but is likely to include a combination of what are known as the Heavy Duty Wood Pole and Trident designs. Further clarification of the wood pole structure designs to be used will be provided within the Preliminary Environmental Information Report and the ES, but generic specification drawings showing typical heights and designs are provided at section 2.49 of the Scoping Report.

- 2.18 A limited number of steel towers will be required to support an approximately 4 km section of double circuit line within the BNC Preferred Line Route Alignment (BNC5).
- 2.19 The Scoping Report indicates that within and extending out from the Preferred Line Route Alignments will be the integral overhead line and construction working areas and access for the construction and new access from the existing tracks and roads.
- 2.20 Associated and related developments which will be subject to separate consent applications (although will be considered as part of the EIA for this project) include a 33kV overhead line connection between the proposed Neuadd Goch Bank Wind Farm (one of the eight Contracted wind farms) and the NSIP Development; the eight proposed Contracted Wind Farms; the proposed NG 400kV/132kV substations; and the proposed NG 400kV connection.

Proposed access

- 2.21 A number of integral accesses from the public highway into the construction works corridor, which will sit within each Preferred Line Route Alignment, will be required throughout the construction period. The construction accesses will utilise a combination of existing roads (where practicable) and temporary track ways, comprising metal plates or hard core of approximately 5 m in width. Local temporary widening of some of the delivery approach roads may be required to provide suitable access for HGV's.
- 2.22 The indicative locations of the temporary construction areas and accesses are illustrated in Figure 2 (Appendix A) of the Scoping Report; however, final construction arrangements will be subject to agreement between the contractor and the landowners.

Construction

- 2.23 Limited information is provided on the construction period and phasing. Paragraph 2.66 of the Scoping Report anticipates that subject to consents being granted work will commence in 2016. Construction is anticipated to take approximately three years and be completed and operational in 2019.

- 2.24 The Scoping Report notes that construction of the proposal will include:
- Vegetation clearance (including the felling of trees) and ground preparation works;
 - Delivery of construction materials;
 - Erection of wood pole supports/ towers;
 - Undergrounding;
 - Delivery of conductor drums and stringing equipment;
 - Insulator and conductor erection and sagging; and
 - Ground reinstatement.
- 2.25 The Scoping Report confirms that during the construction and decommissioning phases of new materials and equipment will be transported by road. Other modes of transport, such as, rail and water are not considered suitable given that materials would need to be delivered to remote areas over difficult terrain.
- 2.26 Vehicles required for construction are of a standard specification and can be used on the public highway with no escort vehicles or the need to deliver outside the working day. There would be no requirement for vehicles that would be described as an 'Abnormal Indivisible Load' (AIL).
- 2.27 Vehicles for construction staff would be light vehicles, vans or 4 x 4s (estimated to be 1 to 3 vehicles per day). Delivery of plant would be on HGVs and low loaders (estimated to be 1 per day) and delivery and construction material/poles/towers on HGVs (estimated to be 1 per day, at the start and finish of sections).
- 2.28 Temporary working areas would be needed throughout the construction process and depending on the programme requirements, some areas may be reinstated before the end of the construction phase.
- 2.29 The ES will provide details of the Proposed Development programme together with specific construction activities and their anticipated duration. It will also describe the likely content of the Construction Method Statement (CMS), which will detail the specific mitigation measures to be followed to reduce nuisance impacts that may result from construction traffic; noise and vibration; utilities diversion; dust generation; soil removal; and waste generation.

Operation and maintenance

- 2.30 Operation is anticipated to last up to 40 years or more, in line with the design life of the electricity transmission infrastructure, with decommissioning occurring only once the infrastructure is no longer required.

- 2.31 The overhead lines would require very little maintenance and would be regularly inspected, generating only maintenance vehicles to the site.

Decommissioning

- 2.32 Decommissioning of the proposed development is considered within the Scoping Report and indicates that when the useful life has expired, the connection can be removed. The ground will be reinstated to as near as practicable pre-construction conditions and material from the site will be recycled where possible.

The Secretary of State's Comments

Description of the application site and surrounding area

- 2.33 The proposed route of the connection alignment is set out in detail in the Scoping Report. Little written information is provided in the introductory sections on features in the surrounding area, although they are indicated in Figures 2 (i to xiii). More detailed information is provided in the topic sections.
- 2.34 In addition to detailed baseline information to be provided within topic specific chapters of the ES, the SoS would expect it to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.

Description of the proposed development

- 2.35 The applicant should ensure that the description of the proposed development that is being applied for is as accurate and as fixed as possible since this will form the basis of the environmental impact assessment. It is understood that at this stage in the evolution of the scheme the description of the proposals and even the Preferred Line Route Alignments may not be confirmed. The applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.
- 2.36 The SoS acknowledges that separate consent applications will be submitted in respect of other related developments identified in the Scoping Report. These developments will be considered in the cumulative impacts section of the ES (see Paragraph 5.5).

2.37 The SoS recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:

- Plans and figures illustrating the elements of the proposed development;
- Characteristics of the land required during the construction and operational phases;
- Construction processes and methods, including site preparation, methods for excavation of foundations, and the extent and location of any vegetation and habitats that may require removal to facilitate construction;
- Access arrangements, including anticipated routes for construction vehicles into/within the site and to/from construction compounds or any off site locations;
- Locations, and restoration or reinstatement of any construction compounds, lay down areas for major components and parking areas;
- Types and quantities of materials used;
- Any potential risk of accidents/spillages, having regard in particular to substances or technologies used;
- Emissions (water, air and soil pollution, noise, vibration, etc.);
- Details of any measures required to mitigate impacts that form part of the scheme design; and
- Land use requirements for development and any related development, landscaping areas and potential off-site mitigation or compensation schemes.

2.38 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.

2.39 The response from Natural Resources Wales refers to the potential need for the proposed lines to require existing overhead power lines to be re-routed or buried. Any such works should be clearly described and potential impacts should be identified and assessed in the ES.

Alternatives

2.40 The EIA Regulations require that the applicant provide 'An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects' (See Appendix 3). The Secretary of State notes the commitment of the applicant to provide details of alternatives considered in Sections 4.8 to 4.10 of the Scoping Report.

Flexibility

- 2.41 The applicant's attention is drawn to Advice Note 9 'Using the 'Rochdale Envelope' which is available on the Planning Inspectorate's website and to the 'Flexibility' section in Appendix 3 of this Opinion which provides additional details on the recommended approach.
- 2.42 The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.
- 2.43 It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the applicant may wish to consider the need to request a new scoping opinion.

Proposed access

- 2.44 The SoS considers that site access routes for construction traffic and should be clearly identified and assessed within the ES, including any alterations required to the existing road network to accommodate any HGVs. The SoS notes that at present it is intended that there should be no requirement for AILs, but if it becomes apparent that they are required, they should be included in the ES. The ES should also identify whether any alterations to the existing road network would be retained or reinstated, and assess the potential effects arising.

Construction

- 2.45 The SoS considers that information on construction including: phasing of programme; construction methods and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES. Information should also be provided in the ES on whether any construction activities are restricted to a particular time of year.
- 2.46 The SoS notes the information provided in the Scoping Report regarding the size and location of construction compounds and

other temporary working/storage areas. The applicant is reminded that this information will be required in the ES and that such areas must be included in the DCO redline boundary.

- 2.47 The SoS notes the scoping response (see Appendix 2 of this Opinion) from Natural Resources Wales which requests a detailed construction timetable which takes account of periods of ecological sensitivities such as bird breeding seasons and the need to avoid pollution, and a draft construction and environmental management plan (CEMP) which should include sufficient detail to demonstrate that proposed mitigation can be delivered effectively. The SoS recommends that the ES should include a detailed construction timetable which includes seasonal constraints, together with a draft CEMP and encourages the applicant to engage with NRW regarding the scope of the draft CEMP.

Operation and maintenance

- 2.48 Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as: the number of full/part-time jobs; the operational hours and if appropriate, shift patterns; the number and types of vehicle movements generated during the operational stage.
- 2.49 The SoS recommends that the ES should clearly identify the width and timing of the tree clearance required for the grid line during operation, taking account of operational requirements and maintenance issues.

Decommissioning

- 2.50 In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The process and methods of decommissioning should be considered and options presented in the ES. The SoS encourages consideration of such matters in the ES.

3.0 EIA APPROACH AND TOPIC AREAS

Introduction

- 3.1 This section contains the SoS's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 3 of this Opinion and should be read in conjunction with this Section.
- 3.2 Applicants are advised that the scope of the DCO application should be clearly addressed and assessed consistently within the ES.

Environmental Statement (ES) - approach

- 3.3 The information provided in the Scoping Report sets out the proposed approach to the preparation of the ES. Whilst early engagement on the scope of the ES is to be welcomed, the SoS notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the SoS or the consultees.
- 3.4 The SoS would suggest that the applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used. The SoS notes and welcomes the intention to finalise the scope of investigations in conjunction with on-going stakeholder liaison and consultation with the relevant regulatory authorities and their advisors. The ES should identify clearly how consultation responses have been taken into account in the assessment and in the identification/design of any necessary measures to mitigate any potential adverse effects.
- 3.5 The SoS recommends that the ES should include a table which summarises how the proposed mitigation measures will be delivered (e.g. through requirements in the draft DCO).
- 3.6 The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.
- 3.7 Where the ES states that components of the assessment (e.g. methodology) are agreed this should be supported with reference

to supporting evidence, copies of which should be appended to the ES (and referenced in the main text).

- 3.8 The SoS encourages the applicant to liaise with the local planning authority to ensure use is made in the EIA of the most up to date policy documents.

Matters to be scoped out

- 3.9 The applicant has identified and provided justification within Table 17.2 of the Scoping Report, the matters to be 'scoped out' of the EIA. These include:

- Water Quality and Groundwater (operation);
- Traffic and Transport (operation)
- Electro-Magnetic Fields (EMF) (construction/decommissioning);
- Noise and vibration;
- Air quality;
- Ground conditions;
- Civil and Military Aviation;
- Other emissions;
- Waste; and
- Contribution to climate change

- 3.10 Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the SoS.

- 3.11 In most cases insufficient evidence is provided in the Scoping Report for the Secretary of State to agree that the identified topics can be scoped out of the EIA. The SoS agrees however that the following topics can be scoped out, on the basis that potential impacts from any related works/activities are unlikely to be significant:

- Water Quality and Groundwater (operation only): due to the limited extent of operational works/activities with the potential to affect relevant receptors (e.g. from emissions/run-off to surface and ground water).
- Traffic and Transport (operation only): due to the limited number of vehicle numbers that are expected to be generated during operation;
- EMF (construction/decommissioning only): on the basis that an electric current would not be carried along the proposed lines during construction/decommissioning (meaning an EMF would not be generated);
- Noise and Vibration (operation only): due to limited extent of operational works/activities with the potential to generate significant noise/vibration impacts.

- Air Quality (operation only): due to the limited extent of operational works/activities with the potential to generate significant emissions to air and/or generate significant dust;
 - Ground Conditions (operation only): due to the limited extent of operational works/activities with the potential to result in significant changes to ground conditions (e.g. from contamination/disturbance); and
 - Contribution to Climate Change: as although the development will generate emissions and result in other changes (e.g. loss of vegetation) that could affect the climate, the contribution to climate change is unlikely to be significant.
- 3.12 Whilst the SoS has not agreed to scope out certain topics or matters within the Opinion on the basis of the information available at this time, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence is provided to justify this approach. This approach should be explained fully in the ES.
- 3.13 The effects of the proposals on air quality and from vibration and other emissions (e.g. fuel/oils spillages/leakages, mud and light pollution) generated during each stage of development are proposed to be scoped out of the EIA. The SoS considers however that potential changes in these types of emissions during construction/decommissioning could result in significant effects given the sensitive nature of the surrounding area, which includes national/European-designated wildlife sites and species and a variety of recreational users. The proposals also involve the use of plant and machinery (possibly involving piling) which indicate the potential for significant effects.
- 3.14 Given the above the SoS considers that potential changes in air quality/dust, vibration and other emissions during construction/decommissioning should be carefully assessed. This includes the need to consider potential effects from an increase in airborne pollution (e.g. dust) and sources of vibration especially during site preparation, demolition and construction. Such information should also inform the ecological assessments.
- 3.15 Air quality/dust and vibration levels should be considered not only on site but also off site, including along access roads, local footpaths and other PROW. Consideration should also be given to appropriate mitigation measures and to monitoring complaints. The methodology for the assessment should be agreed with the relevant Environmental Health Department of the Council and with Natural Resources Wales. Information should be provided on the types of vehicles and plant to be used during the each stage of development.
- 3.16 Noise from the operation of the proposed development (from corona discharge from the lines) is intended to be scoped out of

the EIA on the basis that effects are expected to be minimal/not significant. Limited information is provided regarding potential noise impacts however and if the applicant does not propose to submit an assessment in this respect further justification should be provided to support this approach. .

- 3.17 Paragraph 16.13 of the Scoping Report explains that minimal waste is expected to be generated by the project and its management is unlikely to result in significant environmental effects. However, Paragraph 2.52 refers to the need for tree felling/removal where the connection passes over or in close proximity to trees that could infringe safe clearances to 'live' conductors. There is no reference to the likely number/size of trees that would need to be felled, however the SoS considers that the potential effects from the disposal of this type of waste should be assessed. The likely effects resulting from the felling/removal process should also be addressed in other relevant chapters of the ES (e.g. transport, ecology, landscape and visual, flood risk/hydrology).
- 3.18 The SoS welcomes the proposed summary of management procedures for the methods, controls and mitigation procedures for the storage/transport of waste which are to be implemented during the project. It is recommended that a draft Site Waste Management Plan should be discussed/agreed with relevant consultees and appended to the ES.

National Policy Statements (NPSs)

- 3.19 Sector specific NPSs are produced by the relevant Government Departments and set out national policy for nationally significant infrastructure projects (NSIPs). They provide the framework within which the Examining Authority will make their recommendations to the Secretary of State and include the Government's objectives for the development of NSIPs.
- 3.20 The relevant NPSs for the proposed development, i.e. EN-1 and EN-5, set out both the generic and technology-specific impacts that should be considered in the EIA for the proposed development. When undertaking the EIA, the applicant must have regard to both the generic and technology-specific impacts and identify how these impacts have been assessed in the ES.

Environmental Statement - Structure

- 3.21 The SoS notes that from Paragraph 17.75 of the Scoping Report that the EIA would cover a number of assessments under the broad headings of:
- Planning Policy;
 - Biodiversity and Ecology;
 - Landscape and Visual Amenity;

- Historic Environment and Cultural Heritage;
 - Flood Risk and Hydrology;
 - Socio-Economics;
 - Land Use;
 - Noise and Vibration (during construction);
 - Traffic and Transport;
 - Electric and Magnetic Fields;
 - Cumulative Impact Assessment; and
 - Cross Disciplinary Cumulative Effects.
- 3.22 The SoS draws attention to the recommended approach to the cumulative effects assessment, as set out in Appendix 3 to this Opinion. Natural Resources Wales (Appendix 2) also identify other projects not listed in the Scoping Report but which may be relevant to the assessment of cumulative impacts.
- 3.23 The SoS notes the reference to cross disciplinary cumulative effects. This is not a commonly used term in EIA and therefore the SoS welcomes the explanation in Table 17.1 that this section of the ES will consider the potential for the individual impacts identified in the technical assessment to cause combined effects on individual receptors. The need for the ES to consider the inter-relationship between aspects of the environments likely to be significantly affected by a project is a requirement of the EIA Regulations.

EIA Topic Areas

Biodiversity and Ecology (see Scoping Report Section 7.0)

- 3.24 The SoS recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The applicant should agree the assessment methodology with Natural Resources Wales, including the ecological receptors which should be the focus of the assessment and the types/characteristics of the surveys required. Attention is drawn to the comments from Natural Resources Wales in Appendix 2 of this Opinion.
- 3.25 In this context it will be important to carefully justify the physical area for the assessment and to ensure that potential impacts are considered over a sufficiently wide area.
- 3.26 The SoS welcomes the Extended Phase 1 Habitat Survey and Phase 2 surveys proposed to be undertaken in 2014. The SoS recommends that all surveys should be thorough, up to date and take account of other development proposed in the vicinity. It is recommended that where any ecological or ornithological survey is older than two years when the application is submitted a detailed rationale should be provided as to why the surveys should still be considered relevant. The consultation and engagement with Natural Resources Wales is welcomed, however the SoS encourages the applicant to continue with this until submission of

the application, to refine the scope of the assessment as details of the proposals progress and in response to initial assessment findings. This is important given that update surveys are proposed for 2014 (see Paragraph 7.39) and because the selection of the 100m grid corridors has been determined prior to ecological surveys being undertaken.

3.27 The SoS notes that Natural Resources Wales (Appendix 2 of this Opinion) makes recommendations in respect of the following types of survey proposed in the Scoping Report:

- Phase 1 and 2 habitat survey
- Tree surveys
- Hedgerow surveys
- Species surveys including great crested newt, water vole, otter, wader, wintering/breeding bird, raptor, crayfish, dormice, bat, red squirrel and fish.

3.28 The ES should explain how these recommendations have been taken into account.

3.29 Paragraph 7.48 of the Scoping Report states that the majority of the proposed Hedgerow Evaluation and Grading Systems (HEGS) surveys may be undertaken outside the optimum time of year. Updates to surveys during the optimal period are proposed 'if it is considered necessary'. The SoS considers however that where gaps in optimal survey data exist (for any habitats/species) the ES should provide evidence to justify how the information provided is an accurate reflection of current baseline conditions.

3.30 The SoS notes the possible need for an Appropriate Assessment in view of the site's location in relation to various European sites (see Section 4 of this Opinion). The SoS therefore welcomes the reference in Paragraph 7.122 of the Scoping Report to the preparation of report to inform a Habitats Regulations Assessment (HRA) which will be discussed with NRW and comply with guidance from the Planning Inspectorate, as set out in Advice Note 10 (August 2013). Please note however that this guidance may be subject to change prior to submission of the application.

Landscape and Visual Amenity (see Scoping Report Section 8.0)

3.31 Paragraph 8.58 of the Scoping Report explains that it is common for a Zone of Theoretical Visibility (ZTV) to be used in an EIA for projects of this type. It explains however that this has not been undertaken in this case as the general pattern of visibility within the study area and the nature of the proposals would not provide meaningful results. The SoS encourages the applicant to agree this approach with relevant consultees and to append related correspondence to the ES.

