



SCOPING OPINION

Proposed Mid Wales Electricity Connection (National Grid)



July 2014



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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 Mid Wales Electricity Connection (National Grid), Powys / Shropshire. National Grid is seeking to connect new onshore wind generation in Mid Wales by constructing a marshalling substation and a new 400 kilowatt (kV) connection from that marshalling substation to a point on the existing National Electricity Transmission System.

This report sets out the Secretary of State's opinion on the basis of the information provided in National Grid ('the applicant') report entitled Environmental Impact Assessment Scoping Report Mid Wales Connection Project ('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:

- Landscape and Visual
- Ecology and Biodiversity

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.

It has not yet been determined whether the consent for the substation will be sought via the Planning Inspectorate or Powys County Council. It is for the applicant to determine what will be included within the Development Consent Order (DCO).

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

1.0 INTRODUCTION

Background

- 1.1 On 29 May 2014, the Secretary of State (SoS) received the Scoping Report submitted by National Grid 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 Connection (National Grid) ('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 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 environmental statement (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 that application when considering the application for a 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 (within England), 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 list has been compiled by the SoS under their duty to notify the consultees in accordance with Regulation 9(1)(a). 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.

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 Mid Wales Electricity Connection (National Grid) comprises a new marshalling substation and a new 400 kV connection between the new marshalling substation and the existing National Electricity Transmission System.
- 2.3 The proposed development comprises both overhead line and underground cabling, the substation, sealing end compounds where the connection changes from overhead line to underground cable (and vice versa) and the tee-in to the existing ZZK overhead line and proposed works at the existing substation at Shrewsbury.
- 2.4 It has not yet been determined whether the consent for the substation will be sought via the Planning Inspectorate or Powys County Council. It is for the applicant to determine what will be included within the Development Consent Order (DCO).

Description of the site and surrounding area

The Application Site

- 2.5 The site location is illustrated in Figure 2.2 of the Scoping Report.
- 2.6 The proposed substation site occupies a remote rural location adjacent to the proposed Tirgwynt Wind Farm. It occupies a low lying bowl within the upland plateau at the head of a tributary of the River Rhiw. Centered on the property known as Bryngwyn it lies 1 km north from the Carno to Llanfair Caereinion Lane along a stone track.
- 2.7 The site comprises some large open fields which slope broadly eastwards. The fields are semi-improved grazed pastures and there is a small copse of deciduous trees next to the farmhouse. The nearest residential property is Gwaenydd which lies approximately 1km lower down the valley to the north-east and a number of public rights of way converge on the site and connect into the wider footpath network.

- 2.8 The draft route with an overall length of approximately 54km travels in a north easterly direction between Cefn Coch and Lower Frankton, passing through Afon Banwy, Meifod Valley, Waen-fach and Woolston.
- 2.9 The proposed substation would occupy an area of approximately 6 ha.

The Surrounding Area

- 2.10 The proposed development route passes through a number of rural sparsely populated areas, across both agricultural land and through woodland.
- 2.11 The route does pass near some caravan parks though in these locations it is proposed that the connection will be underground.

Alternatives

- 2.12 Alternatives considered by the applicant include: a do nothing scenario, alternative sites and alternative designs/technologies. The do nothing scenario is not an option due to National Grids obligations under the Electricity Act 1989 (as amended) to respond to applications by generation companies to connect new generation to its transmission.
- 2.13 Alternative routing options and alignments for the proposed development were considered within the preferred corridor, as were alternative locations for the marshalling substation and other required infrastructure such as the sealing end compounds.
- 2.14 Consideration was given to alternative pylon designs in locations which are particularly sensitive, undergrounding and the installation of an alternative voltage connection.
- 2.15 The applicant has undertaken a study of alternative options, a summary of these studies and justification for the discounting of alternatives will be included within the ES.

Description of the proposed development

- 2.16 The proposed development is described in Section 2 of the Scoping Report and is illustrated in Figure 2.2.
- 2.17 The proposed substation would comprise a securely fenced 400 kV compound approximately 240m x 150m, with a maximum height of approximately 12.5m. In addition there would be a securely fenced 132 kV compound of approximately 170m x 90m and a maximum height of approximately 8m. The compounds would be protected by a 2.4 – 4m high security fence.

- 2.18 The route description covers five sections of the route, the first being Cefn Coch to Afon Banwy. This section of the connection route will be an overhead line which will head north-easterly down a small tributary valley of the Afon Rhiw through a sparsely populated area comprising rough upland grazing and marshy grassland. It continues down this valley descending into the Banwy Valley where it crosses the A458 and Afon Einion approximately 1.5km to the south-east of Moel Bentyrch. The route then crosses open farmland and the Afon Banwy before swinging around to a more easterly direction to the north of Brynglas Hall.
- 2.19 The second section of the route will be through Meifod Valley and is proposed to be underground; continuing in a north-easterly direction passing between a number of small woodlands and dispersed properties and following the lower lying land. South of Tynrhos it swings in an easterly direction and joins the Yr Hafesb Valley. In the narrow section of the Yr Hafesb Valley, the route crosses the access road and passes between the two areas of the Tan-y-Ffridd Caravean Park. From the Yr Hafesb Valley the draft route follows the A495 past the village of Meifod, until the valley opens out near Waen-fach.
- 2.20 The third section of the route, Waen-fach to A483, proposed to be an overhead line continues in a north-easterly direction running along the Vyrnwy Valley floor avoiding the larger settlements on the valley sides, dispersed properties and caravan parks on the valley floor.
- 2.21 The fourth section of the route A483 to Woolston, intended to be an overhead line, crosses the A458, the River Vyrnwy and the B4398 before traversing low-lying farmland around the River Morda.
- 2.22 The fifth section, Woolston to Lower Frankton, intended to be an overhead line, crosses the Maesbury Road near Bromwich Park through the farmland in a north-easterly direction passing between the edge of Aston Hall and Oswestry Golf Club. The route then crosses the A5 and B5009 crossing the Shrewsbury to Chester railway line before passing between some woodland blocks and large farms to join the existing 400 kV overhead line (the ZZK Route) close to Lower Frankton.

Proposed access

- 2.23 Temporary site compounds would be needed during the construction phase. For a connection route of this length several compounds would be usual distributed along the route. Vehicular access will be from the roads around the proposed route where practical and will include the use of temporary trackways, comprising metal plates, hardcore or tarmac.

Although it is unlikely that a haul road would be needed for the majority of the overhead line construction, it is possible a section of haul road may be required in areas where the existing road network is unsuitable e.g. near Cefn Coch.

- 2.24 The applicant has indicated that the use of the rail or air freight is an unlikely alternative delivery option. The Montgomery Canal is a European designated habitat site for much of its length and unnavigable in part, and so does not constitute an alternative transport option.
- 2.25 In areas proposed for underground cabling, construction access would be via a temporary haul road running between the cable trenches to allow for construction and associated vehicles, and utilising existing road accesses where practical.

Construction

- 2.26 Construction works are predicted to commence once approval is obtained, which is currently predicted to take place in January 2017. Construction would likely continue for nearly three years. Detail of the construction programme including pre-commencement and reinstatement works will be included in the ES.
- 2.27 The Scoping Report does not include a separate construction section though construction is referred to within various sections of the report.
- 2.28 Paragraph 16.4.7 of the Scoping Report confirms that a Construction Environmental Management Plan will be put in place. This plan will include details of proposed construction working hours and days and proposed mitigation measures for construction impacts.

Operation and maintenance

- 2.29 The proposed development is only expected to generate a very low volume of operational traffic associated with inspection and maintenance visits.

Decommissioning

- 2.30 Operation is anticipated to last potentially for 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.

The Secretary of State's Comments

Description of the application site and surrounding area

- 2.31 The SoS welcomes the inclusion of information within the project description (Section 2) describing the application site and the surrounding area. This section should identify the context of the proposed development and should note any relevant designations and sensitive receptors and their distances from the proposed development. This section should identify all land that could be directly or indirectly affected by the proposed development and any required auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.
- 2.32 The SoS welcomes the use of figures in the Scoping Report to support the description of the application site and surrounding area to clarify the location of potentially affected receptors.
- 2.33 All features referenced in the main text of the ES should be illustrated on an accompanying figure.
- 2.34 All figures should be clear and legible, and where there is a lot of environmental information to present, this should be arranged over a number of figures to limit the amount of overlaid information and avoid confusion.
- 2.35 Given the linear nature of the proposed development which covers a wide area, the applicant should consider providing figures in smaller sections, accompanied by a key plan.
- 2.36 All features on figures should be clearly labelled, identifying not only the presence of certain designations, but also the name of that specific one.
- 2.37 When describing the location of receptors in relation to the site in the main text of the ES the SoS would find it helpful to know the direction and distance between these.

Description of the proposed development

- 2.38 The applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as 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 location of the site 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.

- 2.39 The proposed development would affect land in England and Wales. If a draft DCO is to be submitted, the applicant should clearly define what elements of the proposed development are, within England, integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter.
- 2.40 In Wales associated development is limited to surface works, boreholes or pipes associated with underground gas storage by a gas transporter in natural porous strata. Therefore, within Wales, associated development cannot be included within this DCO. However, the SoS considers that works required for delivery of the NSIP but to be obtained through alternative consent regimes (whether on or off-site) should also be considered as part of an integrated approach to environmental assessment.
- 2.41 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:
- Land use requirements
 - Site preparation
 - Construction processes and methods
 - Transport routes
 - Operational requirements
 - Maintenance activities
 - Emissions- water, air and soil pollution, noise, vibration, light, heat, radiation.

Alternatives

- 2.42 Alternatives to the proposed development considered by the applicant are discussed in Section 5.10 of the Scoping Report, these include: a do-nothing scenario, alternative sites and alternative designs / technologies.
- 2.43 The SoS notes the applicants statement that the do-nothing scenario is not an option as a result of National Grid's obligations under the Electricity Act 1989 (as amended) to respond to applications by generation companies to connect new generation to its transmission. Nevertheless, the need for the development should be clearly explained and justified in the Environmental Statement.
- 2.44 The applicant has examined alternative routing options and alignments within the preferred corridor, alternative locations for the marshalling substation and other required infrastructure.

- 2.45 The applicant has considered alternative designs and technologies for example alternative pylon designs and locations in particularly sensitive locations, undergrounding and the installation of alternative voltage connection (e.g. a 132kV connection rather than a 400 kV connection).
- 2.46 The applicant has undertaken a study of alternative options and a summary of the studies and their conclusions will be included in the ES. The Environmental Statement should set out a clear justification for the selection of the preferred design of the development, including the selection of underground or above ground lines for sections of the transmission line, and the choice of pylon for different route sections, particularly bearing in mind the varying impacts that alternative scheme designs may have on the receiving environment.
- 2.47 The SoS draws the Applicant's attention to the responses from the prescribed consultees, at Appendix 2 of this Opinion, when addressing alternatives within the ES.

Flexibility

- 2.48 The SoS notes the comments in Paragraph 5.3.4 of the Scoping Report that each technical chapter of the ES will define the spatial scope that has been used within the EIA, justifying the study areas and any flexibility needed. The SoS acknowledges that the proposals are to be firmed up during the pre-application stages but encourages the applicant to make the description as accurate and firm as possible so that its environmental impact can be more accurately assessed.
- 2.49 The SoS notes the intention where the details of the scheme cannot be defined precisely for the EIA to assess the likely worst case scenario. The SoS welcomes the reference to Planning Inspectorate Advice Note 9 'Using the 'Rochdale Envelope' but also directs attention to the 'Flexibility' section in Appendix 3 of this Opinion which provides additional details on the recommended approach.
- 2.50 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

- 2.51 The SoS welcomes the applicant's proposal to include consideration of Abnormal Indivisible Loads and the effects resulting from highways improvements that may be required to accommodate such vehicles.

Construction

- 2.52 The SoS notes from paragraph 14.4.33 that the location and size of the construction compounds has not yet been confirmed. Whilst it is appreciated that this information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required and should be included in the DCO boundary.
- 2.53 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, LGVs and private cars) should be clearly indicated in the ES.

Operation and maintenance

- 2.54 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 likely number and types of vehicle movements generated during the operational stage.

Decommissioning

- 2.55 The Scoping Report in paragraph 2.6.1 indicates that the ES will address decommissioning of the scheme should it be required.

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 ongoing stakeholder liaison and consultation with the relevant regulatory authorities and their advisors.
- 3.5 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.

Matters to be scoped out

- 3.6 The applicant has identified in the relevant sections of the Scoping Report the matters proposed to be 'scoped out'. These include:
 - Water Quality Risks due to Potential Increase in Groundwater Temperatures
 - Enhanced Water Contamination Impacts
 - Reduction in the Natural Groundwater Recharge

- Potential impact on animals of ultraviolet flashes at insulators and as a corona along the conductors
 - Operational Air Quality Impacts
 - Electromagnetic Fields (EMF) during construction, decommissioning and prior to energisation.
 - The Electromagnetic Compatibility (EMC) of the transmission system (e.g. any potential TV or Radio interference).
 - Certain aspects of Operational Noise
 - Operational Ground Borne Vibration
 - Operational effects arising from the Generation of Mud
 - Operational effects due to the Generation of Waste
- 3.7 Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the SoS.
- 3.8 The SoS agrees that water quality risks due to the potential increase in groundwater temperature along the underground section of the route during operation can be scoped out of the assessment as the Cement Bound Sand material that will be used to back-fill the open-cut trenches will be designed to dissipate the heat generated by the cables.
- 3.9 The SoS agrees that enhanced contamination impacts due to voids remaining following the construction of underground structures can be scoped out of the assessment as open-cut trenches will be backfilled with compacted material limiting the likelihood that any voids could remain.
- 3.10 The SoS does not agree that the reduction in natural groundwater recharge caused by the creation of impermeable surfaces within the Greenfield area can be scoped out of the assessment as further evidence would need to be provided by the applicant in order to determine whether or not a significant effect might occur at any point along the route.
- 3.11 The SoS does not agree that the potential impact on animals of ultraviolet flashes at insulators and as a corona along the conductors can be scoped out of the assessment. The applicant should present evidence indicating whether or not this effect is likely to be significant.
- 3.12 The SoS agrees that operational air quality impacts will not need to be assessed as there will normally be no dust generating operational activities and there is only likely to be a low level of operational traffic associated with the proposed development.

However, the SoS recommends that the ES considers the need for normal maintenance operations, such that any impacts associated with these are assessed, and any mitigation measures that may be required are included.

- 3.13 The SoS accepts that during construction, decommissioning and prior to energisation no significant EMF will be produced by the transmission equipment therefore this may be scoped out of the assessment during these phases.
- 3.14 The SoS accepts that the Electromagnetic Compatibility (EMC) of the National Grid Transmission system has been certificated as compliant with Directive 89/336/EEC by a Competent Body and consequently any potential TV or Radio interference can be scoped out of the assessment.
- 3.15 The SoS agrees that the development will not produce any significant audible noise in the operational phase of the development from the underground cabling, sealing end compounds and tee-in compounds within the development and therefore it can be scoped out of the assessment. The SoS notes that the ES will provide an assessment of noise from other elements of the development, including operational noise levels of the overhead line in accordance with the methods detailed in TR(T)94 as referenced in NPS EN-5.
- 3.16 The SoS agrees that the development will not produce any significant operational ground borne vibration therefore in association with the operational phase of the development it can be scoped out of the assessment.
- 3.17 The SoS agrees that operational effects arising from the generation of mud can be scoped out of the assessment as activities that will produce mud are highly unlikely to take place during this phase of the development. However, the SoS recommends that the ES considers the need for normal maintenance operations, such that any impacts associated with these are assessed, and any mitigation measures that may be required are included.
- 3.18 The SoS agrees that operational effects arising from the generation of waste can be scoped out of the assessment as waste will not be generated during this phase of the development.
- 3.19 Whilst the SoS has not agreed to scope out certain topics or matters within the Opinion on the basis of the information available at the time, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES.

- 3.20 In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.

National Policy Statements (NPSs)

- 3.21 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.
- 3.22 The relevant NPS, Electricity Networks Infrastructure (EN-5) for the proposed development sets out assessment principles that should be considered in the EIA for the proposed development. When undertaking the EIA, the applicant must have regard to the Electricity Networks Infrastructure NPS and identify how these principles have been assessed in the ES.

Environmental Statement - Structure

- 3.23 Section 5.11 of the Scoping Report sets out the proposed structure of the ES on which the applicant seeks the opinion of the SoS.
- 3.24 The SoS notes that from the proposed ES structure that the EIA would cover a number of assessments under the broad headings of:
- Landscape and Visual
 - Archaeology and Cultural Heritage
 - Ecology and Biodiversity
 - Water Quality and Resources
 - Geology, Soils and Contaminated Land
 - Agriculture and Land Use
 - Air Quality
 - Electrical and Magnetic Fields
 - Traffic and Transportation
 - Socio-Economics
 - Noise and Vibration
 - Other Emissions
 - Climate Change
 - Sustainability
 - Welsh Language

Topic Areas

Landscape and Visual (see Scoping Report Section 6)

- 3.25 The SoS draws the attention of the applicant to the need to liaise with the local planning authorities to ensure use is made in the EIA of the most up to date policy documents. The SoS notes that the assessment will be carried out in accordance with the 3rd edition of the Guidelines for Landscape and Visual Impact Assessment.
- 3.26 The landscape and visual assessment in the scoping report refers to the Zone of Theoretical Visibility (ZTV). The SoS advises that the ES should describe the model used, provide information on the area covered and the timing of any survey work and the methodology used. The SoS notes that the assessment proposes the ZTV based on a 10km radius of the development, which takes account of existing trees and buildings. Selection of this study area will need to be justified within the ES. The SoS draws attention to the response from Natural Resources Wales (NRW) that the ZTV may therefore need to be extended to take account of the removal of trees that may be required as a result of the development.
- 3.27 The SoS notes that the applicant has indicated that the location of viewpoints has been agreed with Powys County Council. The SoS recommends that where the relevant councils have expressed concern over the viewpoints included in the assessment the applicant should consider whether the additional viewpoints suggested could be incorporated into the assessment, such that locally important views are included within the assessment. NRW have also indicated that they can not agree to the current selected viewpoints until grid references and indicative photographs from the viewpoints can be supplied.
- 3.28 The SoS recommends that comparative ZTVs are produced in order to allow comparison of the potential pylon designs. The SoS recommends that justification is provided in the ES for the decisions made regarding pylon design in the various sections of the proposed route of the overhead line.
- 3.29 The SoS notes that the zone of influence for other developments included in the cumulative LVIA will be agreed with the relevant stakeholders once they have all been identified.
- 3.30 The SoS notes the concerns of Kinnerley Parish Council regarding the identification of a stretch of canal as non-navigable between Maesbury Marsh and Lower Frankton, this section of the canal is navigable and the assessment should take account of any relevant associated sensitive receptors.

- 3.31 The SoS notes the concerns of the Civil Aviation Authority (CAA) with regard to the inclusion of viewpoints of the aerodrome operators at Rednal and Knockin, it is recommended that the applicant give consideration to the inclusion of these viewpoints.
- 3.32 The SoS recommends that the applicant takes into account the Ministry of Defence viewpoint with regard to any need to enhance wire conspicuity.

Archaeology and Cultural Heritage (see Scoping Report Section 7)

- 3.33 The SoS notes that in total there are 46 Scheduled (Ancient) Monuments, nine Conservation Areas, 33 Listed Buildings (Grade I and Grade II), 459 Listed Buildings (Grade II), two Registered Parks and Gardens and 11,966 undesignated assets located within the 3km buffer.
- 3.34 The SoS welcomes that the overall archaeological approach will be devised with reference to relevant archaeological frameworks including: A Research Framework for the Archaeology of Wales (IFA Wales/Cymru 2008) and West Midlands Regional Research Framework for Archaeology (University of Birmingham 2011).
- 3.35 The SoS recommends that the applicant considers non-designated features of historic, architectural, archaeological or artistic interest and considers the involvement of the Conservation Officer of Shropshire Council and the archaeological staff in Shropshire's Historic Environment Record.
- 3.36 The SoS recommends that photomontages or wireframe studies are prepared in relation to the settings of designated monuments within 3km of the proposed route.

Ecology and Biodiversity (see Scoping Report Section 8)

- 3.37 The SoS recommends that the surveys undertaken 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.
- 3.38 The SoS notes that there are three sites of international importance in close proximity of the proposed development. These include Montgomery Canal SAC (which crosses the draft route corridor), the Tanat and Vyrnwy Bat SAC (parts of this SAC are located within 0.25km of the proposed development) and the Midland Meres and Mosses Ramsar (part of the site is within 2km of the draft route corridor). Impacts on these sites will need to be taken into account within the assessment.

- 3.39 The SoS recommends that the applicant presents the potential impacts on qualifying features of European wildlife sites most notably the Tanat and Vyrnwy Bat SAC and the Montgomery Canal SAC.
- 3.40 The SoS notes that there are two sites of national importance within the draft route corridor, these are Ffridd Mathrafal Track Section SSSI (designated for its geological interest) and Montgomery Canal (designated for its diverse assemblage of plants and invertebrates). There are a further fifteen SSSI's within the 2km search area. There are seven non-statutory designated sites within 1km of the draft route corridor and there is one designated road side verge within 1km of the proposed development.
- 3.41 The SoS recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The assessment should cover habitats, species and processes. The ES should assess the impact of all phases of the development on protected species.
- 3.42 The assessment should take account of impacts to ecology from noise, vibration and air quality (including dust), and cross reference should be made to these specialist reports.
- 3.43 The SoS draws attention to responses received from Natural England and NRW and recommends that the applicant consults these bodies with regards to the Great Crested Newt survey area and mitigation strategy for the development within England and Wales respectively.
- 3.44 The SoS notes the comments of NRW in regard to the assessment of impacts upon fish. Not all the potential impact pathways on fish appear to have been considered; these include impacts of 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, this should be taken into consideration within the assessment.
- 3.45 The SoS recommends that the applicant considers the evidence on the effects that electromagnetic fields have on vertebrates within the ES.
- 3.46 The SoS notes the concerns of NRW regarding the lack of scope for the assessment of cumulative ecological effects; the SoS recommends that this is addressed in the ES.
- 3.47 The SoS recommends that the applicant allows for surveys to assess the potential for Harvest Mice to be present as although they are not legally protected they are a threatened species and they are included in some biodiversity action plans.

- 3.48 Open water crossings will affect aquatic plants and invertebrates some of which may be designated species. Surveys of aquatic plants should be conducted at all proposed river crossing points and mitigation for disturbance and loss considered in the EIA. The Phase 1 Habitat Survey should consider the impact the development upon any exposed riverine gravel habitat and its associated flora and fauna. Mitigation measures to minimise impacts on fish species, aquatic plant species and riverine invertebrates should be included within the ES as necessary. Different fish species may require different mitigation measures due to their different life cycles and habitat requirements.
- 3.49 The SoS notes that works will be timed to avoid impacts to breeding birds during construction. Surveys should be carried out at the optimal survey time periods and to current guidance by suitably qualified and where necessary licensed consultants.
- 3.50 The SoS recommends that the applicant considers Natural England's and NRW's advice relating to the need to carry out a habitats survey (equivalent to Phase 2 / mapping of National Vegetation Classification communities) on the site, and mapping, in order to identify any important habitats present. The SoS recommends that the applicant takes into consideration the concerns of Llansantffraid and Deytheur Community Council regarding collision risk for certain bird species including swans, ducks and geese in the floodplain and wetlands of the Vyrnwy.
- 3.51 NRW have raised concerns regarding the study area for water vole survey, as access routes and construction areas do not appear to have been included within the survey area. The SoS recommends that this is addressed within the applicant's ES.
- 3.52 NRW have indicated concerns regarding the Otter survey currently proposed to cover 100m from the draft route. The SoS recommends that the applicant takes into account NRW's recommendation that these surveys should be carried out within 500m of all proposed infrastructure.
- 3.53 NRW have queried how the applicant intends to survey non-mature, veteran and ancient trees, the SoS recommends that this is clarified in the applicant's ES.
- 3.54 The SoS welcomes that an intention has been expressed to provide suitable information to allow a Habitats Regulations Assessment to be carried out.

Water Quality and Resources (see Scoping Report Section 9)

- 3.55 The SoS welcomes that a Flood Risk Assessment will be provided and that it will take into account the requirements of both NRW and the Environment Agency, it is also recommended that the relevant local authorities are consulted.

- 3.56 The SoS welcomes that the applicant intends to liaise with Powys County Council, Shropshire Council, NRW, the Environment Agency, Natural England and other relevant organisations regarding the proposed assessment methodology.
- 3.57 The SoS welcomes that additional consideration will be given to the siting of pylons away from tracks used by NRW and the Environment Agency so that future access to watercourses for maintenance purposes or to their assets is not compromised.
- 3.58 The SoS notes the concerns raised by Molverley Drainage Board regarding the route corridor passing through an area of frequent and sometimes severe flooding between Llanymynech and Queens Head. It is recommended that the ES consider how the pylons would affect flooding in the area and how the pylon sites would be impacted by flood waters. The SoS also recommends that the applicant takes into account the concerns of Molverley Drainage Board and assesses within the ES whether or not the proposed development would impact on the Board maintained water courses.
- 3.59 The water features survey should provide the precise location of any well or borehole source, provision should be made to protect any potential contamination arising from the construction phase to the underlying groundwater environment.
- 3.60 Surface water run-off from tower foundations and any hardstanding areas needs to be assessed.

Geology, Soils and Contaminated Land (see Scoping Report Section 10)

- 3.61 The SoS advises that it is important to carefully describe and justify the physical area for this assessment and ensure that pathway-receptor linkages are considered over a sufficiently wide area.
- 3.62 The SoS advises that impacts to ground and surface water quality from mobilisation of ground contaminants should be considered within the assessment and appropriate cross reference should be made to the chapter on Water Quality and Resources.
- 3.63 The SoS notes that the Shrewsbury Substation is underlain by surface coal resources; this should be taken into consideration within the ES.
- 3.64 The SoS notes that there are recorded coal mine entries within and adjacent to the eastern site boundary of the Shrewsbury Substation.

Coal mining legacy issues that should be considered where appropriate within the ES include the location and stability of abandoned mine entries, the extent and stability of shallow mine workings, outcropping coal seams and unrecorded mine workings, hydrogeology, minewater and minegas. The applicant should also consider, where surface coal resources are present, of whether prior extraction of the mineral resource is practicable and viable. The applicant should also consider whether Coal Authority permission might be required to intersect, enter, or disturb any coal or coal workings during site investigation or development work.

- 3.65 The SoS recommends that the applicant takes into consideration NRW's Guidance Note 'Assessing the impact of wind farm developments on peatlands in Wales' January 2010 and NRW's 'A Position Statement on Peat Conservation in Wales'.

Agriculture and Land Use (see Scoping Report Section 11)

- 3.66 The SoS recommends that the impacts from the development should be considered in light of the National Planning Policy framework (NPPF) protection of the best and most versatile (BMV) agricultural land.

Air Quality (see Scoping Report Section 12)

- 3.67 The SoS notes that the only air quality impacts of the proposed development are predicted to be those during construction. It is noted that the applicant intends to only consider dust during the construction phase of the development.
- 3.68 The SoS recommends that the scope of the air quality assessment is agreed with the relevant local authorities.
- 3.69 The SoS notes that the ES will include air quality mitigation measures such as the implementation of a Construction Environment Management Plan / National Grid Code of Construction Practice; Implementation of a Traffic Management Plan and the inspection and maintenance of the of vehicles and equipment during operation. Consideration should be given to monitoring dust complaints.
- 3.70 Dust levels should be considered not only on site but also off site including along access roads, local footpaths and other Public Rights of Way.
- 3.71 The SoS recommends that the potential impact of dust on ecological receptors be considered within the ES.

Electric and Magnetic Fields (see Scoping Report Section 13)

- 3.72 The SoS welcomes that EMF from the new assets associated with the project will be assessed using the conditions set out in the DECC Code of Practice 'Power Lines: Demonstrating Compliance with Public Exposure Guidelines'.
- 3.73 The SoS notes that calculated EMF from the overhead line will be evaluated against UK Government guidelines to demonstrate compliance with EMF exposure limits and policy on phasing as detailed in NPS EN-5. The ES should outline what proposed action would be taken if it were found that requirements of NPS EN-5 were not met, and whether this would prompt the consideration of alternative route options.
- 3.74 The SoS notes the comments of the Health and Safety Executive regarding the need for compliance with the Electricity at Work Regulations 1989 and the Electrical, Safety, Continuity and Quality Regulations 2002 (as amended).
- 3.75 The SoS notes the comments of Public Health England and Public Health Wales regarding the potential health impacts associated with electric and magnetic fields around substations and the connecting lines or cables and recommends that these are taken into account within the assessment. The ES should include consideration of the International Commission on Non-ionizing Radiation Protection (ICNIRP) guidelines on exposure of the general public to electromagnetic fields.
- 3.76 The SoS recommends that the potential impact of electromagnetic fields on bats should be considered in the ES.
- 3.77 The SoS notes the comments of NRW in regard to the assessment electromagnetic field impacts on fish as previously mentioned within the Ecology section of this report.

Traffic and Transportation (see Scoping Report Section 14)

- 3.78 The SoS notes that the assessment will be undertaken in accordance with the Guidelines for Environmental Assessment of Road Traffic (IEMA, 1992), the Guidance on Transport Assessment (Department for Transport, 2007) and the Department for Transport's Design Manual for Roads and Bridges (DMRB).
- 3.79 The SoS notes that the Highways Agency have indicated that the requirements of the Department for Transport Circular 02/2013 'The strategic road network and the delivery of sustainable development' should be applied to the transport assessment.

- 3.80 The SoS welcomes that traffic count locations have been selected taking into account: properties adjacent to the carriageway, location of other developments near the carriageway with high pedestrian movements, the most likely route of construction vehicles and locations that are currently congested. The SoS notes that these locations are still subject to agreement with the relevant local highway authorities.
- 3.81 Transport of any waste generated during the construction phase should be addressed in the ES in terms of the form of transport, number of trips and the possible routing.
- 3.82 The SoS recommends that the applicant takes into account that the location of the pylons relative to the highway boundary will require consideration and may require structural technical approval to Design Manual for Roads and Bridges BD2/12.
- 3.83 The SoS notes that the applicant will be required to liaise with the Highways Agency regarding Method Statements, Risk Assessments and potential impacts on the operation of both the A5 and the A483 trunk roads as proposals develop further.
- 3.84 Network Rail have highlighted that the overhead line will cross the Chester to Shrewsbury railway line and one of the proposed access routes will require the use of the level crossing at Whittington, Shropshire. Any potential impacts of the development on the railway line should be recorded within the ES. Any proposals that will include the installation of cables under or over the railway, electricity transmission across Network Rail's land or any access rights temporary or otherwise will require the necessary property agreements to be entered into with Network Rail's Easements and Wayleaves Team.
- 3.85 If abnormal loads may use routes that include Network Rail assets (e.g. level crossings, bridges etc) the applicant should consult Network Rail's Asset Protection Engineers for confirmation that the route is viable.