- 3.32 The SoS notes and welcomes the intention to agree with the relevant local authorities the viewpoints to be used in the assessment of visual impacts. The SoS also recommends that:
- In as far as possible, ensure the methodology is the same as that used in the assessment for the National Grid connection proposal and seek to combine the cumulative impacts assessments for the two schemes.
 - Detailed matters regarding the assessment criteria.
- 3.33 Natural Resources Wales have provided comments on Section 8.0 of the Scoping Report and these should be taken into account when finalising the methodology and undertaking the assessment.
- 3.34 The study area for the LVIA is an important factor. The approach to defining the study area for this project is explained in Paragraphs 8.13 – 8.17 of the Scoping Report. It will extend to approximately 10km from the PLRA, although the majority of significant effects for steel sections of the line (approximately 26m high) are expected within 3km (and within 1km for wooden pole sections of the line, which are approx. 14m high).
- 3.35 The SoS notes that Natural Resources Wales (Appendix 2) advise that the study area for the cumulative visual assessment is 10km. It would be helpful if the ES could explain how all study areas in the assessment compare with best practice guidance and/or whether the approach is agreed with Natural Resources Wales.

Historic Environment and Cultural Heritage (see Scoping Report Section 9.0)

- 3.36 The setting of cultural heritage resources could be affected by the proposals. This includes historic buildings, historic landscapes and archaeological sites and the SoS considers that these should be addressed in the ES. Cross reference should be made to the Landscape and Visual section of the ES.
- 3.37 The SoS welcomes the proposed consultation with PCC, NRW and Cadw to inform the assessment and related studies and to agree the viewpoint locations and preparation of the supporting photomontages. In this regard the SoS draws attention to the detailed consultation response from Powys County Council (Appendix 2 of this Opinion).
- 3.38 Paragraph 9.64 of the Scoping Report states that agreed mitigation measures will be taken into account when concluding the residual likely significant effects of the Proposed Development. In these circumstances the ES should identify how the delivery of the measures relied upon is secured through specific requirements in the draft DCO. It would also be helpful if the ES could justify the adequacy of the method of delivering the mitigation proposed.

Flood Risk and Hydrology (see Scoping Report Section 10.0)

- 3.39 Groundwater is the potential pathway for discharge of liquids to surface and coastal waters and the SoS notes that the PLRA crosses a large number of main rivers which could be affected directly by the proposed development.
- 3.40 Mitigation measures should be addressed and the SoS advises that reference should be made to other regimes (such as pollution prevention from the EA). On-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.
- 3.41 The SoS welcomes the proposed submission of a Flood Consequences Assessment (FCA) and encourages the applicant to engage with the Natural Resources Wales and Powys County Council regarding this. The FCA should form an appendix to the ES.

Socio-Economics (see Scoping Report Section 11.0)

- 3.42 The SoS notes and welcomes the intention for the assessment to be informed by the findings of other relevant chapters of the ES, including those related to the landscape and visual, cultural heritage and transport/traffic assessments.
- 3.43 The SoS recommends that the assessment criteria should be locationally specific and consider the potential significance of the impacts of the proposal within the local and regional context.
- 3.44 The SoS notes the potential for the construction/decommissioning phases of the project to require temporary closure of foot/cycle paths and/or roads/other transport methods used for recreation or related to the tourist industry. It is not clear from the Scoping Report how this issue will be addressed in the EIA however. Given the importance of tourism to the local area the SoS considers that this issue should be addressed in the ES. The ES should include a map which delineates existing access routes, any temporary routes that are proposed, and the likely period of closure
- 3.45 The Scoping Report does not explain whether or how the EIA will address any potential effects on the Welsh language, to reflect any national or local planning policy requirements. The SoS considers therefore that the applicant should discuss and agree the need and characteristics of an assessment of impacts on the Welsh language with the local planning authority. The conclusions of these discussions and the methodology/findings of any assessment undertaken should be included in the ES.

Land Use (see Scoping Report Section 12.0)

- 3.46 Paragraph 12.25 of the Scoping Report states that, with the exception of land take, all of the identified potential effects can be mitigated such that the overall residual effects are likely to be of minor or negligible significance. The likely characteristics of any such measures are not described in the Scoping Report therefore the SoS welcomes the proposal for this information to be provided in the ES (subject to further detailed routing and design).

Noise and Vibration (during construction) (see Scoping Report Section 13.0)

- 3.47 The SoS notes that a baseline noise survey has not been undertaken (Paragraph 13.19) and is not required to inform the EIA (Paragraph 13.20) as the adoption of the lowest construction noise threshold value (from British Standard guidance) would represent a conservative approach. The SoS encourages the applicant to discuss and agree this approach with relevant consultees.

Traffic and Transport (see Scoping Report Section 14.0)

- 3.48 The SoS welcomes the consultations proposed with Powys County Council and the Mid Wales Trunk Road Agency during preparation of the EIA. The SoS would expect on-going discussions and agreement, where possible, with such bodies regarding the scope and conclusions of the assessment.
- 3.49 The SoS recommends that the ES should take account of the location of footpaths, cycle paths and any public rights of way (PROW) including bridleways and byways. The ES should clearly describe potential impacts on these receptors and wider network. It is important to minimise hindrance to these important transport connections where possible. A clear indication should be given as to how the proposed development will affect the existing and future facilities within the National Forest area and what mitigation would be appropriate in the short, medium and long term.
- 3.50 The SoS considers it essential to also take account of any materials to be removed from the site during the construction period and to identify where potential traffic movements would be routed.
- 3.51 Paragraph 14.11 explains that two of the PLRA are to cross the Cambrian rail line between Shrewsbury and Aberystwyth. There is however no reference in the Scoping Report on the potential for impacts on the operation of the rail line and if/how these would be assessed in the ES. The SoS notes the potential for significant effects from related works (e.g. from changes/disruption to the rail line) which should be described and assessed in the ES. In this regard the SoS encourages the applicant to engage with the relevant statutory undertaker for the line (e.g. Network Rail)

regarding the potential for effects, the scope/findings of the assessment and the need for mitigation measures.

Electric and Magnetic Fields (see Scoping Report Section 15.0)

- 3.52 The SoS welcomes and supports the precautionary approach proposed regarding the need to assess potential impacts from electric and magnetic fields (EMF), even when there is only remote potential for significant environmental effects. The ES should describe/assess potential effects on all relevant receptors, including people/wildlife but also any third party equipment that could be affected through interference (e.g. medical equipment at hospitals).

Other Issues to be Scoped Out of the EIA (see Scoping Report Section 16.0)

- 3.53 See comments in Paragraphs 3.9 to 3.18 of this Opinion.

3.54

4.0 OTHER INFORMATION

- 4.1 This section does not form part of the SoS's Opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the SoS has identified which may help to inform the preparation of the application for the DCO.

Habitats Regulations Assessment (HRA)

- 4.2 The SoS notes that European sites are located close to the proposed development. It is the applicant's responsibility to provide sufficient information to the Competent Authority (CA) to enable them to carry out a HRA if required. The applicant should note that the CA is the SoS.
- 4.3 The applicant's attention is drawn to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (The APFP Regulations) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site or potential SPA which may be affected by the proposal. The submitted information should be sufficient for the competent authority to make an appropriate assessment (AA) of the implications for the site if required by Regulation 61(1) of the Habitats Regulations.
- 4.4 The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the CA of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the CA.
- 4.5 When considering aspects of the environment likely to be affected by the proposed development; including flora, fauna, soil, water, air and the inter-relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development.
- 4.6 Further information with regard to the HRA process is contained within Planning Inspectorate's Advice Note 10 available on the National Infrastructure pages on the Planning Portal website.

Evidence Plans

- 4.7 An evidence plan is a formal mechanism to agree upfront what information the applicant needs to supply to the Planning Inspectorate as part of a DCO application. An evidence plan will help to ensure compliance with the Habitats Regulations. It will be particularly relevant to NSIPs where impacts may be complex, large amounts of evidence may be needed or there are a number

of uncertainties. It will also help applicants meet the requirement to provide sufficient information (as explained in Advice Note 10) in their application, so the Examining Authority can recommend to the Secretary of State whether or not to accept the application for examination and whether an appropriate assessment is required.

- 4.8 Any applicant of a proposed NSIP in England, or England and Wales, can request an evidence plan. A request for an evidence plan should be made at the start of pre-application (e.g. after notifying the Planning Inspectorate on an informal basis) by contacting the Major Infrastructure and Environment Unit (MIEU) in Defra (MIEU@defra.gsi.gov.uk).

Sites of Special Scientific Interest (SSSIs)

- 4.9 The Secretary of State notes that a number of SSSIs are located close to or within the proposed development. Where there may be potential impacts on the SSSIs, the SoS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.
- 4.10 Under s28(G), the SoS has a general duty ‘... to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest’.
- 4.11 Under s28(I), the SoS must notify the relevant nature conservation body (NCB), NRW in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the SoS must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.
- 4.12 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SoS. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(I) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

European Protected Species (EPS)

- 4.13 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to an EPS is

identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests² in Regulation 53 of the Habitats Regulations. Therefore the applicant may wish to provide information which will assist the decision maker to meet this duty.

- 4.14 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.
- 4.15 Applicants are encouraged to consult with NRW and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NRW whether any issues have been identified which would prevent the EPS licence being granted.
- 4.16 Generally, NRW are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NRW will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt NRW will either issue 'a letter of no impediment' stating that it is satisfied (insofar as it can make a judgement) that the proposals comply with the regulations or will issue a letter outlining why the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The applicant is responsible for ensure draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NRW.
- 4.17 Ecological conditions on the site may change over time. It will be the applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals³. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals. In Wales, the focus is on evidencing the demonstration of no detriment to the maintenance of favourable

² Key case law re need to consider Article 16 of the Habitats Directive: Woolley vs East Cheshire County Council 2009 and Morge v Hampshire County Council 2010.

³ Key case law in respect of the application of the FCS test at a site level: Hafod Quarry Land Tribunal (Mersey Waste (Holdings) Limited v Wrexham County Borough Council) 2012, and Court of Appeal 2012.

conservation status (FCS) of the population or colony of EPS potentially affected by the proposals. This approach will help to ensure no delay in issuing the licence should the DCO application be successful.

- 4.18 In Wales, assistance may be obtained from NRW's Regional Species Teams. These Teams provide advice on a range of issues concerning EPS including advice on compensation site design, measures to mitigate incidental capture/killing, evidencing compliance and post project surveillance. The service is free of charge and entirely voluntary. Regional Species Teams can be contacted via NRW's Enquiry Service. Further information is available from the following link:

<http://naturalresourceswales.gov.uk/apply-buy-report/apply-buy-grid/protected-species-licensing/european-protected-species-licensing/?lang=en>

Health Impact Assessment

- 4.19 The SoS considers that it is a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health and Safety Executive and/or Public Health England in relation to electrical safety issues (see Appendix 2).
- 4.20 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Other regulatory regimes

- 4.21 The SoS recommends that the applicant should state clearly what regulatory areas are addressed in the ES and that the applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.
- 4.22 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the SoS will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The applicant is encouraged to make early contact with other regulators. Information from the applicant about progress in

obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the SoS.

Transboundary Impacts

- 4.23 The SoS has noted that the applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.
- 4.24 Regulation 24 of the EIA Regulations, which *inter alia* require the SoS to publicise a DCO application if the SoS is of the view that the proposal is likely to have significant effects on the environment of another EEA state and where relevant to consult with the EEA state affected. The SoS considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.
- 4.25 The SoS recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

APPENDIX 1

List of Consultees

APPENDIX 1

LIST OF BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

CONSULTEE	ORGANISATION
SCHEDULE 1	
The Welsh Ministers	Welsh Government
The Health and Safety Executive	Health and Safety Executive
The Relevant Fire and Rescue Authority	Mid and West Wales Fire and Rescue Service
	North Wales Fire Service
	Shropshire Fire and Rescue Service
The Relevant Police and Crime Commissioner	Office for the Dyfed-Powys Police and Crime Commissioner
	Office of the Police and Crime Commissioner North Wales
	Office of the Police and Crime Commissioner West Mercia
The Relevant Parish Council(s) or Relevant Community Council	Banwy Community Council
	Llanerfyl Community Council
	Dwyriw Community Council
	Llanbrynmair Community Council
	Carno Community Council
	Caerws Community Council
	Trefeglwys Community Council
	Llanidloes Without Community Council
	Llandinam Community Council
	Llanbadarn Fynydd Community Council
	Kerry Community Council
	Llanwddyn Community Council
	Llanfihangel Community Council
	Llanfair Caereinion Community Council
	Manafon Community Council
	Tregynon Community Council
	Aberhafesb Community Council
	Mochdre Community Council
	Newtown and Llanllwchaearn Town

	Council
	Abermule with Llandyssil Community Council
	Montgomery Community Council
	Chirbury with Brompton Parish Council
	Churchstoke Community Council
	Mainstone with Colebatch Parish Council
	Newcastle on Clun Parish Council
	Bettws y Crwyn Parish Council
	Beguildy Community Council
	Llanbister Community Council
	Abbey Cwm-hir Community Council
	St. Harmon Community Council
	Llangurig Community Council
	Llanidloes Town Council
	Blaenrheidol Community Council
	Cadfarch Community Council
	Glantwymyn Community Council
	Mawddwy Community Council
The Equality and Human Rights Commission	Equality and Human Rights Commission
Royal Commission On Ancient and Historical Monuments Of Wales	Royal Commission On Ancient and Historical Monuments Of Wales
The Relevant Highways Authority	Powys County Council
The Passengers Council	Passenger Focus
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee
The Coal Authority	The Coal Authority
The Office Of Rail Regulation	Office of Rail Regulation (Customer Correspondence Team Manager)
Approved Operator	Network Rail Infrastructure Ltd
The Gas and Electricity Markets Authority	OFGEM
The Water Services Regulation Authority	OFWAT
The Relevant Waste Regulation Authority	Natural Resources Wales
The Canal and River Trust	The Canal and River Trust
Public Health England, an	Public Health England

executive agency to the Department of Health	
The Relevant Local Resilience forum	Dyfed Powys LRF Partnership Team
The Crown Estate Commissioners	The Crown Estate
The Natural Resources Body for Wales	Natural Resources Wales
RELEVANT STATUTORY UNDERTAKERS	
Health Bodies (s.16 of the Acquisition of Land Act (ALA) 1981)	
The relevant local health board	Powys Teaching Health Board
The National Health Service Trusts	Public Health Wales
	Welsh Ambulance Services Trust
	Velindre NHS Trust
Ambulance Trusts	Welsh Ambulance Services NHS Trust
Relevant Statutory Undertakers (s.8 ALA 1981)	
Railway	Network Rail Infrastructure Ltd
	Highways Agency Historical Railways Estate
Water Transport	The Canal and River Trust
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route (NERL) Safeguarding
Universal Service Provider	Royal Mail Group
Relevant Environment Agency	Natural Resources Wales
Water and Sewage Undertakers	Dwr Cymru (Welsh Water)
Public Gas Transporter	Energetics Gas Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	LNG Portable Pipeline Services Limited
	National Grid Gas Plc
	National Grid Plc
	Quadrant Pipelines Limited
	SSE Pipelines Ltd
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
Electricity Distributors With CPO Powers	Wales and West Utilities Ltd
	Energetics Electricity Limited
	ESP Electricity Limited
	Independent Power Networks Limited
	The Electricity Network Company Limited

	SP Distribution Limited
	SP Manweb Plc
	Western Power Distribution (South Wales) Plc
Electricity Transmitters With CPO Powers	National Grid Electricity Transmission Plc
	National Grid Plc
LOCAL AUTHORITIES (SECTION 43)	
National Park Authority	Brecon Beacons National Park Authority
	Snowdonia National Park Authority
Local Authority	Powys County Council
	Gwynedd Council
	Denbighshire County Council
	Wrexham County Borough Council
	Shropshire Council
	Herefordshire Council
	Monmouthshire County Council
	Blaenau Gwent County Borough Council
	Caerphilly County Borough Council
	MerthyrTydfil County Borough Council
	Rhondda Cynon Taf County Borough Council
	Neath Port Talbot County Borough Council
	Camarthenshire County Council
	Ceredigion County Council
NON-PRESCRIBED CONSULTATION BODIES	
Welsh Language Commissioner	Welsh Language Commissioner
Joint Transport Authority	Trafnidiaeth Canolbarth Cymru (TraCC)
CADW	Cadw

APPENDIX 2

Respondents to Consultation and Copies of Replies

APPENDIX 2

LIST OF BODIES WHO REPLIED BY THE STATUTORY DEADLINE

Abermule with Llandyssil Community Council
Banwy Community Council
Coal Authority
Denbighshire County Council
Energetics
Equality and Human Rights Commission
ESP
Fulcrum Pipelines
Health and Safety Executive
Kerry Community Council
Llanbister Community Council
Llanidloes Town Council
Llanidloes Without Community Council
Mochdre with Penstrowed Community Council
NATS
Natural Resources Wales
Powys County Council (Landscape)
Powys County Council (Cultural Heritage and Historic Environment)
Powys County Council (Highways)
Public Health England
St Harmon Community Council
TraCC
Trefeglwys Community Council

Comments on the SPEN Scoping Report Mid Wales Connections Project

Abermule with Llandyssil Community Council Montgomeryshire

Clerk: llandyssilcommunitycouncil@yahoo.co.uk

Sections of this Scoping Report will be commented on by the relevant statutory bodies and are largely outside the remit and expertise of a Community Council. We would, without prejudice to any subsequent response to the final Environmental Impact Assessment, wish to comment on the proposed socio-economic (Section 11) and transport and traffic (Section 14) sections. It is evident from the baseline cases outlined in the Scoping report that existing analysis has selectively extracted from limited and outdated information resulting in inaccurate and misleading statements.

Overall, the EIA needs to demonstrate how the Mid Wales Connections Project fits with the Powys Regeneration Strategy of: *'The upgrading of an area taking a balanced approach to improving the well being of communities through social, physical and economic improvements'*.

This is particularly important since the new infrastructure does not benefit the local area at all through local supply upgrading but merely exports intermittent electricity and will not provide permanent employment. However, loss of visual amenity will affect residents and the thriving and important tourism sector.

Comments regarding Section 11:

The breadth of resource material cited is limited and, as the provenance is predominantly developers, lacks objectivity. Much of the research has limited academic credibility being largely desk based and methodologically flawed. Review indicates that these studies: fail to identify the actual tourism attraction of the area; vastly underestimate the businesses directly and indirectly dependent on tourism; are mostly well outdated, and resort to extrapolation from unrelated areas. They do not reflect the cumulative impact of multiple windfarms and transmission infrastructure. Reliance on such studies will result in the same errors being compounded. Analysis must refer to local resources and the most recent data and studies in order to be credible. For example:

Study into the Potential Economic Impacts of Windfarms and associated Grid Infrastructure on the Welsh Tourism Sector (2014). Report for the Welsh Government by Regeneris and The Tourism Company.

This study uses North Powys as a case study area and finds that the tourist profile and the outstanding attraction of the unspoilt panoramic views, tranquillity and opportunities for outdoor pursuits make the scale of the proposals very likely to impact adversely on tourism with little opportunity to replace lost visitors.

Alliance Proof of Evidence on Tourism and the Economy 2014 (ALL-S4-POE-04 CPI). Provides a detailed analysis of the tourism offer and the local economy. There is a full list of the considerable amount of self catering and serviced accommodation within a 10km radius of the SSAs and a calculation of income based on the recognised formula (Annexes B & C).

Mid Wales Tourism Partnership Strategy 2011

Wales Visitor Survey 2013 Powys Booster (Strategic Marketing)

The regular *Wales Visitor Surveys* (Beaufort Research for WTB / Visit Wales) *Day and Staying Visitors* are informative regarding reasons for visiting; numbers of repeat visitors (at 75% in Mid Wales demonstrating high satisfaction) etc.

Munday et al Cardiff University ESRC Windfarms in Rural Areas of Wales (2011) in the Journal of Rural Studies

Has value in being based on existing Welsh windfarms rather than predictive. The authors conclude that windfarms and infrastructure are not acting as an economic driver in rural communities and that overall job losses are more likely due to decline in tourism and other sectors.

The Benefits to Businesses of the National Trails in Wales (2008) The Tourism Company for CCW. A particularly relevant study given the severe impact on Glyndwr's Way National Trail with walkers experiencing many hours of walking through, towards or proximate to windfarms and infrastructure. Other important promoted routes such as the Kerry Ridgeway also need to be considered.

Powys Tourism Strategy should be referred to which sees an important role for the area in delivering higher value and year round tourism. The preponderance of older and young professional visitors and the very high number of holiday park home owners in Montgomeryshire is already delivering to this agenda and it is notable that the area has one of the highest repeat visitor percentages in the country. *The Welsh Economic Research Unit Report of 2010 (Jones)* stated that 'Tourism is inordinately important to Mid Wales contributing to local prosperity and quality of life ...' There is seen to be the, 'capacity, scope and attributes to capitalise on the (tourism) growth markets of the future.'

Summary of Economic Data for Powys based on NOMIS 2013 and Census 2011 (2014) Head of Regeneration and Planning Powys PCC.

DBIS Stats Wales Active Business Enterprises (2012)

This is not the struggling economy SPEN imply in their baseline case. Recent data shows for example:

unemployment at 1.7%

high number of jobs in tourism (12%) and agriculture (11%)

highest skills levels in Wales (with Ceredigion)

highest number of self employed people in Wales

highest number of enterprises per head in Wales (many sector leading)

Section 14 Transport and Traffic

SPEN themselves state that areas to be accessed are remote, very widespread and over difficult terrain but fail to indicate how they will assess the impact given such difficult construction conditions and a likely protracted construction period in all but ideal weather conditions.

14.15 PRoWs, footpaths, bridleways, NCN 81, railway lines could all be seriously impacted during the construction phase and the socio-economic impact, as well as issues identified by SPEN, must be considered.

14.19 Cumulative construction impact is a major consideration as infrastructure build will coincide with:

- major road alterations for HGV and AIL movements to windfarms; sub-stations and transformer hub
- unprecedented levels of clear felling of hundreds of acres for windfarm construction
- decommissioning of 102 turbines at Llandinam P & L windfarm
- multiple windfarm construction, potentially over 7 – 10 years

The EIA needs to make reference to: *Capita Symonds Reports 2008 and 2011 (for Powys CC and the WAG) Powys Windfarms Access Routes Study*

From: [Llinos Jones](#)
To: [Environmental Services](#)
Subject: Your Ref: EN020008
Date: 21 June 2014 10:29:06

I refer to your e-mail dated 6th June regarding Application by Scottish Power Energy Netowrks (SPEN) for an Order Granting Development Consent for the SP Mid Wales Connections Project.

I confirm that Banwy Community Council have no comments to make at this stage.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.



**The Coal
Authority**



INVESTOR IN PEOPLE

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.coal.decc.gov.uk/services/planning

Mr Will Spencer – EIA and Land Rights Advisor
The Planning Inspectorate

[By Email: environmentalservices@infrastructure.gsi.gov.uk]

Your Ref: EN020008

17 June 2014

Dear Mr Spencer

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Scottish Power Energy Networks (SPEN) for an Order Granting Development Consent for the SP Mid Wales Connections Project

Thank you for your consultation letter of 6 June 2014 seeking the views of The Coal Authority on the EIA Scoping Opinion for the above proposal.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response:

I have reviewed the proposals and confirm that the proposed EIA development is located outside of the defined coalfield. Accordingly, The Coal Authority has **no comments** to make regarding the information to be contained in the Environmental Statement that will accompany this proposal.

As this proposal lies outside of the defined coalfield, in accordance with Regulation 3 and Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 it will not be necessary for any further consultations to be undertaken with The Coal Authority on this Nationally Significant Infrastructure Project. This letter can

be used by the applicant as evidence for the legal and procedural consultation requirements.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Mark Harrison

Mark E. N. Harrison *B.A.(Hons), DipTP, LL.M, MInstLM, MRTPI*
Planning Liaison Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data and records held by The Coal Authority on the date of the response. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.

From: [Denise Shaw](#)
To: [Environmental Services](#)
Subject: SP Mid Wales Connections Project - Scoping consultation
Date: 09 June 2014 10:29:18

FAO: Will Spencer.

SP Mid Wales Connections Project - scoping consultation.

I write on behalf of Denbighshire County Council in response to your invitation to comment on the SP Mid Wales Connections Project prior to the Secretary of State adopting a scoping opinion.

Figure 1 in the Scoping Report shows the BNC preferred route alignment (highlighted in red) would be the closest line to Denbighshire. However, Llangadfan, at its closest point, is over 18km from the Denbighshire county boundary, and as such Denbighshire County Council does not have any comments to make at this stage.

Kind Regards
Denise

Denise Shaw BSc (Hons), MCD, MRTPI, AIEMA
Swyddog Cynllunio
Planning Officer

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Cyngor Sir Ddinbych, Caledfryn, Ffordd y Ffair,
Ddinbych, LL16 3RJ
Planning and Public Protection, Denbighshire County Council, Caledfryn, Smithfield Road, Denbigh
LL16 3RJ

Ffon / Phone - 01824 706724 / Ffacs / Fax - 01824 706709

E-bost / E-mail: denise.shaw@sirddinbych.gov.uk / denise.shaw@denbighshire.gov.uk
Gwefan / Web Site : www.sirddinbych.gov.uk / www.denbighshire.gov.uk

Dilyn ni ar Twitter: <http://twitter.com/cyngorsDd> Follow us on Twitter:
<http://twitter.com/DenbighshireCC> Ymwelwch a ni ar-lein ar
<http://www.sirddinbych.gov.uk> Visit us online at <http://www.denbighshire.gov.uk>
Mae'r wybodaeth a gynhwysir yn yr e-bost hwn ac unrhyw ffeiliau a drosglwyddir
gydag o wedi eu bwriadu yn unig ar gyfer pwy bynnag y cyfeirir ef ato neu atynt.
Os ydych wedi derbyn yr e-bost hwn drwy gamgymeriad, hysbyswch yr anfonwr
ar unwaith os gwelwch yn dda. Mae cynnwys yr e-bost yn cynrychioli barn yr
unigolyn(ion) a enwir uchod ac nid yw o angenrheidrwydd yn cynrychioli barn
Cyngor Sir Ddinbych. Serch hynny, fel Corff Cyhoeddus, efallai y bydd angen i
Gyngor Sir Ddinbych ddatgelu'r e-bost hwn [neu unrhyw ymateb iddo] dan
ddarpariaethau deddfwriaethol. The information contained in this e-mail message
and any files transmitted with it is intended solely for the use of the individual or
entity to whom they are addressed. If you have received this e-mail in error
please notify the sender immediately. The contents of this e-mail represents the
views of the individual(s) named above and do not necessarily represent the
views of Denbighshire County Council. However, as a Public Body, Denbighshire
County Council may be required to disclose this e-mail [or any response to it]
under legislative provisions.

This email was scanned by the Government Secure Intranet anti-virus service
supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number
2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.
Communications via the GSi may be automatically logged, monitored and/or

recorded for legal purposes.

From: [Claire Ferguson](#)
To: [Environmental Services](#)
Subject: EN020008
Date: 10 June 2014 15:03:41

Dear Sir/Madam,

Thank you for submitting your recent plant enquiry.

Based on the information provided, I can confirm that Energetics **does not** have any plant within the area(s) specified in your request.

Please be advised that it may take around 10 working days to process enquiries. In the unlikely event that you have been waiting longer than 10 working days, or require further assistance with outstanding enquiries, please call 01698 404945.

Please ensure all plant enquiries are sent to plantenquiries@energetics-uk.com

Regards

Claire Ferguson

Technical Clerical Team

Energetics Design & Build

International House

Stanley Boulevard

Hamilton International Technology Park

Glasgow

G72 0BN

t: 01698 404979

f: 01698 404940

e: claire.ferguson@energetics-uk.com

w: www.energetics-uk.com

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: [Correspondence](#)
To: [Will Spencer](#)
Subject: RE: EHRC-CU01792 Planning: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request
Date: 12 June 2014 13:48:35

Planning Inspectorate

Our ref: EHRC-CU01792 Planning

Email: will.spencer@infrastructure.gsi.gov.uk

Dear Mr Spencer,

**Subject: EN020008 - SP Mid Wales Connections Project
- Scoping Consultation Request**

Thank you for your email of 6th June 2014 referenced EN020008 to the Equality and Human Rights Commission (EHRC) regarding the **Application by Scottish Power Energy Networks (SPEN) for an Order Granting Development Consent for the SP Mid Wales Connections Project** for which I am writing to acknowledge receipt. Please be advised that the EHRC receives many such notices and requests but does not have the resources to respond to all. It is generally not the Commission's practice to respond to consultations on major infrastructure projects unless the application raises a clear and substantial equality and human rights concern.

Yours sincerely

Kizito Mugara
Correspondence Officer
Equality and Human Rights Commission
Arndale House
The Arndale Centre
Manchester
M4 3AQ
Tel 0161 829 8329
Mobile 07971141754

From: Will Spencer [mailto:Will.Spencer@infrastructure.gsi.gov.uk]
Sent: 06 June 2014 14:08

To: Correspondence

Subject: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request

Dear Sir/Madam,

Please see attached correspondence in relation to the proposed SP Mid Wales Connections Project.

Kind regards

Will Spencer

EIA & Land Rights Advisor

Major Applications and Plans, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5048

Helpline: 0303 444 5000

Email: will.spencer@infrastructure.gsi.gov.uk

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)

Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

This communication does not constitute legal advice.

Please view our [Information Charter](#) before sending information to the Planning Inspectorate.

Correspondents should note that all communications to or from the Planning Inspectorate may be automatically logged, monitored and/or recorded for lawful purposes.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been scanned by Websense Email Security Gateway for the presence of computer viruses.

www.websense.com

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

We have teamed up with AbilityNet and BCS to develop a new e-learning course

that will equip individuals and businesses with the right skills to create accessible websites. Visit: www.equalityhumanrights.com/webaccessibilityessentials

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

This email has been originated in the Equality and Human Rights Commission, which is an information and guidance service and not a legal advice service. If you require legal advice, please contact a solicitor. This paragraph does not apply to an individual who is assisted under section 28 Equality Act 2006. This email message, including any attachments, is from the Equality and Human Rights Commission and is intended for the addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

If this email message has been sent to you in error, please notify us immediately by replying to this email. The Equality and Human Rights Commission accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the Data Protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the requirements of the Data Protection Act 1984 and 1998.

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: [ES Pipelines](#)
To: [Will Spencer](#)
Subject: Reference: PE126283. Plant Not Affected Notice from ES Pipelines
Date: 09 June 2014 15:01:34

Will Spencer
The Planning Inspectorate

9 June 2014

Reference: EN020008

Dear Sir/Madam,

Thank you for your recent plant enquiry at: SP Mid Wales Connections Project

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espipelines.com

Yours faithfully,

Alan Slee
Operations Manager

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: [Penlington, Graham](#) on behalf of [&box_FPLplantprotection_conx](#).
To: [Will Spencer](#)
Subject: RE: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request
Date: 11 June 2014 11:28:21
Attachments: [image003.png](#)

Thank you for asking Fulcrum Pipelines Limited to examine your consultation document for the above project.

We can confirm that Fulcrum Pipelines Limited have no comments to make on this scoping report. Please note that we are constantly adding to our underground assets and would strongly advise that you consult us again prior to undertaking any excavations.

Please note that other gas transporters may have plant in this locality which could be affected.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 0845 641 3060

To save you time, any future requests for information about our plant, can be emailed to FPLplantprotection@fulcrum.co.uk

GRAHAM PENLINGTON
Process Assistant



Tel: 0845 641 3060

Direct Dial: 01142 804 175

Email: Graham.Penlington@fulcrum.co.uk

Web: www.fulcrum.co.uk



FULCRUM NEWS

FULCRUM ENGINEER SCOOPS TOP GAS INDUSTRY AWARD

Fulcrum's Paul Leighton named as the UK gas industry's 2014 Engineer of The Year. [Learn more.](#)

FULCRUM TOASTS SUCCESSFUL COMPLETION OF HISTORIC £7.6MILLION, 16 MILE GAS PIPELINE

16-mile link to Scotland's main gas network completed six-months ahead of schedule despite winter temperatures of -12°C. [Learn more.](#)

From: Will Spencer [mailto:Will.Spencer@infrastructure.gsi.gov.uk]
Sent: 06 June 2014 14:09
To: &box_FPLplantprotection_conx,

Subject: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request

Dear Sir/Madam,

Please see attached correspondence in relation to the proposed SP Mid Wales Connections Project.

Kind regards

Will Spencer

EIA & Land Rights Advisor

Major Applications and Plans, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5048

Helpline: 0303 444 5000

Email: will.spencer@infrastructure.gsi.gov.uk

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)

Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

This communication does not constitute legal advice.

Please view our [Information Charter](#) before sending information to the Planning Inspectorate.

Correspondents should note that all communications to or from the Planning Inspectorate may be automatically logged, monitored and/or recorded for lawful purposes.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been scanned by Websense Email Security Gateway for the presence of computer viruses.

www.websense.com

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

This email and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the

sender immediately and then delete the email and any attachments. You should not disclose, copy or take any action in reliance on this transmission. You may report the matter by calling us on 08456413010.

Please ensure you have adequate virus protection before you open or detach any documents from this transmission.

The Fulcrum Group does not accept any liability for viruses. An email reply to this address may be subject to monitoring for operational reasons or lawful business practices.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

HID Policy - Land Use Planning
NSIP Consultations
Building 5.S.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN020008
Our ref: 4.2.1.4147

HSE email: NSIP.applications@hse.gsi.gov.uk

FAO Will Spencer
The Planning Inspectorate
3/18 Eagle Wing,
Temple Quay House
2 The Square,
Bristol
BS1 6PN

Dear Mr. Spencer

30th June 2014

**PROPOSED MID WALES CONNECTION (SCOTTISH POWER) (the project)
PROPOSAL BY SCOTTISH POWER (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as amended) – Regulations 8 and 9**

Thank you for your letter of 6th June 2014 regarding the information to be provided in an environmental statement relating to the above project.

SP Manweb has developed a proposal to provide new 132kV connections between the wind farm developments (from their related substations) and a proposed new 400kV/132kV National Grid (NG) substation near Cefn Coch (National Grid Reference (NGR) 299881, 302410).

HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

With reference to the plan titled *Figure 1, Appendix A Proposed Development Overview* found in *SP Mid Wales Connections Scoping Report, June 2014*, SP MANWEB the proposal will pass over Major Accident Hazard Pipeline(s) near Llanidloes & Clatter and possibly near Carno but does not fall within the consultation distances of any current Major Hazard Installations.

Despite passing over Major Accident Hazard Pipeline(s), HSE would not advise against the project in its current form.

Explosives sites

The proposed Mid Wales Connection (Scottish Power) development does not impinge on the separation distances of any licensed site as there are none in the vicinity of the application

Electrical Safety

The project involves connections to electrical power distribution systems and has an impact on the existing generation, transmission and distribution assets on the UK mainland. In the light of that, HSE offers the following comments:

As well as satisfying general health and safety legislation (ie the Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operations must comply with the Electricity at Work Regulations 1989 and the Electricity, Safety, Continuity and Quality Regulations 2002 as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about the particular application of these regulations in terms of either the operation or construction of generators, substations, overhead lines or underground cables please contact Mr J C Steed, Principle Specialist Electrical Inspector, either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London, SE1 9HS.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Miss Laura Evans
NSIP Consultations
5.S.2 Redgrave Court
Merton Road
Bootle, Merseyside
L20 7HS

Yours sincerely,



Laura Evans
HID Policy - Land Use Planning

From: [J THOMAS](#)
To: [Environmental Services](#)
Subject: EN)20008
Date: 19 June 2014 11:58:43
Attachments: [Wind Turbines Llanbister Community Council.docx](#)

LLANBISTER COMMUNITY COUNCIL

The Lion
Llanbister
Llandrindod Wells
Powys

Dear Sir

Application by Scottish Power Energy Networks for an Order Granting Development Consent for the SDP Mid Wales Connections Project

Thank you for sending through details of the above.

The Councillors at Llanbister oppose all Wind Farm Developments and associated works and do not support this application.

The issues they would like reviewed before any planning is granted are on the attached sheet.

Yours sincerely

Janet Thomas
Clerk to Council

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

LLANBISTER COMMUNITY COUNCIL
PLANNING APPLICATIONS RE WIND TURBINES

The Community Council organised an open meeting a few years back for all residents of Llanbister Community. There was a large attendance at this meeting and there was almost unanimous opposition to Wind Turbines of any type and description. Therefore as a Community Council we will be led by the feelings of our Community and oppose the application before us.

The Reasons behind the refusal are as follows:

1. The Environmental impact of the area is unacceptable. Our beautiful, unspoilt rural countryside will be destroyed forever.
2. The local infrastructure is not suitable for the heavy, large loads needed for the construction of Wind Turbines.
3. Noise Pollution is also unacceptable and is widely feared by the members of the Community following information received from existing Wind Farm areas.
4. Fauna & Wildlife will be affected significantly. Peat Bogs, Bats, Newts etc. will all have their natural habitat disturbed.
5. Tourism in the area is an industry we are trying to promote and build upon. Destroying our natural landscape will have a detrimental effect on Tourism.
6. Flicker Effect from Wind Turbines has been proven to cause illness and needs further research before any more turbines are built.



CyngorCymunedCERI / KERRYCommunity Council

Clerk: Angela Feltham.Bryn Gethin, Tregynon. Newtown.SY16 3PJ.

Phone 01686 650747.

Email clerkkcc@gmail.com

Will Spencer,
Planning Inspectorate,
3/18 Eagle Wing,
Temple Quay House,
2, The Square,
Bristol,
BS1 6PN.