Socio-Economics (see Scoping Report Section 15)

- 3.86 The SoS welcomes that the socio-economic assessment will include a tourism survey and that key organisations such as Mid Wales Tourism, SUSTRANS and Sustainable Tourism Powys will be contacted.
- 3.87 The SoS welcomes that the socio-economic assessment will consider the effects across the construction, operational and decommissioning phases of the project and that impacts will also be classified by those which will be temporary and those which will be permanent.

- 3.88 The SoS recommends that the applicant takes into consideration the potential adverse impact of the development upon tourism within the area during construction and operation and recommends that this is taken into consideration within the ES.

Noise and Vibration (see Scoping Report Section 16)

- 3.89 The SoS welcomes that the applicant intends to consult Powys County Council and Shropshire Council regarding proposed noise monitoring locations.
- 3.90 Information should be provided on the types of vehicle and plant to be used during the construction phase. The SoS welcomes that the applicant intends to include measures to mitigate construction noise impacts within a Construction Environmental Management Plan (CEMP).
- 3.91 The SoS notes that though the applicant does not expect ground borne vibration during construction to be significant potential effects will be considered within the ES as there will be some activities that will result in temporary, intermittent and highly localised vibrations.
- 3.92 The SoS acknowledges that the development will not produce any significant audible noise in the operational phase of the development from the underground cabling, sealing end compounds and tee-in compounds within the development. The SoS notes however that the ES will provide an assessment of noise from other elements of the development, including operational noise levels of the overhead line in accordance with the methods detailed in TR(T)94 as referenced in NPS EN-5.

Other Emissions (see Scoping Report Section 17)

- 3.93 The SoS notes that in this section of the ES the emissions to be addressed include spillages and leakages, mud on roads, light pollution and waste management impacts.
- 3.94 The SoS welcomes that best working practices and mitigation methods to control mud generation and prevent spills / leakages will be identified for utilisation during the construction phase. These should also be identified for utilisation where maintenance is required during the operational phase.
- 3.95 The SoS notes that sensitive properties and receptors located within 300m of the draft route will be identified and evaluated with regard to their likelihood to experience effects of disturbance from light pollution during the construction phase. The SoS welcomes that where appropriate consultation will take place with both Powys County Council and Shropshire Council and general advice will be sought.

- 3.96 The SoS recommends that the applicant should demonstrate how they will comply with the waste hierarchy (i.e. with respect to re-use, recycling, recovery and disposal).

Climate Change (see Scoping Report Section 18)

- 3.97 The SoS notes that there is a potential for contributions to localised flooding to occur both during and after the construction phase though the applicant considers that these effects will be fairly negligible.
- 3.98 The SoS welcomes that adaptation measures will be based on the latest set of UK Climate Projections, the Government's latest UK Climate Change Risk Assessment and in consultation with NRW and the Environment Agency.
- 3.99 The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The SoS recommends that where possible the ES should reflect these principles.

Sustainability (see Scoping Report Section 19)

- 3.100 The SoS notes the National Grid's commitment to sustainability and welcomes the commitment to assess sustainability with reference to the Welsh Assembly Government's Sustainable Development Charter – One Wales: One Planet, the Welsh Assembly Government's Guidance and advice to support the Sustainable Development Charter (May, 2010), The National Planning Policy Framework and the White Paper on Planning for a Sustainable Future.
- 3.101 The SoS welcomes that the sustainability assessment will also consider the potential effects on peat reserves along the draft route.

Welsh Language (see Scoping Report Section 20)

- 3.102 The SoS notes that specialist construction workers from outside the area are unlikely to be Welsh speakers, though as the need for such workers will be temporary it is unlikely that there will be more than a negligible effect on the Welsh language.
- 3.103 The SoS welcomes that a Welsh Language Statement will be prepared to demonstrate that the applicant has taken the Welsh language into consideration.

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 may be 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 a 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), JNCC/NE/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 NE 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 and NE whether any issues have been identified which would prevent the EPS licence being granted.
- 4.16 Generally, NRW and NE 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 and NE 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 and NE will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NRW and/or NE consider 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 and NE.
- 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.

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.

In Wales, the focus is on evidencing the demonstration of no detriment to the maintenance of favourable conservation status (FCS) of the population or colony of EPS potentially affected by the proposals. In England the focus concerns the provision of up to date survey information which is then made available to NE (along with any resulting amendments to the draft licence application). This approach will help to ensure no delay in issuing the licence should the DCO application be successful. Applicants with projects in England or English waters can find further information on Natural England's protected species licensing procedures in relation to NSIP's by clicking on the following link:

http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf

- 4.18 In England or English Waters, assistance may be obtained from the Consents Service Unit. The Unit works with applicants to coordinate key non-planning consents associated with nationally significant infrastructure projects. The Unit's remit includes EPS licences. The service is free of charge and entirely voluntary. Further information is available from the following link:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/consents-service-unit/>

- 4.19 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

- 4.20 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, Public Health England and Public Health Wales in relation to electrical and magnetic field safety issues (see Appendix 2).
- 4.21 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

- 4.22 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.
- 4.23 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

- 4.24 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.
- 4.25 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.
- 4.26 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

Scoping Opinion for Mid Wales Electricity Connection (N Grid)

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 National Health Service Commissioning Board	NHS England
The relevant clinical commissioning group	Shropshire Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	English Heritage
The relevant Fire and Rescue Authorities	Mid and West Wales Fire and Rescue Authority
	Shropshire Fire and Rescue Service
The relevant Police and Crime Commissioners	Dyfed Powys Police and Crime Commissioner
	West Mercia Police and Crime Commissioner
The relevant Parish Council(s) or relevant Community Council	Carno Community Council Llanerfyl Community Council Banwy Community Council Llanfair Caereinion Community Council Llanfihangel Community Council Llanwddyn Community Council Meifod Community Council Caersws Community Council Aberhafesp Community Council Tregynon Community Council Dwyriw Community Council Manafon Community Council Llangyniew Community Council Castle Caereinion Community Council Guilsfield Community Council Llanfyllin Community Council Llanfechain Community Council Llandrinio and Arddleen Community Council Llansantffraid Community Council Llandysilio Community Council Llangedwyn Community Council Carreghofa Community Council Kinnerley Parish Council

	Llanyblodwel Parish Council Oswestry Rural Parish Council Whittington Parish Council Llanymynech and Pant Parish Council Molverley Parish Council Upton Magna Parish Council Uffington Parish Council
The Environment Agency	The Environment Agency The Environment Agency – West Midlands
The Equality and Human Rights Commission (Wales only)	Equality and Human Rights Commission
Royal Commission On Ancient and Historic Monuments of Wales	Royal Commission On Ancient and Historical Monuments Of Wales
The Natural Resources Body of Wales	Natural Resources Wales
The Civil Aviation Authority	Civil Aviation Authority
The Highways Agency	The Highways Agency
The Relevant Highways Authorities	Powys County Council Highways Department
	Shropshire Council Highways Department
The Passengers Council (Wales only)	Passenger Focus
The Disabled Persons Transport Advisory Committee (Wales only)	Disabled Persons Transport Advisory Committee
The Coal Authority	The Coal Authority
The Office Of Rail Regulation (Wales only)	Office of Rail Regulation (Customer Correspondence Team Manager)
Approved Operator (Wales only)	Network Rail Infrastructure Ltd
The Gas and Electricity Markets Authority (Wales only)	OFGEM
The Water Services Regulation Authority (Wales only)	OFWAT
The relevant Waste Regulation Authority (Wales only)	Natural Resources Wales
The relevant Internal Drainage Boards	Molverley Internal Drainage Board
	Powysland Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency of the Department of Health	Public Health England
The relevant Local Resilience forum (Wales only)	Dyfed Powys Local Resilience Forum
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission (England only)	Forestry Commission
The Natural Resources Body for Wales	Natural Resources Wales
The relevant local health board	Powys Teaching Health Board
The National Health Service Trusts	Health Protection Team

	Public Health Wales Welsh Ambulance Services Trust Velindre NHS Trust
The Secretary of State for Defence (the Ministry of Defence)	Ministry of Defence
RELEVANT STATUTORY UNDERTAKERS	
Health Bodies (s.16 of the Acquisition of Land Act (ALA) 1981)	
The relevant Clinical Commissioning Group (England only)	Shropshire Clinical Commissioning Group
The relevant Local Area Team (England only)	Shropshire and Staffordshire Area Team
The relevant Ambulance Trusts	Welsh Ambulance Services Trust
	West Midlands Ambulance Service NHS Trust
Relevant Statutory Undertakers (s.8 ALA 1981)	
Railway (England only)	Network Rail Infrastructure Ltd
	Highways Agency Historical Railways Estate
Water Transport	The Canal and River Trust
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 of Part 1 of Transport Act 2000)	NATS En-Route (NERL) Safeguarding
Universal Service Provider	Royal Mail Group
The relevant water and sewage undertakers	Dee Valley Water Dwr Cymru Severn Trent
The relevant public gas transporters	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 Wales and West Utilities Ltd
The relevant electricity licence holder with CPO Powers (electricity distributors)	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
The relevant electricity licence holder with CPO Powers (electricity transmitters)	National Grid Electricity Transmission Plc
	National Grid Plc
LOCAL AUTHORITIES (SECTION 43)	
A county council, or district council, in England	Shropshire Council Cheshire West and Chester Council Cheshire East Council Newcastle under Lyme Borough Council Staffordshire County Council Stafford Borough Council Telford and Wrekin Council South Staffordshire Council Wyre Forest District Council Worcestershire Council Malvern Hills District Council Herefordshire Council
A county council, or county borough council, in Wales	Denbighshire County Council Wrexham County Borough Council Powys County Council Monmouthshire County Council Blaenau Gwent County Borough Council Caerphilly County Borough Council Merthyr Tydfil County Borough Council Rhondda Cynon Taf County Borough Council Neath Port Talbot County Borough Council Carmarthenshire County Council Ceredigion County Council Gwynedd Council
A National Park authority	Brecon Beacons National Park Snowdonia National Park
NON-PRESCRIBED CONSULTATION BODIES	
Cadw	Cadw
Welsh Language Commissioner	Welsh Language Commissioner
Joint Transport Authorities	Trafnidiaeth Canolbarth Cymru (TraCC)

APPENDIX 2

Respondents to Consultation and Copies of Replies

APPENDIX 2

LIST OF BODIES WHO REPLIED BY THE STATUTORY DEADLINE

Banwy Community Council
Carreghofa Community Council
Cheshire East Council
Civil Aviation Authority
Denbighshire County Council
English Heritage
Environment Agency
Equality and Human Rights Commission
E S Pipelines Ltd, ESP Networks Ltd, ESP Pipelines Ltd, ESP Electricity Ltd and ESP Connections Ltd
Fulcrum Pipelines
Health and Safety Executive
Highways Agency
Kinnerley Parish Council
Llandrinio and Arddleen Community Council
Llanfechain Community Council
Llanfyllin Town Council
Llansantffraid and Deytheur Community Council
Melverley Internal Drainage Board
NATS
National Grid Gas Plc
Natural England
Natural Resources Wales
Neath Port Talbot County Borough Council
Network Rail
Powys Teaching Health Board
Public Health England
Public Health Wales
Scottish Power Manweb
Shropshire Council
Snowdonia National Park Authority

The Coal Authority
Trafnidiaeth Canolbarth Cymru (TraCC)
Wyre Forest District Council

Hannah Nelson

From: Llinos Jones [REDACTED]
Sent: 21 June 2014 10:24
To: Environmental Services
Subject: RE: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Thank you for your e-mail. Banwy Community Council have no comments to make at this stage

From: EnvironmentalServices@infrastructure.gsi.gov.uk
Subject: EN020010 Mid Wales Connection (National Grid) Scoping Consultation
Date: Fri, 30 May 2014 09:40:11 +0000

Dear Sir/Madam

Please see attached correspondence in relation to the request for a Scoping Opinion for the proposed Mid Wales Connection (National Grid).

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3/18 Eagle Wing
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Line: 0303 444 5532

Helpline: 0303 444 5000

Email: jenny.colfer@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)

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Hannah Nelson

From: Smailes Baggy <Baggy.Smailes@caa.co.uk>
Sent: 30 May 2014 15:58
To: Environmental Services
Subject: FW: EN020010 Mid Wales Connection (National Grid) Scoping Consultation
Attachments: Letter_to_stat_cons_Scoping_AND_Reg_9_Notification_English_AND_Welsh.pdf

Dear Ms Colfer,

The Planning Inspectorate has requested Civil Aviation Authority (CAA) scoping comment related to the National Grid Mid Wales Connection Project (a proposed partially overhead transmission line); I trust the following is useful to a degree.

We understand that the tallest associated structures would be the supporting pylon which might be as high as 50 meters. As such no structure associated with the overhead line and supporting structures would constitute an aviation en-route obstruction. I have therefore few associated observations other than to highlight that the planning process will demand that the relevant planning authority will be required to the need to check any safeguarding maps lodged with the authority to identify any aerodrome specific safeguarding issues. To that end, we note the EIA Scoping Report makes reference to a number of civil aviation sites (paragraphs 15.2.23-25. As a minimum, we believe there is a requirement to establish the related viewpoints of the aerodrome operators at Rednal and Knockin. As in all cases aerodrome safeguarding responsibility rests with the relevant aerodrome operator, it is incumbent upon the developer to seek related comment from the aerodromes direct.

Whilst it would not be appropriate to address any military aviation issues, I am aware that the Ministry of Defence (MoD) has expressed generic concerns associated with overhead power lines. It is consequently possible that the MoD would make recommendation related to the lighting of the towers and marking of the wires. Accordingly, it is important that any environmental study establishes the MoD viewpoint related to the subject proposal. You should be aware that in general the CAA would wish to support MoD recommendation concerning enhancement to wire conspicuity.

Finally, As an aside, it should be noted that, the CAA promulgates known power lines which have a height of 80ft or more, drawing information from a Defence Geographic Agency database.

I hope these few comments match your requirements. Should you require any further civil aviation regulatory input, do not hesitate to get in touch.

Mark Smailes

Airspace Regulator
Safety and Airspace Regulation Group
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE

Tel: 0207 453 6545

Hannah Nelson

From: Steffan Jones
Sent: 01 July 2014 10:52
To: Jenny Colfer; Frances Russell
Subject: FW: National Grid Scoping report - Mid Wales Connection

Importance: High

Hi both

I have received the below from Carreghofa CC this morning.

Thanks

Steffan

Steffan Jones
Case Officer
Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 2197

Helpline: 0303 444 5000

Email: Steffan.Jones@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)

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

From: Carreghofa CC [mailto:carreghofacc@gmail.com]
Sent: 01 July 2014 10:50
To: Steffan Jones
Subject: National Grid Scoping report - Mid Wales Connection
Importance: High

Carreghofa Community Council – Scoping Report for National Grid Mid Wales Connection

Dear Steffan,

Following the failure of delivery of our email on Friday the 27th (due to its size – 20MB) and further discussions with your office with Sarah Gud? here are our comments. My emails yesterday confirming my conversation with Sarah G? was sent to you and to Kathrine Powell (as requested) . My mail box says that it failed to deliver to Katherine Powell ! I understand that although this will arrive outside the deadline that our input will be included for consideration by the inspector. I have removed the attachments and will be copying this to CD and forwarding it by post.

In response to your letter of the 30th May 2014 here is the feedback for your consideration.

Part 1 - Specific points to the Scoping Document

1. Section 4. Indicates a summary of consultations held to date. We would ask that our presentation we gave National Grid on the 13th Dec 2013 and National Grid's response requires further consultation. The consultation to date has been very subjective and a matrix approach to selection options for the proposed routes would be more meaningful. We feel there is an option that would significantly improve the impact on the Vyrnwy Valley. Please find attached our presentation and National Grids response. We therefore feel that the EIA Scoping Report in its present form is premature.
2. Section 6. Para 6.2.9. We strongly disagree with this statement and therefore should not be limited to 300m either side of the draft route as proposed near Llanymynech.
3. Section 6. Para 6.2.27. National Grid have contracts involving other wind farms and is the reason for the 400kV line and therefore these should also be included.
4. Section 7. Para 7.2.20. Consider adding Watts Dyke, Shropshire Way, Llanymynech to Llangollen Sculptural Trail, Llanymynech Toposcope.
5. Section 8. Para 8.2.20. Peregrine falcons also exist on Llanymynech Rocks.
6. Section 8. Para 8.4.44. There is therefore a need to have at least an additional raptor survey point resulting from '5' above
7. Section 14. Para 14.4.39. Cumulative impact should also include other contracts that National Grid have with SPEN and not limited to the Mid Wales Conjoined Wind Farm inquiry.
8. Section 15. Para 15.2.14. Heritage area at Llanymynech should also be included.
9. Section 15. Para 15.4.7. Offa's Dyke and Heritage Limeworks Area. The proposed methodology for assessing socio-economic impact calculates the number of people affected as a proportion of people in the relevant community. As a result Offa's Dyke and The Heritage Area, which is visited by thousands of international tourists every year, have been largely ignored, being relegated to share Paragraph 15.2.17 with bridleways and local golf clubs. This paragraph needs rewording and Offa's Dyke and the Heritage Area should be mentioned in Paragraph 15.2.13 as a national attraction and included in the relevant Appendix assessing Landscape and Visual Sensitivity under Section 9 (Severn and Vyrnwy Flood Plain).
10. Appendix 6.4 Additional view points to consider Aqueduct at Carreghofa(OS SJ253198 – Offa's Dyke and Aqueduct), Cae Haidd and Elm Tree Park (OS SJ264208 looking South – Breiddon Hills), Bryn Mawr(OS SJ252194 looking NE to N – Llansanfraidd and Caravan Parks), Llandysilio (OS SJ268193 looking N – Llanymynech and Llanymynech Hill))

Part 2 - Of general comment

1. The document presupposes that Red Route North' is the chosen option. We are completely confused on the basis as there is still ongoing dialogue with National Grid concerning the route. We are in the process of replying to Mr J Lee's response on the 21st May. We were therefore very surprised to be notified of the Scoping Report. Our earlier email to you also expressed our concern to the timeline imposed on us.

The following is part of an email that we sent to Mr J Lee re the ongoing consultation process for your information –

We are a Community Council (part time and unpaid) that meets once a month, except August and December (no meeting)

We take our role seriously and endeavour to engage with the community to provide effective feedback. We feel that you have not enabled us to engage with our community in a meaningful way.

You have stated previously that it is important to you that we have an opportunity to engage effectively on this project and our feedback is important. We ask how is it then possible when

1. On the 21st May we receive an email from Jeremy Lee – Lead Project Manager in reply to a presentation we gave to you on the 3th December 2013 – 5 months has elapsed.

2. We received the 'questionnaire' at our May Council meeting on the 27th and have until the 20th June to reply.

3. We then receive via PINS a letter dated 30th May, informing us of a an Environmental Impact Assessment Scoping Report you have filed with them and informed that a deadline of the 27th June for the Inspectorate to take note off any points we wish to be considered. We feel that this is far from serious engagement on your part. Why was the draft scoping report not been first discussed with our Community before submitting it to PINS. There is no

way that we will be able to provide effective feedback on the scoping report to the Inspectorate. We will make comment but will also point out that proper consultation on the document is impossible on the timescale requested. We are very disappointed and in equal measure frustrated at not being allowed proper consultation, bearing in mind that we have been engaged in this project for some three years. We received hard copies on the 10th June giving us a timeline of 17 days to absorb 192 pages of data plus 99 pages of Figures and Appendices.

2. Flooding is of major concern in our area and we don't understand why the route is proposed to go through a major flood plain when it can be mostly avoided.
3. The route also crosses the Vrynwy river 10 times between Llansanfraiid anf Llanymynech and considered by the Council as totally unacceptable.
4. Routing should avoid residential/built up areas and therefore do not understand why the route is proposed to come very close to Llanymynech.
5. Landscape and Visual considerations. It is clear that National Grid consider screening using trees in the natural landscape. There are four seasons in the year and therefore it is important that any photo montages or photographs cover the four seasons.
6. Transport delivery of material should also assess the considerable number of bridge weight restrictions in our area (7.5 tonnes)
7. Please add page numbers in Appendices and Figures from the main ongoing content so that they can be readily accessed and add to 'iv'.
8. Due to the timeline we have been given (28 days) or (17 days from when we received the hard copy) we have not been able to comprehensively examine the document. Therefore there could be other important points that need to be included in the Scoping Report.
9. We question the need for a scoping report at this stage as National Grid have no generators to connect too.

Please confirm receipt of this email. Thanks

Martin Clare
Chair, Carreghofa Community Council
Talltoppen
Llanymynech
Powys SY22 6PA
01691 839564
07810 557272
email carreghofacc@gmail.com

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**National Grid Mid Wales Connection Project
Connecting wind farms through Mid Wales & Shropshire**

Meeting with Carreghofa Community Council, 03 December 2013

Present:

Attendees	Representing
Representative councillors	Carreghofa Community Council
Representative councillors	Llanymynech & Pant Parish Council
Jacqui Fenn (JF)	National Grid
Jeremy Lee (JL)	National Grid
Greg Phillimore (GP)	National Grid

Overview of meeting

	Action
<p><u>Introduction</u></p> <ul style="list-style-type: none"> The chair opened the meeting and thanked the National Grid team for attending and proceeded to a presentation. 	
<p><u>Presentation and feedback</u></p> <ul style="list-style-type: none"> The chair provided a detailed presentation focusing on section C of National Grid's proposed route, which covered considerations under the following headings: <ul style="list-style-type: none"> - Landscape & Visual - Tourism & Socio-economic - Culture & Heritage The presentation highlighted the key features under each heading and raised some points that the community council believed were additional to those covered in National Grid's reports to date. The council felt some of these were new considerations that National Grid should now review. The chair agreed to provide a copy of the presentation. In addition to the presentation, the chair also referred to a household survey undertaken in the area. The chair noted 48% of households in the parish had completed the survey and of these, 90% were against the pylon route. A councillor from Llanymynech & Pant added that Ironbridge Institute use the lime kiln in the area, which she considered important. She added that many of the facilities in the area are used jointly by the parishes of Carreghofa and Llanymynech & Pant and people considered themselves one community. She said people are concerned about the proposals throughout the area. The council asked if this information would prompt a consideration of the selected route corridor. In view of the information raised, it was the council's view that the 'red central' route option would be a preferable route to National Grid's preferred 'red north' option. They also asked if the information would change National Grid's position on putting the 	

<p>connection underground through section C.</p>	
<p><u>Decisions on route/use of underground construction</u></p> <ul style="list-style-type: none"> • A councillor asked what factors National Grid considers when putting connections underground and whether decisions were based primarily on cost. • JF explained that all areas are considered for overhead and underground and an assessment is made on how each technology would affect the area under various factors such as heritage; landscape; socio-economic and others. She said that the different technologies have different impacts all of which are considered. • A councillor asked how National Grid rates or measures these effects in order to make decisions. • A councillor added that the community materials National Grid has produced point to effects on landscape and Glyndwr’s Way for reasons to underground in the Meifod Valley. It was his view that the same factors exist in Section C and thought National Grid could forgive the community for thinking it all came down to cost. • A councillor asked why National Grid had not progressed with the Severn Valley route option as he considered this less sensitive than the chosen route. • A councillor was keen to point out that this was not NIMBYism, but a desire to understand the criteria that had been used to make decisions. • To answer all of these questions, JF provided an overview of the project to date. She explained that when developing routes National Grid considers broad factors. These included where the wind farms are located, where there are options to make a connection to the existing network; significant landscape designations; planning guidance; the Holford Rules and National Grid’s own guidance. • She added that National Grid also endeavours to keep away from high ground as high ground may present difficulties for visual mitigation if overhead lines are used and construction difficulties for underground cables. She said a range of assessments and community feedback had led to the decisions made, which National Grid had detailed in the various reports it had published. • A councillor asked what factors had been considered in the assessments and raised in the feedback. • JF said assessments included environment; landscape; cost; constructability; socio-economics. Community feedback raised concerns about the proposals broadly, but often pointed to the same kind of issues, such as visual impact and effect on communities and properties, local business and tourism. She added National Grid had avoided communities as much as possible and had mapped tourism businesses, such as caravan parks so these could be considered too. 	

- In terms of decisions, she added that substation sites and routes were considered together. She noted that the Cefn Coch route options provided opportunities to reduce impacts, compared to other routes, and also keep windfarm and pylon infrastructure together, which was important in planning/landscape terms.
- A councillor noted that the Holford Rules referred to preserving general amenity and asked whether the impacts on the chosen route were the same as the other routes.
- JF noted that many of the factors that people were concerned about along the preferred route (such as tourism, flooding, effects on communities) were also factors in the routes previously considered.
- A councillor asked whether there was opportunity to mix the routes up rather than consider whole routes.
- GP explained that all of the route variants had been considered and included in the consultation in 2011.
- JF added that all of the route options had been assessed and that National Grid ultimately had to identify the 'least worst' option based on impacts.
- A councillor asked why the red central or green central had not been selected as a preferred option.
- JF said all of the factors were included in the preferred route corridor report (published in July 2012). She explained that in National Grid's view there were fewer opportunities to manage the impacts in these routes. She pointed to the Knockin Radio Telescope, as an example of the factors that were considered, and also the strong visual impact an overhead line would have in the Sarnau Valley.
- A councillor acknowledged this, but said the route should therefore go underground through this area.
- JF acknowledged this the comment on placing the connection underground. She explained that cost is a further factor and that incurring costs of going underground are typically appropriate when there are no alternative overhead line options.
- A councillor noted that National Grid's preferred route corridor report suggested that factors such as tourism had been dismissed when a route was selected.
- GP explained that factors are never dismissed, but that National Grid has to consider determining factors when selecting a preferred route. He added that all of the route corridors originally proposed included important tourism features making it difficult to select a preferred route on the grounds of tourism. For this reason tourism was not a determining factor. It was reflective of the tourism in all of the routes, not a dismissal of them.

- The councillor acknowledged this, but noted there were tourism ‘hotspots’ along the route, such as Llanymynech, which in his view deserved more consideration for undergrounding.
- JF ran through the reasons for proposing the connection be underground in the Meifod Valley. She explained it was the combination of the narrowness of the valley, the setting of Meifod within the community, the cultural heritage, and the limited opportunities to route an overhead line in this area without impacting these factors that tipped the balance.
- A councillor said he thought the same factors and impacts could be said of the Llanymynech/Four Crosses area.
- GP explained that decisions ultimately come down to the judgements of National Grid’s experts based on the information available. He stressed that the planning system will ultimately decide if National Grid has got these judgements right.
- JF continued to explain that National Grid has taken steps to limit visual effects through area C in the decisions made on routeing. She noted the views from Llanymynech Hill and said the draft route was as close as possible to the base of the hill specifically to keep any effect on views to a minimum. She added that the open and wider scale of the valley at this part of the route would offer opportunity to reduce visual impact.
- A councillor challenged this and said visual perspective would be different once on the valley floor and said people living and travelling in and out of the area, such as tourists, would be able to see the line.
- JF pointed out that the main transport routes in the area run at right angles to the draft route so that people would cross under the line briefly rather than be parallel to it, which would be the case when travelling along the Meifod section of the valley.
- A councillor asked if Offa’s Dyke had been considered particularly as it is well used by walkers and important to tourism. It was his view that an overhead line would have a detrimental effect on the dyke.
- JF said that all of these factors had been considered. She added that it was not a question of there being no impacts, but that there was much better opportunity to manage these impacts in the Carreghofa/Llanymynech area, than there was in the Meifod area.
- A councillor said it was hard to understand this given the two large communities in the area and the number of river crossings involved.
- JF said these were considerations, but again she felt any impacts could be mitigated.
- The chair asked again whether the information that had been provided would prompt National Grid to review its decision for the route.
- JF asked again for the feedback to be submitted. She said it would be looked at in detail and would be very useful in helping National Grid

<p>understand the community's concerns.</p> <ul style="list-style-type: none"> • She explained that National Grid's focus is to develop an acceptable proposal based on consideration of all factors discussed previously and that it considers will achieve planning consent. If there are issues with the council's feedback that would question this, it's possible this could prompt a review. JF added she didn't think there was anything presented that would ultimately change the choice of route corridor, but again asserted it would be looked at closely. • She explained that if the feedback did not lead to a change of route corridor, it would be considered for decisions on routeing, pylon locations and other elements of the proposed design. 	
<p><u>Project need/alternative options</u></p> <ul style="list-style-type: none"> • A councillor asked if there were options to connect the wind farms using lower voltages rather than using a single high voltage connection. • GP explained that different options had been considered at a very early stage of the project to consider the preferred option. This work specifically looked at 132 kV connection options compared to 400 kV. He explained this work had concluded there would be a more significant environmental and visual impact from a network of more, albeit smaller, connections and that this had been one of the reasons why a 400 kV option had been selected as the preferred option. • JF added that National Grid keeps its work under review and if it was established there was no need for a 400 kV connection, then they would not build it. • A councillor noted there was potential for further wind farm development in the area and pointed to information available from Powys Council. He asked if National Grid would need to review its proposals if any of these came forward. • JF explained that National Grid has a connection agreement with Scottish Power Energy Networks (SPEN) to provide a connection for proposed wind farms. SPEN is developing the connections from the wind farms to the proposed hub substation. She said if an application was requested to connect new generation, via SPEN or directly, it would need to be considered. 	
<p><u>Pylon designs</u></p> <ul style="list-style-type: none"> • A councillor asked if T- pylon was being considered for the project. • GP explained that T- pylon and traditional steel lattice pylons are both being considered. He noted they both have different impacts and these need to be considered in more detail before any decisions are made. • JF added that T- pylons are designed to be interchangeable with steel lattice pylons so the same number of pylons would be required. 	

<ul style="list-style-type: none"> • GP provided a portfolio of images showing steel lattice and T-pylon and a conversation took place about the different visual impacts of the designs. GP pointed out that the visual impact of pylons can diminish relatively quickly when considered in a landscape and that trees and other landscape features offer opportunity to reduce visual impact. • A councillor asked if the T-pylon was being used anywhere in the UK. • JF that is currently being developed and that a test line will begin construction in 2014 in Eakring, Nottinghamshire. 	
<p><u>Response from Llanymynech & Pant Parish Council</u></p> <ul style="list-style-type: none"> • The chair asked the councillor if she wished to raise any points in relation to the parish. • The councillor endorse all of the points had been raised in the meeting and said all of the same concerns existed in Area D. She said that among the points causing most concern was the views from Llanymynech Hill. It was her view that the hill gives 270° views of the area and that the draft route would mean pylons would be in the foreground of these views. • JF ran through the rationale for the draft route through this area. She said the draft route was close to the base of the hill to help reduce visual impact. JF added that views would be carefully considered when sites for pylons are planned in order to protect the views, as much as possible. • The councillor noted that parts of National Grid's route were in flood plains and asked whether this would be a planning consideration as local applications had been refused for this reason. • JF said flooding is carefully considered and flood plains avoided where possible. If development is proposed this will be the subject of carefully consultation with the Environment Agency to help understand the effects of the proposals and how these can be best minimised/mitigated,. • The councillor noted the difficulties that had been faced locally with trying to develop a bypass. She suggested National Grid consider funding the bypass as a community benefit and also placing the cable underground at the same time. 	
<p>Construction and consultation</p> <ul style="list-style-type: none"> • A councillor asked how long construction would take and what the transport impacts might be. • JF said it would be approximately two to two and half years. She added that part of the next stage of the project is to develop a detailed transport assessment and that the relevant departments in Powys, Welsh Government and England would be consulted as part of this. Once the assessment is completed a transport plan would be developed. • A councillor asked what would be included in the next consultation. 	