30th June 2014.

Dear Mr. Spencer,

Ref; Kerry Community Council response to the Application by Scottish Power for an Order
Granting Consent for the SP Mid Wales Connections Project.

Kerry Community Council objects to the proliferation of wind farms in Mid Wales. We do this for a number of reasons that are summarised in the attached evidence that we presented at the recent public enquiry.

Consequently we object to SPEN's proposal to build a connection line from the fringes of our community council area to the proposed hub at Cefn Coch.

Furthermore we are very strongly opposed to SPEN's plans for a 132KV line would pass through our community. Again please see our attached objections to the public enquiry.

Although this line does not seem to be the main purpose of this application it is mentioned in the submission. We do not trust SPEN and are writing to object because we are not sure if this represents an underhanded, Trojan Horse application by SPEN that seeks permission for this line on the back of the main application. We are particularly concerned since this company is moving to compulsory purchase of land for the line, despite the public enquiry not having yet reported.

Yours Sincerely,

Angela Feltham,
Clerk to Kerry Community Council

Attachments;

Evidence for the Public Enquiry Session 1,3 and 4.

Evidence for the Public Enquiry Session 1 from Kerry Community Council

Kerry Community Council is one of the largest in Powys and covers the villages of Kerry, Dolfor and Sarn. It contains 1286 households. Part of the community borders SSA C.

In order to represent our electors as fairly as possible the council has carried out a survey of residents' views. A questionnaire was distributed by post to all households and they were invited to return their views to a "Freepost" address. 458 households responded, giving a response rate of 37%. Up to 790 residents expressed their views. The responses were counted by members of the council in the presence of an independent scrutiner.

The questionnaire asked three questions, as follows:

1. Do you support the applications to build 5 large wind farms in Mid-Wales?
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?

Furthermore a space was provided for residents to express their personal opinions.

A copy of the questionnaire is provided in the Appendix.

The results of the survey are as follows:

Question	Yes	No	Don't Know
1. Do you support the applications to build 5 large wind farms in Mid-Wales?	15.6%	81.3%	3.0%
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?	14.4%	79.8%	4.8%
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?	77.3%	21.2%	1.5%

These figures show a very considerable opposition to the wind farm applications and many respondents made further comments which are collated below. The council wishes to associate

itself with all of the following remarks. The majority of comments were opposed to wind farms but there were also some supportive remarks.

Those in favour of windfarms commented that they are needed to help reduce the output of greenhouse gases and are preferable to nuclear and other more traditional generation methods. Others stressed that windfarms would create much needed employment in the area.

Opponents made the following comments:

Many were concerned about significant damage to the quality of the Mid-Wales landscape. The proposed developments are out of proportion in this intensely rural landscape and would blight the historic Kerry Ridgeway and many ancient, narrow lanes.

In the construction phase the destruction of ancient lanes and their hedgerows would have a detrimental effect on wildlife through loss of habitat. Once constructed there would be a continual effect through the killing and disturbance of birds and bats.

There is concern about how the large concrete bases of the wind turbines would reduce the water holding capacity of the existing peat upland and increase run-off. There is a consequential increased risk of flooding in the valleys below. This is of a particular concern at Llandinam because there are already approximately 130 existing bases which we understand would be left in place and a further 42 new, much larger bases built.

In a similar way residents were concerned about the plans for de-commissioning the turbines at the end of their lives.

Many residents expressed considerable concern about the effects of construction traffic on their daily lives. They anticipate unacceptable levels of delay that would cause problems for access by emergency services and other essential traffic, such as support services for the elderly and disabled within our communities. There would be delays in people commuting to work and financial costs caused by delay of commercial traffic. It should be noted that because of the rural nature of Powys travelling distances are large, for example the nearest district general hospital is 35 miles from Newtown. Consequently the smooth running of the road system is essential.

Others expressed concern that the area already has a reputation for traffic delays and construction traffic would have a further detrimental effect on the local economy and tourism. Tourism plays a large part in the local economy. Some were concerned about the effect on house values.

Whilst the repair of trunk roads is a National responsibility the cost of repair and maintenance of non-trunk roads damaged by heavy construction traffic would fall on the local council-tax payers.

Many residents remain unconvinced that wind turbines can make a suitably significant contribution to meeting future energy needs. The subsidy for wind energy appears to distort and confuse their true economic contribution. There was support for alternatives such as off-shore wind and tidal generation.

The need for a grid connection was a concern for many residents. Many opposed unsightly pylons and insisted that the lines should be undergrounded, irrespective of the cost. The council sees a

contradiction in that electricity generation should receive a subsidy, but undergrounding the cables does not.

A number of residents raised concerns about health issues, specifically low frequency noise, shadow flicker and the effects of electromagnetic radiation of human and animal health.

Kerry Community Council supports the views expressed above and strongly opposes the construction of the wind farms in SSA C. We are concerned that if these applications are granted it will encourage further wind farm development in the area to the detriment of the local community. We believe that wind farms benefit only the select few who benefit from subsidies, work in the industry or have turbines on their land. They do not make enough of a contribution to the reduction of carbon dioxide in the atmosphere and produce insufficient energy to justify the very considerable costs and disadvantages suffered by the majority of our residents.

Evidence for the Public Enquiry Session 3 from Kerry Community Council

The council has already made its submission to the public enquiry about the proposed wind farms in SSA C, but now it wished to express its views on the Llandinam Power Line.

Kerry Community Council is one of the largest in Powys and covers the villages of Kerry, Dolfor and Sarn. It contains 1286 households. Part of the community borders SSA C.

In order to represent our electors as fairly as possible the council carried out a survey of residents' views about wind farms and the power line. A questionnaire was distributed by post to all households and they were invited to return their views to a "Freepost" address. 458 households responded, giving a response rate of 37%. Up to 790 residents expressed their views. The responses were counted by members of the council in the presence of an independent scrutiner.

The questionnaire asked three questions, as follows:

1. Do you support the applications to build 5 large wind farms in Mid-Wales?
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?

Furthermore a space was provided for residents to express their personal opinions.

The Public Enquiry has already been presented with the outcomes of the survey, but they are repeated here for convenience. The results of the survey were as follows:

Question	Yes	No	Don't Know
1. Do you support the applications to build 5 large wind farms in Mid-Wales?	15.6%	81.3%	3.0%
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?	14.4%	79.8%	4.8%
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?	77.3%	21.2%	1.5%

Because power lines are a direct consequence of wind farms it can be difficult to separate arguments into those that relate to wind farms and those that relate to power lines. Kerry Community Council is clear however, we oppose the power line that will pass through our area and as a consequence we oppose the building of wind farms that will necessitate that power line.

The council has already made its objections to the wind farms but wishes to make the following points about the Llandinam Power Line.

The results of our survey show that nearly 80% of residents oppose SPEN's plans for a power line from the proposed re-powered Llandinam windfarm to Welshpool. The following concerns were raised by residents:

- the significant damage caused by the proposed power line the quality of the intensely rural Mid-Wales landscape. It would blight the historic Kerry Ridgeway and many ancient, narrow lanes;
- tourism plays a large part in the local economy and the presence of a large number of wooden pylons would discourage visitors from walking the Kerry Ridgeway and other routes in the area;
- the effect of pylons on the value of nearby houses and
- the possible effects of the electromagnetic radiation generated by the transmission lines on human and animal health.

Of the 15% of residents who supported the power line none advanced a reason for their support.

The council has been a consistent and strong opponent of the application since it was first laid before the council in 2008. It is worth noting that that the Kerry Hills, through which this line would run are contiguous with the Shropshire hills. The landscape quality of these hills is the same on both sides of the border, but in England the landscape is protected by its "Area of Outstanding Natural Beauty Status". We make this point to stress the very high visual quality of the landscape that this application would affect. We believe that SPEN had chosen the cheapest route, rather than the most environmentally friendly option of exporting the power.

One of the original grounds, on which the council opposed the application, was that SPEN should wait until the details of the proposed Mid Wales Hub were clear. To the council it seemed be common sense to have a strategically planned network connecting the proposed wind farms, but the company has consistently refused to do this. We have concluded therefore that the application is a, "quick fix", attempting to bring the re-powered Llandinam wind farm into service sooner than would be possible if it were forced to wait for the Mid Wales Hub and the rationalisation of feeder lines. The council opposes this line which it sees as a way of a large company increasing its profits, in the short term, to the detriment of the Mid Wales landscape.

The council has opposed unsightly pylons and insisted that the lines should be underground, irrespective of the cost. Recently SPEN has proposed undergrounding some sections and then rejected it on the ground that its client (of which Scottish Power is a part owner) is unwilling to bear the additional cost. The council see this as a cynical piece of political manoeuvring. It notes that Celt Power is happy to receive a subsidy for operating its wind farms, but is unwilling to use any of its additional revenue to offset the damage that its power line would do the environment of our village.

Recently SPEN has changed its argument to justify the line; according to them the line is now needed to, “strengthen” the distribution network. There was no mention of this at the outset and it is hard to see what additional capacity is needed in the Newtown area, given the sad decline in Mid Wales industry. Neither does the area suffer from frequent power cuts. We believe that this is the company responding to the strength of the argument for delay and has nothing to do with the needs of the supply network in the area.

Maps show that SPEN’s line passes very close to one of the connections to the hub at Cefn Coed. Clearly this would be a more cost effective solution to exporting power from the proposed Llandinam site. The council believes that SPEN is trying to strengthen the case for this line, so that their, part owned company Celt Power, can re-power its station in advance of others in Mid Wales and so gain commercial advantage. In other words the needs and interests of the people of Kerry are being put second to the short term financial interests of a large multi-national company.

Consequently Kerry Community Council re-emphasises its total rejection of the need for SPEN’s Llandinam line and urges the inspector to reject this unnecessary development.

Evidence for the Public Enquiry Session 4 from Kerry Community Council

The council has already made its submission to the public enquiry about the proposed wind farms in SSA C and the Llandinam Power Line but now it wishes to express its views on the cumulative effects of these proposed developments.

Kerry Community Council is one of the largest in Powys and covers the villages of Kerry, Dolfor and Sarn, **comprising of 1,635 electors in all three wards**. Part of the community borders SSA C. It covers the upland areas to the south east of the Severn valley.

In order to represent our electors as fairly as possible the council carried out a survey of residents' views about wind farms and the power line. A questionnaire was distributed by post to all households and they were invited to return their views to a "Freepost" address. Up to 790 residents expressed their views. The responses were counted by members of the council in the presence of an independent scrutiner.

The questionnaire asked three questions, as follows:

1. Do you support the applications to build 5 large wind farms in Mid-Wales?
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?

Furthermore a space was provided for residents to express their personal opinions.

The Public Enquiry has already been presented with the outcomes of the survey, but they are repeated here for convenience. The results of the survey were as follows:

Question	Yes	No	Don't Know
1. Do you support the applications to build 5 large wind farms in Mid-Wales?	15.6%	81.3%	3.0%
2. Are you in favour of Scottish Power's plans to build a line of separate wooden pylons to connect the Llandinam Wind Farm with the Welshpool substation?	14.4%	79.8%	4.8%
3. Are you concerned about the effect of windfarm construction traffic on the roads of Mid-Wales?	77.3%	21.2%	1.5%

The council has already made its objections to the wind farms and Llandinam power line, but we are very concerned about the cumulative effects of the proposed developments and wish to make the following points.

The results of our survey show that nearly 80% of residents **who responded** oppose the construction of these five wind farms and the power line. Whilst we accept that the weight of numbers is not as important as the strength of the arguments we strongly believe that, as local people, we have a better understanding of the combined impact of these developments on our communities. It is simply not good enough for “experts” who know little and care less for the local area to dismiss the impact of these as, “not significant”. Large multinational companies pay lip service to their commitment to the local community, but in reality their concern is reaping the financial incentives and subsidies linked to wind power irrespective of their effects on the lives of local people. It is true that, in a legal sense, as a council, we have been consulted, but we have been left with the strong impression that the developers care little for our responses and do not intend to act on them. We are merely an obstacle to be overcome in the furtherance of their commercial aims.

Our concerns centre on:

The negative effect of the development on the Mid Wales landscape and its consequent implications for tourism.

We deplore the significant damage that would be caused to the quality of the intensely rural Mid-Wales landscape by the cumulative effect of these five wind farms. One of the attractions of our upland area is the long distance vistas from the many paths and tracks, not least the Kerry Ridgeway that criss-cross the area. The sight of several hundred tall turbines would be a very significant blight on what has been, up to now, an undisturbed landscape. The quality of the landscape is attested to by the Kerry Hills being contiguous with the Shropshire hills, that are formally recognised as an “Area of Outstanding Natural Beauty.” The higher land further west, visible from our area, has National Park status and indeed in the 1970s parts of Montgomeryshire were scheduled for inclusion in the failed “Cambrian Mountains National Park”. We make this point to stress the very high visual quality of the landscape that the cumulative effects of these wind farms would compromise.

Tourism plays a large part in the local economy, not only in the Kerry area, but throughout Mid Wales and we believe that the presence of a large number of huge metallic towers will discourage visitors.

Long term disruption to the Mid Wales transport network during the construction phase.

As people who use the local road network on a daily basis, as a part of our personal and business lives, we foresee very significant difficulties during the construction phase.

Most employment in the Mid Wales area is in the form of small businesses, including the tourist industry and they play a vital part in the local economy. Easy access to their markets can make the difference between success and failure. We are very concerned about the impact of the traffic disruption on these already vulnerable enterprises. We emphasise that this will not be a short term inconvenience; the construction phase will last for years.

Since the construction of the Tesco superstore in Newtown the A483 tends to suffer from congestion at busy times. As a consequence a, "rat run" has developed whereby traffic leaves the A483 at Abermule and follows the B4368 to Glanmule. Here it follows the A489 westwards towards Kerry village. After passing through the village traffic takes a "C" class road towards Dolfor where it re-joins the A483. The council has already expressed its concern about speeding through the village and as a result police carry out regular speed checks in the area.

The council is very concerned that the general construction traffic will make congestion on the A483 through Newtown much worse, leading to increased use of the rat run. The use of these narrow, minor roads by excessive and often unsuitable traffic raises real safety concerns, especially excessive speed past our village school.

One developer applied for planning permission to improve the "C" class road mentioned above. This was to facilitate construction traffic. The council opposed this approach since improvement will only encourage further use of the road as a, "rat run". Furthermore it would involve the removal of several km of ancient hedgerow and cause considerable disruption during the construction phase.

We are pleased to note that Powys County Council has refused this developer planning permission, although we now understand that the developer is appealing against this decision.

Furthermore we are concerned about the impact of the slow moving convoys carrying parts of the turbines. Based on information provided by Powys County Council's highways department we believe that the convoys will create frequent and very considerable congestion on the A483. This will further increase the use of the rat run, but it will also cause very considerable delays in gaining access to the A483. This is the main access to routes north, south and west from the council area. It is easy to envisage traffic in Newtown and Welshpool being completely grid-locked when these convoys pass through.

Traffic congestions also costs money. When delivery vehicles are caught in traffic jams not only is local business deprived of timely deliveries, there is also a cost implication. Furthermore internet shopping is important in this rural area and delivery schedules, times and costs are likely to suffer.

This emerging industry with the potential to become the very back bone of our rural economy will be severely damaged.

Of particular concern is delay in the delivery of animal feed, **milk collection and stock movements at local farms**. This is caused, not only by congestion on the main highways, but also by the increased use of minor roads by vehicles seeking to avoid that congestion. **As every driver knows it is not the initial cause of the delay which creates the greatest problem but the resulting extended delay while backed up traffic is cleared.**

Traffic delay is not only an inconvenience and a threat to local business; it is also a serious health threat in this rural area. Mid Wales does not have a District General Hospital and so ambulances must travel to Aberystwyth, Wrexham, **Telford** or Shrewsbury hospitals, a journey of 45 to 75 minutes and any road delays are obviously a very serious threat. We apply a similar argument to the delay of other emergency service vehicles, especially **Fire and Police**.

We note that the emergency services struggle to struggle to meet government response times in our rural area and that further wind-farm related traffic congestion will pose further threats to our

health and well being. The much vaunted “golden hour” simply does not exist for many of us. Furthermore the arterial routes used by these services are known to have higher than average accident rates .

Whilst the proposed Newtown by-pass will reduce some of the above issues its construction is not imminent and so our concerns stand. Furthermore the up- grading of the trunk road will do nothing to reduce the congestion on the minor roads in our area. Here our concerns centre not only on the delivery of very large turbine components but also on the very considerable amount of heavy traffic that will be needed to construct, for example, the concrete bases of the turbine towers. Local farmers and others business will suffer considerable delay in going about their daily business.

Kerry Community Council re-iterates its total objection to the construction of these wind farms. We believe that their cumulative effect on the quality of the Mid Wales landscape is a case of environmental vandalism and that the effects of their construction on the daily lives of local people, who will gain no benefit from the developments, is intolerable. We call upon the inspector to reject these unwanted proposals.

From: [Sian Mills](#)
To: [Environmental Services](#)
Subject: SP Mid Wales Connection Project
Date: 10 June 2014 21:14:57

I write on behalf of Llanidloes Town Council to express our objection to the above application on the ground of the detrimental effect it will have on the affected countryside. We would prefer to see the connection put under ground.

Sian Mills
Deputy Mayor
Llanidloes Town Council

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

03 JUL 2014

**CYNGOR CYMUNED LLANIDLOES ALLANOL/
LLANIDLOES WITHOUT COMMUNITY COUNCIL**

Clerk : Mrs Shirley Lewis

Tel.No : 01686 413 413

Tan-y-Graig
Old Hall
Llanidloes
Powys
SY18 6PT

Your Ref: EN020008

30th June, 2014.

Dear Sirs

Application by Scottish Power Energy Networks (SPEN) for an order granting development consent for the SP Mid Wales Connection Project

We refer to your letter of 6th June regarding the above application. The Council discussed the application at the meeting held on 25th June, 2014.

After studying the application thoroughly it was agreed that if the SP Wales Network Connections Project is given consent that the route favoured is more beneficial to our Community in the Oakley Park area as it avoids the village itself. It is very important that Scottish Power liaise and consult with all landowners involved and follow hedgerows as much as possible and not place poles in the middle of fields. Landowners should also be adequately compensated.

If you require any further information regarding the above please do not hesitate to contact the Community Council.

Yours faithfully

S. B. Lewis

Clerk.

The Planning Inspectorate,
3/18 Eagle Wing
Temple Quay House,
2 The Square
Bristol
BS1 6PN

From: [kath.wigley](#)
To: [Environmental Services](#)
Subject: Ref: Application by SPEN for an order granting development consent for the SP Mid Wales Connections Project - Scoping Consultation
Date: 02 July 2014 16:25:35

I am writing on behalf of Mochdre with Penstrowed Community Council to confirm that the council does not have any comments on the above.

Kath Wigley
Clerk to the Council

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: [ROSSI, Sacha](#)
To: [Environmental Services](#)
Cc: [NATS Safeguarding](#)
Subject: RE: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request
Date: 12 June 2014 00:09:00

Dear Sir/Madam,

NATS does not anticipate an impact from the development and has no comments to make on the Scoping Report.

Regards
S. Rossi
NATS Safeguarding Office

Mr Sacha Rossi
ATC Systems Safeguarding Engineer

☎: 01489 444 205
✉: sacha.rossi@nats.co.uk

NATS Safeguarding
4000 Parkway,
Whiteley, PO15 7FL

<http://www.nats.co.uk/windfarms>

From: Will Spencer [<mailto:Will.Spencer@infrastructure.gsi.gov.uk>]
Sent: 06 June 2014 14:08
To: NATS Safeguarding
Subject: EN020008 - SP Mid Wales Connections Project - Scoping Consultation Request

Dear Sir/Madam,

Please see attached correspondence in relation to the proposed SP Mid Wales Connections Project.

Kind regards

Will Spencer
EIA & Land Rights Advisor
Major Applications and Plans, The Planning Inspectorate, Temple Quay
House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5048

Helpline: 0303 444 5000

Email: will.spencer@infrastructure.gsi.gov.uk

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)

Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Twitter: [@PINSgov](#)

This communication does not constitute legal advice.

Please view our [Information Charter](#) before sending information to the Planning Inspectorate.

Correspondents should note that all communications to or from the Planning Inspectorate may be automatically logged, monitored and/or recorded for lawful purposes.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been scanned by Websense Email Security Gateway for the presence of computer viruses.

www.websense.com

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

If you are not the intended recipient, please notify our Help Desk at Email Information.Solutions@nats.co.uk immediately. You should not copy or use this email or attachment(s) for any purpose nor disclose their contents to any other person.

NATS computer systems may be monitored and communications carried on them recorded, to secure the effective operation of the system.

Please note that neither NATS nor the sender accepts any responsibility for viruses or any losses caused as a result of viruses and it is your responsibility to scan or otherwise check this email and any attachments.

NATS means NATS (En Route) plc (company number: 4129273), NATS (Services) Ltd (company number 4129270), NATSNAV Ltd (company number: 4164590) or NATS Ltd (company number 3155567) or NATS Holdings Ltd (company number 4138218). All companies are registered in England and their registered office is at 4000 Parkway, Whiteley, Fareham, Hampshire, PO15 7FL.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.



Ein cyf/Our ref: 2025037
Eich cyf/Your ref: EN020008

Ladywell House
Park Street
Newtown
Powys
SY16 1RD

Ebost/Email:
carol.fielding@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 01686 613402

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Submitted via email only.

6 July 2014

Dear Sir/Madam,

Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Scottish Power Energy Networks (SPEN) for an Order Granting Development Consent for the SP Mid Wales Connection Project

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

Thank you for your letter dated 6 June 2014 regarding the above. This letter represents Natural Resources Wales' formal response to the scoping report for the proposed SP Mid Wales Connection Project.

These comments include those matters NRW consider will need to be taken into consideration as part of an Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) of the proposal.

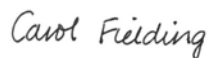
Natural Resources Wales (NRW) has already provided pre-application advice over a number of years to SPEN regarding the routing and design of the line.

We welcome the applicant's scoping report and our detailed comments on the report are provided in Annex 1.

Please note that our comments in this letter are without prejudice to NRW's future advice and comments in relation to the project.

I hope this information is useful. If you require any further information then please do not hesitate to contact me at the address above.

Yours faithfully



Dr Carol Fielding
Arweinydd Tîm Maldwyn / Team Leader Montgomeryshire

Annex 1: NRW's Detailed Advice on Scoping Report

General

1. The Environmental Statement (ES) should clearly justify and describe the factors that have been used to determine the preferred route of the line, substation and all associated infrastructure including off-site access routes.
2. It is acknowledged that design parameters need to allow for minor variations in scheme design (i.e. micro siting) however they should not be so great as to constitute a material departure from the scheme design assessed in the ES or, result in a different assessment outcome. The ES should make clear that any changes within the parameters proposed will not result in significant effects not previously identified in the assessment. The route currently consists of a 100m 'corridor' within which the line would be sited. The ES will need assess the worse case scenario within this corridor. All study areas should relate to the maximum zone of influence from the edge of the corridor and not the centre.
3. Where the ES identifies mitigation it should set out how this mitigation might be influenced by landowner discussions and how it is will be secured. For example if the ecology chapter proposed that poles are sited outside hedgerow locations it should be clearly established by the ES how this might be effected by subsequent wayleave or landowner discussions and the ES should not rely on such mitigation if it cannot be shown to be secured.
4. NRW requests that the ES includes a detailed construction timetable. This should take account of periods of ecological sensitivity for various activities, for example the need to avoid the bird breeding season in certain locations and the need to avoid pollution. It would be helpful if this could be related to the construction timetable for the associated windfarms and the 400kV National Grid project.
5. The ES should consider the implications of the consenting of the grid lines on the development of the Strategic Search Areas defined as part of TAN 8. Justification should be provided in the ES for the needs case for the development and for the designed capacity of the line and substation.
6. We understand that where the proposed 132kV lines would need to cross existing overhead power lines then these may need to be re-routed or buried. If this is the case then the ES needs to consider the impacts of these works which are a consequence of the 132kV project.
7. The proposed new 400kV – 132kV substation would be sited within the existing Tir Gwynt windfarm site with this windfarm due for construction in the next few years. A number of planning conditions and a S106 agreement for this windfarm relate to this area. For example, there is a planning condition that there would be no construction activity in the breeding season for curlew to avoid

disturbance to these birds. SPEN's ES will need to take account of these existing planning obligations on the site.

8. The location and design of SPEN's project is interdependent and partially determined by National Grid's 400kV project. There should be transparency in the ES as to how National Grid and SPEN have worked together to avoid and minimise impacts across the totality of their projects. For example the location of National Grid's substation results in an increased potential for SPEN's 132kV lines to be skylined and to have to route through areas of peatland even if these effects are avoided by the 400kV line.
9. We request that the ES has a summary table of all identified mitigation measures.
10. SPEN's approach to undergrounding as mitigation is not clear within the scoping report. This should be clearly set out and transparent within the Section 42 consultation and ES.
11. The ES should consider the potential to rationalise the existing SPEN network as part of this large scale project. For example, the BSC line is planned to connect the Carno 3 windfarm at its substation. The existing adjacent Carno 1 and 2 windfarm already have an existing grid connection from the same substation. The ES should consider whether these two adjacent grid lines could be reduced to one.

Introduction

12. Table 1.2 lists the reports which have been produced by SPEN to inform public consultation. We note that there is reference to a Strategic Ecological Report 2 (September 2013) being consulted on as part of Stage 2. However this report was not made available by SPEN as part of public consultation and it is not available on the SPEN website.

Description of the proposed development

13. The scoping report states that the scheme will be decommissioned when the useful life of the proposed development has expired. Given that the needs case for the project is determined by windfarms which have fixed term consents of approximately 25 years we consider that further transparency is required of the likely operational life of the scheme. It is unclear if SPEN will be seeking consent for an approximate 25 year period in line with the likely operational life of the windfarms. If for any reason windfarms are decommissioned then transparency is required on what would happen to the 132kV lines and associated infrastructure.
14. The ES should include details of decommissioning while accepting that further details will need to be agreed at the time of decommissioning. The presumption should be towards the removal of

infrastructure during the decommissioning process. Suitable planning requirements for decommissioning should be provided with the application including the need for update ecological surveys as the baseline may have changed during the operational period.

15. The impacts of haul roads, temporary site compounds, storage areas etc should all be considered within the ES.
16. Section 2.26: Cors Ebolion will need careful consideration with regards to its habitat quality and extent of deep peat. We advise that careful consideration will be required of siting infrastructure in this area.
17. Section 2.26: The routing of BNC is said to take account of using forestry as backclothing for the line. However the Mynydd Lluest y Graig windfarm (registered on PINs website) is planned for this area which would mean that some or all of this forestry would be felled. The routing and ES should take this into account.
18. The ES should identify the likely maintenance requirements of the grid line and works that will be required in the future and what form this is likely to take. In particular the ES should clearly set out the width and timing of the tree clearance required for the grid line during the operational phase. The effects of this should be assessed on sensitive receptors such as breeding birds and trees.

Cumulative effects

19. The individual topic assessments will need to consider the relevant projects to consider in the cumulative assessment in order to identify potential significant environmental effects. Other projects not listed in section 5.8 but which may be relevant are the Esgair Cwm Owen windfarm, Mynydd y Gwynt windfarm NSIP and the Nant y Moch 132kV grid connection NSIP (registered on the PINs website). Although the Mynydd y Gwynt windfarm is located at a distance from the Mid Wales Connection project it has stated that it's grid connection would be to the end of the BNC proposed line. The ES will also need to consider whether the connection of Mynydd y Gwynt to BNC would change the proposed design technology of this line.

Planning Policy Context

20. You will need to have reference to policy statements made by the Welsh Government in relation to development of the SSAs and grid system in Mid Wales, in particular those of John Griffiths (Welsh Government July 2011)¹.

¹ Letter from John Griffiths, Minister of Environment and Sustainable Development, on matters relating to TAN 8 and SSAs. July 2011.

General assessment scope and methodology

21. The ES should include a draft construction and environmental management plan (CEMP) in the ES. This should include:

- a detailed peat management plan;
- a detailed drainage plan;
- detailed information on biosecurity measures;
- the role of the ECOW and responsibilities of other environmental management personnel;
- a waste management plan;
- method statements to detail the design and construction methods and the pollution prevention measures that will be put in place to minimise impacts to the water environment (surface and ground).

Sufficient detail should be included in the CEMP to demonstrate that mitigation can be delivered effectively. The EIA should help inform the mitigation measures set out in the plan. Early engagement with us on the scope of the plan is advised. In particular on construction phase impacts on water generation and use, surface and subsurface drainage, pollution control and management and material management. The CEMP will need to be closely linked to other supporting documents, namely the proposed flood assessment report to ensure a joined up approach with regard to pollution control and management.

Ecology and biodiversity

22. During the routing and consultation process NRW has provided information to SPEN on the need to avoid and minimise impacts on certain ecological receptors. In the on-going routing process we would expect SPEN to demonstrate transparently that these issues have been taken into account. Routing and selection of 100m grid corridors has been undertaken prior to ecological surveys being undertaken and desk based information on designated sites has primarily been used to decide on routes. There is therefore uncertainty as to how the project can now be amended to avoid significant effects identified during the ecological assessment. Given that primary embedded mitigation, *i.e.* routing to avoid, may not be possible to achieve at this stage in the project then detailed consideration is likely to be required of further mitigation measures including different technologies.
23. We refer the applicant to British Standard 42020:2013 *Biodiversity – Code of practice for planning and development* BSI (2013) and the advice therein.

24. You should ensure that all ecological and ornithological surveyors have the required knowledge, skills and experience to undertake the surveys to inform the ES. The names and qualifications of surveyors should be provided with the relevant surveys. We draw the applicant's attention to the *Competencies for Species Surveys* information on the CIEEM website.
25. Details of all surveys including dates, times, surveyors and weather etc should be provided in an appendix to the ES. Sensitive information regarding protected species should be provided in a confidential annex.
26. If ecological and ornithological surveys are older than two years when the application is submitted then a detailed rationale should be provided as why the surveys should still be considered to be relevant.
27. All surveys should be undertaken in line with best practice guidance. Departures should be clearly identified in Preliminary Environmental Information (PEI) and scoping information and agreed with NRW prior to surveys being completed.
28. Any maps of surveyed biodiversity interest should also show the location of all infrastructure. This is particularly important for the vegetation and peat survey maps. We would ask that GIS tables of peat information, phase 1 and NVC surveys and all infrastructure are provide to NRW with the ES.
29. In the ecology chapter we advise that because assessments need to be undertake for a number of different receptors that the baseline, assessment and mitigation for each receptor is done sequentially. This is instead of providing the baseline for all receptors and then the assessment for all receptors and then the mitigation.
30. Developments affecting European Protected Species (EPS) may require a licence to derogate from the provisions of the Habitats Directive. If any of these species are found to be present on the development site then we would advise the applicant to consult NRW about licensing implications prior to the application being submitted.
31. Where access restrictions limit the scope of ecological surveys then this should be clearly stated in the ES in additions to the reasons for these restrictions.

Habitats Regulations Assessment

32. The scoping report identifies five international sites which are considered to be relevant under the Conservation of Habitats and Species Regulations 2010 (as amended) and which may need to be considered within the Habitats Regulations Assessment (HRA) (Sections 7. 128 and 7.132). NRW advises that the Berwyn Special Protection Area (SPA) is also a relevant site for the HRA and therefore needs to be considered by the applicant.

33. Section 7.153 states that of the five international sites identified by the scoping report that three are considered to have qualifying features which could be effected. The scoping report does not provide a rationale on which of five sites it thinks could be impacted and why the additional two sites have been screened out.
34. Section 7.153 notes that the screening assessment may identify requirements for further surveys. We advise the applicant to progress this screening assessment as soon as possible so that any required surveys can be identified and progressed. This is especially important if surveys are seasonally constrained given the proposed submission date of 2015.
35. Based on the currently available information NRW advise there is not likely to be a significant effect on the Berwyn and South Clwyd Mountains Special Area of Conservation (SAC). This is because of the distance between the site and the project and the lack of potential impact pathways between the features and the project.
36. With regards to the Coedydd Llwr y Glyn SAC we note that the route corridors in this project are not located near to the site. However we note that SPEN as a consequence of the development of the current project has identified a location for a subsequent grid connection for the Mynydd y Gwynt windfarm which has been routed in close proximity to this SAC and which may have a likely significant effect on the site. The location of the Mynydd y Gwynt grid connection has been partially pre-determined by the selection of the locations of grid routes which are part of the Mid Wales Connections Project. The screening report will need to consider this as an in-combination effect.
37. Based on the current available information NRW advise that there is the potential for a likely significant effect on the River Wye SAC, Berwyn SPA, Tanat and Vyrnwy Bat Sites SAC and Meirionnydd Oakwoods and Bat Sites SAC. Screening will need to utilise data collected as part of the ecological assessment and mitigation measures embedded within the project. We therefore advise the applicant to identify the relevant features for these sites and scope in further detail the information which needs to be collated to inform the HRA screening report. We advise further discussion with NRW on progressing this to ensure there are sufficient data to inform the HRA.
38. SPEN's Mid Wales Connection project is closely connected to a number of other windfarm and grid connection projects including the Dyfnant windfarm NSIP, Mynydd Lluet y Graig windfarm NSIP, National Grid Mid Wales Connection Project NSIP and a number of windfarms in Strategic Search Areas (SSAs) B and C. The in-combination assessment for the HRA will need to consider these projects and we advise the applicants to discuss the need to share information and data to inform their HRAs given the close proximity of the projects and their close inter-dependence on each other and commercial relationship.

Introduction

39. The introduction refers to two reports which have been used to inform the routing process and inform the scoping report. One of these reports, Strategic Environmental Report 2, has not been made publically available or consulted on by SPEN so it is not possible to verify the information in the scoping report which relies on SER2.
40. The area of the proposed 132kV collector substation is an area subject to a S106 agreement for the consented Tir Gwynt windfarm. The ES will therefore need to consider whether the current project will impact on the mitigation for this windfarm. If this is the case then compensatory mitigation for this windfarm may need to be provided by SPEN in addition to its own mitigation.
41. A key issue with regard to the ecology surveys is ensuring that the study areas are appropriate with regard to associated infrastructure such as access roads and construction compounds etc and that their zone of influence is taken into account.
42. Comments on the draft ecology scoping chapter were provided to SPEN in an email dated 12 March 2014. Not all of the issues raised in this email have been resolved in the final scoping chapter. We have highlighted outstanding issues but we also refer the applicant back to this email for further information and explanation.

Assessment methodology

Phase 1 and 2 Habitat survey

43. All vegetation within the site should be mapped to National Vegetation Classification (NVC) communities and maps provided to NRW. The exception is improved agricultural grassland. Where there is coniferous forestry then any extant vegetation below the trees should be mapped using NVC communities. Account should be taken of welsh variations in peatland NVC communities (CCW 2010²). Any mapped vegetation polygons should include information on the proportions of communities present. Vegetation should not be mapped as large mixed polygons where infrastructure is present because of the resulting difficulty in determining which habitat is affected.
44. The phase 2 survey will need to cover areas of associated infrastructure.

Tree surveys

² Guidelines to NVC Community Definition for M17/M18/m21/M2/Nodum 19 Complex in Wales. CCW Staff Science Report 10/07/02, CCW Bangor, 2010

45. Mature, veteran and ancient trees will be identified as part of the surveys, which we welcome, although we note there is no definition of how surveyors will define mature trees.
46. We query how trees other than those considered to be mature, veteran and ancient will be surveyed for and assessed for the ES as we assume there is the potential for considerable tree loss along the route. SPEN need to further clarify this.
47. We would hope that routing will seek to avoid mature, ancient and veteran trees and that all tree loss will be minimised.
48. The scoping report states that the tree survey will be undertaken in the 100m corridor/DCO boundary and 'close proximity'. There is no definition of close proximity. Given that the line may be located at the edge of the 100m corridor and trees would need to be felled at least at falling distance from this corridor then tree survey should be undertaken in all areas where they could be impacted.
49. The areas identified for tree planting mitigation should be carefully considered to ensure they provide equivalence both for trees but other receptors such as bats and landscape.
50. The ES should also consider operational maintenance for trees along any future wayleave and whether further impacts are likely to arise at this stage.

Hedgerow surveys

51. We would advise that all hedgerows surveys are undertaken in the optimum period for such surveys as outside this period features such as herbaceous species cannot be recorded. The scoping report states that some surveys will be outside the optimal period but it is not clear how such surveys can be comprehensive.
52. Where hedgerows are to be removed then translocation should be considered. Where hedgerows need to be removed the ES should clearly set out the period before any reinstatement will occur and the long term security and care of restored hedgerows.

Great crested newt

53. NRW previously advised the developer on the proposed scope of surveys for great crested newt in an email dated 12 March 2014. In this advice we recommended that the survey area for GCN should be 500m from development areas and we note that the scope still includes an intended survey area of 300m from the alignment. NRW has recently participated in a modelling approach to GCN baseline assessment for another power line development in north-east Wales and we recommend that this is adopted for this project. Further discussion will be required with the developer on the GCN scope and we understand that a meeting is to be arranged between NRW and SPEN to further discuss this.