- | | |
|---|--|
| <ul style="list-style-type: none">• JF advised the next phase would be comprehensive and would include details on all parts of the project including pylon positions; road access; temporary roads; pulling points for cables and several other aspects.• She added that this is expected to be the final stage of consultation and said it was important that people took part.• GP asked again that the presentation and household survey be submitted as feedback and urged anyone with comments or thoughts to submit these.• The chair agreed to send the feedback, thanked National Grid for attending and the meeting closed. | |
|---|--|

National Grid Response to Carreghofa Presentation on 3rd Dec 2013

Dear Mr Clare,

We wanted to thank you again for the Council's response on our proposed draft route and for meeting with our team on 3rd December 2013 to talk through your presentation. Feedback of this quality is essential so we can understand the themes and issues that are important to communities and consider them as we develop our work.

I would like to respond to some of the points you raised, but first I thought it may be helpful to provide a brief reminder of the process National Grid conducts when developing proposals for new connections.

Our overall aim is to develop connections to have the least effect possible on their surrounding area, while balancing the various duties and factors we must consider. The Electricity Act 1989 includes a number of obligations and we also have to take account of Government policy for the delivery of major energy infrastructure as set out in the National Policy Statements. The relevant National Policy Statements for our work and the way in which they influence our proposals are explained in *Update of Strategic Options Report*, Appendix B, which is available on our website.

Our Approach to the Design and Routeing of New Electricity Transmission Lines seeks to ensure that all potential economic, environmental and social impacts of proposed projects are considered. The 'Approach', published in 2011, explains how projects are developed from the earliest point of identifying high level options right through to the submission of detailed proposals with a series of clear stages involving appraisal of options and consultation.

This process places an emphasis on mitigating the effects of new infrastructure and sets out how we will work with stakeholders and communities to find the right balance between minimising the effects of a new connection with keeping costs down for consumers. Assessment is undertaken on a case by case basis, working along the way with stakeholders and communities, to ensure that local considerations are fully understood and accounted for in the decision making process.

The 'Approach' explains how the most appropriate location, route and technology for any new electricity transmission is identified, how the data is collected and analysed, and how

consultation with stakeholders and communities and their feedback is used to inform judgements.

As you know, we have followed the Approach, firstly to identify several corridor options and, through further assessment and consultation, a preferred route corridor and draft route. This work is explained in our *Route Corridor & Substation Siting Study, March 2011*; the *Selection of Preferred Connection, July 2012*; and the *Draft Route Report, September 2013*.

At each stage we have selected options that we think best balanced all of the factors we have to consider. It's worth pointing out that when considered on the basis of individual factors, some route corridors may perform better than others. Importantly, however, we have to take into account all factors and identify an option that best balances all of them. This is the route corridor or route which overall has least effects and, where there are effects, provides the opportunity to manage them through detailed routeing, siting and mitigation.

As more information has become available through consultation and our assessments, we have continued to keep our choices under review to make sure they remain appropriate. This back-check will continue.

Your response

In your response, you raise a number of important themes regarding the area around Carreghofa and Llanymynech, including tourism, landscape and views, and cultural heritage. We have looked at our work to ensure they have been considered in the development of our proposals.

Landscape and views

As I hope you have seen in our reports, landscape and views are an important part of our work and have been considered at every stage.

We recognise the river landscape, which has been considered in the selection of the route corridor and in the development of a proposed draft route. *Feedback Report 2* (paragraph 11.8) and the *Selection of the Preferred Connection Report* (paragraph 23.2.20) explain the

relevant landscape and visual considerations which informed the selection of the identified route corridor and substation siting area.

In developing the Draft Route we have sought to minimise the number of river crossings as far as possible, however the meandering nature of the course of the river means that a number of crossings will be required.

We did look at an alternative route south of Wern and slightly to the north of where we are proposing crossing Offa's Dyke, which would've allowed us to make fewer river crossings. However, we felt this would have had an unacceptable effect on views from local properties and that the added complexity of constructing across the river crossings was acceptable to reduce the effects on these.

The potential effects on Llanymynech Hill, including views to and from the hill and its heritage features have been running themes in consultation feedback. Feedback Reports One and Two summarise the themes raised by consultees. We have considered this and the routeing process has sought to reduce effects on views from and to Llanymynech Hill and other prominent features, which is explained in the Draft Route Report (paras 10.3.11 – 12; 10.4.1 and 15.3.1).

The *Draft Route Report* (para 15.3.13) also notes the importance of the landscape features mentioned in your presentation including the aqueduct, Carreghofa Locks and the settlements throughout the area

I also note your reference to the floodplain. In both feedback from members of the public and our own assessments, the flood plains have been important considerations. Opportunities for routeing were limited by topography, the course of the river itself, the location of Plas yn Dinas Scheduled Ancient Monument and the distribution of properties

Tourism and Socio-economics

We understand the importance of tourism to the local economy and this has been a central theme in the consultation feedback and a point people think we should strongly consider.

We have thought carefully about tourism and other important socio-economic features as we have developed our work and sought to balance effects on tourism alongside the other factors we must consider.

The *Selection of Preferred Connection* and the *Draft Route Report* recognise the importance of Offa's Dyke, and we have specifically sought to cross the dyke at section where it is unscheduled, marked approximately by the course of the A483.

Montgomeryshire/Shropshire Union Canal and its associated features, such as Carreghofa Locks and buildings are also noted, as referenced above. The value of heritage areas and their significance from a cultural heritage and socio-economic point of view are referenced throughout the Draft Route Report.

Cultural Heritage

As the Council points out, there are many listed buildings within the route corridors. All listed buildings, regardless of grade, have been considered in the routeing process, but discussion in the reports to date has focused on the Scheduled Ancient Monuments, Conservation Areas and higher graded listed buildings, as these presented the greatest challenges (in terms of cultural heritage) to routeing

Ongoing review

As we develop our proposals, we will also continue to review and check the decisions we have made against ongoing assessments and consultation feedback. Should new information become available that would suggest a change of route might be appropriate, we would consider this. At this stage, however, we are satisfied we have made the right judgements based on the information available, including the points raised in the Council's response.

Next steps

The points raised by the Council are important, have been considered in the development of the proposals to date and will continue to be considered as the proposals are developed.

We are currently working on the development of a more detailed design based on the draft route, which will include proposed sites and designs for pylons.

We are also undertaking an Environmental Impact Assessment (EIA) which includes a Landscape and Visual Impact Assessment (LVIA). This will consider the potential effects of the proposed overhead line on the landscape and on the views of people who live, work and enjoy the area in and around Llanymynech. This will include the potential effects of the overhead line on the landscape and views to and from Llanymynech Hill.

A socio-economic impact assessment is also being undertaken as part of the EIA and will consider a number of issues and features including those identified by the Community Council, such as the canal and its associated heritage and leisure features, and the other recreation in the area. While we were aware of the proposed marina development, the additional information and level of detail you provided regarding the development is valuable and we can continue to consider this.

We will hold a further consultation when we announce our more detailed design and we continue to welcome further input from the Community Council, and all members of the community, so their comments can inform the process of developing a detailed design for the connection.

Where possible the design of the connection will be refined to lessen effect on the area and it is likely that the boundaries of the Draft Route will be amended in some locations to take into account feedback and other additional information.

Ultimately, we will apply for the required consents through the planning process. For this project, we anticipate making an application for a Development Consent Order to the National Infrastructure Directorate of the Planning Inspectorate. The role of the Inspectorate is to examine applications and make a recommendation to the relevant Secretary of State, which in the case of National Grid is the Secretary of State for Energy & Climate Change, who will have the final decision on whether to grant development consent. This process ensures a thorough review of applications and provides a further opportunity for people to make their own representations for consideration.

We are keen to work with the Council on our ongoing proposals and would be happy to consider any further information you would like to present to us. We will continue to provide

updates as our work progresses and would also be happy to meet with you to discuss our work and answer any questions you may have. If you would like to meet again, please contact our Community Relations Team who will make the arrangements.

Thank you once again for your response.

Yours sincerely,

Jeremy Lee

Lead Project Manager

**CARREGHOFA COMMUNITY
COUNCIL**

**NATIONAL GRID STAGE 3
CONSULTATION FEEDBACK**

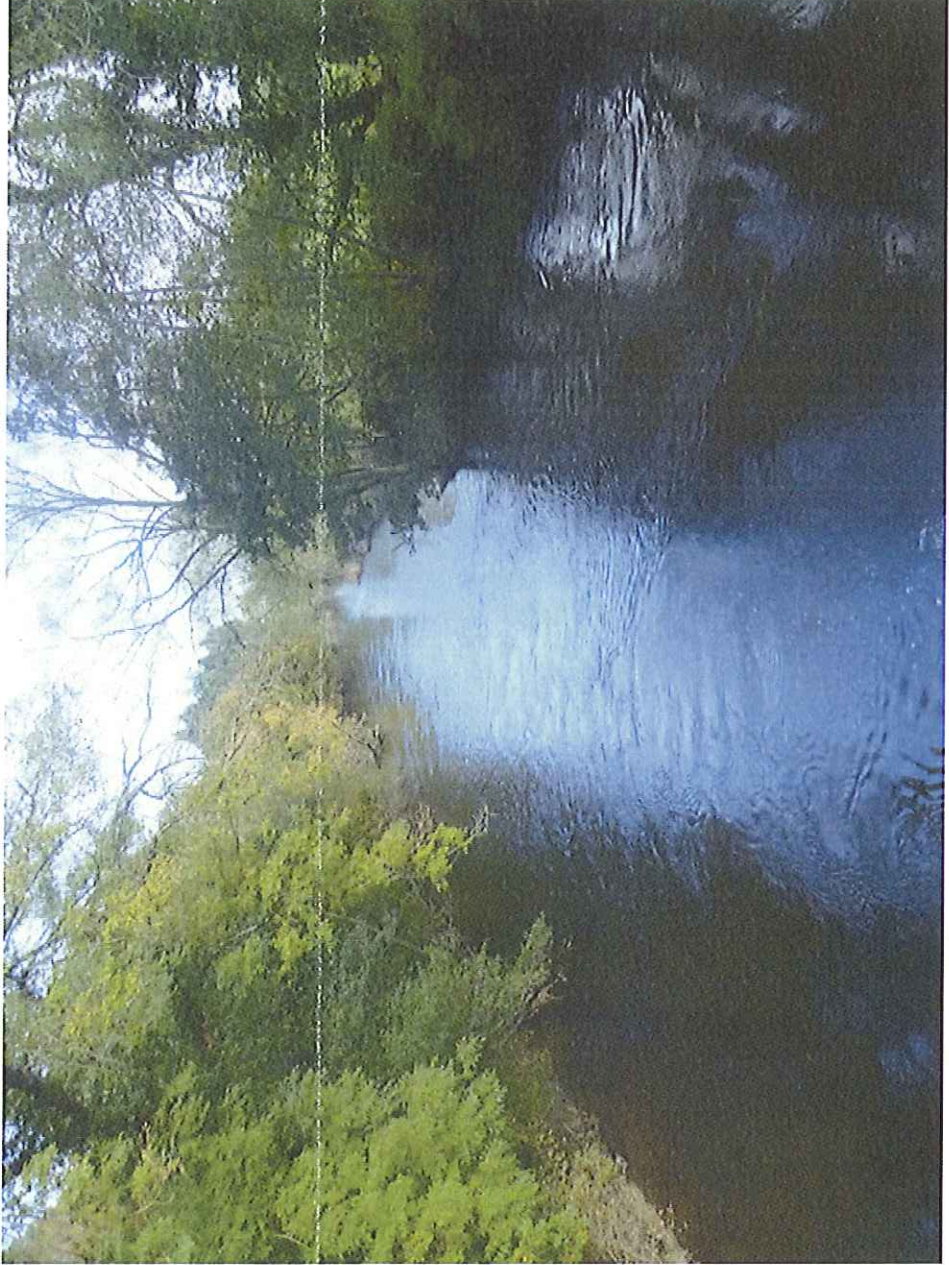
PYLON ROUTE RED NORTH SECTION C
WAEN FACH TO LLANYMYNECH

LANDSCAPE AND VISUAL

Waen Fach (East)



Waen Fach (West)



Godor



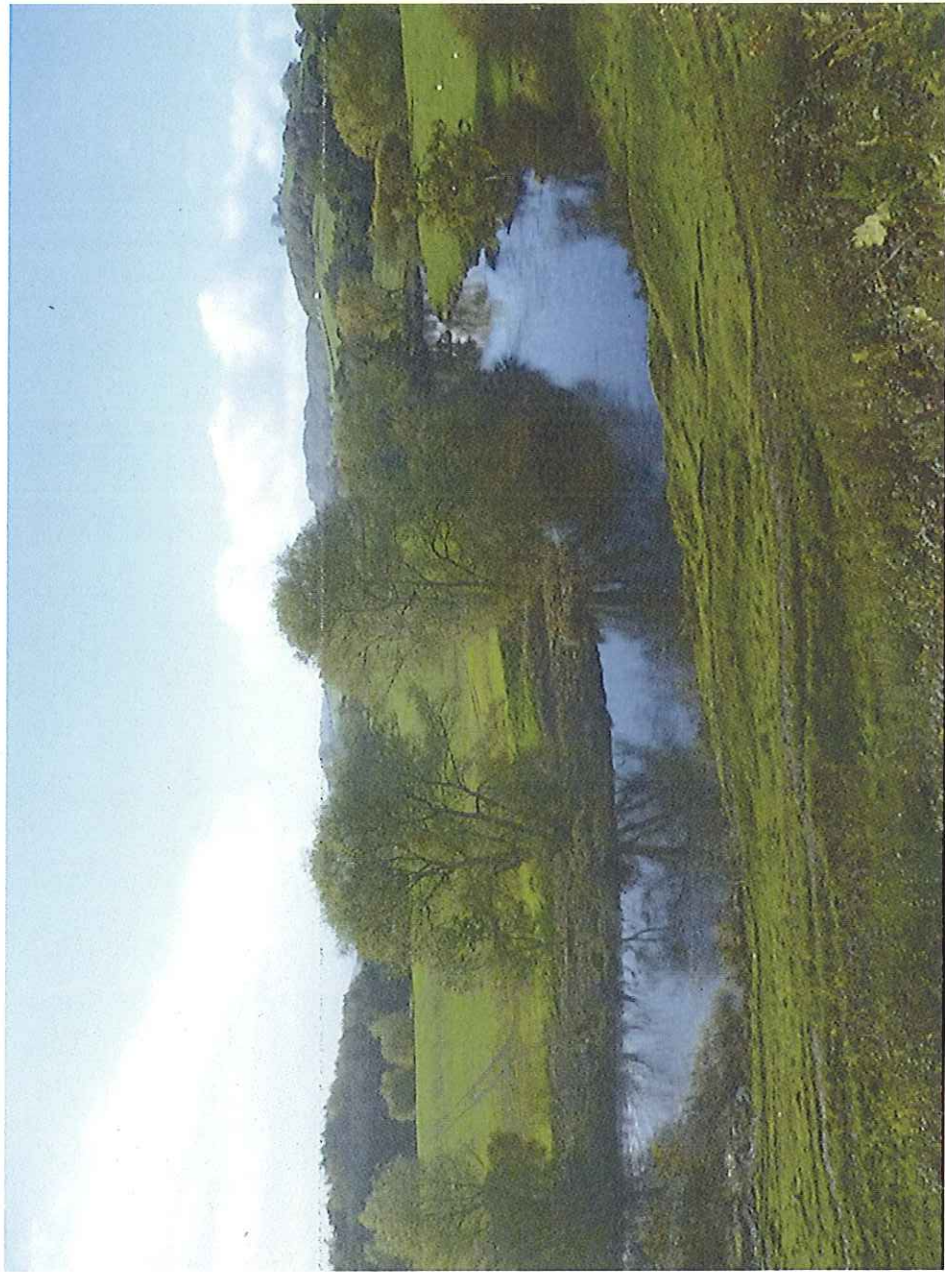
Cross Keys



Cross Keys-Vyrnwy River



Plas Yn Dinas



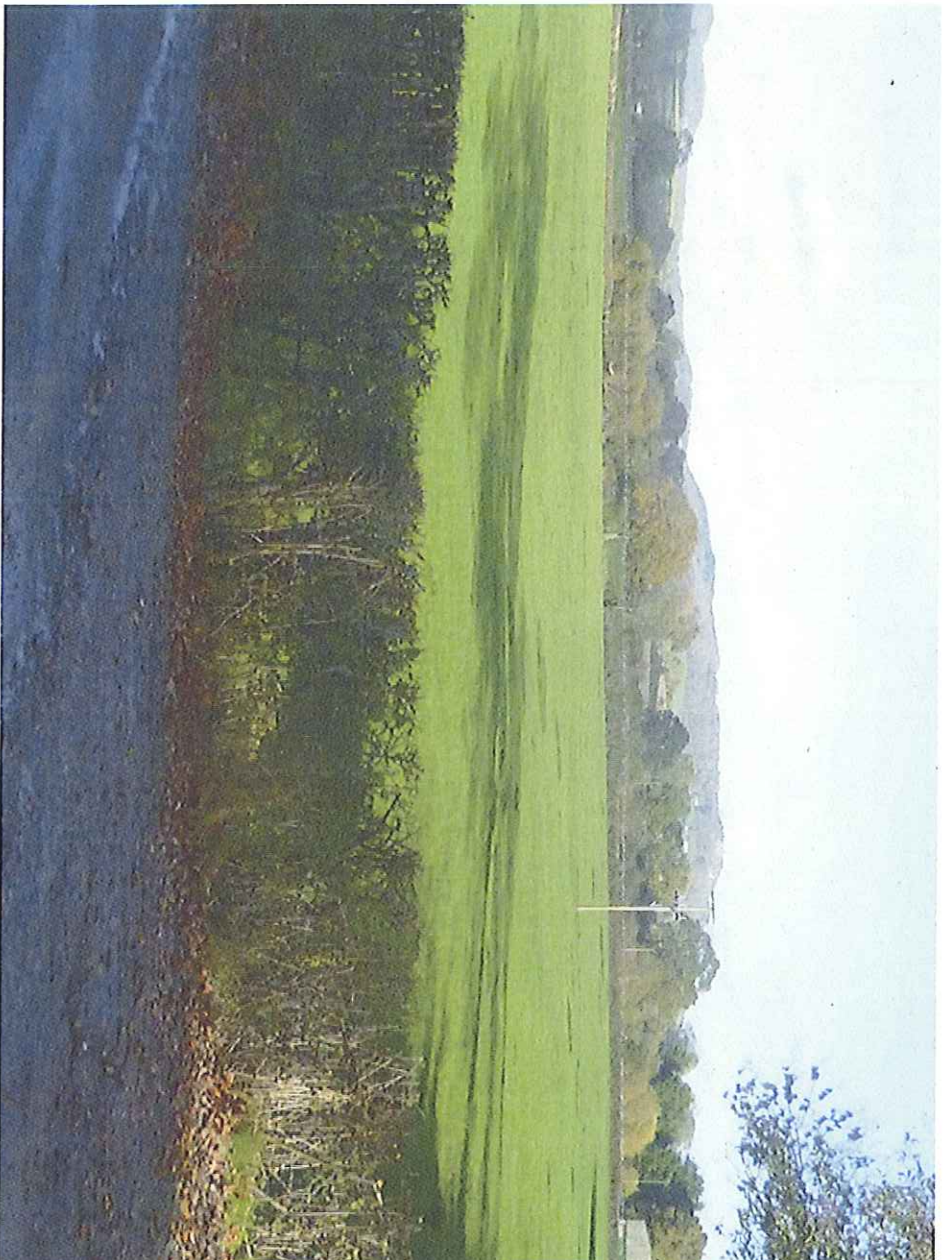
Plas Yn Dinas (2)



End of Lane



Plas Derwen, Llansanffraid



Glanvyrnwy Farm-Main Road



Waen Farm



Aqueduct-South



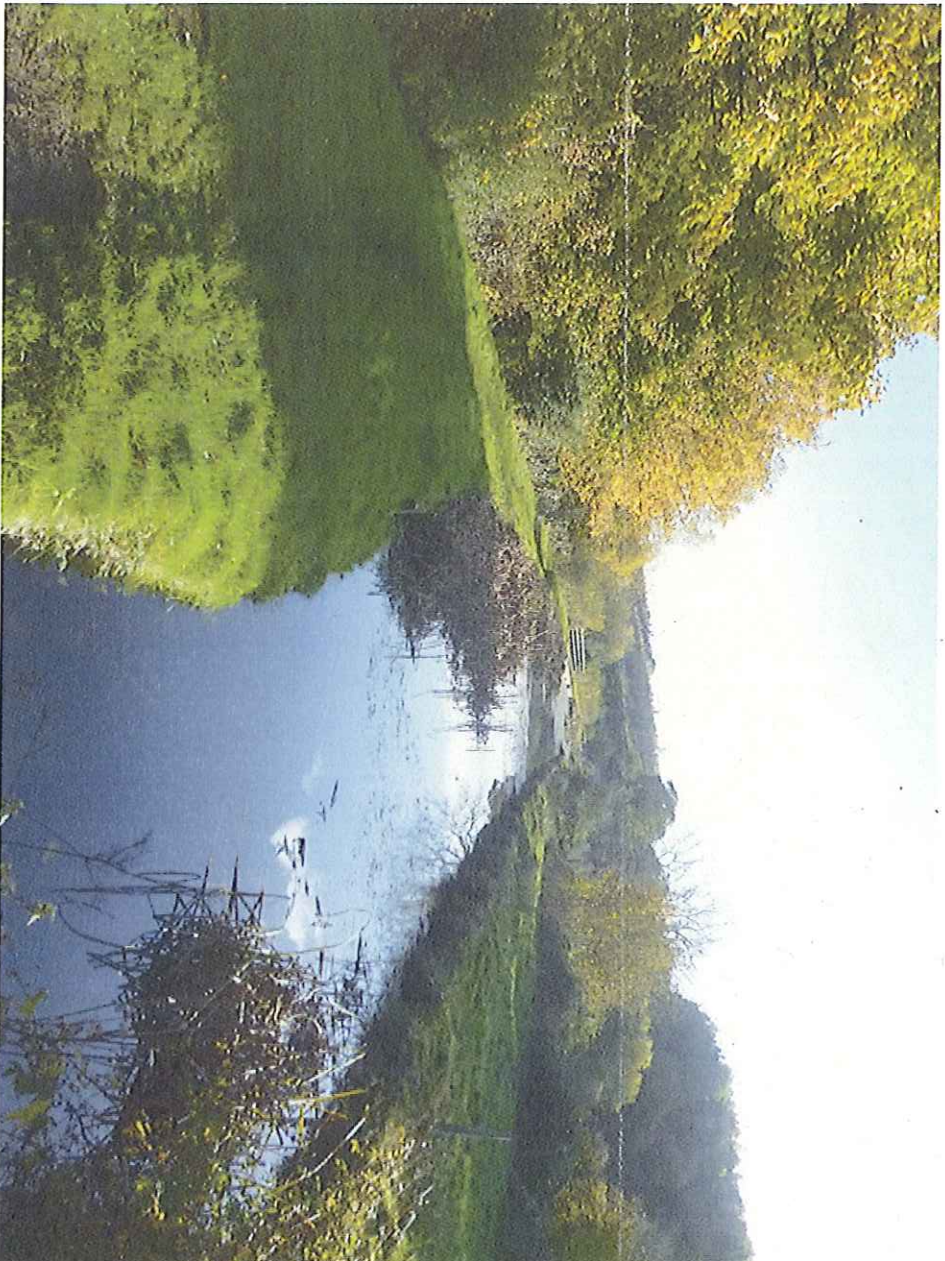
Aqueduct - North



Aqueduct -North



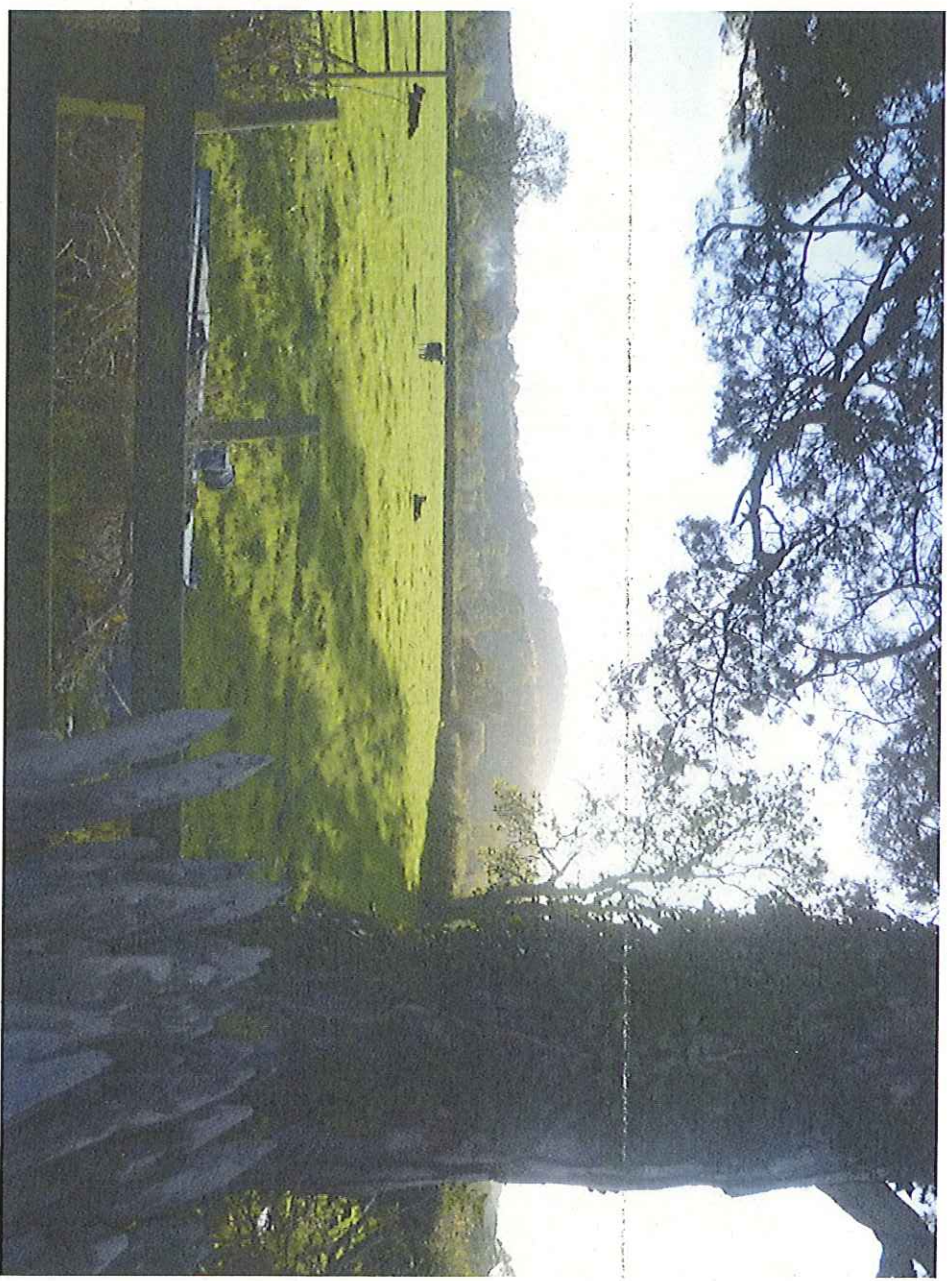
Aqueduct-South (Offas Dyke)



Aqueduct – South (Offas Dyke)



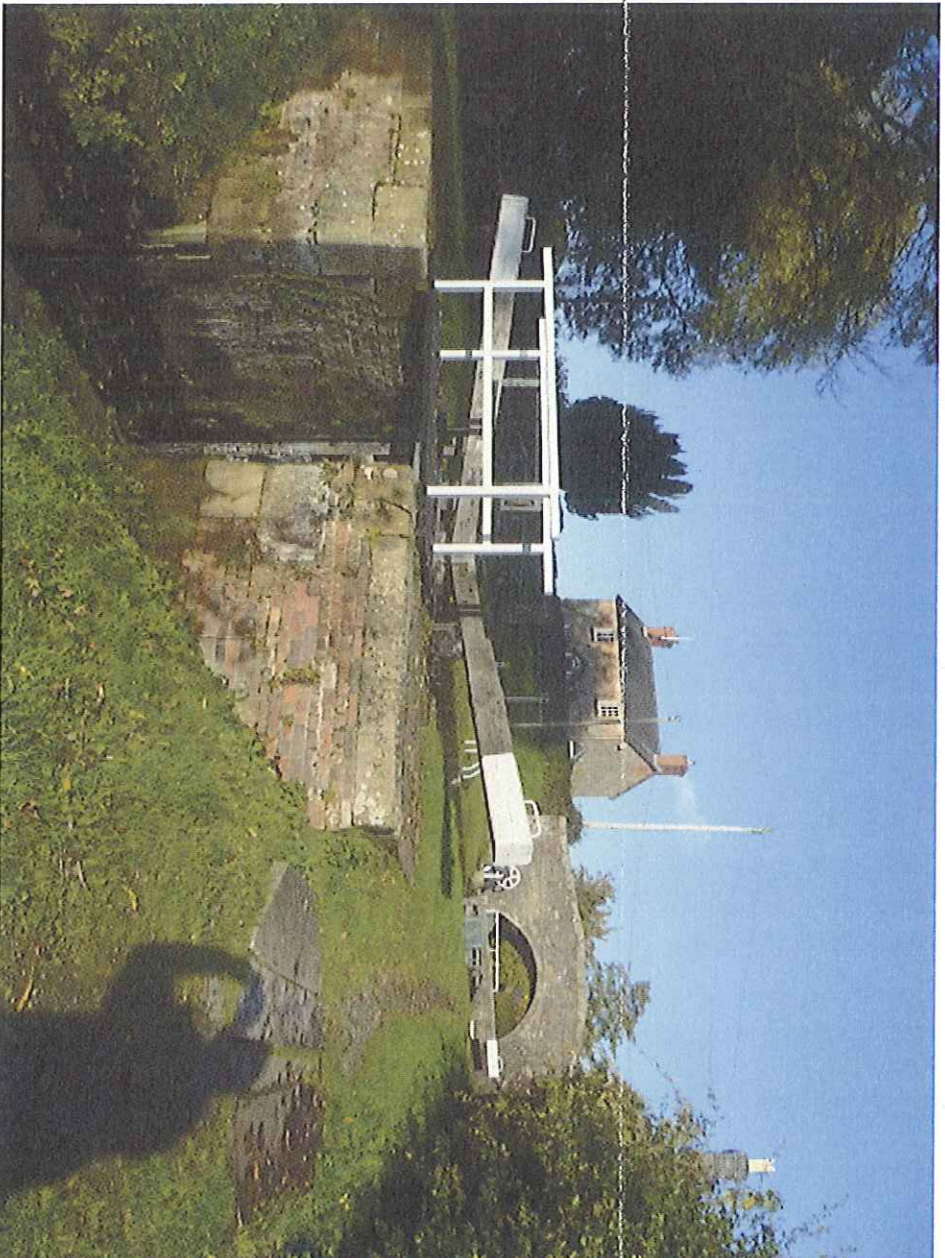
Pentref Farm-South



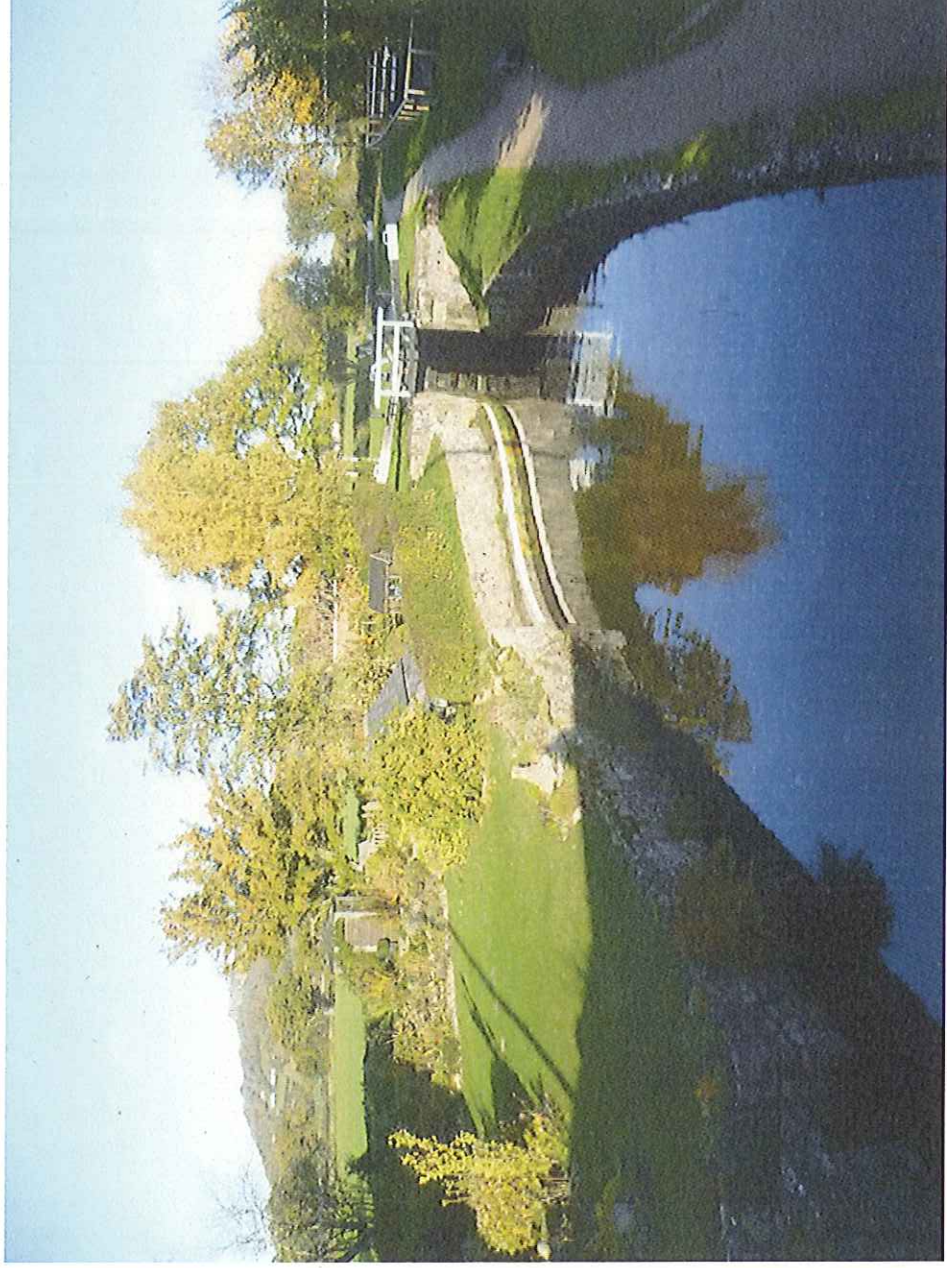
Pentref Farm-East



Carreghofa Locks-Bottom



Carreghofa Locks-Top



Llanymynech Hill (Carreghnofa Lock)



Wern-West



Wern-East



Llanymynech-West



Llanymynech-Middle



Llanymynech-East



TOURISM & SOCIO-ECONOMICS

MONTGOMERYSHIRE CANAL –
AQUEDUCT, CARREGHOFA LOCKS, VISITOR
CENTRE, MARINA

WALKS – OFFAS DYKE, SHROPSHIRE WAY, WATS DYKE,
CARREGHOFA COMMUNITY TRAIL + MANY OTHER
LOCAL FOOTPATHS

HERITAGE AREA –
LIME KILN, EDUCATION CENTRE, VISITOR CENTRE

CARAVAN PARKS –
600 STATIC UNITS - 1200/DAY DURING SEASON

CONSERVATION AREA –
LLANYMYNECH HILL

SCULPTURE TRAIL –
6 SCULPTURES LINKING ?

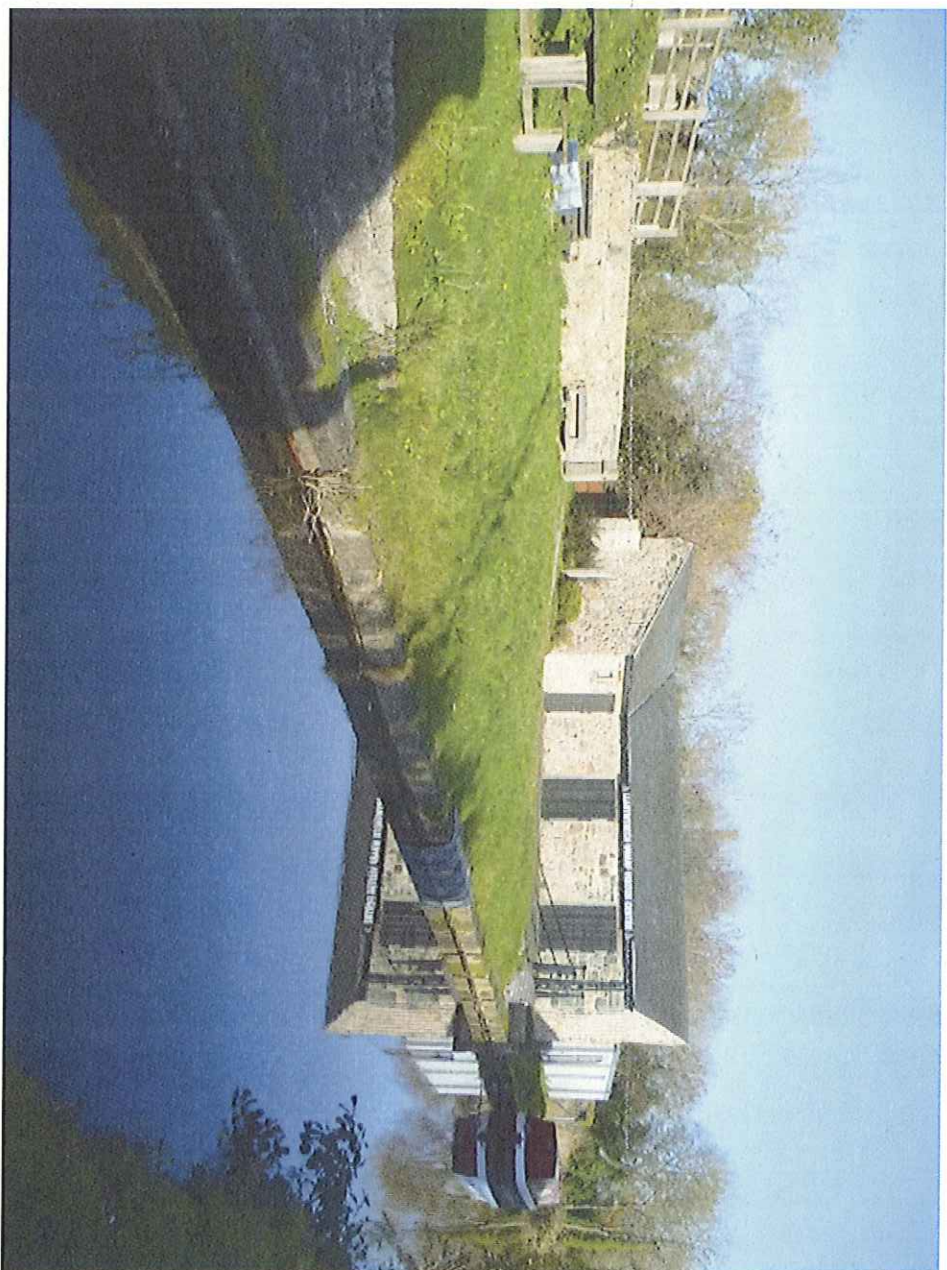
MARINA



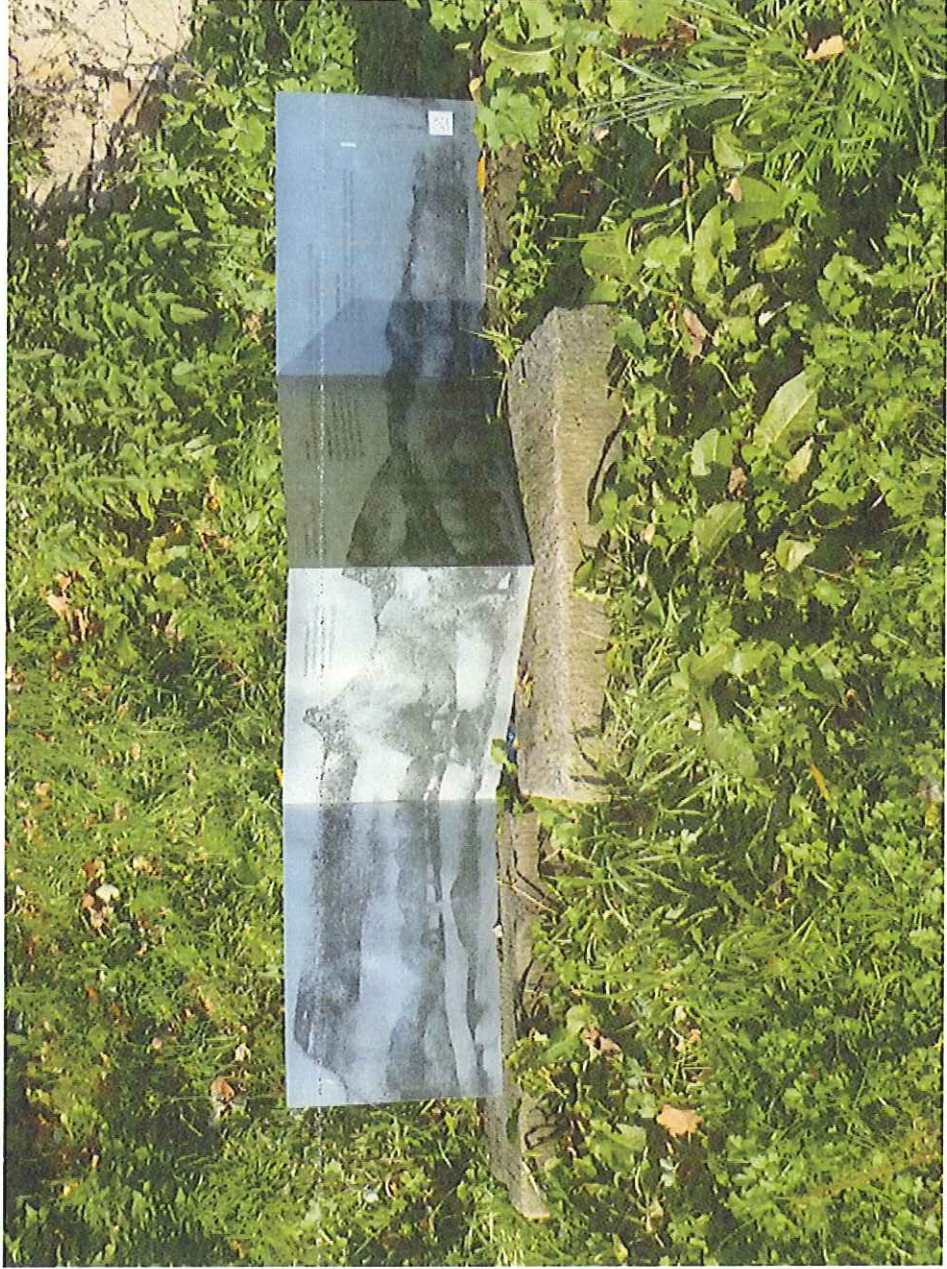
MARINA ENTRANCE



CANAL VISITOR CENTRE



SCULPTURE TRAIL



HERITAGE- EDUCATION AND VISITOR CENTRE



LIME KILN

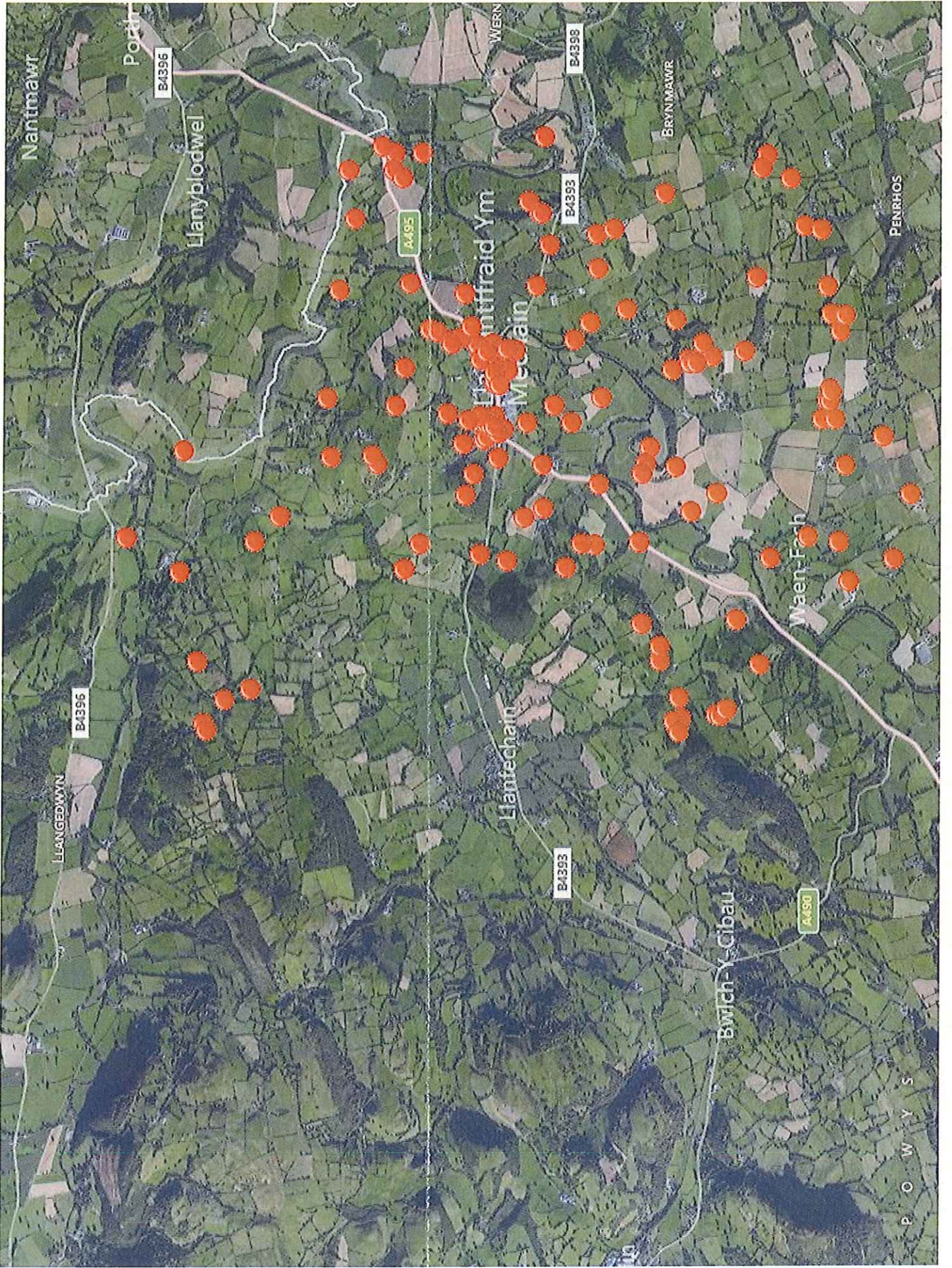


LIME KILN 2



CULTURE AND HERITAGE

- 254 IDENTIFIED SITES
- FROM PREHISTORIC TO MODERN
- PLAS YN DINAS (SAM) + GRADE II* AND MANY GRADE II LISTED SITES
- MONTGOMERSHIRE CANAL RESTORATION PROJECT



Nantmawr

Porth

B4396

Llanyblodwel

A495

WERN

B4398

BRYNMAWR

B4393

Llanfraid Ym
Mechain

PENRHOS

LLANGEDWYN

B4396

Llanfechain

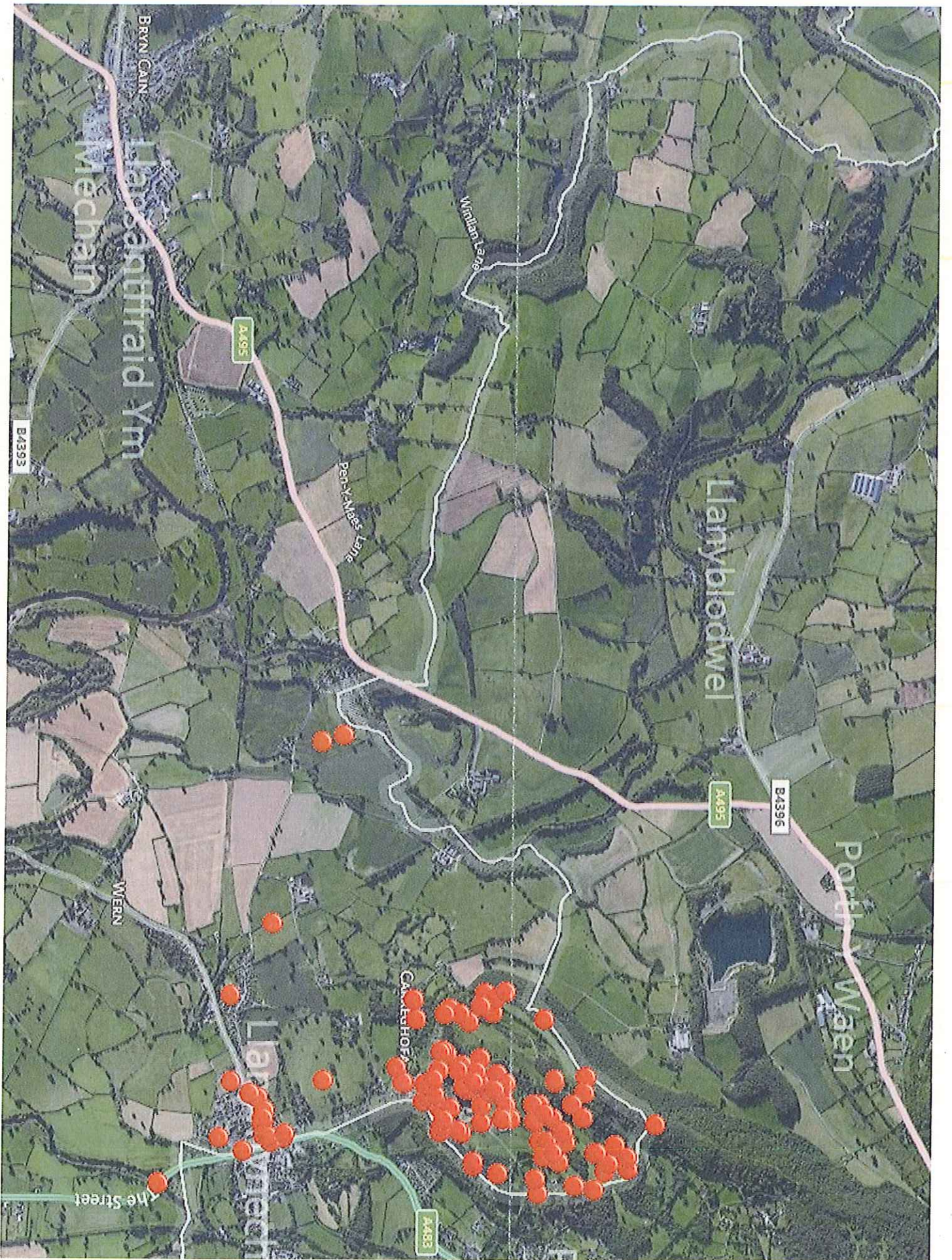
B4393

Waen-Fach

Bwlch-Y-Cibau

A495

P O W Y S



Issue 4 - 01/09/2013

RED NORTH - SECTION C Waen Fach to LLANYMYNECH A483

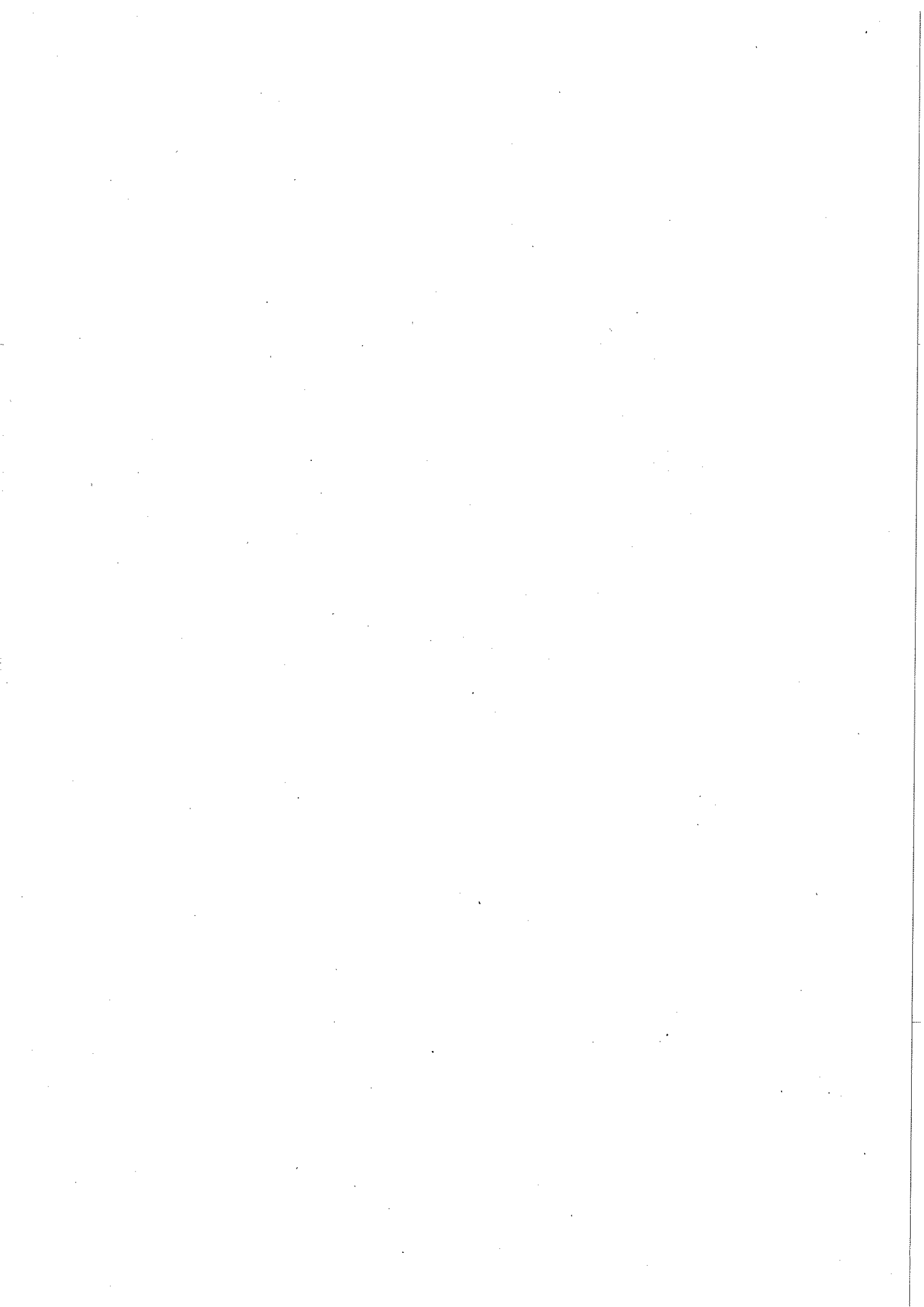
	Llanymynech Area	Llansanfraidd Area	
Prehistoric	8	3	
Mesolithic	0	1	
Neolithic (8,000-4,500 BCE)	2	2	
Bronze Age (3,300-1,200 BCE)	17	4	
Iron Age (1,200-586 BCE)	12	29	
Roman (37 - 324 BCE)	15	14	
Early Medieval	3	1	
Medieval	13	24	
Post Medieval	95	107	
Modern	9	2	
Scheduled Ancient Monument	0	1	
Grade II* Listed	2	1	
Grade II Listed	14	26	
Heritage Area	2	0	
Consevation Area	1	0	
Caravan Parks No 1	136	71	No 2
		193	No 3
		98	No 4
		97	No 5

COMMUNITY SURVEY

- A POLL OF THE LOCAL COMMUNITY BASED ON THE ELECTORAL ROLE WAS CARRIED OUT IN FEBRUARY 2013
- A RESPONSE OF 48.95% VOTED AND OVER 90% WERE AGAINST BRINGING THE PYLON LINE TO LLANYMYNECH
- THE POLL WAS AUTHENTICATED BY WELSHPOOL TOWN COUNCIL – THE CLERK

CONCLUSIONS

- IT IS OUR OPINION THAT SECTION C OF RED ROUTE NORTH HAS NOT FULLY TAKEN INTO ACCOUNT THE CRITERIA AS IDENTIFIED BY OURSELVES IN RESPECT TO LANDSCAPE AND VISUAL, CULTURE AND HERITAGE, SOCIO-ECONOMIC AND TOURISM, IN RELATION TO THE PROXIMITY OF THE PYLON ROUTE TO LLANYMYNECH. WE FEEL THAT LLANYMYNECH PLAYS A MAJOR ROLE TO TOURISM TO WALES AND ITS FUTURE DEVELOPMENT. WE BELIEVE THAT THIS SECTION SHOULD BE RE ASSESSED IN RELATION TO THE FACTS WE HAVE PRESENTED.



Ms. Jenny Colfer
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Development Management
Cheshire East Council
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP
Tel. **01270 686756**
Emma.Williams@cheshireeast.gov.uk

DATE: 4th June 2014

Dear Ms. Colfer,

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

Application by National Grid for an Order Granting Development Consent for the the Mid Wales Electricity Connection (N Grid)

Response to Scoping Consultation

Thank you for your letter dated 30th May 2014 with regards to the above proposal. Given the nature of the development proposed, the geographical location of the scheme, and the likely environmental effects in relation to our administrative boundary we have no comments to make at this time.

Yours sincerely,



Emma Williams
Principal Planning Officer
Cheshire East Council

Hannah Nelson

From: Denise Shaw <denise.shaw@denbighshire.gov.uk>
Sent: 02 June 2014 10:17
To: Environmental Services
Subject: EN020010 Mid Wales Connection (National Grid) Scoping Consultation
Attachments: Letter_to_stat_cons_Scoping_AND_Reg_9_Notification_English_AND_Welsh.pdf

Dear Jenny,

To confirm, Denbighshire County Council has no comments to make on the Scoping Report

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd
Cyngor Sir Ddinbych
Caledfryn, Ffordd y Ffair, Dinbych LL16 3RJ
Ffôn : 01824 706727 Ffacs : 01824 706709
E-bost: cynllunio@sirddinbych.gov.uk
Gwefan: www.sirddinbych.gov.uk

Planning & Public Protection Services
Denbighshire County Council
Caledfryn, Smithfield Road, Denbigh, LL16 3RJ
Phone : 01824 706727 Fax : 01824 706709
E-mail planning@denbighshire.gov.uk
Web Site: www.denbighshire.gov.uk

=====
Neges Gwreiddiol - Original Message:
ysgrifenedig ar - written on: 30/05/2014 10:40:31

Planning, Regeneration and Regulatory Services Web Query V3 Enquiry

From : Environmental Services
<EnvironmentalServices@infrastructure.gsi.gov.uk>
30/05/2014 10:40

To : undisclosed-recipients:
CC: :

Subject : EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Dear Sir/Madam

Please see attached correspondence in relation to the request for a Scoping Opinion for the proposed Mid Wales Connection (National Grid).

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3/18 Eagle Wing
Temple Quay House
Temple Quay
Bristol

Hannah Nelson

From: ES Pipelines <email@espipelines.com>
Sent: 02 June 2014 16:44
To: Environmental Services
Subject: Reference: PE126246. Plant Not Affected Notice from ES Pipelines

Environmental Services
The Planning Inspectorate

2 June 2014

Your Ref: EN020010 Mid Wales Connection
Our Ref: PE126246

Dear Sir/Madam,

Further to your email communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Pipelines Ltd, ESP Electricity Ltd and ESP Connections Ltd dated 25 March 2014, I can confirm that our businesses have no comments at this stage.

Yours faithfully,

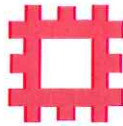
Alan Slee
Operations Manager

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.

PINS RECEIVED

16 JUN 2014



ENGLISH HERITAGE

Jenny Colfer
Senior EIA and Land Rights Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN.

Our ref:
1068
Your ref:
EN020010

Telephone
0121 625
6820

Dear Ms Colfer

re: Mid Wales electricity Connection Environmental Impact Assessment (EIA) - Scoping Report

Thank you for your letter of 30 May 2014 consulting English Heritage about the above EIA Scoping Report.