54. NRW advise that Habitat Suitability Indices are likely to be of limited use to determine the suitability of waterbodies for survey.
55. NRW has recently approved the use of eDNA surveys to inform GCN assessments. The applicant may wish to consider this but where they are to be completed then the survey protocols must be compliant with best practice methodologies.

Water vole

56. The water vole survey is described as being within the draft route and 50m buffer but there is no mention of the need to survey access routes or construction areas. The study area for water voles requires clarification. Depending on the nature of the predicted effect it may be more appropriate to survey water voles 500m from the draft route. For example in the vicinity of the substation where there is the potential for habitat fragmentation.
57. It will be important to provide a detailed rationale for 'suitable water vole habitat' as this is defining the spatial scope of the surveys. In the uplands water vole can be present in habitat not always immediately identifiable as water vole habitat and you should be alert to this and be precautionary in selecting area for survey. It is the responsibility of the surveyor to provide a rationale for the selection of areas for survey.
58. You should note that for upland areas the optimal time for surveys is shorter than for lowland areas. It is not currently clear what the extent of impacts on watercourses is likely to be and once this is identified further discussion on the extent of water vole surveys may be useful.

Otter

59. Surveys are planned for a 50m distance from the draft route. This does not comply with any national guidance on the spatial extent of otter surveys for infrastructure projects. For example the general protection zone for natal holts is 300m so it unclear how a survey to an extent of 50m have identify these. We suggest otter surveys should be within a 500m zone of all infrastructure.
60. When defining the spatial extent of otter surveys you need to take account of otters moving across areas e.g. otters may be using upland areas for movement between catchments.
61. The methodology is said to be a modified version of Lenton *et al.* (1980) but it is not detailed what the modified methodology is. Lenton *et al.* is a methodology for the national otter survey rather than a survey to inform development assessment. Surveys are said to be completed through the year but it is not clear if repeat surveys are being completed through the year.
62. Otter is a features of the Wye SAC so otter surveys will be required to inform the Habitats Regulations Assessment for this site. This is relevant to the southern end of the CC1 line where there

is the potential for disturbance to otters and consideration will also be required of in-combination effects with other windfarm projects.

Wader surveys

63. Considerable experience is required to identify suitable habitat for breeding waders and you should ensure that surveyors are suitably qualified. A detailed rationale for how this has been determined should be included in the ES. We assume the foraging areas around Cefn Coch are partially being determined using vantage point surveys.
64. Curlew surveys appear to be limited to areas where curlew are already known to be present from other surveys. This is of concern as other areas previously unsurveyed may also support breeding waders. For example the CC1 line around Llanbadarn Fynydd windfarm has not been surveyed.

Wintering birds

65. The scoping report is unclear on whether further wintering bird surveys will be completed. Section 7.15 suggests further surveys will be completed but other sections of the scoping report suggest this will not be the case.
66. The wintering bird surveys completed to date have focussed on specific parts of the study area where the grid route crosses larger rivers. No access to land was sought during the surveys so public rights of way and roads had to be utilised for the surveys. The surveys were also based on route corridors which have since been amended e.g. data was collected for Llyn Mawr but the CC1 line has now been moved from this location. No information has been provided on the survey effort across the two years of survey or the visibility of the line and associated infrastructure from the selected viewpoints.
67. Overall it appears that few areas of the current study areas have been surveyed during the wintering bird surveys and the surveys have been focussed on a few target species so data to inform the ES will be limited. NRW has outstanding concerns about SPEN's approach to surveying for wintering birds.

Raptor surveys

68. Breeding raptor surveys in 2013 were limited by being undertaken from public roads as no access to land was sought which presumably limited the spatial extent of the surveys given the locations of the grid lines. The scope also suggests the surveys were limited to one visit early in the season. Overall the 2013 raptor surveys were limited in their scope.
69. We note that known peregrine sites are being visited but no account is taken of the potential for unknown peregrine nesting sites.
70. The study area is the DCO boundary plus 500m although the SNH windfarm guidance which is generally applied to grid connections projects advises that surveys for raptors are undertaken to a distance of 1-2km. However in some areas these distances encompass windfarms which have either

completed raptor surveys or are in the process of completing such surveys. We advise that the desktop data is collated to identify likely breeding locations for raptors and where data from other projects could be utilised.

Other breeding birds

71. We advise that vantage point surveys along the line are undertaken for breeding birds for a period of 36 hours from each vantage point, in line with the SNH guidance for windfarms. It is not clear how information will be collected for other species such as barn owl, swans and waterfowl which are sensitive to power line development. With regards to barn owl we advise reference to Shawyer (2011)³.
72. No information is provided on the location of the transects for the common bird census surveys so it is unclear how much of the route is being surveyed. The risk of target breeding bird species being missed by the survey is unclear.
73. The scoping report identifies collisions as a potential impact from the project but it is not clear from the ES will assess this based on the provided scope.
74. An approach to the bird surveys which highlights the target species and likely impacts would be useful along with more detailed consideration of the desktop results. Overall we have outstanding concerns regarding the breeding and raptor bird surveys and we refer SPEN to previous emails from NRW on these surveys which contain more detailed comments on the survey methodologies.

Crayfish

75. A key issue will be defining and identifying suitable habitat to be surveyed for this species. With regard to the described survey methodology in the scoping report we advise that more than 100m of each watercourse may need to be surveyed.
76. The zone of influence for crayfish and the spatial extent of the crayfish surveys needs to consider that this species will be impacted by upstream construction works if this leads to pollution impacts.

Dormice

77. The definition of what habitat is suitable for dormouse and hence the areas to be selected for surveys will be a key consideration. Dormouse can be present in habitats which traditionally have

³ Shawyer, C R 2011, Barn Owl Tyto alba Survey methodology and techniques for use in ecological assessment, Developing best practice in surveys and reporting, IEEM, Winchester.

been considered to be unsuitable for the species. The developer needs to set out how they intend to deal with this issue and it would have been useful if the scope had included more detailed information on where dormouse are being surveyed this year. The scope states that mitigation will be undertaken in 'optimum' areas even if dormouse presence is not confirmed and again the definition of optimum habitat will need to be discussed and agreed with NRW.

Bats (including SAC)

78. Bat surveys should be undertaken in line with Bat Survey Good Practice Guidelines, Bat Conservation Trust, 2nd Edition 2012. The results of the surveys in the ES should also be reported in line with this guidance.
79. The scoping report has identified two SACs which are relevant to the HRA for which lesser horseshoe bats are a feature. The applicant may find it helpful to complete a desktop survey for lesser horseshoe bats in the study area and in relation to the SAC roosts to identify what information may need to be collected to inform the HRA for this species. The Tanat and Vyrnwy Bat Sites and Meirionnydd Oakwoods and Bat Sites SACs conservation objectives are included in the core management plan for the sites⁴. The developer should note that we are currently revising the conservation objectives for the Tanat and Vyrnwy Bat Sites SAC and we advise early discussion with us on the likely changes to the objectives.
80. Six bat roosts are designated as part of the Tanat and Vyrnwy SAC. However the assessment should consider that there are further roosts that have been discovered since the designation of the SAC, some of which are designated as SSSIs. The assessment will need to take these undesignated roosts into account and consider their importance in the favourable conservation status of the SAC. A scope for the HRA should be discussed and agreed with NRW as early as possible. Collation of all desktop data for this species within the study area should be provided with this HRA scope.
81. The ES will need to consider the potential for barbastelle bats to be present within the study area.
82. The ES and HRA will need to consider the potential for bats to be impacted by Electro Magnetic Fields (EMF).
83. NRW provided comments on the bat survey methodology in an email to SPEN dated 12 March 2014 which requested further information and clarification on aspects of the surveys. This information is not provided in the final scoping report so we have insufficient information to agree with the current

⁴ <http://www.ccg.gov.uk/landscape--wildlife/protecting-our-landscape/special-sites-project/river-to-usk-sac-list/tanat-and-vyrnwy-bat-sites-sac.aspx>

bat survey methodology. We note the statement in section 7.99 that survey methodology may need to evolve as the surveys progress and we recommend that the applicant continues to discuss any changes with us.

84. It is not clear how much fragmentation of habitat will arise as a result of the project as we are unclear how much vegetation would need to be removed on a temporary and permanent basis and the delay before reinstatement of disturbed habitats can occur. It may be helpful for the applicant to consider what the potential impacts are likely to be as a result of the project and then scope the necessary surveys based on these objectives.
85. The proposed surveys involve a mixture of static detectors and activity surveys. The activity surveys are likely to provide limited data on numbers of bats. Static detectors will provide numbers but differentiation between individual bats will open to interpretation. Where known roosts are present close to the line it may be useful to undertake targeted surveys in these areas.
86. No information is provided in the scoping report on the number or location of bat activity transects or the location of static detectors. There is a lack of transparency as to how the suggested factors in the BCT guidance have been used to determine the survey effort required in the transect and static detector surveys.
87. We recognise that the issue of surveying trees for bats roosts is difficult. We suggest that further discussion is required on SPEN's approach to survey and mitigation given the large number of trees that may require felling.

Red squirrel

88. We note SPEN's intention to complete red squirrel surveys despite previous advice from NRW that this species is likely to be absent in this area.

Fish

89. Section 7.113 suggests that impacts on fish will be considered where open cutting of watercourses is to be considered. We advise that the ES needs to consider impacts on fish from other impact pathways such as silt run-off, point sources of pollution, changes to drainage pathways, disturbance from noise/vibration, electromagnetic emissions, temperature changes, and impacts on fish habitat and passage. Sedimentation from construction activities has the potential to impact on fish populations particularly spawning success and egg/juvenile survival. Habitat fragmentation through the creation of physical (e.g. de-watered/diverted watercourses, watercourse crossings for new access tracks etc) or behavioural (e.g. noise/vibration or water quality) barriers to fish movement should be considered.

90. The assessment should not be restricted to impacts on salmonid species as other species as listed above) are likely to be present in watercourses in the study area and which are target species for the ES. Rivers in the study area support populations of Atlantic salmon, bullhead, brown trout, lamprey species and European eel, as well as coarse fish. Atlantic salmon, European eel, lamprey and brown trout are all listed in the Natural Environment and Rural Communities Act (NERC) 2006 as Section 42 species of principal importance for conservation of biological diversity in Wales. Further protection is afforded by the Salmon and Freshwater Fisheries Act 1975. The European eel is also protected by the Eel Regulations 2009. Atlantic salmon and lamprey species are all listed on Annex II of the Habitats Directive. The scoping report refers to the assessment of '*watercourses for their suitability to support salmonids (brown trout) and river lamprey*'. This assessment should also assess the suitability of the habitat to support other fish species such as European eel, Atlantic salmon, other lamprey species and coarse fish.
91. Fisheries data can be requested from NRW by contacting accesstoinformation@cyfoethnaturiolcymru.gov.uk . Data will be available for areas of the route and where we do not collect data you will need to agree an approach to the need for the collection of additional baseline information to inform the ES.

Other

92. There is no scope for the assessment of cumulative ecological effects and we expect to be further consulted by SPEN at a later stage.
93. NRW welcome the proposed mitigation measures in section 7.146 onwards but note that these may need to be further amended once further information is available. The ES when proposing mitigation measures, e.g. flight diverters for collision risk, should provide information to demonstrate that the mitigation measures are effective and can be adequately secured. We also welcome SPEN's approach to designing the project to avoid and minimise ecological effects but it is likely that some additional mitigation may be required in the form of a Habitat Management Plan. Where post consent monitoring is proposed then the details of the monitoring should be included in the ES.
94. Section 7.152: An ecological watching brief should be present throughout site clearance, the construction phase and the site reinstatement in addition to the main construction phase. A draft EMP should be included in the ES.
95. Section 7.156: We welcome SPEN's confirmation that they are able to consider undergrounding as a potential mitigation measure for ecological receptors such as birds. We advise that undergrounding in particular will require consideration in the area around the substation to avoid effects on breeding curlew.

96. The Planning Inspectorate do not generally allow planning requirements that allow for the post-consent agreement of mitigation plans with NRW. This being the case the mitigation measures should be included in detail in the ES so NRW can comment and agree them. This is especially important where mitigation is required as part of a Habitats Regulations Assessment.
97. The assessment and mitigation measures will need to consider that the area around the Cefn Coch substation and other parts of the grid routes are included in Habitat Management Plans and S106 agreements for proposed and consented windfarms. The Habitat Management Plan areas shown on Figure 4B of the scoping report are incomplete and require updating.
98. There have been recent studies which suggest that birds and mammals may avoid power line because they give off ultraviolet light. These studies have been mentioned in the scoping report for the National Grid Mid Wales Connections Project. This potential impact mechanism needs to be considered within the ecological assessment for the SPEN Mid Wales Connection project.

Peat

99. There is little information in the scoping report about how impacts on peat will be assessed. We advise the developer to consult NRW's Guidance Note '*Assessing the impact of wind farm developments on peatlands in Wales*' (January 2010) for information and guidance. This sets out clearly the importance of the peat resource in Wales and the extent and detail of work expected in the ES. Should the developer have any further queries or wish to discuss survey and assessment methods further, then they should discuss this aspect of the ES further with NRW.
100. The assessment should also have regard to NRW's '*A Position Statement on Peat Conservation in Wales*'.
101. The development should be progressed in line with NRW's 2010 Guidance Note which establishes these three key principles when considering impacts on peatland areas:
 - that the ES process has sought to mitigate impacts on peat by firstly avoiding and then minimising impacts on peatlands;
 - that impacts on peat will require detailed assessment as part of an EIA, and
 - that compensation for loss or degradation of peat should demonstrate equivalence by taking the form of peat restoration elsewhere within the development site, or as close to it as possible.
102. As impacts on peat overlap with regard to both the ecology and geology chapters in the ES it will be important to ensure that these two chapters are cross referenced and well integrated given the close relationship between ecology and hydrology for peatlands.

103. We recommend that any peat depth probing is informed by peat coring to verify the peat probing.
104. There is a lack of information on how hydrological impacts on peatlands will be assessed. We advise that a more detailed scope for the peatland assessment is discussed with NRW and particularly this aspect.
105. We advise that a peat and soil management plan is provided as part of the ES.

Landscape and visual

106. NRW have previously provided advice to SPEN on the landscape and visual amenity effects of the project during the development of the route and design of the project. We broadly agree with the methodology outlined in the scoping report but have a number of specific points which are listed below. We are working with SPEN on agreement of the viewpoints to be used in the assessment and we expect to continue to have ongoing discussions on the development and agreement of the methodology for the assessment as it progresses.
107. Section 8.139: The assessment of locally valued landscapes should include views from the Glyndŵr's Way National Trail and the Severn Way Regional Trail. Depending on the visibility of pylons in the vicinity around Cefn Coch then views from the scenic route between Machynlleth and Llanidloes may require consideration such as the Dylife viewpoint. It would be helpful to have a 10km ZTV to inform further advice on locally important views.
108. *Selection of viewpoints*: NRW has previously discussed the selection of viewpoints with SPEN. We are awaiting further information from SPEN to include grid references and indicative photographs from the viewpoints before we can agree the final viewpoint locations to be used for the assessment.
109. *Section 8.33 Value of Landscape Receptors*: We advise that definitions of the level of values is included in this section as it is included in table 1 in Appendix B. However note our comments below on the methodology in Appendix B that the definitions of value should relate to those in LANDMAP.
110. *Section 8.43 and 8.72*: The magnitude of effects for both landscape and visual is stated as being evaluated in terms of its size or scale, geographical extent, duration and reversibility. The scoping report then states that duration and reversibility will not influence the assessment of magnitude without stating how it will be taken into consideration in the assessment.
111. *Table 8.5*: There is reference to internationally or nationally designated viewpoints which we assume may refer to viewpoints in nationally designated sites although it is unclear what an internationally or locally designated viewpoint would be.

112. We assume that subject to any technical and capacity constraints that a Trident line will be utilised to minimise landscape and visual amenity effects. Technical/capacity limitations and the final selection of design technology should be justified transparently in the ES. Other issues such as ecology may need to be weighed in the selection of design technology if they effect the choice of pole design.
113. We advise that the inclusion of projects in the cumulative assessment should be subject to a degree of professional judgement in addition to the suggested study areas.
114. There will be a high magnitude of change to the landscape and visual in the area of the Cefn Coch substation. SPEN and National Grid will need to work collaboratively to mitigate effects.
115. Although primary mitigation has sought to provide backclothing for the line the selection of the substation site at Cefn Coch means that sections of the lines and collector substation are located in open upland landscapes where there is the potential for pylons/lines to be skylined and there are few trees to screen the line.
116. Section 8.93: PAN45 has been revoked and no information is provided on the size of turbines on which this guidance was based. It was also based on consideration of landscapes in Scotland. As advised in your previous comments on the scoping report we advise that reference to this document is removed.
117. We advise that the study area for the cumulative visual assessment is 10km.
118. The potential for sequential cumulative effects is mentioned briefly but there is a lack of detail as to the methodology for consideration of sequential cumulative effects within the scoping report. This is an omission.

Field Based Landscape Sensitivity Methodology

119. NRW has previously commented on earlier versions of the Field Based Landscape and Visual Amenity Sensitivity methodology. Following further discussion an updated version has been provided in the scoping report and our comments are below.
120. NRW note that the final pole design is yet to be selected although a 4km length of steel towers will be required for the BNC Preferred Route Option. Given this, we would therefore seek confirmation from the applicant of the type of wood pole that will be used in the assessment of landscape sensitivity for the lengths outwith the 4km of steel tower supports – we consider that the Heavy Duty Wood Pole be used in order to demonstrate the worst case scenario.
121. In the section defining landscape value we suggest that a reference to LANDMAP is included given the general agreement that the five aspects of LANDMAP will be the starting point for consideration

of value in Wales. This is acknowledged more clearly in section 8.34 of the Landscape and Visual assessment chapter.

122. The definitions of 'susceptibility to change' in Table 1 do not correspond with the definitions in Table 8.1 of the Landscape and Visual chapter.
123. The terminology for landscape value in Table 1 does not correspond to LANDMAP evaluation categories. Furthermore, the definitions used may give rise to potential problems if using LANDMAP values as the baseline. For example, 'High' landscape value is defined in Table 1 as '*of more than local/county importance*' – whereas in LANDMAP 'local importance' equates to Moderate value yet 'regional or county importance' equates to High value. We advise that the applicant incorporate LANDMAP evaluation categories and definitions into their terminology for landscape value, and to clearly demonstrate the use of the underlying LANDMAP data in establishing value.
124. *Table 3 Criteria influencing sensitivity:* We advise that 'High' overall evaluations in any five LANDMAP aspects in addition to 'outstanding' evaluations should also be considered to be indicators of high value.
125. We consider that LANDMAP data should also be used to inform the other Susceptibility and Value criteria listed in Table 3. For example, the Visual and Sensory Aspect will provide baseline data for landform, scale, human influence landscape quality, perceptual aspects & tranquillity and scenic quality.
126. We consider that the 'sense of place' as determined by field study and LANDMAP be incorporated into the Perceptual Aspects value criterion.
127. We note the greater weight to be given to criteria which correspond to the Holford Rules, and consider this to be an acceptable approach, particularly if these criteria have made use of the underlying LANDMAP data.
128. *Sensitivity Mapping:* We agree with the approach outlined in section. We would ask that the mapped sections be at a scale that is sufficiently detailed to allow for meaningful comparison of sensitivity and thereby the opportunities /constraints for each identified length.