This development could, potentially, have an impact upon designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.

We would strongly recommend that you involve the Conservation Officer of Shropshire Council and the archaeological staff in Shropshire's Historic Environment Record in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.



8TH FLOOR, THE AXIS, 10 HOLLIDAY STREET, BIRMINGHAM B1 1TG

Telephone 0121 625 6820 Facsimile 0121 625 6821

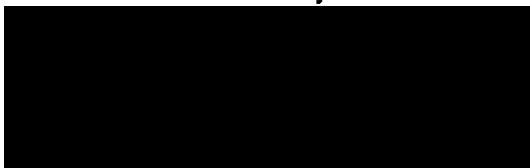
www.english-heritage.org.uk

Please note that English Heritage operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available



If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely



Principal Inspector of Ancient Monuments
National Planning and Conservation Department
English Heritage West Midlands
10 Holliday Street
Birmingham B1 1TG



8TH FLOOR, THE AXIS, 10 HOLLIDAY STREET, BIRMINGHAM B1 1TG

Telephone 0121 625 6820 Facsimile 0121 625 6821

www.english-heritage.org.uk

*Please note that English Heritage operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available*



Ms Jenny Colfer - Senior EIA and Land
Rights Advisor
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: SV/2014/107570/02-L01
Your ref: EN020010
Date: 23 June 2014

Dear Ms Colfer

**EIA SCOPING REPORT FOR NATIONAL GRID MID WALES CONNECTION
PROJECT - CONNECTING WIND FARMS THROUGH MID WALES AND
SHROPSHIRE**

I refer to your letter of 30 May 2014 which was received via email on 30 May 2014.

We make the following comments on the Environmental Impact Assessment (EIA) scoping report. These relate to those parts of the development that fall within England (Shropshire Council area) and therefore fall under our remit.

The EIA scoping report appears to address the key issues. We have previously referred the applicant to our scoping guidelines (May 2002) for 'Scoping the environmental impacts of overhead transmission lines' (I3) which includes relevant potentially significant environmental effects and a useful table summarising the key potential impacts of such a scheme. This document is referred to in the current scoping report.

Section 8: Ecology

We would expect the ES to identify measures to help protect and enhance biodiversity of the area.

Designated sites

The description of designated nature conservation sites within the scoping area appears to be comprehensive.

8.2.2 Desk study

Section 8.2.2 lists relevant sources that were used to gain information about notable habitats and species for the scoping document. We hold records of protected species

(watervole, otter, crayfish) fish, aquatic invertebrate and aquatic macrophyte data – this can be supplied on request via our Customer Services team at:

MIDLANDSCUSTOMERSERV@environment-agency.gov.uk

Customer Contact team.

8.2.5 - Natural England is the lead for Great Crested Newt licensing and protection and therefore should be consulted with regard to acceptable survey area and mitigation strategies.

8.3 - Potential Impacts

Section 8.3.1, states that the EIA will assess potential impacts of the development on ecological receptors and it gives a non exhaustive list of some examples of potential effects.

The list appears reasonable and includes ‘the adverse impact to aquatic habitats from poor water quality from construction’. It should be noted that damage, or permanent loss of aquatic habitat as well as aquatic species is a potential impact and should be considered within the EIA. Suitable mitigation should be proposed to minimise risk of loss and damage to protected fish and other protected species that are listed in this section. There is evidence that electromagnetic fields have effects on vertebrates.

Aquatic habitats may also be adversely affected by physical disturbance.

8.4 Proposed Assessment Methodology, evaluation and mitigation

The details presented for assessing the impact, proposed mitigation measures and enhancement opportunities appear to be detailed and robust enough to complete the EIA.

8.4.74 Other Mammals - The ecological consultant should also check if there is potential for Harvest Mice to be present in the area. Although not legally protected Harvest Mice are IUCN red listed, threatened species and they are included on some local Biodiversity Action Plans.

Extended Phase 1 Habitat Survey - The description of the surveys that will be conducted for the EIA appears to be comprehensive. Surveying of aquatic plants and invertebrates of exposed riverine gravels, which may be affected by open cutting of watercourses, however have been omitted (see below).

8.4.73 - Fish

Describes the requirement to consult NRW and EA and if necessary undertake surveys for fish where open cutting of watercourse crossing is anticipated and aquatic habitats area is affected. This is welcomed. It should however also be noted that open water crossings will affect aquatic plants and invertebrates, some of which may be designated species or BAP species, such as the river jelly lichen, river mosses and invertebrates of exposed riverine gravels. Surveys of aquatic plants should be conducted at all proposed river crossing points and mitigation for disturbance and loss considered in the EIA. The Phase 1 Habitat Survey should consider the impact of the development upon any exposed riverine gravel habitat and its associated flora and fauna.

8.6 Potential Mitigation Measures

Examples are provided in the EIA scoping document of suitable mitigation measures for various species e.g. 8.6.15 - Suitable mitigation measures will be followed to minimise impacts on white-clawed crayfish. Appropriate measures may include sensitive timing of

works, careful removal (under the appropriate licence) from working areas and relocation to an alternative suitable habitat away from the area of works.

Mitigation measures to minimise impacts on fish species, aquatic plant species and riverine invertebrates have been omitted but may of course be included within the EIA where necessary.

Each fish species present will have a different life cycle and habitat requirement. Specific mitigation measures for each species may therefore be required and this may differ throughout the year. For example when Salmon are migrating or spawning.

Opportunities for Enhancement

In addition to the requirements of the National Planning Policy Framework, we would remind the developer of Biodiversity 2020: England strategy for wildlife and ecosystem services. The strategy sets out the government's ambition to halt overall loss of England's Biodiversity by 2020, support healthy well functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. We would hope that the developer could incorporate measures to enhance and create new habitat as part of the development which would contribute to this strategy.

Section 9: Water Quality and Water Resources

The scoping report outlines the passage of the proposed overhead power cable route over Principal Aquifer (Permo-Triassic Sandstone) and its route over designated groundwater source protection zones (SPZ's) for three public water supply sources at Rednal, Kinnerley and Kinsall, within sections 9.2.7, 9.2.8.

Whilst the scoping report acknowledges the presence of mapped SPZ's for major groundwater abstraction sources such as public water supply, paragraph 9.2.10 states that '...For private water supplies (both licensed and unlicensed), default SPZs are defined based on Environment Agency guidance...'. This statement is incorrect as SPZ's are not defined for the majority of smaller licensed groundwater abstraction supplies and not for unlicensed small volume (where abstraction is less than 20 cubic metres per day). These small groundwater supplies are more likely to be encountered within the development route and may be difficult to locate as they may not be registered, and therefore are potentially at higher risk from construction activities. This risk is more prominent where isolated rural properties rely solely upon private springs, wells or boreholes for their water supply.

The Principal Aquifer vulnerability varies from low to high along the route depending upon the degree of protection afforded by the composition and thickness of the intervening drift. Given the rural setting, reliance on private wells and boreholes for drinking water supply to individual residential buildings and business is common in this area. These supplies are likely to source groundwater stored within either shallow perched drift aquifers, or the deeper principal sandstone aquifer.

We note the issues to be scoped into the ES as part of the water quality and resources assessment, which appear reasonable.

It should be noted that the 'water features survey' should provide the precise location of any well or borehole source, recognising that it is of course the location of the supplies themselves rather than the associated properties that is of importance. These features should be located and provision made to provide protection against potential

contamination arising from the construction phase to the underlying groundwater environment.

Note - Best available data on regulated abstractions can be obtained from our Customer Services team.

The Public Protection team at Shropshire Council will hold other records (where available) and individual properties/landowners should be approached to inform a robust evidence base (water features survey).

We would recommend that the ES assesses the potential impact on water features (including these supplies), as set out in section 9.5.7 / 9.5.8 of the scoping report. It should avoid potential impacts (our preference) or reduce and remedy such effects; and in the event of an adverse impact, appropriate mitigation measures to ensure no significant effect on the local water environment.

The hazard maps mentioned in section 9.5.9, should inform the above. The scoping report confirms that "These maps would form part of the detailed impact assessment for water quality and water resources".

The scoping report identifies the need to employ pollution prevention and control procedure during construction.

Details should be submitted to confirm the installation of the pylons will not have a detrimental impact on the larger catchment scale regional groundwater resource balance.

9.2.11 – Environment Agency ‘Shropshire Groundwater Scheme’

We note the comments which consider the possible impacts upon the operation of our 'Shropshire Groundwater scheme phase 7'. Our future proposed Phase 7 would comprise two separate groups of groundwater pumping development. One group of two wells located to the north and west of the draft route, and four wells to the south and east. The draft overhead power line route passes approximately 400m from the nearest proposed groundwater pumping station locations. On this basis, the potential development of the overhead line in this area, should not present a significant constraint on the future construction and maintenance of the infrastructure making up the proposed Phase 7 area of the Shropshire Groundwater Scheme. We would expect the Environmental Statement to cover this issue.

Water Framework Directive (WFD)

WFD data, including water body review documents (indicating any reason for failure) for catchments across the route area, is available from our Customer Contact team. This will help inform the ES and geo-morphological assessment. We would expect the ES to confirm measures to help achieve 'good status' by 2027.

Flood Risk

There are number of small watercourses, both main river and ordinary watercourses, which cross, or run in close proximity to, the preferred route. Some of these watercourses have been modelled as part of our Flood Map but others due to their scale and nature (catchments less than 3km²) are un-modelled and have no flood zone designation on our flood map. Some assessment of these watercourses will be necessary, as part of a Flood Risk Assessment (FRA), looking at both construction and operational phases. The scoping report identifies this as an issue for the EIA and

states that “the scope and method for assessing these watercourses would be agreed in advance with NRW and the Environment Agency as appropriate”.

In accordance with the NPPF, the development (which is taken as ‘essential infrastructure’) should be located outside of the 1% plus climate change fluvial floodplain. It should also be located at least 8 metres from the top of bank of a Main River (and similar distance for ordinary watercourse as agreed by you in consultation with the Lead Local Flood Authority – Shropshire Council).

Note - Byelaw consent will be required for any works proposed within close proximity of any of our (owned and maintained) flood defence assets.

The applicant should avoid development within the 1% plus climate change floodplain by siting within Flood Zone 1. However, if the proposed development is essential and necessary within the 1% plus climate change floodplain, we would not normally object or raise significant concerns relating to impact on flood storage, or flows, given the type of application/likely impact. Attention should also be given to the potential impact that the mobile temporary works may have on the flow routes within the 1% plus climate change floodplain. These issues should be assessed as part of a FRA. As highlighted in the scoping report, it is important that flow routes are not adversely impacted from tower foundations and/or crossings.

We note that the EIA will consider lateral river movement/instability. The proposed geomorphology assessment should help influence appropriate design.

Reference should be made to our West Area ‘FRA Guidance note 3’ – as previously provided to the applicant.

Note – Flooding information, including flood level data, where available, can be obtained from our Customer Services team.

We have the following strategic comments in relation to surface water. These are also outlined in our FRA Guidance note.

We would expect surface water run-off from tower foundations and any hardstanding areas to be assessed, to the 1% plus climate change standard ensuring surface water is not increased to third parties, utilising Sustainable drainage techniques. We would also expect the FRA to cover residual risk should any drainage features fail.

We would recommend that you seek the comments of the Lead Local Flood Authority (Shropshire Council) who will comment on the detailed surface water design.

Section 10: Geology, Soils and Contaminated Land

We have no comments to make on this section which provides a comprehensive summary of the local soil and geology. However, we would recommend that the applicant contact our Customer Contact team to obtain any available information in respect of contamination and ground conditions.

I trust that the above is of assistance at this time.

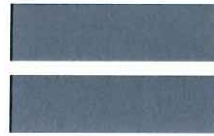
Yours sincerely

Mark Davies
Planning Specialist

Direct dial 01743 283405

PINS RECEIVED

16 JUN 2014



**Equality and
Human Rights
Commission**

Jenny Colfer
Senior EIA and Land Rights Advisor
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref: EN020010

Our Ref: EHRC-CU01789

12 June 2014

Dear Jenny

Subject:

Thank you for your letter of 30 May 2014 addressed to Baroness O'Neill in regards to an application by National Grid for an order granting development consent for the Mid-Wales electricity connection, for which I am writing to acknowledge receipt.

The Commission understands that it is named as a statutory consultee for major infrastructure projects. However, it is generally not the Commission's practice to respond to consultations of this type unless the application raises a clear and substantial equality and human rights concern that we consider we can add value to.

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 0203 117 0238
Email: correspondence@equalityhumanrights.com

We are currently receiving many requests for our views on major infrastructure projects and further consideration is being given to how or whether we are best placed to engage in the process.

We would be grateful if, in future, you could send notifications and any other correspondence via e-mail rather than hardcopy to correspondence@equalityhumanrights.com .

Yours sincerely

Markus Piscapore-Caruana
Corporate Communications Officer

Correspondence Unit
Equality and Human Rights Commission
Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: correspondence@equalityhumanrights.com

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 0203 117 0238
Email: correspondence@equalityhumanrights.com

Hannah Nelson

From: Penlington, Graham <Graham.Penlington@fulcrum.co.uk> on behalf of &box_FPLplantprotection_conx, <FPLplantprotection@fulcrum.co.uk>
Sent: 05 June 2014 11:39
To: Environmental Services
Subject: RE: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

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

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

Your ref: EN020010
Our ref: 4.2.1.4146

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

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

Dear Ms Colfer

27th June 2014

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

Thank you for your letter of 30th May 2014 regarding the information to be provided in an environmental statement relating to the above project.

National Grid seeks to connect new onshore wind generation in Mid Wales by constructing a marshalling substation, in Mid Wales (near Cefn Coch), and a new 400 kilovolt (kV) connection from that marshalling substation to a point on the existing National Electricity Transmission System (NETS) (near Lower Frankton Shropshire).

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 2 Draft Route and EIA Study Area (excluding Shrewsbury Substation Study Area)* found in EIA Scoping Document *Mid Wales Connection Project (connecting wind farms through Mid Wales and Shropshire)*, National Grid, May 2014, the proposal will pass over a Major Accident Hazard Pipeline near Maesbury Marsh (Shropshire) but does not fall with the consultation distances of any current Major Hazard Installations.

Despite passing over the Major Accident Hazard Pipeline near Maesbury Marsh (Shropshire), the project in its current form does not meet HSE Land Use Planning criteria that would lead to an Advise Against response.

Explosives sites

The Mid Wales Connection (National Grid) scoping request does not impinge on the separation distances of any licensed explosive sites 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

Our ref:
Your ref: EN020010

Jenny Colfer
The Planning Inspectorate
By email to:
environmentalservices@infrastructure.gsi.gov.uk

Network Delivery and Development
Directorate
The Cube
199 Wharfside Street
Birmingham
West Midlands
B1 1RN

Direct Line: 0121 687 4137

Fax: 0121 678 8510

25 June 2014

Dear Ms Colfer,

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

Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

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 consultation dated 30th May 2014, received for advice under the Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Highways Agency wishes to make the following comments regarding the scoping consultation.

Traffic and Transport

The Highways Agency welcomes the fact that the Environmental Statement identifies the A5 trunk road from Nescliffe to Oswestry and the A483 trunk road from Gobowen to Welshpool as potentially being impacted by the development, and will consider routing issues to each development location. The area covered by the Transport Assessment is noted, and appears satisfactory.

It appears that no Highways Agency accident data has been requested. This should be for the standard five-year period.

In terms of impact assessment, the IEMA guidance is noted. However, for the Transport Assessment the requirements of Department for Transport Circular 02/2013 *The strategic road network and the delivery of sustainable development* should be applied.

In particular, the Transport Assessment should apply the Circular's requirements in terms of traffic generation and assessment thresholds.

The treatment of traffic data and peak hour analysis, and the approach to culminative development, are acceptable. All assumptions should be clearly set out within the Environmental Statement and Transport Assessment. The Highways Agency notes that traffic is likely to be limited in the operational phase. Any estimation of this should be fully evidenced within the Transport Assessment.

Operational impacts

Paragraph 1.1.10 states that the exact nature and extents of the required works for the overhead lines and substation are unknown at this stage. Therefore, it is difficult for the Highways Agency to provide detailed comments on this aspect of the proposals. However, general comments are provided below:

The locations of the pylons relative to the highway boundary will require consideration and may require structural technical approval to Design Manual for Roads and Bridges BD2/12. There are general approvals in place for certain pylon structures and systems. Once more is known about the proposal, National Grid should liaise with the Highways Agency to agree what approvals (if any) are required.

It is possible that the National Grid will require road space and possibly road closures during part of the construction programme, to route the power lines across the A5 trunk road. Any temporary structures (for example, temporary riggings) associated with this process would also require temporary structure technical approval. There may be the need for temporary accesses, or the improvement of existing ones, depending upon the location of site compounds and the potential impact of the traffic. National Grid should liaise with the Highways Agency regarding Method Statements, Risk Assessments and the potential impacts on the operation of the A5 and A483 trunk roads as these proposals become more developed.

Conclusion

Overall, the Transport Assessment proposed is generally acceptable, but the requirements of Circular 02/2013 should be applied, as set out above.

The Highways Agency is unable to provide detailed comments regarding the potential impacts of the proposals on the operation of the A5 and A483 trunk roads at this stage. National Grid should engage proactively with the Highways Agency as the proposals become more developed.

I hope you find this acceptable but if you wish to discuss this matter further, please feel free to call.

Yours sincerely



Letty Askew
Asset Manager
Network Delivery and Development Directorate
Midlands Team

KINNERLEY PARISH COUNCIL

Parish
Clerk:

Mrs Kate Sanderson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3/18 Eagle Wing
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your ref : EN020010

27th June 2014

Dear Ms Colfer

Kinnerley Parish Council response to The Secretary of State about information to be included in National Grid's Environmental Statement for its Mid Wales Electricity Connection Project

Introduction

1. Kinnerley Parish Council is a small organisation with limited resources and relies on a very small number of people to deal with matters such as this response to National Grid's Scoping Report. The Parish Clerk cannot deal with these matters in the limited number of hours that the Parish Council can afford to pay her so the work must necessarily be done by volunteers in their spare time.
2. The notification from The Planning Inspectorate was received by the Parish Clerk on 30 May 2014, but the next Parish Council meeting was not held until 23 June 2014. By the time the necessary delegated authority was in place that has left only a very few days for this response to be formulated.
3. National Grid (NG) e-mailed the Parish Clerk about consultation matters on 13 May 2014 but made no mention of the imminent publication of its Scoping Report. Had they done so, it would at least have given the Parish Council greater notice and a better chance to prepare this response. A copy of our response to NG about this consultation matter is attached as Annex 1.
4. The Scoping Report is a 325-page document initially made available only as a 70 MB download which disenfranchises many members of our community (without internet access) who might otherwise have been able to feed into the process leading to this response. Kinnerley Parish Council does not have the resources or budget to print out a document of such size and has had to ask NG for printed copies, which we consider they should have had the

consideration to send to us by 30 May (the first day of the 28-day period of this consultation). In those printed copies the maps, which are stated to be at Sheet Size A3 (or greater), have been supplied only at A4 size, making them more difficult to interpret than should be the case.

5. The 16 MB version of the Scoping Report that is now available on the PINS website is not an electronically searchable document, which again renders it of limited use to some people or organisations who ought to be able to access and comment on it.
6. We make these complaints to highlight the impact on small bodies such as ours from the very short timescale of the PINS process and from the lack of consideration shown by NG (and PINS) in making information readily available.

Our responses as to what information should be included in NG's Environmental Statement (Environmental Impact Assessment) now follow. References are to NG's EIA Scoping Report unless otherwise stated.

Project Description and Need

7. NG's project comprises a marshalling substation, a new 400 kV connection and a tee-in to the existing NETS¹. The eventual Environmental Assessment (EA) should describe exactly the complete physical characteristics and locations of each element, including all pylons, sealing end compounds, and connections into the existing network. Unless exact details are given people cannot get an idea of the impact of the proposals upon them or the environment. The exact characteristics of these elements should therefore be subject to full consultation before publication of the ES.
8. Also mentioned are works to the Shrewsbury Substation², the new T-Pylon³ and a low height pylon⁴. Again, all elements should be subject to full consultation before publication of the ES, including how the works at Shrewsbury Substation fit in with the requirements of the national network. Where T-pylons or low height pylons are proposed as an alternative to conventional steel lattice pylons, the full characteristics of all alternatives should be given (including photomontages etc).
9. The Scoping Report does not itself itemise the need for the project but refers to another document⁵ which is two years out of date. Page 13 of that document (paragraph 3.3 and its table) lists ten projects with a total installed capacity of 826 MW. The Scoping Report refers to SPEN having contracts with an unspecified number of wind farms for a total export capacity of only

¹ Page 1 paragraph 1.1.1; page 10 paragraph 2.4.1

² Page 1 paragraph 1.1.10

³ Page 2 paragraph 1.2.2

⁴ Page 3 paragraph 1.6 third bullet

⁵ Page 8 paragraph 2.1.1: Connection of On-shore Wind Farms in Mid Wales – Project Need Case, updated July 2012

666 MW⁶. The EA should (i) itemise the contracted windfarms and their installed capacities; (ii) identify the status of each wind farm application (some of those included within the above 826 MW figure are currently no longer being actively pursued); (iii) state what is the minimum installed capacity necessary before the NG MWCP becomes viable as a project; and (iv) confirm that the NG MWCP proposes only to export electricity from Mid Wales, with no facility within the project to import electricity to existing Mid Wales local area connections.

10. NG seeks to balance the adverse impacts of its 400 kV proposal against the adverse impacts of longer 132 kV connections from wind farms to the sub-station⁷. NG should demonstrate that its route selection process took into account all relevant adverse impacts of the current proposed 400 kV route. For instance, there is evidence that in its *Route Corridor and Substation Siting Report (Spring 2011)* NG made errors of fact, including ignoring the impact of the proposals on thousands of static caravan owners in the Vyrnwy valley.
11. The study area is said to be 3km wide (widened to 10km where appropriate)⁸. This study area should be extended to include appropriate areas around all transport routes for construction traffic (not just around the immediate access roads).

Planning policy

12. NG cites TAN8 as contributing to the need for its MWC project⁹. However, UK energy policy has not been devolved to Wales and TAN8 has not been adequately consulted upon within England and particularly within Shropshire.
13. At the recent Mid Wales (Powys) Conjoined Wind Farms Public Inquiry (which involved four of the wind farms contracted to NG's MWCP)¹⁰ Inspector Poulter stated, on its second day of sitting, that NG's MWCP far exceeds the indicative capacities for mid Wales included in the Welsh Minister John Griffiths's letter of July 2011 and that in accordance with that letter it's the Welsh Government's belief that if the installed capacity remains at or below the indicative capacities there would be no need for 400 kV lines. In that case, under the terms of paragraph 4.9.3 of EN1, there is an obvious reason why the necessary approvals for the MWCP are likely to be refused. Accordingly, the developers commissioned a report¹¹ to establish alternative means of exporting electricity, other than by using NG's MWCP.
14. NG's eventual ES should adequately address all the above planning policy and need matters.

⁶ Page 2 paragraph 1.3.4; page 8 paragraph 2.1.3. The 666 MB excludes Nant-y-Moch windfarm (160 MB) (page 24 paragraph 5.9.4).

⁷ Page 9 paragraph 2.2.2

⁸ Page 9 paragraph 2.3.2

⁹ Page 8 paragraph 2.1.2; page 15 paragraph 3.2.1

¹⁰ See <http://bankssolutions.co.uk/powys>

¹¹ Grid Connection Options Review, December 2013, by Mott MacDonald

Consultation

15. Our comments on consultation are included in Annex 1. NG failed entirely to consult us about the publication of the Scoping Report. We also understand that local action groups were not notified of the Scoping Report process, although some are listed in Appendix 4.1.

Scope and Methodology

16. NG proposes to produce an NTS and three volumes of the ES¹². It would be helpful if each volume could be page-numbered sequentially on each page. For instance, NG has used sequential page numbering up to page 192 of the Scoping Report, but has not done so for the Figures or for the Appendices, which makes it difficult to locate and cross-refer to particular pages.

Landscape and visual

17. Appendix 6.4 lists proposed viewpoint locations and plots their position on maps. Viewpoints should include those visited by Inspector Poulter as part of his site visits along the NG MWCP corridor in early April 2014 at the end of Session 4 of the recent Mid Wales (Powys) Conjoined Wind Farms Public Inquiry. Some if not all are omitted from the lists at appendix 6.4.
18. Viewpoint 48 is the only proposed viewpoint within Kinnerley Parish. It is on a little used footpath on the eastern outskirts of the village of Maesbrook, well away from most houses in the main village and approximately 1.4 km from the proposed overhead line. Some houses in Maesbrook Ward of Kinnerley Parish are within 200m of the proposed overhead line. Other nearby houses are nearly oversailed by the proposed line (e.g. Redwith, Beechfield Farm and Coppice House). Many horseriders use the network of local back roads. For all these reasons we believe that viewpoints should include the following locations:
 - i) Houses (and their gardens) nearest to the proposed overhead line. Most of these houses are isolated from each other.
 - ii) Other positions, e.g. at field gateways (including at horseback height) along Fields Lane, Maesbrook.
 - iii) Public rights of way in Kinnerley and neighbouring parishes that pass under the proposed overhead line.
 - iv) Each affected landscape type and parcel identified in the Kinnerley Parish Design Statement and Landscape Character Assessment.¹³
19. From each viewpoint location photomontages of the proposed overhead line should be produced in summer and winter conditions for each proposed pylon type.

¹² Page 26-27 paragraph 5.11.1

¹³ This is one of the documents listed at pages 30-31 paragraph 6.2.3

20. With modern computer technology it is relatively easy to produce more powerful visualisations than developers usually bring forward in their two-dimensional photomontages and wireframes. For example, computer aided design packages are used for larger architectural and building projects. Similar technology might be employed by NG.
21. At page 36 paragraph 6.2.36 fourth bullet point NG repeats a major error also made in its Selection of Preferred Connection report of July 2012 (at page 97 in Table 11.1). The Montgomeryshire Branch of the Shropshire Union Canal is navigable (not non-navigable) from Maesbury Marsh (and further south-west) to Lower Frankton. We wonder whether this gross error contributed to a mistaken choice of route corridor¹⁴. We are also aware that, at the point that the route corridor crosses the canal at Maesbury Marsh, NG failed to notice that it oversails the garden of a private residence.
22. NG proposes to underground the route through the Meifod Valley. The ES should demonstrate why undergrounding is not proposed through an equally valuable landscape in North Shropshire.
23. At Appendix 6.3 ZTVs 01 and 02 are duplicated and ZTVs 04 and 05 are omitted. In this respect the Scoping Report is incomplete for our purposes because we are unable to see or to comment upon the ZTVs relevant to Kinnerley Parish or neighbouring areas. Also, there appears to be no detail within the Scoping Report of what constitutes an L8 tower and there is no published detail of tower locations. These errors and omissions should be corrected in the ES.

Ecology and biodiversity

24. Surveys being carried out in the study area should be of sufficient temporal length to comply with relevant guidelines or to yield reliable results e.g. dormouse surveys may need to occur over more than one season.
25. The ES should enumerate the individual trees and hedgerow lengths at risk from the planned works.

Flood risk, water and geology

26. Flooding is a major concern for many people living in or near the proposed route corridor, which passes directly along several river floodplains. Local people have latterly lost some confidence in the Environment Agency which has changed its flood warning methods and which is perceived as being too desk-bound.
27. Any significant structure placed in the floodplain will affect water flows, either rising or falling, or both. The ES should identify the individual effects of each construction that is proposed to be placed in the floodplain, which may have

¹⁴ The error is repeated on page 137 paragraph 15.2.14 fifth bullet point final sentence.

particular effects on particular properties or locations. Those effects should also be assessed cumulatively, including the cumulative effects of increased run-off from proposed and existing windfarms in the upstream catchment area.

28. There are known aquifers near the area of Kinnerley Parish through which the route corridor passes. The ES should identify these and the effect of the proposals upon them.

Traffic and Transportation

29. NG should assess the cumulative impact of Abnormal Indivisible Load (AIL) and construction traffic, and also that cumulative impact combined with that of the AIL and construction traffic serving the wind farms under construction at around the same time.
30. Appendix 14.1 Plans PDD-21066L-OHL-0061 and -0062 show that it is proposed to use Whip Lane and Fields Lane at Maesbrook for HGV deliveries. These are both single track roads where HGVs experience difficulty when meeting other HGVs.
31. Appendix 14.2 Potential Count Locations 4 and 5 indicate that a traffic count for these roads will be located at or near the junction whose signpost is identified as 'The Wood'. Whip Lane in particular is subject to large modern agricultural traffic, particularly at seasonal times of cultivation work, of silage, hay, corn and maize harvests and of muck carting. Traffic surveys carried out over only a short period of time are unlikely to capture these traffic flows, which would conflict with NG's HGV movements.
32. It is thought that there may be weight restrictions on the B4398 additional to that recorded for the old railway bridge at Llanymynech¹⁵.
33. NG's ES should address the issues identified in the above three paragraphs.

Socio-Economics

34. NG has used Office for National Statistics Lower Layer Super Output Areas (LLSOA) for its baseline data¹⁶. This is a convenient desk-top method but includes areas which are unrepresentative of the draft route. For instance, Kinnerley Parish is situated in LLSOA Shropshire 011A, which comprises the parishes of Kinnerley, Knockin and Molverley (the old Kinnerley Ward within the former Oswestry Borough Council area). The NG plan at Appendix 15.1 demonstrates how little of this area is directly affected by the present draft route (represented by the red line, not by the stippled wider route corridor); the area most directly affected is primarily the settlement of Maesbrook.

¹⁵ Appendix 14.1 Plan PDD-21066L-OHL-0061

¹⁶ Page 135 paragraph 15.2.1

35. Kinnerley Parish itself made use of data for this Shropshire 011A LLSOA¹⁷ in compiling baseline statistics to accompany the recent Kinnerley Parish Neighbourhood Plan, but recognised its limitations. For instance, there is no information on tourism and visitors, nor on house prices.
36. One of the impacts of the NG MWCP already being experienced by local people is a reduction in house prices and in business worth. This is a severe impact on those affected, for which compensation ought to be available. Evidence about this was presented to the recent Mid Wales (Powys) Conjoined Wind Farms Public Inquiry. Businesses which would be oversailed by the draft route include a well-known horse trials site and a nationally known metal sculpture park.
37. NG's ES should address the issues identified in the above three paragraphs.

¹⁷ At the time of compiling the Kinnerley statistics in May 2012 this LLSOA was named Oswestry 004A

KINNERLEY PARISH COUNCIL	<u>Parish Clerk:</u>	Mrs Kate Sanderson [REDACTED] [REDACTED] [REDACTED] [REDACTED]
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Mr Jeremy Lee
Lead Project Manager
Mid Wales Connection Project
By email: nationalgrid@midwalesconnection.com

20th June 2014

Dear Mr Lee

Kinnerley Parish Council response to National Grid Mid Wales Connection Project Consultation Questionnaire issued by e-mail on 13 May 2014, requiring a response by 20 June 2014.

Following receipt of the e-mail dated 13 May from you we have received an email dated 30 May 2014 from Jenny Colfer of the Planning Inspectorate informing us of the submission by National Grid of their Scoping Report, requiring a response from us by 27 June 2014.

We are therefore astonished that the e-mail of 13 May from you with its associated consultation questionnaire made no mention of this Scoping Report (which must have been in an advanced state of preparation by then) nor gave us any forewarning of its imminent submission. This represents a failure of considerate communication by National Grid.

Kinnerley Parish Council is a small organisation with limited resources and relies on a very small number of people to deal with matters such as these emails and documents issued by National Grid. We meet only once a month on average so consultation and the ability to respond is aided if we have at least 2 months to deal with such matters. We note that the time allowed for dealing with your questionnaire is only just over 5 weeks, and is only 4 weeks for the Scoping Report.

The Scoping Report is a 325-page document initially made available only as a 70mb download which disenfranchises many members of our community (who do not have internet access) and is difficult for those with slow internet connections to access.

We mention these points to highlight the lack of consideration shown by National Grid in its dealings with the community.

In response to the questions in the questionnaire:

Qs1-7: As well as direct mailing to all affected households National Grid could put publicity material in all public places within the Parish, including notice boards, Parish Halls, public houses and shops and in The Telescope (the local Parish magazine with Knockin and Meverley parishes; contact telescope.kinnerley@gmail.com). The material that was previously put in Maesbrook Village Hall was seen by very few people because MVH is locked except for the few occasions each week when events are held for a small number of people.

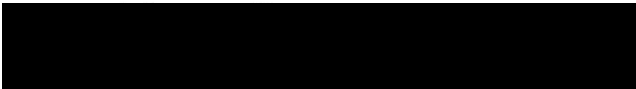
Q8: Large scale maps of the route (using the OS 1:25000 map as a basis) would be helpful enabling locals to see the proposed location of pylons within each local field, the proposed transport routes and the nature, location and timing of local surveys. Local people want to know the exact impact that NG's proposals are likely to have on them.

Qs 9-12: The National Grid presence at Llanymynech over four days was helpful to some people but others were not able to attend in that week. Two such events spaced apart would therefore be helpful. A single presentation held at Maesbrook Village Hall one evening informing people of the exact local and wider impacts would also be welcomed by those most affected locally. It is however too late for any such event to be of any use for informing or consulting with locals prior to the 27 June deadline for responding about the Scoping Report.

Qs 13-16: See above for our comments about maps and venues. Whilst it is helpful to provide councillors with information the Parish Council and its councillors do not and cannot know all information about parishioners likely to be affected by NG's proposals. It is NG's responsibility, not the Parish Council's, to identify and to consult properly with such individuals.

If National Grid had a serious intent to engage with local people it would, at the very least, have arranged for information meetings about the Scoping Report, so that locals knew about it and its implications in plenty of time to have some meaningful input into assisting the Parish Council in commenting on it. As it is, no local meetings can be arranged, or information put in the Telescope, in time to feed into either the 28-day deadline for the Scoping Report, or the 5-week period for comments about consultation.

Yours sincerely



Mrs Kate Sanderson
Parish Clerk

Hannah Nelson

From: Carol Davies [REDACTED]
Sent: 08 June 2014 22:59
To: Environmental Services
Subject: scoping report

CYNGOR CYMUNED LLANDRINIO & ARDDLEEN COMMUNITY COUNCIL

Chairman:

Mrs P M Jones,
[REDACTED]

Clerk:

Mrs C E Davies,
[REDACTED]

Secretary of State

8th June 2014

Dear Sirs,

Re: Scoping Report into environmental statement in respect of Mid Wales Proposed Connection by National Grid.

Llandrinio & Arddleen Community Council wish to respond that they feel that the overall cumulative environmental effect is the most important factor that needs to be considered. The impact on the environment of the proposed wind farms and subsequent pylon line will have a life changing impact on Mid Wales.

Yours truly,

Clerk to Llandrinio & Arddleen Community Council
Email: [REDACTED]

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LLANFECHAIN COMMUNITY COUNCIL

CYNGOR BRO LLANFECHAIN

www.llanfechain.org.uk



June 2014

Jenny Colfer

Land Rights Advisor

Planning Inspectorate

Dear Jenny Colfer

We thank you for your letter of 30th May, Ref EN020010, inviting comments on the application by the National Grid for an Order Granting Development Consent.

We believe this to be a very important document, but due to the size of it and the time constraints that you have imposed, we find that it is impossible to fully consider the content of this document in time to make any sensible response.

Regards

Dianne Crecraft

Clerk to Llanfechain Council

Email: 

Hannah Nelson

From: Angela Vause <townclerk@llanfyllin.org>
Sent: 20 June 2014 09:29
To: Environmental Services
Subject: Your ref ENO20010

For the attention of Jenny Colfer
Senior EIA and Land Rights Advisor
on behalf of the Secretary of State.
Your ref: ENO20010

Dear Ms Colfer

Thank you for your letter of the 30th May 2014 to Llanfyllin Town Council.

I brought this to the attention of the Council at their meeting on Wednesday 18th June.

I wish to advise you that Llanfyllin Town Council do not consider that they are a consultation body, but are part of the Montgomeryshire Forum, Welshpool, who speak on behalf of this Council.

Yours sincerely

Angela Vause
Llanfyllin Town Clerk

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Hannah Nelson

From: Digby Davies [REDACTED]
Sent: 27 June 2014 22:32
To: Environmental Services
Subject: Your Ref: EN0200010 - Llansanffraid Community Council
Attachments: LLANSANNGCASEPINS.docx

LLANSANTFFRAID-DEYTHEUR COMMUNITY COUNCIL
CYNGOR CYMUNED LLANSANFFRAID – DEUDDWR
Clerk: AROSFA, LLANSANTFFRAID SY22 6AU

The Planning Inspectorate, 3/8 Eagle Wing, Temple Quay House, 2 - The Square, Bristol, BS1 6PN
Attention: Jenny Colfer, Senior EIA and Land Rights Adviser

June 27th 2014

Dear Jenny,

This is the preliminary response of the Council to your letters dated 30th May 2014 re the scoping opinion sought by National Grid plc with regard to its proposed environmental statement on the controversial "Mid Wales Connection".

Please see also our e-mail to your colleague Frances Russell dated 14th June as well as our original replies to you initially in Welsh and later in English translation dated 9th June. This preliminary response will be put to councillors for confirmation at the next meeting of the Council on 30th June.

As already stated in our earlier e-mails –

1. This Community Council is elected by the largest village in the Vyrnwy valley with a population of c. 2,000 which rises to over 4,000 in the summer months when our tourist accommodation is fully occupied. There are 12 councillors and a part-time clerk. Our next meeting is on June 30th which means that we cannot consider your request in a full meeting before your deadline of 27th June. We believe other local councils are in a similar position.
2. We strongly object to National Grid's proposals to bisect our village with a 400-kV power line on overhead pylons as it would seriously damage this community in terms of our environment, amenities, landscape, economy, and cultural heritage. It is vital, therefore, that we have a voice in forming the scoping opinion of the Secretary of State regarding the proposed environmental statement. For you to send our responses to National Grid later on "for information" would be quite inadequate. It is our experience that National Grid ignores the information we provide.
3. You say in your letters of May 30th that the deadline for our responses to your letters is a "statutory requirement and cannot be extended". However, we believe it is also a requirement that National Grid provides the public with (accessible) information on its proposals. In this case that has not been done. In your letter you provided a link to National Grid's document "Environmental Impact Assessment Scoping Report" of May 2013. This document, to which we are expected to respond, is 325 pages long and available only as an internet file which would cost the Council over £500 to download and have copies printed for our 12 councillors and clerk. We regard that as an unreasonable charge on our community.
4. In the last few days National Grid has supplied the Council with 12 copies of their above-mentioned document. However it is totally unrealistic to expect the Council to distribute, read, discuss it and call an extraordinary meeting to arrive at a considered opinion in less than a week. In any case, all the maps in the document, which are critical to its understanding, are totally illegible in the copies printed by National Grid because they are of high resolution and cannot be read on A4 size paper.
5. The document is available only in the English language. This is unacceptable to the council and to the community we represent. We refer you to the Welsh Language Act (1993) and to the Welsh Language Measure (2011). Earlier National Grid reports have been provided to us in hard copies and in Welsh translation. Within this document - see p. 17 para. 4.1.2 – National Grid claims that it will consult with the "Welsh Language Authority" on which documents need to be translated. Presumably that consultation would include the document itself. However, our inquiry last week to the office of the Welsh Language Commissioner (there is no such body as the "Welsh Language Authority") found that National Grid had not in fact consulted the Commissioner on this matter.

6. We are astonished by the haste with which National Grid now wishes to proceed. The need case for the controversial "Mid Wales Connection" has not been made. In the document mentioned above, (see section 2.1.3), National Grid makes it clear that the need will only exist if permission is granted for developers seeking new connections. These new connections which would, if built, be served by the controversial "Mid Wales Connection" have, as you will know, been the subject of a Conjoined Public Inquiry (CPI) which concluded in late May 2014. The Inspector's report is not due until September 2014 at the earliest. While we do understand that National Grid is under pressure from the developers who fear that the subsidy regime will soon be reformed, we cannot see how accelerating the process is in the public interest. Local government units and other stakeholders at all levels across the 327 km² of the affected area of Mid Wales are, if National Grid proceeds as it intends, to be put to great trouble and significant public expense. This is all because the developers and National Grid are unwilling to wait the few months necessary for the Inspector to produce his report on the CPI.

7. Accordingly, we formally ask that the Planning Inspectorate forward our request to the Secretary of State to suspend this matter until National Grid has complied with its duty to provide the public with information on the scoping of its proposed environmental statement - hard copies (including the maps in a legible format) and in both English and Welsh - with a new deadline for responses to be set by the Secretary of State through the Inspectorate when compliance has been achieved and when the need case, depending on the outcome of the CPI and how its recommendations are received by the DECC Secretary of State, has been made.

8. We suggest that this commercially driven effort to "jump the gun" by National Grid in ploughing on with the EIA should be resisted. While the need case is *sub judice* is not the time to be spending public money on this matter. Our view is shared by other affected parish and community councils across Shropshire and Mid Wales. They also will no doubt be in contact with you. Separately from this request to the Inspectorate, we will also seek the help of our political representatives in conveying our views to the Secretary of State.

9. As explained above, because National Grid has failed to supply us with adequate information we cannot yet to provide a full and proper response to your request to inform the Secretary of State on the information we consider should be included in the scoping report. However, we attach herewith a revised version of a document – Response to National Grid Environmental Scoping Request which was sent in different versions in the last few months both to National Grid and in evidence to the CPI. This deals with the outline situation as the Council sees it and covers many of the issues that we would expect to find in National Grid's environmental statement.

10. You will see, for example, that we consider that National Grid has made an unbalanced and unjustified decision on the routing issue, that there are many factual errors in their documents and that there has been no serious attempt to engage with communities in a genuine consultation process. The number of significant mistakes casts doubt on all baseline data in their documents. Even where National Grid acknowledges mistakes it refuses to correct the information on its web site. In an externally validated survey carried out by this council over 82% of local people said that National Grid had failed to inform and consult them on their proposals.

11. Some of the outstanding issues that National Grid should include in its environmental statement, and has far ignored, are the failure so far to consult with over 540 stakeholder families who own holiday homes in three parks in Llansanffraid that will be blighted by the proposed power line, the impact in visual and amenity terms of criss-crossing the river Vyrnwy and its footpaths (much used by walkers, anglers and canoeists) over 10 times in three miles, damage to the settings of a Scheduled Ancient Monument and several Grade 2* listed structures and the wildlife and environmental damage resulting from the destruction of an important river valley wildlife habitat and an ancient and active heronry. Many more examples will be found in the attached document.

We hope that you will take this information into account in advising National Grid on how to proceed with the environmental statement that they are obliged to produce. For our part, we will continue to study the scoping report and put together our views on the issues arising, pending a decision by the Secretary of State on whether to accede to our request to suspend this matter.

Best regards,

Digby Davies, Councillor

**CYNGOR CYMUNED LLANSANFFRAID & DEUDDWR
LLANSANTFFRAID AND DEYTHEUR COMMUNITY COUNCIL**

**Statement in Response to the Planning Inspectorate re
NATIONAL GRID PROPOSALS FOR AN OVERHEAD 400kV POWER LINE
(THE MID WALES CONNECTION)**

June 27th 2014

Introduction

This Statement was originally produced by Llansanffraid & Deuddwr Community Council (CC) as requested by National Grid plc (NG) in a meeting held on Wednesday October 16th 2013 in the Llansanffraid Community Hall. The meeting was attended by a group of CC members, our Powys County Councillor Mr G. Thomas and a group of local residents. Mr J. Lee, Lead Project Manager for the Mid Wales Connection, and Ms J. Fenn attended from NG together with three NG colleagues. The meeting was chaired by Mr D. Davies of the CC.

The Statement is now being submitted to The Planning Inspectorate as part of its response to the request in the Inspectorate's letter to us dated 30th May 2014 to inform the Secretary of State what information we consider should be provided in National Grid's eventual environmental statement that would accompany its application for an Order Granting Development Consent for the Mid Wales Connection.

We think National Grid has made a wrong choice of corridor and draft route for the controversial proposed "Mid Wales Connection" project. We gave our reasons at that meeting and it was agreed that we would put these concerns to NG in writing. They have since been submitted in evidence to the Conjoined Public Inquiry which concluded in May 2014 and on which the responsible Inspector has, at the time of writing, not yet reported.

We believe that Llansanffraid, though it is the largest village in the Vyrnwy valley, with a CC area population of c. 2,000 rising to c. 4,000 in the summer months, has not been properly consulted by NG over the last 2-3 years. There have been major failures in the consultation process, including the provision by NG of wrong and misleading information. For our part, the CC has engaged closely with our community on these issues. In October 2012, we carried out an externally monitored and validated 1,000 household survey of Llansanffraid electors to gain people's opinions of the controversial "Mid Wales Connection". Over 55% of electors took part. We found that 100% were opposed to the power line and pylons and 82% had not "been informed and consulted by National Grid." The CC wrote to NG with our objections in 2011, again when NG announced the choice of corridor (Red Route North) in July 2012 and most recently in September 2013 following NG's announcement of the draft route of the 400 kV line within that corridor. We have also written to NG twice in 2013 complaining about the legal enforcement of land surveys and the aggressive behaviour of NG's agents towards local residents.

The purpose here, however, is not to go over this ground again, although we reserve our position on bringing these matters to the attention of any Public Inquiry or legal review. The aim of this Statement is to inform NG about the consequences for Llansanffraid of NG's chosen route corridor and NG's preferred draft route for the 400 kV power line within that corridor. The consequences include adverse effects on the landscape, cultural heritage, the local economy, including tourism, and on our ecological environment. In the light of that information, we request NG to review its decisions.

Background – The Draft Route

NG intends, see its Draft Route Report (DRR pp. 128-9), of September 2013 to underground the whole length of the 400 kV power line along the Meifod valley past the village of Meifod in order primarily to avoid “significant adverse landscape and visual effects”. The Meifod underground section of about 13 km is the only underground section in the whole draft route of over 41 km from the proposed substation at Cefn Coch to the grid connection at Lower Frankton in Shropshire.

The underground line would emerge at a sealing end compound about 0.5 km west of Rhosddu Farm and Waen-Fach on the north bank of the Vyrnwy. From that point on, the route would comprise a 400 kV overhead line on pylons. The draft route from Waen-Fach to the A483 between Llanymynech and Llandysilio (the Llansanffraid section) covers approximately 8 km or 5 miles. It is described on DRR pp. 131-143 and may also be seen on the map accompanying this Statement. NG also refers to it as Section C on some maps.

The rural landscape of the Llansanffraid section, similar to that of Meifod, is that of a tranquil, meandering river valley with a strong sense of place. It is an area of small farms and small-scale agriculture. There are no significant industrial developments and no large electricity transmission lines and similar infrastructure. There is one main road, the A495, an important tourist route which goes east-west along the Vyrnwy valley from Llansanffraid to Meifod and beyond. Downstream, after Llansanffraid and the Trederwen ridge, the Vyrnwy valley turns east towards the Severn valley and the landscape is one of wide, open water-meadows, overlooked by the dramatic scenery of Llanymynech Hill, with its Roman history, to the north and the Bryn Mawr hill fort to the south.

NG prefers an overhead line for the whole Llansanffraid section because “there are significant technical challenges” and “there was no strong preference expressed against any other factor” (DRR p. 143). While the former is obvious, since the draft route goes through a floodplain, the latter is not consistent with the petitions signed by hundreds of Llansanffraid residents and the many letters sent by local people and the CC to NG over the last two years stressing the damaging impact that an overhead line would have on our landscape, cultural heritage, economy and ecological environment. A very clear and strong preference against an overhead line has indeed been expressed by the people who would be affected.

From Waen-Fach the route of the overhead line would follow the river in a north easterly direction towards Llansanffraid for about 2.0 km, criss-crossing the river four times in that short distance. It would then pass across open ground between the river and within 200 metres of Trewylan Isaf, a Grade 2 Listed farmhouse, which includes a courtyard conversion development of 10 houses and two others. The draft route then immediately comes within 100-200 metres of the medieval site of Plas yn Dinas, a Scheduled Ancient Monument (SAM), despite the fact that NG admit that an overhead line “would have a severe adverse effect upon its immediate setting” (DRR p. 137).

About 0.3 km further on, the route crosses the river once more to pass within 60 metres of Tu-Hwnt-i-Gain, a Grade 2* Listed house recently upgraded by CADW, one of the oldest in Montgomeryshire, built in 1612 by the descendants of the princes of Powys. The house has unique architectural features, though it is not mentioned in the DRR or other NG reports.

On this part of the route, along the south side of Llety Lane, the pylons would be skylined and visible from the village, 400-500 metres north, and the A495 tourist route as well as from other points to the east and south. The lane, footpaths and footbridges over the river Cain are a favourite circular walk from the village; an amenity that would be seriously affected by the power line and pylons.

Within 0.3 km of Tu-Hwnt-i-Gain the route passes within 200 metres on west and north sides of Plas Derwen, another Grade 2 Listed house and walled garden above the river with fine views across the river and upstream which would be obstructed by the power line and pylons. About 100 metres downstream of Plas Derwen, the line would cross the river yet again before crossing two roads within 0.3 km, the Deuddwr road and the busy B4393 from Llansanffraid to Four Crosses, in quick succession. Both roads are school bus routes and are well used. The draft route would pass within 100-200 metres of both Glan Vyrnwy farm and "Jugs", a Welsh Tourist Board 5* B&B, situated at the junction of the two roads. After crossing the B4393, the draft route would go over the open land of Waen Farm passing next to the farmhouse and directly in front and in view of 18 houses at the Waen along the B4393 and on the raised ground behind it.

Still on the Waen land, the 400 kV line would span the Trederwen ridge at its highest point between the B4393 road and the river. There the pylons would be skylined from all directions and clearly visible from the A495 tourist route, the B4393 and Deuddwr roads, from Llansanffraid Bridge, Llansanffraid Church and many houses in the village including those in the Conservation Area. The line would cross the ridge within about 100 metres of Trederwen House, a Georgian gem, and Trederwen Barn, both Grade 2 Listed Buildings, before making a steep descent into the floodplain and wetlands of the Vyrnwy below Trederwen Hall and opposite Grove Farm. This is an important area for bird life including over-wintering curlews and other migratory species. Species include those at collision risk such as the many swans that nest here and the flocks of ducks and geese that regularly fly the valley. There is a large and famous heronry.

From Trederwen the draft route would follow the river east for 1.2 km, criss-crossing the river three more times on the open floodplain. Here the pylons and power line would be clearly visible from all directions and close (200-300 metres) to three large caravan parks with 545 mobile homes between them. These caravan parks are the mainstay of the local economy. Two of the parks are actually within the corridor and one just outside.

Because many of the caravans are on ground rising from the B4393 towards Bryn Mawr, the power line and pylons would directly obstruct their views to Llanymynech Hill across the valley. There are also a number of houses on the raised ground along the B4393 facing the valley.

The draft route would then cross the B4398 at Carreghwfa, near the two bridges over the Vyrnwy and the Montgomery Canal. It would pass directly over the Grade 2 Listed northerly canal aqueduct and close to the two other aqueducts, one of which is Grade 2 Listed and the other Grade 2* Listed. It would then pass between Pentref and the buildings on the site of the original Pentreheylin Hall.

There are in total 25 Listed Buildings in this small area, mostly related to the canal and aqueduct sites. They are of historical and tourism significance and their settings would be severely affected.

Importantly, at this point the pylons and 400 kV line impact on Offa's Dyke Path and National Trail, a renowned historical feature of Wales and a past candidate for approval by UNESCO for World Heritage Site status. The Offa's Dyke Path here diverts from the physical remains of the Dyke, which are on the east side of the A483, and follows the canal path in a broad loop from Llandysilio north to Llanymynech. Walkers and cyclists would be overshadowed by the pylons which they would see "stacked" one behind the other. The power line and pylons would then traverse open farm land in clear view of many houses in the Llandysilio-Four Crosses area towards the A483 to cross it just north of Llandysilio Church and close to Llanymynech Bridge, which is also Grade 2* Listed.

Landscape

The official Landmap classification of the landscape of both the Meifod and Llansanffraid section of Red North is one of "moderate sensitivity" as are the villages of Llansanffraid and Meifod themselves, both of which have Conservation Areas designated by Powys County Council. NG agrees that the Llansanffraid landscape and visual sensitivity to an overhead 400 kV line is "medium-high" (DRR p. 136). The Countryside Commission for Wales (CCW), now part of Natural Resources Wales (NRW), commenting to NG in June 2011 on the Mathrafal-Meifod-Llansanffraid section of the corridor, said "the valley is substantially rural, unspoilt and domestic in character" and "...the landscape and visual effects of routing such a large scale power line into an unspoilt valley would be significant and adverse." CCW said that "Given that the character of the valley landscape does not alter significantly along its length to Llansanffraid-ym-Mechain there is an argument for continuing downstream with the underground option as far as the turning point of the valley south-east of Llansanffraid-ym-Mechain."

Evidently CCW's views on the Llansanffraid section are not shared by NG which, although it admits the landscape and visual sensitivity is medium-high, has opted, even so, for a conspicuous overhead line in the centre of the valley from Waen-Fach, moving to the

south-eastern side of the Vyrnwy valley after Plas-un-Dinas as it approaches Llansanffraid. Clearly the line has to avoid the main village, home to 2,000 people, and the Conservation Area, but NG's routing decision is still totally unacceptable in landscape and visual terms.

The draft route would be highly visually obtrusive for the many families living in smaller settlements near Llansanffraid such as those near Bronafon, Plas Derwen and the Waen. In addition, because of the crossings of roads such as the busy B4393 and the Deuddwr road, it would be very conspicuous to road travellers, including those on the main tourist route through the village, the A495. Vehicles such as school buses, cyclists and pedestrians alike, coming down from Deuddwr and turning right along the B4393, would pass directly under the 400 kV power line twice within 200-300 metres.

In most places the pylons would still be visible from the main village, especially beyond the Waen where they span the Trederwen ridge. Also, keeping the power line away from the village makes it practically impossible to avoid adverse cultural and heritage impact on SAMs such as Plas-yn-Dinas and Grade 2* Listed Buildings such as Tu-Hwnt-i-Gain.

The alignment of the draft route continues on the south side of the corridor beyond the village all the way to the English border and the A483. Unfortunately this alignment means the line would come close to the three very large caravan parks in that area. These have been developed in that location over many years and owe their success largely to their landscape value and picturesque views across the Vyrnwy valley. This will be mentioned as well in Tourism and the Local Economy below.

The draft route fails on landscape and visual criteria not only because of the inherently high quality landscape of the Vyrnwy valley but also because of the large number of visual receptors, including road users, residential properties, B&B businesses and caravans, close to the route in the proposed Llansanffraid section. There are over 100 houses and 550 holiday homes between Trewylan Isaf and Trederwen within 300-500 metres of the pylons and power line. Further on, there are many more houses at Wern and Carreghwfa that are raised on the valley sides in full unobstructed view of the pylons. Nowhere else in the whole Red North corridor would so many houses have their visual amenities wrecked. This would be confirmed by a properly conducted Landscape and Visual Impact Assessment (LVIA).

Strangely, NG claims – see the statement on the map pages (Section C) of their Consultation Feedback Form of September 2013 – that the draft route has been selected to “reduce effects on views from Llanymynech Hill”, which is outside the corridor. Yet the main issue and concern for our communities and caravan parks is the view to Llanymynech Hill which would be blighted by NG's power line and pylons. NG seems to value the interests of members of the golf club on the top of Llanymynech Hill as higher than the interests of the thousands of local people whose basic amenities would be adversely affected.

Finally, there is the issue of the river landscape. The draft route in the Llansanffraid section criss-crosses the Vyrnwy no less than 10 times in under four miles. The result would be the complete destruction of an unspoilt river landscape. These are the only river crossings of the Vyrnwy in the whole 41 km corridor. The only other river crossing of any kind is a single span of the Banwy (a tributary of the Vyrnwy) near Llanfair Caereinion. The power line and pylons criss-crossings set in the river landscape would affect not only the many houses that overlook the river but also the users of all the footpaths, trails and other leisure facilities that follow the river.

Anglers and canoeists would be greatly affected. The Vyrnwy in this stretch is still a good fishing river (over 20 salmon landed last season at Trewylan Isaf). Stakeholders include several angling associations, such as the Prince Albert Angling Association (Macclesfield), one of the largest in the UK, which has several miles of Vyrnwy fishing rights in the Llansanffraid area. The river is also in several places near Llansanffraid, e.g. Plas Derwen to Plas-yn-Dinas, navigable by small boats which would have to pass underneath the proposed power line in many places within a short distance. Canoes follow the whole length of the river from Lake Vyrnwy, through Llansanffraid down to the confluence with the Severn.

Despite its obvious importance to the pattern of land-use and settlement in the Llansanffraid area, NG appears not even to have considered the river landscape as an element in the decision-making process. In the Meifod section NG stresses the importance of “minimising the number of river crossings and routing outside the floodplain” (DRR p. 126). But there is no mention at all of the Vyrnwy in Llansanffraid in NG’s “Considerations for Routeing – Landscape and Visual” (DRR p. 132). Minimising river crossings seems to be a factor for NG in Meifod but not in Llansanffraid. Again we find inconsistency in NG’s report.

We disagree completely with NG’s statement (DRR p. 136) that “the introduction of the line would not fundamentally alter the character of the landscape but would add to the overall development of the area, which includes some large farm developments (Chicken sheds) and the tall Wynnstay storage building in Llansanffraid-ym-Mechain as well as the busy A458* and new bypass”. The “tall” Wynnstay building is lower than the height of the proposed 47-55 metre-high pylons and is invisible from most of the smaller settlements and the caravan parks. Poultry sheds are low single storey structures, often painted green to blend into the landscape, like the one near Melyniog-fawr in Llansanffraid. They are found in several places in this and other corridors, including the Severn and Meifod valleys.

*NG’s mention in the Llansanffraid context of the “busy A458 and new bypass” (DRR p. 136) is simply a mistake. The A458 runs from Shrewsbury via Welshpool to Machynlleth and is nowhere near Llansanffraid. There is no “new bypass” in or near Llansanffraid.

In the Meifod Valley section of the DRR, the A495 is mentioned as “an important tourist route” (DRR p. 113 and 117). This is used by NG as part of the justification for undergrounding. We agree the A495 in Meifod is an important tourist route. We also agree that it is not a good idea to run highly visible 400 kV power lines on pylons along important

tourist routes. But the A495 is also the main road in Llansanffraid and runs through the centre of our village continuing up the valley to Meifod and beyond. NG does not mention it as a factor for Llansanffraid and is, therefore, inconsistent again.

Culture and Heritage

Scheduled Ancient Monuments

There are more Scheduled Ancient Monuments (SAMs) in the Llansanffraid area than anywhere else in the Red North and Red Central corridors. N.B. the place names below refer to Community Council (CC) areas. The information sources are the public records of the Clwyd- Powys Archaeological Trust (CPAT).

Red North - Meifod Section

Meifod 10 sites - None in the corridor

Red North - Llansanffraid Section

Llansanffraid 12 sites - Plas yn Dinas in the corridor

Carreghwfa 38 sites - Offa's Dyke in the corridor

Red Central – Trefnannau to Llandysilio Section

Llandrinio 1 site - Not in the corridor

Llandysilio 3 sites - Rhysnant Motte (damaged) and Offa's Dyke in the corridor

Listed Buildings

There are more Listed Buildings in the Llansanffraid area than anywhere else in the Red North and Red Central corridors. In their 2011 report, NG said there were numerous Listed Buildings but little difference between the corridors. This is factually incorrect.

Red North - Meifod Section

Grade 1 Listed - 1 Meifod Church

Grade 2* Listed - 2 Penylan Hall and Ystym Colwyn

Grade 2 Listed - 11

All these are unaffected as the line would be undergrounded for the whole section.

Red North - Llansanffraid Section

Grade 1 Listed - 0

Grade 2* Listed - 3 (Tu-Hwnt-i-Gain, Llanymynech Bridge, Newbridge Aqueduct)

Grade 2 Listed – 48

All these would be adversely affected by the proposed overhead line and pylons.

Red Central - Trefnannau to Llandysilio Section

Grade 1 Listed - 0

Grade 2* Listed - 0

Grade 2 Listed – 6

There would be little cultural and heritage impact if this route was selected.

Regarding impacts on SAMs, NG admits the overhead draft route would have a “severe adverse effect” (DRR p. 137) on the setting of the Plas-yn-Dinas medieval SAM on the banks of the Vyrnwy about 1 km south-west of the village. No mitigation is available except by shifting the draft route to the north which would then blight the main part of the village and its Conservation Area. It is hard to understand why NG admits the “severe adverse effect” and the difficulty of mitigation without drawing the obvious conclusion that there are serious problems at the level of selection of the route corridor itself.

The route would also have a drastic negative impact on the nearby Tu-Hwnt-i-Gain described by CADW, the Welsh Government's historic environment service, as a “medieval timber framed house of lobby-entrance type which has retained its character”. Built in 1612 by the descendants of the princes of Powys, the house is described in books and has been the subject of several television programmes. As a consequence, community groups from across Wales regularly visit the building and remark on its special status and unspoilt setting. The power line and pylons would pass, according to the owner, within 60 metres. NG says there is also a higher grade listed building “within the Llansanffraid-ym-Mechain Conservation Area” (DRR p. 133) but this is a mistake on NG’s part. There is no such house.