Historic environment and cultural heritage

129. NRW's remit with regard to this topic area relates primarily to landscapes included on the non-statutory Register of Landscapes of Historic Interest in Wales (Cadw 1998, 2001). The scoping report identifies two such landscapes within 10km of the route corridor. NRW will require 10km ZTVs before we can advise further on the need for an ASIDOHL2 for these registered landscape areas.

130. The assessment in the ES for historic environment and cultural heritage should be cross referenced and integrated with that for landscape and visual amenity.
131. Section 9.1: ASIDOHL2 studies are generally completed so that one study is done per Registered landscape with impacts on the individual character areas considered within this assessment.
132. Section 9.52: Designated special historic landscape should be regarded as being of high value. By definition they are sites regarded as being of national value. They should not be distinguished as being any different to designated outstanding historic landscapes. Similarly undesignated historic landscapes should be regarded as being of high value – it is generally recognised that where an undesignated asset is recognised as meeting the criteria for designation then it should be regarded as having an equivalent value to designated sites. The magnitude of impact on historic landscape areas should take account of the ASIDOHL 2 assessments.
133. Section 9.53: It is lack of transparency in the scoping report as to how the DRMB and ASIDOHL2 assessments will be used in parallel. We would advise that the ASIDOHL2 scores will be used within the assessment in the main report.
134. The mitigation measures considered in the ES also need to include mitigation measures for effects on historic landscape areas such as undergrounding and re-routing of the corridor.

Flood risk and hydrology

135. We recommend that Environment Agency Pollution Prevention Guidance notes are added to the list of guidance used to scope risks.
136. Early engagement with all relevant flood defence bodies is recommended if the project intends to impact on flood defences. There will be other legislation to comply with.

Land use

137. We note the intention to obtain information on the Glastir agri-environment scheme. Information and assessment with regard to agri-environment schemes may also be pertinent to the ecology and landscape chapters e.g. trends.
138. Section 12.6: NRW considers peat greater than 0.5m in depth as deep peat. The scoping report states that there are many small deposits which are of insufficient extent to be separately mapped at this scale. It is unclear if the applicant means that the Soil Survey of England and Wales has not mapped them and that the ES will collect this additional information or whether the ES investigations will also

not map these smaller peat extents. NRW considers that smaller areas of deep peat likely to be impacted by the schemes should be identified in the baseline studies to inform the ES.

- 139. Section 12.16: The study area for the land use assessment may need to be larger than the Indicative DCO Site boundary for some of the aspects to be considered. For instance the Glastir and land use assessments may need to occur at a land parcel or agricultural holding scale.
- 140. It will be necessary for the land use assessment to be cross referenced and integrated with the assessments for the other ES topics.
- 141. We request that a forestry management plan is included with the CEMP detailing how any forestry or woodland will be felled and the ground finish plan. Where any sensitive habitats such as peatlands are present and/or deep peat then we would advise that tree felling and removal is undertaken sensitively to prevent habitat damage.

Traffic and transport

- 142. We note that if the traffic and transport assessment may determine that local widening of the delivery approach roads may be required. If this is the case then assessment of the landscape, visual amenity, cultural heritage and ecological impacts may be required within the relevant ES chapters.

Electric and magnetic fields

- 143. The electric and magnetic fields EE chapter should consider potential effects on ecological receptors and for example avoidance effects by species.

Other matters not covered by scoping report –

Air quality

- 144. Increased vehicle exhaust emissions and dust may the potential to impact on sensitive ecological receptors and this should be considered in the ES based on habitat sensitivity and proximity. In the area near the substation where dust and vehicle emissions are likely to increase substantially then impacts on blanket bog close to the access road will need to be considered. Areas of blanket bog in this vicinity are also mitigation for the Tir Gwynt windfarm so impacts could undermine the mitigation for this project.

Open access land and recreation

- 145. There is an absence of information in the scoping report of assessment of the impact on public rights of way and CROW open access land. Visual amenity impacts on users will be covered in the Visual Amenity assessment but there will also be ‘physical’ impacts on recreational receptors which need to

be considered by the ES. For example, how will disturbance to users of the Glyndwr's Way National Trail be assessed and mitigated during construction?

146. The impact of the proposal on open access land should be considered including any risks to the natural environment through increased public access via new access roads.

Other

147. NRW requests the provision of two hard copies of the landscape and visual amenity visualisations. One copy of the visualisations should be printed on high quality photographic paper.

END

From: [Philip Russell-Vick](#)
To: [Environmental Services](#)
Cc: [Jayne Foxley \(CSP - Corporate Legal\) \(jayne.foxley1@powys.gov.uk\)](#); ["Trystan Mabbitt \(CSP - Policy & Regeneration\) <trystan.mabbitt@powys.gov.uk> \(trystan.mabbitt@powys.gov.uk\)"](#); ["Carol Fielding@cyfoethnaturiolcymru.gov.uk"](#); [John Campion Associates Ltd <jca@larchgroup.co.uk> \(jca@larchgroup.co.uk\)](#)
Subject: SP Mid Wales Connections: Scoping Report June 2014
Date: 04 July 2014 21:04:54

Dear Sir/Madam,

We have been appointed by Powys County Council to act as their landscape advisors in respect of the SP Manweb ES Scoping Report for the Mid Wales Connections Project.

We have set out below our comments in respect of Chapter 8.0 Landscape and Visual and Appendix B: Field Based Landscape Sensitivity Methodology. We have not addressed, at this time, the selection of viewpoints because as we have agreed with SP Manweb we have not been provided with the information we have requested and they have agreed to provide. All we can address at this stage is the generic approach to their selection and we would highlight that in addition to the reasons stated, consideration should also be given to identifying those viewpoints from where significant visual effects are likely (to accord with the general premise of the EIA Regulations which seeks the identification of such effects). This suggests that the viewpoints should seek to include a representative sample of 'worse-case' views as well as the range of other representative views to express the nature of visual effects throughout the landscape.

Interaction of this ES Scoping with National Grid's ES Scoping Report

The SP Manweb project is emerging broadly in parallel with the National Grid connection proposal. There will be an interaction in landscape terms between these two projects. The methodologies are prepared by the same consultancy but differ in various respects of approach and detail. This may lead to confusing or even conflicting assessments. We would ask that consideration be given to ensuring that both methodologies are the same in their key respects accepting that there will be differences in the judgements made during the assessments. We would also request that consideration be given to combining the cumulative impact assessments wherever this can be achieved to cut down repetition.

Landscape Susceptibility, Landscape Value and Landscape Sensitivity

The general approach in regards to these matters is in accordance with GLVIA3. However, in our view, some of the details of the method require further consideration and modification. These are as follows:

- Table 8.1 criteria: These should be related to the key characteristics of the landscape receptor; every landscape character area has its key characteristics defined by published landscape character assessments and these should be used to assess susceptibility against. The word 'any' can be deleted as it is without meaning in this context. The words '*taking into account their existing character*' can be deleted. In the case of each criterion the second sentence should be deleted because it relates to '*accommodating*' development; this is not a matter for susceptibility, it is a matter of sensitivity.
- 8.34: We note the approach for identifying valued landscapes that are not designated. However, LANDMAP in Wales provides an evaluation and in Guidance Note 3 puts those values into a national/regional/local context. We highlight this as we consider that this forms an appropriate basis for assessing the value of undesignated landscapes in Wales. We would highlight Box 5.1 in GLVIA3 which provides criteria for such assessments. This would be an appropriate approach for the landscapes affected in England. We note that there is no table provided identifying levels of value with definitions; it would make the assessment clearer if there was such a table.

Appendix B: Field Based Landscape Sensitivity Methodology

In our view the adoption of a secondary methodology to supplement the prime method set out in the Chapter 8.0 is unnecessary and potentially contradictory. We understand the 'history' as why this developed but we would ask that consideration be given to amalgamating the methodologies

into a single approach. Specific comments related to the Appendix are as follows:

- A small point, but the reference to Topic Paper 6 being '*superseded*' is not strictly correct in any formal way, as we understand it, although we would agree that in effect it has been with the publishing of GLVIA3.
- We would emphasise again that references of assessments against '*character*' (e.g. fifth paragraph of the Introduction) should be focussed on the key characteristics of the landscape.
- In the sixth paragraph the reference should be to susceptibility not '*sensitivity*'; judgements of sensitivity involve judgements about value. The same point applies to the heading '*Definition of Landscape Character and Sensitivity*' and to the references to sensitivity under this heading. The definition quoted is also, therefore, incorrect.
- We do not agree with the approach adopted in the penultimate paragraph under the subheading '*Value*'. There is no reliance in GLVIA3 on communities identifying valued landscapes and reasons for this. Judgements about value should be made in the context of LANDMAP and GLVIA3 Box 5.1, as set out above.
- We find Table 1 to be confusing in that could appear to be combining the separate judgements about susceptibility and value from the outset, rather than assessing these matters separate. We are aware that the method does not actually combine them at this stage but the table as constructed could be misleading to readers. More critically, Table 1 in respect of susceptibility has different criteria to Table 8.1 in the main text which is potentially contradictory.
- Table 2 considers landscape sensitivity but actually only addresses susceptibility in the key criteria because value is not applied. The approach of *susceptibility + value = sensitivity* needs to be more clearly considered and presented throughout the method. For example, a simple and effective approach would be for two High ratings to result in a High sensitivity, a Medium and a High to result in a Medium-High rating and two mediums as a Medium sensitivity, and so on; no definitions or criteria are required, so long as there is a discussion as to the nature of the results of that sensitivity assessment.
- We consider that Table 3 offers a restricted assessment of susceptibility. Whilst using what are called '*susceptibility criteria*' these are generic to all landscapes and do not take into consideration the key characteristics of each landscape type or character area; they may act as an aide-memoir to an assessor in the field but they are not, in themselves, the criteria against which to assess susceptibility of a landscape to a particular form of development. This is another example where we consider that this Appendix is potentially contradictory with the main scoping text. Also in Table 3 we would suggest that the LANDMAP overall evaluation must also include High overall evaluations.

Assessing significance

Again the approach generally follows GLVIA3. However, at 8.22 and 8.80 reference is made to significance '*for the purpose of the EIA regulations*'. GLVIA3 advocates against the use of this threshold as such phrases have no specific meaning in relation to the EIA Regulations (refer to GLVIA3 3.32).

Visual Impact Assessment

The general approach follows GLVIA3 but the approach of breaks down the assessment of magnitude of effect into three separate components and then fails to provide a method where these are brought back together to form a single statement of the magnitude of effect. In our view the approach advocated by GLVIA3 is for the assessor to assess value, scale and extent as contributors to a single assessment of magnitude and we would prefer a simpler method which is simply concerned with defining magnitude, albeit informed by the three contributing parts, with a suitable table, criteria and definitions in the normal way. Notwithstanding we don't agree with the approach below, we have several comments on detail, as follows:

- Table 8.5: This is a difficult area because there is little guidance even in GLVIA3 as to how to construct an assessment table with criteria etc. Viewpoints themselves are not

designated; the criteria suggest that this is a definition; the reference should probably be to designated landscapes. There is no reference in GLVIA3 to the popularity of viewpoints or frequency of visitors; this should be removed from the criteria. The definitions for High and Medium seem to give the same weight to viewpoints being promoted in guidebooks; this needs to be modified. Under Low reference to no formal planning status is without meaning and the last sentence about viewpoint not being visited appears illogical and needs further explanation as to its meaning.

- Table 8.6: We do not accept that these are the best criteria that could be applied to assessing the scale of change and we would suggest using the SNH 2002 recommendations for wind farms; this approach works successfully for infrastructure projects and similar in our view. This is not to say that the approach proposed does not meet with GLVIA3 but it has references to distances, backclothing and proportion of views that are inconsistently applied through the various definitions and are not strictly to do with scale.
- Table 8.7: We do not consider that the three considerations of geographical extent as per GLVIA3 (6.40) can be brought together into a single table such as this as an angle of view from a single viewpoint cannot be effectively assessed together with the extent of an area over which a feature can be viewed; they are quite different assessments. This is an example of why we do think this approach of splitting up the assessment of magnitude, in this way at least, is helpful to actually intended by GLVIA3.

Cumulative Landscape and Visual Effects

The approach is broadly in line with GLVIA3. We have the following detailed comments:

- 8.92: We do not accept that without a detailed assessment that the ZVI can be limited from the outset to 3km for the purposes of cumulative landscape and visual effects. The cumulative assessments should extend to the 10km limit of the likely ZTV (as opposed to ZVI as we understand the proposed method wishes to construct this). As with the National Grid ES Scoping the extent of study for the wind farms should be considered to be 20km. This gives a maximum study area of 30km. This may well be refined as the assessment progresses but it is important to understand that in respect of in-combination cumulative assessments that it is often those areas of landscape at the margins of significance that can be significantly affected by cumulative effects.
- 8.93 & 8.94: This section is based on revoked legislation that has no direct relevance to this landscape. It in any case provides no assistance to guiding the assessment and should be deleted from the ES Scoping.
- 8.95: As a consequence the basis for this paragraph is flawed and should be redrafted to identify the various cumulative scenarios, highlighting the specific schemes to be assessed in each, against which the proposals can be cumulatively assessed. In this regard we would recommend adopting the approach set out in the ES Scoping for the National Grid.

We will want to review and comment on any future ES Scoping chapter and will add in due course our review of the viewpoint selection.

Regards

PHILIP RUSSELL-VICK
Director



Enplan
planning
landscape &
environmental

consultants

10 Upper Grosvenor Road
Tunbridge Wells
Kent
TN1 2EP

Tel: 01892 545 460
Fax: 01892 545 461

www.enplan.net



please don't print this e-mail unless you really need to

Enplan is the trading name of Enplan UK Limited. Registered in England & Wales with Company Number 4608553. A list of directors is available at the registered office Preston Park House, South Road, Brighton, BN1 6SB

NOTICE and DISCLAIMER:

The information contained in this email (and any files transmitted with it) is intended solely for the person or entity to whom it is addressed, and may contain privileged or confidential information. If you have received this in error please notify the sender immediately and delete the message and all accompanying files from your system; you must not copy, retain, forward, or disclose its contents to anyone else. The email is for information only, and must not be relied, acted upon, copied, or amended, without our express written authority. We make no representation and accept no liability as to the completeness or accuracy of the information. Any opinions expressed in this email may be those of the individual sender and not of the company. Although our email system is virus checked we recommend that the recipient undertakes its own checks before opening any attachments. Enplan accepts no liability whatsoever for any direct, indirect, or consequential loss, damage, costs or expenses in any way connected to or arising from this email and/or any attachments.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: [Croft, Andrew](#)
To: [Environmental Services](#)
Cc: [Jayne Foxley \(CSP - Corporate Legal\)](#); [Gwilym Davies \(CSP - Development Control\)](#); [Trystan Mabbitt \(CSP - Development Control\)](#)
Subject: SP Mid Wales (Electricity) Connections Project (SP Manweb)
Date: 06 July 2014 10:47:31

To whom it may concern

On behalf of Powys County Council please find below comments on Section 9.0: Historic Environment and Cultural Heritage of the Scoping Report (June 14) for the SP Mid Wales (Electricity) Connections Project (SP Manweb).

For your information, Atkins has been instructed to provide these comments by the Council's Planning Solicitor.

Section 9.0: Historic Environment and Cultural Heritage

Paragraph 9.1 – We would wish to see any ASIDHOL assessments presented in a single report within an appendix of the Environmental Statement supported by appropriate visualisations and wireframes.

Paragraph 9.4 – We note that the applicant intends to use DMRB as the basis for the assessment methodology. We note that this methodology was designed specifically by the Highways Agency to address the issues surrounding the development of road schemes. It is important that the inherent differences in the type of development and hence likely impacts are reflected in the ES.

It is also important that the ES is accompanied by a planning statement that clearly translates the impacts of the scheme on the historic environment into relevant policy terminology, this should cover national and local policy in Wales and the UK Government's overarching policy statements (EN-1, EN-5)

Paragraph 9.9 – this needs to include reference to UK Government's overarching policy statements i.e. EN-1 and EN-5

Paragraph 9.10 – Please note that impacts on setting are technically direct impacts as they directly affect significance. This is reflected in DMRB which states in paragraph 4.15 that "*Direct impacts are those that arise as straightforward consequences of the scheme. For archaeological remains and historic structures, this can mean physical damage to, or physical improvement of, the fabric of the asset, but it can also mean impacts on the setting of cultural heritage assets. For an historic building, for instance, an increase in noise and pollution as a result of the scheme would constitute a direct impact.*". We would ask that the ES uses the terminology of the methodology it has chosen to employ.

Paragraph 9.12 – We wish to be provided with a list and plan showing Historic Environment Viewpoints and LVIA viewpoints early in the assessment process so that we can provide comments and prevent wasted effort. We would have expected a draft list and plan to be included in the Scoping Report.

Paragraph 9.15 – We would have expected Study Areas to have been defined in this document.

We would ask that the proposed study areas are provided to us (including plans) as soon as possible.

Paragraph 9.16 – We would ask that the applicant uses the English Heritage guidance on the setting of heritage assets (2012) as the basis for their assessment of potential setting impacts. This document provides a clear and well understood checklist for examining issues relating to setting.

Paragraph 9.17 – The list provided only addresses archaeological remains? Could the reason for this please be stated or the list amended.

Paragraph 9.18 – Is the National Monuments Record also to be consulted? Once again the list of sources is archaeological in nature. For example, where is data on conservation areas to be collected from?

Paragraph 9.20 – The need form, and locations of, any instructive or non-intrusive surveys should be discussed with PCC prior to the production of any WSI. PCC will arrange for their advisors to review and comment on any proposals for works and WSIs. All communication should be through PCC. Direct communication with CPAT or Atkins is not required, and should only be undertaken when agreed by PCC.

Paragraphs 9.27 to 9.32 – The proposed assessment methodology for impacts on the setting of assets is limited in nature. As outlined above we would request that the applicant utilises the English Heritage guidance on the setting of heritage assets (2012) as the basis for their assessment methodology. We would welcome the opportunity to discuss this further with the applicant.