Other listed houses affected by the route passing within 100-200 metres (much closer in some cases) in the Llansanffraid vicinity include Trewylan Isaf, Plas Derwen and Trederwen House and Barn, all of which have long open views in elevated positions overlooking the valley. As with the Plas-yn-Dinas SAM, mentioned above, no mitigation of these impacts of the overhead line appears feasible without shifting the route to a different corridor or, of course, undergrounding it which NG appears to have ruled out on technical grounds.

Even more serious problems arise at the eastern end of the draft route when it reaches Carreghwfa, Newbridge and the complex of aqueducts and other listed structures where the Montgomery-Shropshire Union Canal (the “Monty”) passes over the Vyrnwy. The draft route then crosses the B4398 near the two bridges over the Vyrnwy and the canal. It then passes directly over the Grade 2 Listed northerly canal aqueduct and close to the two

other aqueducts, one of which is Grade 2 Listed and the other Grade 2* Listed. There are in total 25 Listed Buildings in this small area, mostly related to the canal and aqueduct sites.

They are of great historical and tourism significance and their settings would be severely affected. The canal, of which the tow-path is at this point also the Offa's Dyke Path and National Trail, is vital to ongoing local tourism development.

A restoration grant of £160,000 for the Monty was received by the Canal & River Trust in October 2013 from the Heritage Lottery Fund and an application is going forward for a total grant of £3.7 million. The aim of the Montgomery Canal Partnership is to restore the canal fully, including the listed aqueducts, and bring canal boats back for the first time in 80 years. The DRR notes their vulnerability to the effects of an overhead line but does not consider the issues that arise. The DRR only mentions briefly (and incorrectly) "the New Bridge Vyrnwy aqueduct for the Ellesmere Canal and Pentrer (*sic*)", (DRR p. 138)

"Offa's Dyke is not only the largest, most impressive, and most complete purpose built early medieval monument in Western Europe. In its linear scale, its careful design as a powerful expression of political and cultural exclusion, and its context marking a cultural/national border which remains to this day, Offa's Dyke precisely exemplifies these core historical developments, and their lasting effect on the landscapes, peoples and cultures of Western Europe. Offa's Dyke connects the culture of the ancient Anglo-Saxon and British peoples with the culture of living English and Welsh peoples." (UK Government Department for Culture, Media and Sport, 2013)

Offa's Dyke has been a candidate on the UK draft list of sites for approval from UNESCO for World Heritage Site status. The Path and National Trail here divert from the physical remains of the Dyke and follow the canal path in a broad loop from Llandysilio north to Llanymynech – see map. So, for the whole distance, walkers, cyclists and users of the waterway would be confronted by the pylons which they would see "stacked" one behind the other and towering over them at the crossing point.

NG does not mention this serious and damaging impact. It refers only to the scheduled sections of the Dyke in Llandysilio-Four Crosses and Porth-y-Waen, which is actually well outside the corridor, (DRR p.137). NG contends that the setting of the Offa's Dyke section at Llandysilio-Four Crosses is already compromised by roads, housing etc. so any impact would be "slight to negligible" (DRR p.137). This is, to some extent, true though any existing compromise of the setting should not be used to justify further damage. But it is the Offa's Dyke Path and National Trail that is the real issue here and NG avoids mentioning it. The Path and National Trail (one of only 15 in the UK, including two in Wales and only this one in the Welsh Marches) is not only part of our historical heritage but an essential element of tourism in the area (see below). Crossing the Offa's Dyke Path and National Trail at this point with a 400 kV overhead power line on pylons would be an act of vandalism, in our opinion.

Tourism and the Local Economy

In the Llansanffraid area, agriculture and tourism dominate land-use and the local economy. Llansanffraid is the tourism centre of the Vyrnwy valley with five caravan parks comprising upwards of 850 holiday homes and caravans. The DRR is incorrect in saying that Llansanffraid is “outside but in proximity to the preferred route corridor”. The edge of NG’s Red North corridor actually runs down the main street of the village and the corridor, as defined by NG, even includes part of the village designated Conservation Area.

The draft route would also pass close to and directly in front of the three largest caravan parks, holding 545 holiday homes, and would be visible as well from the other two parks, especially from the Trederwen ridge and along the water meadows beyond. The superb views from the parks to Llanymynech Hill would be completely spoiled.

The Welsh Government Tourism Minister has been quoted as saying that “our tourism sector is worth £4.0 billion to the Welsh economy”. In a survey conducted of local businesses in Llansanffraid, over 86% said tourism was important to them and many felt their livelihoods were being threatened by the proposed power line and pylons.

The CC has carried out a review of the situation with the Caravan Park Owners (CPOs) and the situation is as follows. All CPOs are now worried about the possibility of a mass exodus of holiday home owners. Some owners have already left saying that they would not stay in the area “if this beautiful landscape is destroyed by ugly pylons”. In February 2013 all five CPOs signed and sent a letter to NG stating that they believe the result of the power line and pylons would be that “occupancy levels would be significantly reduced”. No satisfactory reply has been received.

The power line and pylons would not only harm the caravan park businesses, they would damage the businesses of shops, restaurants, pubs, holiday cottages and B&Bs in Llansanffraid. Moreover there would be a knock-on regional impact on such area attractions as Powis Castle, Lake Vyrnwy and widely across Mid-Wales and North Wales. In a survey of 26 local businesses employing over 100 people, it was found that the summer season can make a 15% difference in jobs and over 40% of turnover.

Wildlife and the Ecological Environment

Birds would be at serious risk of collision with overhead cables on the river flyway after the Trederwen ridge. This area holds a considerable number of curlew that over-winter on the river pastures in addition to waterfowl (nesting swans, mallard and teal) on the pools and backwaters resulting from the many changes to the course of the R.Vyrnwy. Little egrets have regularly been seen in recent years. Raptors such as peregrine falcons and buzzards are common as are ravens that overfly the valley from Llanymynech Hill. There is

an important heronry very near the draft route. NG's plans would put many of these birds at grave risk of collision with overhead cables.

NG claims (DRR – p. 134) that the “habitats are generally considered to be of low ecological value” and that “this section is not to be considered to be of high value (= high risk) for collision risk bird species and ground nesting bird species...” This is clearly and obviously untrue. The Royal Society for the Protection of Birds (RSPB) rates all raptors, herons and swans as being at high collision risk. Many local residents have written to NG over the last two years informing them of the birdlife in our area.

Not only is NG's claim above untrue but we have received from the Montgomeryshire Wildlife Trust a copy of their amended “Objections to the proposed National Grid Power Line Development between Cefn Coch and Lower Frankton” already submitted to NG, in which the Trust states its disappointment that NG has chosen the corridor (Red North) that would have the greatest potential impact on special wildlife areas such as SSIs (Sites of Special Scientific Interest), Local Wildlife Sites etc.

The Trust goes on to “draw particular attention to the following two statements –

- *Birds will be at serious risk of collision with overhead cables on the river flyway in the proximity of SJ 2420. (the confluence of the Tanat and the Vyrnwy and beyond) This area holds a considerable number of over-wintering curlew that feed on the river pastures, this is in addition to waterfowl, particularly swans, mallard and teal, on the pools and backwaters of the Vyrnwy downstream from the confluence;*
- *There is also an important heronry with 12 or 13 active nests at SJ 245201 (the north bank of the Vyrnwy below the confluence) some 100 metres from the route of the proposed power line. Large, heavy-bodied birds such as herons are at serious risk of collision with overhead cables because of their large wingspans, slow flying speed and lack of flight agility: as are swans.*

According to the Trust, “*The Environmental Impact Assessment, yet to be carried out, should set out to prove that the proposed pylons, power lines and construction will not negatively affect these species, and others, in any way*”.

In addition to the likely serious damage to birds, the continuous criss-crossing of the Vyrnwy and the wetland areas left behind by changes in the river course would affect other wildlife as well. Otters are frequently seen in the Plas Derwen area. As noted above, the Montgomeryshire Wildlife Trust has in the earlier consultation warned NG of the likely ecological damage, if NG selected Red North as the preferred corridor. Yet NG appears to have ignored these warnings.

We have focussed here on the environmental and ecological damage in the open wetlands east of Trederwen. However the negative consequences would be widespread along the whole length of the Vyrnwy valley both above and below the village of

Llansanffraid. The valley is especially rich in wildlife and the construction of a power line and pylons along the river would do immense and irreparable damage to habitats.

Options

We believe that the combined impact of all the above adverse effects on landscape, heritage, economy and environment means that NG needs to consider alternative options. Possibilities include modification and re-alignment of the draft route within the corridor, undergrounding all or part of this section or reconsideration of the corridor itself. There are also options for connecting the wind power generation facilities using less obtrusive 132 kV lines carried on wooden poles which would altogether obviate the need for the controversial Mid Wales Connection in its present proposed form.

Given the narrow, pinch-point nature of the proposed Red North corridor at Llansanffraid, we do not believe that the damage can be significantly mitigated by modification and re-alignment of the draft route of an overhead 400 kV line within Red Route North. Depending on its alignment, varying the route would in different degrees blight the village, the river landscape, many people's visual amenities and our tourism economy. Spreading the damage differently would not help. The CC has pointed this out in past letters to NG, as have many other local people, but we have received no constructive reply. NG mentions micro-siting (moving short distances here and there) of the pylons would be helped by the "well-wooded" character of the landscape (DRR p. 136). Here, as in many cases, NG is inconsistent as it states elsewhere, correctly, that there are in fact, only "small scattered pockets of woodland" in this section (DRR p. 134).

We also do not believe that the use of the new proposed "T" pylons would have any benefit for our communities. We understand from NG that there are technical worries about the foundations for these new structures in ground that is regularly flooded. Also we are informed that there would need to be many more of them and the lines would hang lower. This would be even worse for the river landscape than the 47-55 metre high tower pylons of conventional lattice construction.

All the matters listed above in preceding sections of this Statement and all these options need to be properly considered in National Grid's proposed environmental statement. It is our hope that The Secretary of State will instruct National Grid to re-address the routing issue as so many doubts now exist over the adequacy and balance of the decisions made in the DRR. We consider that Llansanffraid has been shabbily treated by National Grid in its dealings with the Community Council and we hope that the Secretary of State will now act to ensure that local views prevail over National Grid's evident priorities of cutting costs and making profits.

Hannah Nelson

From: Digby Davies [REDACTED]
Sent: 14 June 2014 09:37
To: Environmental Services
Cc: Jenny Colfer
Subject: Re: National Grid - Your letter ref: EN020010 dated 30th May 2014 - For Jenny Colfer

LLANSANTFFRAID-DEYTHEUR COMMUNITY COUNCIL
CYNGOR CYMUNED LLANSANFFRAID – DEUDDWR
Clerk: AROSFA, LLANSANTFFRAID SY22 6AU

The Planning Inspectorate, 3/8 Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN
Attention: Jenny Colfer, Senior EIA and Land Rights Adviser and Frances Russell

Attention: Frances Russell

Dear Frances,

Thank you for this response. Actually we did not ask the Planning Inspectorate to send us copies of the National Grid EIA scoping report - merely to help ensure that National Grid complied with its obligations. Thank you also for publishing the document at lower resolution on your web site. Unfortunately this does not help the council deal with the major costs which are those of printing and distributing multiple copies of of this 325 pp. report with coloured maps. We are grateful for your offer to contact National Grid. However, we have received nothing from National Grid so far.

Re Welsh translation - again we did not ask the Planning Inspectorate to provide us with a translation. We see this as an obligation, albeit without legal force, of National Grid. It would be good, however, if you could explain to National Grid your own enlightened Welsh language policies in an effort to make them comply with their responsibilities. This is the largest project of its kind ever envisaged in Wales and it is quite wrong, in our view, that Welsh-speaking people and communities should be deliberately disadvantaged in this way by National Grid.

But the main point of this e-mail is to amplify the penultimate paragraph of our earlier e-mail. As well as the failure by National Grid to provide consultees with accessible information, we have a further key concern.

The need case for the controversial “Mid Wales Connection” has not been made. In the document (EIA scoping report) mentioned above, (see e.g. section 2.1.3), as well as in other documents, National Grid admits that the need case depends on permission being granted for developers seeking new connections. Five of these possible wind power projects which would, if built, be served by the controversial “Mid Wales Connection” have, as you know, been the subject of a year-long Conjoined Public Inquiry (CPI) which has recently concluded. The Inspector's report is not due until September 2014 at the earliest.

So the need case, as things stand, depends on what the Inspector's report will recommend and on how those recommendations are received by the DECC Secretary of State. While we do understand that National Grid is under pressure from the developers who fear that the subsidy regime will soon be reformed, we cannot see how accelerating the process of producing this EIA is in the public interest. Local government units and other stakeholders at all levels across the 327 km2 of the affected area of Mid Wales are, if National Grid proceeds as they intend, to be put to great trouble and significant public expense. All because the developers and National Grid are unwilling to wait the few months necessary for the Inspector to produce his report on the CPI.

We suggest that this commercially driven effort to "jump the gun" by National Grid in ploughing on with the EIA should be resisted. We are not asking for an extension of the 28 days consultation period on the EIA scoping. We are asking the Secretary of State to suspend the process until National Grid is in compliance with its responsibilities to provide adequate and accessible information to the consultees and until the Inspector's report on the recent CPI is completed. While the need case is, as it were, sub judice, is not the time to be spending public money on this matter.

Our view is shared by other affected parish and community councils who will no doubt contact you. We will also seek the help of our political representatives in conveying our request to the Secretary of State.

Yours sincerely,

Digby Davies, Community Councillor

-----Original Message-----

From: Environmental Services <EnvironmentalServices@infrastructure.gsi.gov.uk>

To: 'Digby Davies' [REDACTED]

Sent: Thu, 12 Jun 2014 13:09

Subject: RE: National Grid - Your letter ref: EN020010 dated 30th May 2014 - For Jenny Colfer

Dear Mr Davies,

Thank you for your E mail of 9th June addressed to Jenny Colfer who is at present on leave.

The Planning Inspectorate do not provide paper copies of the scoping report but I have been in touch with National Grid who have agreed to send you paper copies of the report as requested soon as possible. I understand that these will be in English. The Planning Inspectorate are not under an obligation to provide Welsh versions of the applicant's documents.

A lower resolution version of the report has now also been published on our web site, which you can find by following the link below. I hope that this will be easier to access, although please note that the maps within the report are of reduced clarity:-

<http://infrastructure.planningportal.gov.uk/Document/2533043>

Although the 28 day period for a response to a scoping consultation (as prescribed by Regulation 8(11) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009) cannot be extended, please note that should you wish to provide a consultation response after the deadline, it will still be published on our website and forwarded to the applicant for consideration. In these situations, we do encourage the applicant to take account of such responses. However, it would not be included within the Secretary of State's scoping opinion.

Our Advice Note 7: Environmental Impact Assessment, Screening and Scoping, sets out the policy in respect of the scoping opinion process and can be found on the National Infrastructure Planning web page:-

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

Yours sincerely,

Frances Russell

From: Digby Davies [REDACTED]

Sent: 09 June 2014 15:14

To: Environmental Services

Subject: National Grid - Your letter ref: EN020010 dated 30th May 2014 - For Jenny Colfer

LLANSANTFFRAID-DEYTHEUR COMMUNITY COUNCIL

CYNGOR CYMUNED LLANSANTFFRAID – DEUDDWR

Clerk: AROSFA, LLANSANTFFRAID SY22 6AU

The Planning Inspectorate, 3/8 Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN
Attention: Jenny Colfer, Senior EIA and Land Rights Adviser

June 9th 2014

Dear Jenny,

Thank you for your letters (in English and in Welsh) dated 30th May re the scoping opinion sought by National Grid plc with regard to its proposed environmental statement on the controversial "Mid Wales Connection". We have already replied to you in Welsh. The following is a translation of our concerns.

This Community Council is elected by the largest village in the Vyrnwy valley with a population of c. 2,000 which rises to over 4,000 in the summer months when our tourist accommodation is fully occupied. There are 12 councillors and a part-time clerk. Our next meeting is on June 30th which means that we cannot consider your request in a full meeting before your deadline of 28th June. We believe other local councils are in a similar position

We strongly object to National Grid's proposals to bisect our village with a 400-kV power line on overhead pylons as it would seriously damage our community in terms of amenities, landscape, economy, environment and cultural heritage. It is vital, therefore, that we have a voice in forming the scoping opinion of the Secretary of State regarding the proposed environmental statement. For you to send our responses to National Grid later on "for information" would be quite inadequate. It is our experience that National Grid ignores the information we provide.

You say in your letter that the deadline for our responses is a "statutory requirement and cannot be extended". However, we believe it is also a requirement that National Grid provides the public with (accessible) information on its proposals. In this case that has not been done.

In your letter you provided a link to National Grid's document "Environmental Impact Assessment Scoping Report" of May 2013. This document, to which we are expected to respond, is 325 pages in length and available only as an internet file which would cost the council over £500 to download and have copies printed for our 12 councillors and clerk. We regard that as an unreasonable charge on our community. Moreover the document is apparently available only in the English language. This is unacceptable to the council and to the community we represent. We would refer you to the Welsh Language Act (1993) and to the Welsh Language Measure (2011). Previous National Grid reports have been provided to us in hard copies and in Welsh translation.

We do not understand the haste with which National Grid now wishes to proceed. The need case for the controversial "Mid Wales Connection" has not been made. In the document mentioned above, (see section 2.1.3), National Grid makes it clear that the need will only exist if permission is granted for developers seeking new connections. These new connections which would, if built, be served by the controversial "Mid Wales Connection" have, as you will know, been the subject of a Conjoined Public Inquiry which has recently concluded. The Inspector's report is not due until September 2014. While we do understand that National Grid is under pressure from the developers who fear that the subsidy regime will soon be reformed, we cannot see how accelerating the process of producing this environmental statement is in the public interest.

Accordingly, we request that the Secretary of State now brings this matter to a halt until National Grid has complied with its duty to provide the public with information on the scoping of its proposed environmental statement - hard copies and in both English and Welsh - with a new deadline for responses to be set by the Secretary of State when compliance has been achieved.

Best regards,

Digby Davies, Councillor

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From: Digby Davies [REDACTED]
Sent: 09 June 2014 14:59
To: Environmental Services
Subject: Your Ref: EN020010 National Grid

LLANSANTFFRAID – DEYTHEUR COMMUNITY COUNCIL

CYNGOR CYMUNED LLANSANFFRAID - DEUDDWR

Clerk - AROSFA, LLANSANTFFRAID, POWYS SY22 6AU

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

Attention: Jenny Colfer, Senior EIA and Land Rights Adviser

Annwyl Jenny,

Diolch am eich llythyrau (yn Saesneg ac yn y Gymraeg) dyddiedig Mai 30ain. ynglŷn â chais Y Grid Cenedlaethol am y farn gwmpasu yng nghyswllt eu datganiad amgylcheddol arfaethedig am y “Cysylltiad yng Nghanolbarth Cymru” sydd mor ddadleuol.

Etholir y Cyngor Cymuned yma gan drigolion y pentref mwyaf poblog yn Nyffryn Efyrynwy, sef oddeutu 2,000, sydd yn codi i dros 4,000 yn yr haf pan fydd yr ymwelwyr yn aros yma. Mae 12 o gynghorwyr a chlerc rhan amser. Mae ein cyfarfod nesaf ar Fehefin 30ain sy'n golygu na allem ystyried eich cais mewn cyfarfod llawn cyn eich dyddiad cau o Fehefin 28ain. Rydym yn credu bod nifer o gynghorau cymuned eraill yn yr un sefyllfa.

Rydym yn hollol wrthwynebus i gynigion Y Grid Cenedlaethol i hollti ein pentref gyda gwifrau trydan 400-kV ar beilonau oherwydd fe fydd yn niweidiol i'n cymuned ar sail mwyniant, tirwedd, economi a threftadaeth ddiwylliannol. Mae'n allweddol felly bod gennym lais wrth i'r Gweinidog Gwladol greu barn gwmpasu am y datganiad amgylcheddol arfaethedig. Buasai i chi ddanfôn ein hymatebion i'r Grid Cenedlaethol yn ddiweddarach “er gwybodaeth” yn unig yn hollol annigonol. Ein profiad yw bod Y Grid Cenedlaethol yn anwybyddu'r wybodaeth rydym yn cyflwyno.

Rydych yn dweud yn eich llythyr fod y dyddiad cau i dderbyn ein hymatebion yn “ofyniad statudol na ellir ei ymestyn”. Ond rydym yn credu ei fod yn ofynnol bod Y Grid Cenedlaethol yn darparu gwybodaeth (hawdd ei gyrraedd) am eu hargymhellion. Yn yr achos yma nid yw hyn wedi ei wneud.

Yn eich llythyr rydych yn cynnwys cysylltiad i ddogfen Y Grid Cenedlaethol “Adroddiad Gwmpasu Asesiad Effaith Amgylcheddol” Mai 2013. Dyma'r ddogfen mae disgwyl i ni adolygu, yn 325 o dudalennau o hyd ac ar gael fel ffeil o'r rhyngrwyd yn unig, a fuasai'n costio'r Cyngor Cymuned dros £500 i'w lawr lwytho a chreu copïau caled i'r 12 cynghorwyr a'r clerc. Rydym yn ystyried hyn yn gost afresymol ar ein cymuned. Yn ychwanegol mae'n debyg ei fod ar gael yn uniaith Saesneg yn unig. Mae hyn yn annerbyniol i'r Cyngor a'r gymuned rydym yn cynrychioli. Rydym yn eich cyfeirio at Ddeddf yr Iaith Gymraeg (1993) ac i Fesur yr Iaith Gymraeg (2011). Mae adroddiadau blaenorol Y Grid Cenedlaethol wedi bod ar gael yn y Gymraeg.

Nid ydym chwaith yn deall pam fod Y Grid Cenedlaethol yn dymuno symud ymlaen ar gymaint o frys. Nid yw'r achos am yr angen am y “Cysylltiad yng Nghanolbarth Cymru” dadleuol wedi ei wneud. Yn y ddogfen cyfeiriwyd ato uchod (gweler adran 2.1.3), mae'r Grid Cenedlaethol yn datgan yn hollol glir bod yr angen ond yn bodoli os bydd caniatâd yn cael ei roi i'r datblygwyr sy'n ceisio am y cysylltiad newydd. Fe fydd unrhyw gysylltiadau newydd, os yr adeiladir, yn defnyddio'r “Cysylltiad yng Nghanolbarth Cymru” dadleuol, ac fel y gwyddoch fod hyn wedi bod yn bwnc yn yr Adolygiad Cyhoeddus Unedig sydd newydd

orffen. Nid yw adroddiad yr Arolygydd i'w ddisgwyl cyn Mis Medi 2014 man cyntaf. Er ein bod yn deall fod Y Grid Cenedlaethol dan bwysedd cynyddol gan y datblygwyr sy'n ofni newidiadau buan yn y drefn cymorthdaliadau, ni allem weld bod cyflymu'r drefn yn mynd i fod o fudd i'r cyhoedd.

Felly rydym yn gofyn i'r Gweinidog Gwladol i roi terfyn ar hyn nes bydd Y Grid Cenedlaethol wedi cyflawni eu dyletswyddau o gynnig gwybodaeth i'r cyhoedd am gwmpas ei datganiad amgylcheddol arfaethedig - copïau caled ac yn y Gymraeg a'r Saesneg - gyda dyddiad cau newydd i'w osod gan y Gweinidog Gwladol pan fydd y cydsyniaeth wedi ei gwblhau.

Dymuniadau gorau,

Digby Davies, Cynghorwr

O.N. Cyfieithiad Saesneg i ddilyn

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Melverley Internal Drainage Board

R L R Jones FRICS FAAV
SURVEYOR & CLERK

New Windsor House
Oxon Business Park
Bicton Heath
Shrewsbury
SY3 5HJ

Our ref: RLRJ/JS/MIDB
Your Ref: EN020010
5 June 2014

Tel: 01743 241181
Direct Line: 01743 239222
Fax: 01743 242300

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

Dear Sirs

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

Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

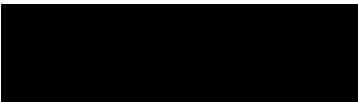
Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

I refer to your letter of 30th May.

The proposed Mid Wales Electricity Connection corridor crosses part of the Molverley Internal Drainage Board district, particularly on the length running from Llanymynech to Queens Head. Much of the land across which the route corridor passes is in a 'flood risk area' and is subject to frequent and sometimes severe flooding arising from pluvial flooding of the River Vrynwy and the River Morda.

We consider the environmental statement should cover how the pylon sites would effect flooding in the area; how the pylon sites themselves would be impacted by flood waters and whether or not the pylon sites and their bases need to be constructed, such that the pylon feet are above the likely flood water levels. In addition, the statement should address whether or not the proposed construction of the grid line would impact on the Board maintained watercourses which drain this low lying flood prone area.

Yours faithfully


Richard L R Jones FRICS FAAV

Direct Line: 01743 239222

e-mail: richardjones@balfours.co.uk

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

Laura Kelly
Town Planner
Land & Business Support

Laura.kelly@nationalgrid.com
Direct tel +44 (0)1926 654686

SUBMITTED VIA EMAIL:
environmentalservices@infrastructure.gsi.gov.uk

www.nationalgrid.com

2 July 2014

Dear Sir/Madam

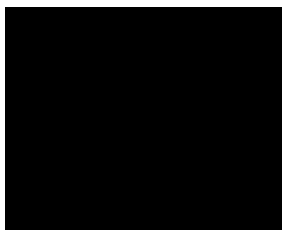
Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

I refer to the above proposed application and confirm that National Grid Gas Plc does not wish to make any representation in respect of this Scoping Report.

If you require any further information please do not hesitate to contact me.

Yours sincerely,



Laura Kelly

Town Planner, Land & Business Support

Hannah Nelson

From: ROSSI, Sacha <Sacha.Rossi@nats.co.uk>
Sent: 02 June 2014 10:02
To: Environmental Services
Cc: NATS Safeguarding
Subject: RE: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Dear Sir/Madam,

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

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: Environmental Services [<mailto:EnvironmentalServices@infrastructure.gsi.gov.uk>]
Sent: 30 May 2014 10:40
To: Undisclosed recipients
Subject: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Dear Sir/Madam

Please see attached correspondence in relation to the request for a Scoping Opinion for the proposed Mid Wales Connection (National Grid).

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3/18 Eagle Wing
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Date: 27 June 2014
Our ref: 122305
Your ref: EN020010



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

environmentalservices@infrastructure.gsi.gov.uk

BY EMAIL ONLY

F.A.O. Jenny Colfer

Dear Jenny

Development proposal and location: 400kv Grid Connection between Cefn Coch Wales and Lower Frankton near Oswestry, Shropshire.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) for the proposed development of a 400kv grid connection between Cefn Coch, Wales and Lower Frankton, Shropshire. Please note our comments relate only to the section of the grid connection within England. We recommend discussion with Natural Resources Wales to ensure consideration of all issues within their remit.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Grady McLean on 0300 060 0723. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Grady McLean

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from

<http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>



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Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- 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.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Institute of Ecology and Environmental Management (IEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall

within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

The development site is in close proximity the following designated nature conservation site in England:

- Midlands Meres and Mosses Phase 2 Ramsar Site (Morton Pool)
- Morton Pool and Pasture SSSI
- Crofts Mill Pasture SSSI
- Montgomery Canal and Aston Lock Keeper's Bridge SSSI
- Further information on the SSSI and its special interest features can be found at www.natureonthemap.naturalengland.org.uk. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.
- Natura 2000 network site conservation objectives are available on our internet site [here](#).

We welcome the intention stated in the Scoping Report to provide suitable information to allow a Habitats Regulations Assessment to be undertaken.

2.3 Regionally and Locally Important Sites

The Environmental Statement will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in

terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Landscapes and Landscape Character

Landscape and visual impacts

Natural England welcomes the intention to produce a Landscape and Visual Impact Assessment (LVIA).

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm and further information can be found on Natural England's landscape pages [here](#).

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on any National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify

how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the ES.

6. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.



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Submitted via email only.

27 June 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 National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

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 30 May 2014 regarding the above. This letter represents Natural Resources Wales' formal response to the scoping report for the proposed Mid Wales Electricity Connection (N Grid).

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 National Grid 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. It is not clear if the ES will assess the corridor or a line route within this 100m corridor and whether Development Consent Order (DCO) will seek consent for a line or a 100m corridor. The ES should assess worst case scenario with regards to the 100m corridor. All study areas should relate to the maximum zone of influence from the edge of the corridor and not the centre.
3. 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.
4. 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. The effects of this should be assessed on sensitive receptors such as breeding birds.
5. The ES should consider the implications of the consenting of the grid line 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 400kV line 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 400kV project.
7. National Grid have taken the decision to site the new 400kV substation within the existing Tir Gwynt windfarm site with the 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. National Grid's ES will need to take account of these existing planning obligations on the site.

8. The location for the 400kV route and substation chosen by National Grid determines the location of SPEN's connecting 132kV lines and hence their environmental impact. 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.

Project Description

10. Section 2.6 notes that the scheme will be decommissioned if it is no longer required for operational purposes. Given that the needs case for the project is determined entirely by windfarms which have fixed term consents of 25 years we consider that further consideration is required of the likely operational life of the scheme. It is unclear if National Grid 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 400kV line and associated infrastructure.
11. Section 2.6.2 notes that at the decommissioning stage the below ground infrastructure would be left in situ. NRW considers that further justification should be provided for this decision. Flexibility should also be provided for in any planning condition to ensure that if there are advances in decommissioning science over the lifetime of the project then below ground infrastructure can be removed.
12. 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 to inform decommissioning.
13. Alternative methods of connecting the windfarms to the grid system to minimise impacts on the natural environment should also be considered in the ES. The alternative of connection via a 132kV network should be considered as a do-nothing scenario for National Grid.
14. The impacts of haul roads, temporary site compounds, storage areas etc should all be considered within the ES.

Planning Policy Context

15. 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.

General assessment scope and methodology

16. We welcome the intention to 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;
 - 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 and the Environment Agency (EA) 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.

17. The described Stage 1 and 2 cumulative assessment methodology outlined in sections 5.9.3 onwards is not clear and needs further explanation as to the meaning of the different stages. The Nant y Moch windfarm is a National Grid customer and its required 132kV connection connects to the National Grid substation so the distance between the two projects is negligible. Windfarms and other projects registered on the Planning Inspectorate website but not submitted should be considered in the cumulative assessment,
18. There are a number of consented and planned windfarms adjacent to the western part of the project and a cumulative assessment with these will be a key consideration for many of the disciplines to be considered in the ES.