Paragraph 9.30 – The assessment of setting impacts may require the preparation of visualisations (montage and / or wireframe) for views other than from assets. For example views of assets in their setting with the proposed development may also be required

Paragraph 9.31 – we would wish to agree a list of cumulative schemes early in the process and would expect that it would closely reflect the list utilised in the LVIA

Paragraphs 9.37 – 9.40 – We are assuming that the “valuation” of assets will reflect the guidance in DMRB. Is this a correct assumption?

Paragraph 9.42 – This states that *“For the purposes of the EIA, only moderate and major effects will be considered significant.”* The table below does not include major effects. Our view is that Moderate, Large and Very Large Effects (as defined in the table included in the Scoping Report) constitute Significant Environmental Effects. We would expect these to be fully reported in the main chapter of the ES. We would also expect lesser effects to be reported in either the main chapter or an appendix to enable us to review the judgements of the assessor.

We also wish to confirm what the “/” in the table means e.g. Moderate / Slight. We have taken this to indicate that an impact on an asset may result in a moderate OR slight effect, depending on the professional judgement of the assessor. Could this please be confirmed?

Paragraph 9.43 – Policy requires that the impacts on individual assets are appropriately assessed. While we would welcome a general overall assessment, the focus of the ES must be on the individually affected assets we would expect these impacts to be clearly described and assessed. We will also require a clear statement on the affect of the scheme on the historic landscape character and value of the areas it passes through. The LANDMAP Historic Landscape areas provide a reasonable basis for such an assessment and we would expect them to be used. The values associated with those areas e.g. Outstanding, High and Moderate, would need to be translated into DMRB values. We would welcome clarification from the applicant on how they intend to do this.

Paragraph 9.44 – we are concerned that an overly rigid approach to the sub-topics is being deployed. This will not aid decision making. We would welcome the opportunity to discuss this with applicant to agree a clearer approach

Paragraphs 9.47 to 9.52 – the Tables included have some differences from those included in DMRB. For example the text relating to a Moderate Adverse Impact on Archaeological remains does not include the full text of the DMRB tables as the following statement has been omitted *“Considerable changes to setting that affect the character of the asset”*. We would ask that the tables are reviewed and a full and final corrected version is supplied for comment.

Paragraph 9.52 – it would be useful to cross reference the Landmap Historic Landscape Area values with the DMRB Historic Landscape values

Paragraph 9.57 – This indicates that the applicant has already defined the study areas for assessment. This contradicts 9.15 which indicated that study areas will be agreed with consultees.

Paragraph 9.60 – While it is not stated we are anticipating the permanent impact of the proposed overhead lines on the setting of assets and the character of historic landscapes will be covered in detail under the assessment of the operational phase

Paragraph 9.62 – This is confusingly written and requires clarification

Paragraph 9.63 – while the content is correct it also needs to include archaeological assets as their settings may too be affected by cumulative developments

Paragraphs 9.64 to 9.66 – Mitigation measures need to include design related measures such as micro-sitting, on line and off line planting, choice of equipment, routing etc to address physical impacts on archaeological remains, impacts on the setting of assets and impacts on the character of the historic landscape.

Archaeological investigation does not lessen the impact of a scheme on archaeological remains. We would not expect to see impact assessment scores lowered on the grounds of proposals for future non-intrusive or intrusive investigations.

Paragraph 9.66 – Please note that all future work will need to be agreed with PCC as the relevant Local Planning Authority. PCC will determine whether other parties e.g. CPAT are required to provide advice on that matter. The applicant should discuss all proposals for archaeological

works (pre and post consent) with PCC direct.

Paragraph 9.67 – 9.72 – Insufficient evidence has been proposed to support the applicant's assertion that significant effects are unlikely.

Should further clarification on any of the above comments be required the applicant should contact PCC.

Yours Sincerely

Andrew Croft
Associate Director, Atkins Ltd
On behalf of Powys County Council

ATKINS

Thought leadership in a complex world – <http://angles.atkinsglobal.com/>
The Axis, 10 Holliday Street, Birmingham, B1 1TF | Tel +44 (0)7803 258592

Email: andrew.croft@atkinsglobal.com | Web: www.atkinsglobal.com | Careers: www.atkinsglobal.com/careers

This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding.

The ultimate parent company of the Atkins Group is WS Atkins plc. Registered in England No. 1885586. Registered Office Woodcote Grove, Ashley Road, Epsom, Surrey KT18 5BW. A list of wholly owned Atkins Group companies registered in the United Kingdom and locations around the world can be found at <http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.



Paul Griffiths
Cyfarwyddwr Strategol - Lle
Strategic Director – Place

PINS RECEIVED

18 JUN 2014

Priffyrdd, Trafnidiaeth & Ailgylchu
Highways, Transport & Recycling
Cyngor Sir Powys County Council
Neuadd y Sir/County Hall
Llandrindod Wells, Powys, LD1 5LG

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Os yn galw gofynnwch am / If calling please ask for:

Enw / Name: D. Boyington

Ffôn / Tel: 08457 607 6060

Ffacs / Fax :

Llythyru electronig / Email : tishelpdesk@powys.gov.uk

Eich cyf / Your Ref :

Ein cyf / Our Ref :

Dyddiad / Date: 13 June 2014

For the attention of Will Spencer

Dear Sir

RE: Scoping consultation for Scottish Power Energy Networks for an Order Granting Development Consent

I refer to your letter of the 6 June 2014 addressed to the highway authority of Powys County Council.

We have considered the details contained within the scoping report and in particular section 14.0 Traffic and Transport and are generally content with the proposed methodology for assessing all highway related impacts associated with the proposed development.

We have noted that no Abnormal Indivisible Loads will be generated during the construction phase, section 14.3, and we take comfort from the fact that in section 14.8 the applicant has clearly stated that "Consultation with various parties will be on-going during the EIA process and during preparation of the ES chapter. The scope of the work will be agreed directly with the relevant Transportation Officers at PCC...". This would imply that whilst the general methodology has been indicated in this scoping report the preparation of the final ES will be an iterative process where alterations and modifications to the scale of the assessment can and will be available during the consultation process.

On that basis we are satisfied that our views and concerns will be incorporated into the ES at the appropriate stages during the formal consultation.

Regards.

For Highways, Transport and Recycling

Gwasanaethau effeithiol ar gyfer calon werdd Cymru
Efficient services for the green heart of Wales

www.powys.gov.uk



Argraffwyd ar bapur wedi'i ailgylchu • Printed on recycled paper



Public Health
England

NSIP Consultations
CRCE
Chilton, Didcot
Oxon OX11 0RQ

T +44 (0)1235 831600

www.gov.uk/phe

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN
FAO:- Will Spencer

Your Ref: EN020008

Our Ref: 140606 323

30th June 2014

Dear Will,

Re: SP Mid Wales Connections Project – Scoping Consultation

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

In order to ensure that health is fully and comprehensively considered, the Environmental Statement (ES) should provide sufficient information to allow the potential impact of the development on public health to be fully assessed.

PHE, which includes PHE's Centre for Radiation, Chemical and Environmental Hazards (Wales), has evaluated the submitted Scoping Report (June 2014) alongside the request for a scoping opinion and can confirm that the proposed methodology for assessing possible impacts affecting human health and the mitigation measures suggested so far appear acceptable.

Our records indicate that advice regarding power frequency electric and magnetic fields was provided by the Health Protection Agency (HPA; former PHE) to you on 15th August 2012. However, and in order to assist the promoter in the production of the subsequent ES, this letter includes an appendix which outlines the generic considerations that PHE advises should be addressed by all promoters when they are preparing ESs for NSIPs.

PHE will provide further comments when the ES becomes available. Should the promoter or their agents wish to discuss our recommendations or to seek any

specific advice prior to the submission of the ES, PHE would of course be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Antonio', with a horizontal line drawn through it.

Antonio Peña-Fernández
Health Protection Scientist

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA¹. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

The EIA Directive² requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for PHE to fully assess the potential impact of the development on public health. **PHE will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health:** summarising risk assessments, proposed mitigation measures, and residual impacts. This section should summarise key information and conclusions relating to human health impacts contained in other sections of the application (e.g. in the separate sections dealing with: air quality, emissions to water, waste, contaminated land etc.) without undue duplication. Compliance with the requirements of National Policy Statements and relevant guidance and standards should be highlighted.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES³.

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and

¹ Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment>

² Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment. Available from: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1985L0337:20090625:EN:PDF>

³ DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions

- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
 - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
 - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

Additional points specific to emissions to water

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

Land quality

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed⁴ and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist

⁴ Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report⁵, jointly published by Liverpool John Moores University and PHE, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.

⁵ Available from: <http://www.cph.org.uk/showPublication.aspx?pubid=538>

Electric and magnetic fields (EMF)

There is a potential health impact associated with the electric and magnetic fields around substations and the connecting cables or lines. The following information provides a framework for considering the potential health impact.

In March 2004, the National Radiological Protection Board, NRPB (now part of PHE), published advice on limiting public exposure to electromagnetic fields. The advice was based on an extensive review of the science and a public consultation on its website, and recommended the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP):-

<http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

The ICNIRP guidelines are based on the avoidance of known adverse effects of exposure to electromagnetic fields (EMF) at frequencies up to 300 GHz (gigahertz), which includes static magnetic fields and 50 Hz electric and magnetic fields associated with electricity transmission.

PHE notes the current Government policy is that the ICNIRP guidelines are implemented in line with the terms of the EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://www.dh.gov.uk/en/Publichealth/Healthprotection/DH_4089500

For static magnetic fields, the latest ICNIRP guidelines (2009) recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT as advised by the International Electrotechnical Commission.

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m^{-1} (kilovolts per metre) and $100 \text{ }\mu\text{T}$ (microtesla). If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects. Further clarification on advice on exposure guidelines for 50 Hz electric and magnetic fields is provided in the following note on PHE website:

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1195733805036

The Department of Energy and Climate Change has also published voluntary code of practices which set out key principles for complying with the ICNIRP guidelines for the industry.

http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/consents_planning/codes/codes.aspx

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE) was then set up to take this recommendation forward, explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government. In the First Interim Assessment of the Group, consideration was given to mitigation options such as the 'corridor option' near power lines, and optimal phasing to reduce electric and magnetic fields. A Second Interim Assessment addresses electricity distribution systems up to 66 kV. The SAGE reports can be found at the following link:

<http://sagedialogue.org.uk/> (go to "Document Index" and Scroll to SAGE/Formal reports with recommendations)

The Agency has given advice to Health Ministers on the First Interim Assessment of SAGE regarding precautionary approaches to ELF EMFs and specifically regarding power lines and property, wiring and electrical equipment in homes:

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1204276682532?p=1207897920036

The evidence to date suggests that in general there are no adverse effects on the health of the population of the UK caused by exposure to ELF EMFs below the guideline levels. The scientific evidence, as reviewed by PHE, supports the view that precautionary measures should address solely the possible association with childhood leukaemia and not other more speculative health effects. The measures should be proportionate in that overall benefits outweigh the fiscal and social costs, have a convincing evidence base to show that they will be successful in reducing exposure, and be effective in providing reassurance to the public.

The Government response to the SAGE report is given in the written Ministerial Statement by Gillian Merron, then Minister of State, Department of Health, published on 16th October 2009:

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091016/wmstext/91016m0001.htm>

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

PHE and Government responses to the Second Interim Assessment of SAGE are available at the following links:

http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice_sage2

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130703

The above information provides a framework for considering the health impact associated with the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

Liaison with other stakeholders, comments should be sought from:

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas
- the Food Standards Agency Wales for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Natural Resources Wales for matters relating to flood risk and releases with the potential to impact on surface and groundwaters
- the Natural Resources Wales for matters relating to waste characterisation and acceptance
- The Local Authority Directors of Public Health for matters relating to wider public health.

Environmental Permitting

Amongst other permits and consents, the development will require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2010). Therefore the installation will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach⁶ is used

⁶ Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

From: [St Harmon Community Council](#)
To: [Environmental Services](#)
Subject: Ref. EN020008
Date: 01 July 2014 20:01:10

Dear Sirs

EN020008 - Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) Regulations 8 and 9.

I write on behalf of St Harmon Community Council to confirm that the Council has no comments regarding the above.

Yours faithfully

Irena Selwyn-Smith
Clerk to St Harmon Community Council

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.



Cyng / Cllr Alun Williams, Cadeirydd / *Chairman*

Swyddfa TraCC Office, Canolfan Rheidol, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion SY23 3UE

The Planning Inspectorate

3/18 Eagle Wing

Temple Quay House

2 The Square

Bristol

BS1 6PN

Eich cyf / *Your ref:* EN020008

Ein cyf / *Our ref:* Gen 2014

Ffôn / *Phone:* 01970 633900

Ffacs / *Fax:*

Dyddiad / *Date:* 26th June 2014

e-bost / *e-mail:* enquiries@tracc.gov.uk

Dear Sir,

RE: Planning Act 2008(as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulation 8
Application by Scottish Power Energy Networks (SPEN) for an Order Granting Development Consent for the SP Mid Wales Connections Project
Scoping Consultation with non prescribed consultation bodies.

Trafnidiaeth Canolbarth Cymru/Mid Wales Transportation (TraCC) is the Mid Wales Transport Consortia for Ceredigion County Council, Gwynedd Council (former Meirionnydd district) and Powys County Council. We are responsible under the Transport Act 2000 as amended by the Transport (Wales) Act 2006, (Welsh Statutory Instrument 2006 No. 2993 (W.280) to produce the Regional Transport Plan.

Our plan was published in September 2009 and is now under review following the Welsh Governments publication of the Guidance to Local Transport Authorities Local Transport Plan 2015 – May 2014 <http://www.tracc.gov.uk/index.php?id=114&L=0>

The TraCC Local Transport Plan draft document will be available from 31st January 2015.

Issues affecting the connectivity of the transport network throughout the region need to be contained within the Environmental Statement.

Yours sincerely

Cyng Cllr Alun Williams
Cadeirydd TraCC *Chairman*



www.tracc.gov.uk



**CYNGOR CYMUNED
TREFEGLWYS
COMMUNITY COUNCIL**
Clerc/Clerk: Alex Wilson-Mills

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your ref: EN020008

20 June 2014

Dear Sirs

Application by Scottish Power Energy Networks (SPEN) for an order granting development consent for the SP Mid Wales Connection Project

We refer to your letter of 6 June 2014 regarding the above application.

The Council discussed the application in detail at the meeting held on 19 June 2014.

Trefeglwys Community Council represents the views of the whole of the Trefeglwys community and has studied the application thoroughly. The council object strongly to the proposed pylon route through our community. The desecration of the landscape and heritage, and the effect on the social economy, and tourism, as well as the health and well being of the inhabitants that may result from the proposed route are of paramount concern to the Council and the community. In addition environmental and ecological factors are of equal concern to the parishioners. We as a Council carried out a survey within the community of Trefeglwys and 98-99% of households responded by stating that the only option acceptable was either no route at all or undergrounding the proposed 132 kv cable line through the Community.

This information was relayed to SPEN and they have agreed to incorporate this in the Stage Three Consultation Feedback Report.

If you require any further information regarding the above please do not hesitate to contact the council.

Yours sincerely

Endaf Meddins
Chairman of Trefeglwys Community Council

**CYNGOR CYMUNED
TREFEGLWYS
COMMUNITY COUNCIL**
Clerc/Clerk: Alex Wilson-Mills

APPENDIX 3

Presentation of the Environmental Statement

APPENDIX 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

- a) 'that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but
- b) that includes at least the information required in Part 2 of Schedule 4'.

(EIA Regulations Regulation 2)

The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

The SoS advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The SoS recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The SoS emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

Schedule 4 Part 1 of the EIA Regulations states this information includes:

- '17. *Description of the development, including in particular—*

- (a) *a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
 - (b) *a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
 - (c) *an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*
18. *An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.*
19. *A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.*
20. *A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:*
- (a) *the existence of the development;*
 - (b) *the use of natural resources;*
 - (c) *the emission of pollutants, the creation of nuisances and the elimination of waste,*
- and the description by the applicant of the forecasting methods used to assess the effects on the environment.*
21. *A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.*
22. *A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.*
23. *An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information'.*

EIA Regulations Schedule 4 Part 1

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the SoS recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

Schedule 4 Part 2

- A description of the development comprising information on the site, design and size of the development
- A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects
- The data required to identify and assess the main effects which the development is likely to have on the environment
- An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and
- A non-technical summary of the information provided [*under the four paragraphs above*].

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the SoS considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The SoS recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The SoS considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The SoS is not able to entertain material changes to a project once an application is submitted. The SoS draws the attention of the applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

The SoS acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

It is a matter for the applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

The Rochdale Envelope principle (see *R v Rochdale MBC ex parte Tew (1999)* and *R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The applicant's attention is drawn to the Planning Inspectorate's Advice Note 9 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.

The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the structures and of any buildings. Lighting proposals should also be described.

Scope

The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Physical Scope

In general the SoS recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered
- the relevance in terms of the specialist topic

- the breadth of the topic
- the physical extent of any surveys or the study area, and
- the potential significant impacts.

The SoS recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

Breadth of the Topic Area

The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

Temporal Scope

The assessment should consider:

- environmental impacts during construction works
- environmental impacts on completion/operation of the proposed development
- where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals), and
- environmental impacts during decommissioning.

In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The SoS encourages consideration of such matters in the ES.

The SoS recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The SoS recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

Baseline

The SoS recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

The SoS recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed with the relevant statutory bodies and appropriate consultees, wherever possible.

The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

In terms of the EIA methodology, the SoS recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the SoS recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).

As a matter of principle, the SoS applies the precautionary approach to follow the Court's⁴ reasoning in judging 'significant effects'. In other words

⁴ See Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw (Waddenzee Case No C 127/02/2004)

'likely to affect' will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

The SoS considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The SoS recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The SoS considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

The SoS recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The SoS recommends that a common format should be applied where possible.

Inter-relationships between environmental factors

The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

The SoS considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

Cumulative Impacts

The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- projects that are under construction
 - permitted application(s) not yet implemented
 - submitted application(s) not yet determined
 - all refusals subject to appeal procedures not yet determined
-

- projects on the National Infrastructure's programme of projects, and
- projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment.

The SoS recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.

For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

Related Development

The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

The SoS recommends that the applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

Matters should be included, such as *inter alia* alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The SoS advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

The SoS advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

The SoS recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Consultation

The SoS recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 'Interpretation') to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the

preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

Transboundary Effects

The SoS recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the SoS recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note 12 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website

Summary Tables

The SoS recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables:

Table X to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX to set out the mitigation measures proposed, as well as assisting the reader, the SoS considers that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

Table XXXX to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

Terminology and Glossary of Technical Terms

The SoS recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in

terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

Presentation

The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate.

Appendices must be clearly referenced, again with all paragraphs numbered.

All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

Non Technical Summary

The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.