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

Landscape and visual

19. NRW have provided previous advice to National Grid on the landscape and visual amenity effects of the project during the development of the route and design of the project.
20. Section 6.2.9: Note that visual amenity impacts on residential and living conditions is not part of NRW's remit and we have not previously agreed or advised on this part of the assessment. We consider that this is for the local authority to advise on.
21. Section 6.2.10: Note that the Tir Gwynt windfarm is not currently under construction and National Grid will need to keep this under review.
22. NRW consider that locally valued landscapes described in section 6.2.23 requires further updating to include the views from Garreg Hir and the recreational routes of Offa's Dyke and Glyndŵr's Way National Trails and the Severn Way Regional Trail. Depending on the visibility of pylon 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.
23. Sections 6.2.28-29 and 6.3.13: NRW has previously commented on an earlier version of the Field Based Landscape and Visual Amenity Sensitivity methodology. Our understanding is that the current appraisal included in the scoping report is now several years old and based on a version of the methodology which has now been revised in consultation with NRW and other stakeholders. The scoping report includes a methodology report in appendix 6.1 which section 6.3.13 refers to as requiring further revisiting and refinement. Following a meeting with National Grid on 25 June 2014 we now understand this is the final version of the methodology. We will therefore provide comments to National Grid on this methodology in a follow up letter to this scoping response. Once this methodology has been agreed between stakeholders we understand that the sensitivity appraisal will be updated based on the new version of the methodology. We will provide further comments on the updated appraisal when it is completed.
24. *Selection of viewpoints*: NRW has previously discussed the selection of viewpoints with National Grid and some revised viewpoints were provided in correspondence dated 17/3/14. We note that our previous comments have not been taken into account in the draft list provided in appendix 6.4. We do not agree with the list in appendix 6.4 and we await further information from National Grid to include grid references and indicative photographs from the viewpoints before we can agree the viewpoint locations.

25. ZTVs are provided in appendix 6.3 but are restricted to a 5km distance and some sections of the line are omitted. NRW consider that a 10km ZTV is required especially given the acknowledgement in section 6.4.21 that 10km forms the distance beyond which in normal weather conditions pylons are nor normally observed by the average viewer. Section 6.4.21 also suggests that 10km is the cut off for the ZTVs. We note that the ZTV takes account of woodland cover but query if this takes account of the tree clearance required for the line.
26. To inform NRW's advice on the choice of pylon design we request comparative ZTVs for the different pylon types under consideration.
27. We note that a number of different pylon types could be utilised for the line including the new T- pylon design. NRW will require further information and discussion before we can offer advice on pylon design selection. We note that the scoping report considers that the traditional lattice design of towers is considered suitable in the west and the new T-pylons in the east (section 2.4.29). However National Grid have provided no justification for this decision in the scoping report.
28. It is considered that the assessment will include single turbines up to 2.5km from the route. We advise that the inclusion of single turbines in the assessment should be considered on a case by case basis and professional judgement. In some locations turbines more than 2.5km may be relevant to the assessment.
29. The distances in Section 6.5.8 require further discussion and agreement and will need to be subject to professional judgement based on site specific assessment. For example the Carnedd Wen and Llanbrynmair windfarms are more than 5km from the 400kV line yet at viewpoints between them such as at Llyn Hir both the grid line and the windfarms would be likely to be more than minor elements in the view.
30. We welcome the intention in section 6.5.22 to agree the methodology for the cumulative visual assessment with NRW. At this stage we consider that receptors beyond 5km should be considered for the cumulative assessment. The assessment should consider the additional effects of the project as well as the combined effect with the other projects.
31. SPEN's Mid Wales grid connection project and the Nant y Moch 132kV grid connection project will also be an important aspect of the cumulative landscape and visual amenity assessment particularly in the area around the 400kV substation. The ES should consider mitigation measures in this area including undergrounding.
32. We welcome the acknowledgement in section 6.2.7 that although the main landscape and visual effects are likely to arise within 3-5km there is the potential for significant effects at a greater distance.

33. Although primary mitigation has sought to provide backclothing for the line the selection of the substation site at Cefn Coch means that the part of the line and substation are located in open upland landscapes where there is the potential for pylons to be skylined and there are few trees to screen the line.
34. The definitions of magnitude of visual effects in Table 6.5 do not include scenarios where skylining occurs at distances over 3km. We suggest this may give rise to a medium magnitude of visual effect although this will be dependent on individual circumstances.
35. Section 6.2.32: The Visual Appraisal Overview does not appear to show all visual receptors e.g in the vicinity of Llanymynech not all of the Offa Dyke National Trail is visible. It is not clear why this is the case. It is unclear how this appraisal takes into account the tree felling within the corridor of the line.
36. Section 6.2.39: We require further information on the size of the wayleave and the area which has a planting restriction before advising on whether this is likely to give rise to significant effects.

Archaeology and cultural heritage

37. 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 three 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 three landscapes.

Ecology and biodiversity

38. We refer the applicant to British Standard 42020:2013 *Biodiversity – Code of practice for planning and development* BSI (2013) and the advice therein.
39. 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 your attention to the *Competencies for Species Surveys* information on the CIEEM website and suggest that any surveyors have similar competencies.
40. Details of all surveys including dates, times, surveyors and weather etc should be provided in an appendix to the ES.
41. 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.

42. All surveys should be undertaken in line with best practice guidance. Departures should be described and agreed with NRW prior to surveys being completed.
43. Sensitive information regarding protected species should be provided in a confidential annex.
44. 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.
45. 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.
46. 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.
47. Section 8.1.6: We note that some relevant ecological legislation is omitted from Appendix 8.1 including but not limited to legislation relating to Section 42 species in Wales, species and habitats on Annexes to the Habitats Directive.
48. Section 8.2.2 The ecology scoping plans appear to be a selection of the available ecological records for the route. No bird records are included apart from barn owl and we note the records for this species are not a complete representation of the known desktop records. It is not clear how the scoping plans have influenced the surveys.
49. Section 8.2.16: In addition to the Vyrnwy the project also has the potential to impact on the Rivers Rhiw, Banwy and their tributaries. Section 8.2.20 refers to the Rivers Vyrnwy, Banwy and Morda as being important salmon and trout migratory and spawning areas. Again there is no mention of the Afon Rhiw or its tributaries. The Vyrnwy, Rhiw, Banwy and their tributaries support populations of Atlantic salmon, brown trout, lamprey 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 are all listed on Annex II of the Habitats Directive. Section 8.4.11 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.

50. The area of the proposed substation is an area subject to a S106 agreement for the consented Tir Gwynt windfarm. The ES will therefore need to consider whether the building of part of the 400kV project within this area impacts on the mitigation for this windfarm. If this is the case then compensatory mitigation for this windfarm may need to be provided by National Grid in addition to its own mitigation.
51. A key issue with regard to the ecology surveys is 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.
52. Although preliminary data has been collected for some species none of this has been presented in the scoping report to support the selection of methodology.

Phase 1 and 2 Habitat survey

53. 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.
54. Ox bow features in the floodplain should be mapped and assessed as high quality features are known to exist in the Vyrnwy valley. Peatland habitats at the western end of the line should also be carefully assessed as they may be of high quality.
55. The phase 2 survey will need to cover areas of associated infrastructure.

Tree surveys

56. 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.
57. We query how non-mature, veteran and ancient trees will be surveyed for and assessed for the ES as we assume there is the potential for considerable tree loss along the route. National Grid need to further clarify this.

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

58. We would hope that routing will seek to avoid mature, ancient and veteran trees and that all tree loss will be minimised. We note the mention in section 8.6.8 that mitigation for tree loss is likely to be on a 4:1 basis. Where mature, veteran and ancient trees are to be lost then this is unlikely to provide like for like mitigation so we would advise avoidance in the first instance.
59. 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.
60. The ES should also consider operational maintenance for trees along the route and whether further impacts are likely to arise at this stage.

Hedgerow surveys

61. We would advise that all hedgerows surveys are undertaken in the optimum period for such surveys. 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 such replanting.

Great crested newt

62. NRW previously advised the developer on the proposed scope of surveys for great crested newt in an email dated 16 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.
63. NRW advise that Habitat Suitability Indices are likely to be of limited use to determine the suitability of waterbodies for survey.

Water vole

64. The water vole survey is described as being within the draft route and 100m 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.
65. 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.

66. 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

67. Surveys are planned for a 100m 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. We suggest otter surveys should be within a 500m zone of all infrastructure.
68. 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.

Wader surveys

69. 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.

Wintering birds

70. Six viewpoints have been identified for the wintering bird surveys. A map of their viewsheds are required before NRW can agree that they are suitable locations. This comment has previously been provided to National Grid in March 2014. Further information is also required on how the 500m survey distance from the VP overlaps with the route and associated infrastructure.
71. Transparency is required on how it has been determined that sections of the route are unsuitable for wintering birds and do not need to be surveyed.
72. Section 8.4.42: The section is about wintering bird surveys but this section discusses breeding bird surveys from April to August. Three hours of survey are described as running from April to August leading to a total of 51 hours of survey but 3 hours of survey for 5 months would provide 15 hours of survey. It is generally recommended that vantage point surveys are undertaken for a minimum of 36 hours from each VP.

Raptor surveys

73. Breeding raptor surveys are being undertaken in summer 2014 using seven vantage points and three spot check sites. Although there is no specific guidance for grid lines the guidance for windfarms which is quoted in the scoping report at section 8.4.39 recommends two years of surveys for breeding raptors. NRW would advise that two years of survey is undertaken to take account of annual differences in breeding success.
74. Again, as for wintering birds we are unclear of the visibility provided by the selected viewpoints and their coverage of the route.
75. For some raptor species such as merlin, vantage point surveys are not suitable for determining nest locations and more bespoke surveys may be required for some target species.

Breeding birds

76. We advise that vantage point surveys are also 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 species such as barn owl, swans and waterfowl. With regards to barn owl we advise reference to Shawyer (2011)³
77. 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.
78. 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.

Crayfish

79. A key issue will be defining and identifying suitable habitat to be surveyed for this species. NRW have emailed National Grid in April 2014 with a recent record for white-clawed crayfish in proximity to the project area. 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.

Dormice

80. 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 been considered to be unsuitable. The developer needs to set out how they intend to deal with this

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.

issue. 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)

81. Bat surveys should be undertaken in line with Bat Survey Good Practice Guidelines, Bat Conservation Trust, 2nd Edition 2012.
82. The Tanat and Vyrnwy Bat Sites SAC is designated for lesser horseshoe bats and the conservation objectives for the site are contained in the core management plan for the site⁴. The developer should note that we are currently revising the conservation objectives for the SAC and we advise early discussion with us on the likely changes to the objectives.
83. 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, which are in close proximity to the grid line route. The assessment will need to take these 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.
84. The ES will need to consider the potential for barbastelle bats to be present within the study area.
85. The ES and HRA will need to consider the potential for bats to be impacted by Electro Magnetic Fields (EMF).
86. NRW has had some discussion with the applicant regarding their bat surveys with some discussion on-going. We note the statement in section 8.4.61 that survey methodology may need to evolve as the surveys progress and we recommend that the applicant continues to discuss any changes with us.
87. It is not clear how much fragmentation of habitat will arise in the overhead sections 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. We query whether bat densities are likely to be lower in the overhead section of the line compared to the undergrounded section given the similar habitat.
88. 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

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>

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.

89. With regard to the activity surveys the transects follow the line of the current route line. This involves transect routes cutting perpendicular to hedges and tree belts and across fields. This means the surveys will generally only spend a short time within the hedges where bats are most likely to be present and a relatively large amount of time in open fields where densities of bats are likely to be lower. The important flight routes areas are therefore relatively under represented. The transect also run across hedges etc and we query how surveyors are crossing these while on the transect.



The above figures shows the transect route and line route in green along with the numbered listening points. The belt of trees between listening points 56 and 57 may potentially be impacted by the scheme and is generally avoided as part of the transect. We would suggest that an approach which involves a transect route similar to the orange line could potentially collect better data on important commuting routes. Bigger species of bats foraging over the fields would still be picked up on this route.

90. We recognise that the issue of surveying trees for bats roosts is difficult. We suggest that further discussion is required on National Grid's approach to survey and mitigation given the large number of trees that may require felling.

Red squirrel

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

Fish

92. Section 8.4.73 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. We have concerns regarding the proposals to temporarily divert small watercourses and directional drilling or micro-tunnelling would be preferred. We would require information on what mitigation measures (e.g. fish rescues carried out by appropriately experienced/qualified staff using appropriate methods with the relevant consent from NRW) are proposed to mitigate for the impacts of these diversions.
93. 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.
94. 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

95. There is no scope for the assessment of cumulative ecological effects and we expect to be further consulted by National Grid at a later stage.
96. Section 8.6.2: Where post consent monitoring is to occur then the details of the monitoring should be included in the ES.
97. Section 8.5.2: Although some mitigation can be embedded within the design it is likely that some additional mitigation may be required in the form of a Habitat Management Plan.

98. Section 8.6.5: An ecological watching brief should be present throughout site clearance, the construction phase and the site reinstatement in addition to the construction phase as mitigation is likely to be required at these stages as well.
99. Section 8.6.5: The Planning Inspectorate do not generally allow planning requirements that allow for the 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.
100. Section 8.6.6: Where the stage 1 screening report may identify the need for further surveys or mitigation we advise that this is undertaken early enough in the process to allow any further surveys to occur prior to submission of the project.
101. Section 8.6.7: Some SSSIs are within the route corridor such as the Montgomery Canal SSSI and other designated for mobile species are very close to the line such as Glascoed SSSI.
102. Section 8.6.8: Where peatlands to be impacted we would expect peatland restoration. Likewise if curlew breeding areas including existing S106 areas are impacted then there will need to be consideration of the provision of equivalent areas.
103. Section 11.7.1 mentions recent studies which suggest that birds and mammals may avoid power line because they give off ultraviolet light. This potential impact mechanism needs to be considered within the ecological assessment.

Water quality and resources

104. Section 9.1.2 – We recommend that Environment Agency Pollution Prevention Guidance notes are added to the list of guidance used to scope risks.
105. We note the EIA will not include a hydromorphology risk assessment and a (European Union) Water Framework Directive Assessment. We have no adverse comments with this approach but emphasise that information and assessment from these documents will need to be considered and utilised in the EIA process. We recommend early engagement with the developer on the preparation and scope of these documents.
106. We expect the hydromorphology risk assessment to cover both hydromorphological and geomorphological risk assessments.
107. Section 9.2.19 – We welcome and advise that the scope and method for assessing ‘unmapped’ watercourses is discussed with us.

108. Section 9.2.23 – We agree that river movement and potential erosion are important considerations in the design and construction of this project and not this will be covered in the geomorphological assessment. We advise that you ask the developer for clarity on where the geomorphological assessment will sit as we recommend this is within the hydromorphological / WFD assessment.
109. Section 9.4.17 – Given there may be time implications (monitoring requirements) on aspects of the ground investigations, we recommend the scope of investigation is discussed with us. We also advise that the results are provided to us in advance of our formal comments on the ES, so to ensure they are suitable to inform any potential mitigation measures.
110. Section 9.4.18 - We note that backfilling open-cut trenches are proposed in various parts of the project. We expect the developer to backfill with compacted material at a similar density as before.
111. Section 9.4.20 – Greenfield run-off rates will need to be calculated for use in the surface water assessment. The results should be checked by the lead authority at the time to ensure they are suitable to inform the assessment.
112. Section 9.5.10 – We agree that a Water Feature Survey is required. The scope of this should be discussed with us.
113. Section 9.5.11 - We have no adverse comments on the developer preparing an overarching flood assessment report for the requirements of both English and Welsh flood risk planning policy (NPPF and TAN15). We welcome early engagement with all relevant bodies on flood risk.
114. Section 9.5.16 – (1) The EIA should consider how flood defences could be affected if the proposed development poses a risk to later channel instability. (2) The EIA should set out mitigation measures if critical flow routes are impacted during construction. Any overland flow routes should then be put back to the pre-development status.
115. Section 9.5.18 – We note the report references how the project will contribute to achieve good *qualitative and quantitative* status of all waterbodies. It should state to achieve good status of all waterbodies.
116. We advise that clarity is sought from the developer on why they intend to achieve good status by 2027 (the end of the third cycle) and not 2021 (the end of the second cycle).
117. We recommend that early engagement with ourselves and the EA with regard to the scope of the WFD assessment.
118. Section 9.6.8 – We note the additional consideration on pylon siting. We will await the proposed draft pylon sitings to provide further comment.

119. Section 9.6.9 – 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.
120. Section 9.6.10 / 9.6.11 – We have no adverse comments to the approach taken with pylon siting. However this should also be covered in both the CEMP and flood assessment.

Geology, soils and contaminated land

121. Designated geological sites should include consideration of Geological Conservation Review (GCR) sites. The Vyrnwy GCR is present to the west of Llanymynech and consideration of impacts on this site is mentioned in the scoping report under the topic of Water Quality and Resources. However it should also be considered under the geological assessment. The geomorphological features for which the GCR is designated are also known to be present in areas outside the boundaries of the recognised site and this should be taken into consideration. We have previously discussed with and advised National Grid that geophysical investigations and geomorphological surveys will be required in this area to inform the assessment of impacts and identify suitable mitigation measures to include pylon siting.

Peat

122. 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.
123. The assessment should also have regard to NRW's '*A Position Statement on Peat Conservation in Wales*'.
124. 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, including assessment of the whole peatland resource within the application site, 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.

125. 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.
126. We recommend that any peat depth probing is informed by peat coring to verify the peat probing.
127. 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.
128. We welcome the intention to provide a peat management plan as part of the ES.

Agriculture and land user

129. 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.
130. We request that a forestry management plan is included with the ES detailing how forestry will be felled and the ground finish plan. Where any sensitive peatland habitats are present and/or deep peat then we would advise that tree felling and removal is undertaken sensitively to prevent habitat damage.

Air quality

131. 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.

Other matters not covered by scoping report –

Open access land and recreation

132. 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 given that the Trail is crossed by the undergrounding route?

133. 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

134. There is no consideration of a waste management plan for the site.
135. 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

Hannah Nelson

From: Chris Davies <c.j.davies@neath-porttalbot.gov.uk>
Sent: 02 June 2014 11:40
To: Environmental Services
Subject: Your Ref: EN020010 20th May 2014

Dear Sir/Madam,

Further to your consultation on the above request for a scoping opinion.

The Authority is some considerable distance from the development, and would wish to be removed from all further consultation on this development, including the Wind Farm associated with this proposal.

This request has previously been sent to you when we have been consulted on other aspects of the development.

Chris Davies
Team Leader (Development Management)
Tel: 01639 686726
Email: c.j.davies@npt.gov.uk



The Planning Department
The Quays
Baglan Energy Park
Neath
SA11 2GG

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Hannah Nelson

From: Hodgson Helen <Helen.Hodgson@networkrail.co.uk>
Sent: 24 June 2014 09:00
To: Environmental Services
Subject: National Grid Development Consent Order - Mid Wales Electricity Connection - Scoping Consultation (Your Ref. EN020010)

Dear Ms Colfer,

Further to your letter dated 30th May 2014 in relation to the consultation being undertaken on National Grid's Mid Wales Electricity Connection EIA Scoping Report (May 2014) the following outlines Network Rail's comments:

Network Rail is the statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure and therefore any proposed development which is in close vicinity to the railway line, or could potentially affect Network Rail's specific land interests, will be carefully considered.

Paragraphs 2.4.19 and 14.2.5 of the EIA Scoping Report identifies that the overhead line will cross the Chester to Shrewsbury railway line. In addition, Drawing PDD-21066L-OHL-0063 version A shows that one of the proposed construction access routes requires use of the level crossing at Whittington, Shropshire.

Mindful of this, Network Rail must be satisfied that the physical railway infrastructure is protected and that the development will not have an adverse affect upon the safety of the railway line. This may be through increased usage of a level crossing by construction traffic associated with the proposed development or disruption to rail services during installation or maintenance of the overhead lines across the railway line. This must be examined and addressed within National Grid's Traffic and Transportation Chapter of the Environmental Statement.

Any proposals that include the installation of cables under or over the railway, any methods of electricity transmissions across Network Rail's land, or any access rights, temporary or otherwise will require the necessary property agreements to be entered into with our Easements and Wayleaves Team who can be contacted on easements&Wayleaves@networkrail.co.uk . Please note that Network Rail will seek protection from the exercise of compulsory purchase powers over operational land whether for permanent or temporary purposes.

Network Rail would have strong concerns if, during the construction or operation of the electricity connection, abnormal loads would use routes that include Network Rail assets (e.g. level crossings, bridges etc) and would advise that contact is made with our Asset Protection Engineers to confirm if any proposed route is viable. A strategy must also be agreed to protect our assets from potential damage caused by abnormal loads in association with the implementation of the Mid Wales Electricity Connection. I would also advise that where damage, injury or delay to the rail network is caused by abnormal load (related to the development), National Grid or relevant contractors would incur full liability.

Notwithstanding the above, in order to mitigate the risks outlined above, National Grid must contact Network Rail's Asset Protection Team (assetprotectionwales@networkrail.co.uk) well in advance of commencing any works.

Although this consultation considers the scope of the Environmental Statement, we would also take this opportunity to highlight that Network Rail will expect to see its standard Protective Provisions in a schedule to the Development Consent Order, which is well precedented in both TWAOs and DCOs.

Please don't hesitate to contact me if you require any further information in relation to the above.

I would be grateful if you could confirm receipt of this email.

Kind regards

Helen Hodgson

24/6/2014



Property

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Director of Public Health
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CW/EG

27 June 2014

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

Dear Jenny

**Re: Mid Wales Electricity Connection (N Grid) Project –
Scoping Consultation**

We have consulted our technical advisors within Public Health Wales as well as PHE CRCE – Wales, and our comments are based on the information contained within the application documentation.

In Wales, the statutory function for public health is delivered through Health Boards with specialist support from Public Health Wales as necessary. Public Health England does not have the primary public health remit in Wales.

The attached appendix outlines generic considerations that we advise are addressed by all promoters when they are preparing environmental statements for nationally significant infrastructure projects. In terms of detail to be included in environmental statements, we recognise that the differing nature of projects is such that their impacts will vary. Our view is that the assessments undertaken to inform the environmental statement should be proportionate to the potential impacts of the proposal. Where a promoter determines that it is not necessary to undertake detailed assessment(s) (e.g. undertake qualitative rather than quantitative assessments), if the rationale for this is fully explained and justified within the application documents, Public Health Wales considers this to be an acceptable approach.

Pencadlys y Bwrdd Iechyd
Y Plasty, Bronllys, Aberhonddu, Powys LD3 0LS
Ffôn: 01874 711661 Ffacs: 01874 711601



Health Board Headquarters
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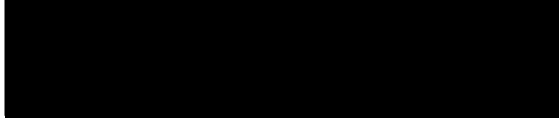
Rydym yn croesawu gohebiaeth Gymraeg
Bwrdd Iechyd Addysgu Powys yw enw gweithredd Bwrdd Iechyd Lleol
Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

We hope that the above is useful but should you have any questions or concerns please do not hesitate to contact us.

Yours sincerely



Dr Catherine Woodward
Director of Public Health

c.c. Daniel Rixon, Emergency Response Support Officer, PHW

Appendix: Public Health Wales (PHW) 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 PHW to fully assess the potential impact of the development on public health. **PHW 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 PHW's role to undertake these assessments on behalf of promoters as this would conflict with PHW'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 PHW 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. PHW's advice and recommendations carry no statutory weight and constitute non-binding guidance.

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>

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 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, PHW 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.

PHW'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
- 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 delivered to the installation:

- the EIA should consider issues associated with waste delivery and acceptance procedures (including delivery of prohibited wastes) and should assess potential off-site impacts and describe their mitigation

For wastes arising from the installation the EIA should consider:

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)

- 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 PHW 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 Public Health England, 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." PHW supports the inclusion of this information within EIAs as good practice.

Biomass

Biomass is a relatively new cargo for many shipping and freight companies and the transportation and storage of biomass is an emerging area. As organic material releases heat when it degrades it can self-combust, leading to fires and associated public health issues. Storage and transport of biomass material also has the potential to give rise to fugitive emissions of particulate matter. It is recommended that the ES includes a review of potential impacts associated with the transport and storage of biomass and the measures that will be used to control these impacts.

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

Electromagnetic 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 Public Health England), 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.

PHW 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 µT (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 PHW 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)

Public Health England 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 HPA, 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

HPA 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 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

Environmental Permitting

Amongst other permits and consents, the development will require an environmental permit from the Natural Resources Wales 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). The Health Board with support from PHW 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 PHW 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



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

Your Ref: EN020010

Our Ref: 140602 320

23rd June 2014

Dear Jenny,

Re: Mid Wales Electricity Connection (N Grid) 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 Environmental Impact Assessment Scoping Report (May 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.

In order to assist the promoter in the production of the subsequent ES we have included 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



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

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

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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.

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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)
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 - 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
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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.

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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

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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.

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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.

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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



FTAO Jenny Colfer
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3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Planning Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

26th June 2014

Your ref:EN02010

Dear Madam,

**RE: APPLICATION BY NATIONAL GRID FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE MID WALES ELECTRICITY CONNECTION
(N GRID)**

**SCOPING CONSULTATION AND NOTIFICATION OF THE APPLICANTS CONTACT
DETAILS AND DUTY TO MAKE AVAILABLE INFORMATION TO THE APPLICANT IF
REQUESTED**

I refer to your letter of 30th May 2014 seeking Shropshire Council's response to the documentation before the Secretary of State for a scoping opinion which identifies the information the applicant will include in the Environmental Statement (ES) supporting the application for an Order granting Development Consent. You have asked in particular whether the Council has any comments on the scoping report and have provided the statutory 28 days for the Council to comment on this. It is understood that there is no discretion to extend this time period under the Regulations.

Shropshire Council has the status as of a prescribed consultation body under Regulation 9 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The scoping report is a comprehensive 326 page document and the following comments are provided on the content of the report having regard to the Planning Inspectorates Advice Note 7: *Environmental Impact Assessment: Screening, Scoping and Preliminary Environmental Information*. This advice note sets out the additional information required to be included in a scoping report. I comment further as follows having regard to these suggested information requirements:

- **an outline of the main alternatives considered and the reasons for selecting a preferred option;**

The need case for the Mid Wales & Shropshire connection project is dependent on the success of other proposals (typically for wind farms in Mid Wales) gaining consent and

being constructed. National Grid has to prepare and align its project to these to ensure that connection agreements are deliverable. In this respect the projects and impacts arising from these are causally linked. National Grid has also confirmed in consultation material that without the wind farms this project would not proceed. Reference to alternatives is made at Section 5 of the scoping report. At 5.10.4 the applicant confirms that:-

“A summary of these studies and justification for the discounting of alternatives will be included in the ES”

It is suggested that this includes a methodology and weighting to inform the applicants proposal for undergrounding sections of the proposed line and not undergrounding others.

- **results of desktop and baseline studies where available**

It is considered that this is included in the scoping report

- **referenced plans presented at an appropriate scale to convey clearly the information and all known aspects associated with the proposal;**

No information is provided in relation to the works proposed at Uffington substation near Shrewsbury. No plans are included to show the physical connection with the existing 400Kv line or to describe the alternative pylon designs although these are described in the scoping report.

- **guidance and best practice to be relied upon, and whether this has been agreed with the relevant bodies (for example the statutory nature conservation bodies or local authorities) together with copies of correspondence to support these agreements;**

Included in the scoping report

- **methods used or proposed to be used to predict impacts and the significance criteria framework used;**

Included in the scoping report

- **any mitigation proposed and predicted residual impacts;**

Included in the scoping report

- **where cumulative development methods used or proposed to be used to predict impacts and the significance criteria framework used;**

There is broad reference to cumulative impacts of the scheme in the scoping report so far as the physical impacts of the completed project is concerned. Reference is also made to the judgements of significance (of these impacts) at section 6.2.52 with

particular reference to landscape impacts. It would be beneficial to cross reference the topic areas in establishing the cumulative affects of the proposal.

- **any mitigation proposed and predicted residual impacts;**

Included in report under each topic area

- **where cumulative development has been identified, how applicants intend to assess these impacts in the ES (for example, a high level review of the grid connection where this does not form part of the proposed development for a power station);**

It is particularly important to draw together cumulative impacts of the project having regard to other projects. In this, consideration should be given to impacts that arise during a construction phase in addition to those that arise on completion of a project or projects. Attention is drawn for example to the construction phases of the projects and the potential impacts of these and the potential overall time period. This would include not only this project, but any wind farms that would be under construction and without which, this project would not proceed.

- **an indication of any European designated nature conservation sites that are likely to be significantly affected by the proposed development and the nature of the likely significant impacts on these sites;**

Included in the scoping report.

- **Where uncertainty remains, the applicant should provide as much detail as possible or assume the worst case (e.g. maximum dimensions of a building ort of the applicants' scoping exercise; and**

As described above not all information regarding physical impact of the proposals is included in the scoping report.

- **an outline of the structure of the proposed ES**

Included in the scoping report although given the scale and complexity of the project it is recommended that the ES be accompanied by a non-technical summary.

Yours faithfully

Ian Kilby
Planning Services Manager

Hannah Nelson

From: Gareth Lloyd <Gareth.Lloyd@eryri-npa.gov.uk>
Sent: 24 June 2014 15:10
To: Environmental Services
Cc: Jonathan Cawley; Aled Lloyd
Subject: Re: Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection

Thank you for the opportunity to comment on the scoping request submitted by National Grid regarding the proposed Mid Wales Electricity Connection.

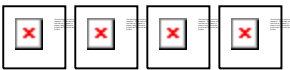
Given the distance of the proposed route, some 14km, from the boundary of the Snowdonia National Park it is considered that there will be no direct landscape and visual impacts on the National Park or its setting. The National Park Authority would however seek reassurance that there would be no significant adverse cumulative impacts from the pylon route in combination with existing and proposed windfarm developments in this part of northern Powys.

The Authority would wish to take this opportunity to state that, once built, the route should not be extended into the National Park to connect with the existing National Grid circuits in Snowdonia.

With regard to page 31 of National Grid's Scoping Report it should be noted that the operational development plan for Snowdonia is the "Eryri Local Development Plan 2007 -2022" (adopted July 2011). Furthermore National Grid should be made aware that the SNPA will, during the next few months be issuing Supplementary Planning Guidance (SPG) on the Landscapes and Seascapes of Snowdonia and a consultation draft of an SPG on Landscape Sensitivity and Capacity in Snowdonia.

Gareth Lloyd MRTPI
Uwch Swyddog Cynllunio (Polisi)
Senior Planning Officer (Policy)
Awdurdod Parc Cenedlaethol Eryri
Snowdonia National Park Authority
Penrhyndeudraeth
LL48 6LF
Tel. 01766 772 262
e-bost/e-mail Gareth.Lloyd@eryri-npa.gov.uk

Dilynwch ni:



Mae'r e-bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddsbarthu na'i ddangos i unrhyw un arall a dylech gysylltu ?r anfonwr ar unwaith.

Mae unrhyw gynnwys nad yw'n ymwneud ? busnes swyddogol y corff sy'n anfon yr e-bost yn bersonol i'r awdur.

Arbedwch bapur, ynni ac arian - Peidiwch argraffu'r neges yma oni bai ei bod yn hollol angenrheidiol.

Hannah Nelson

From: Edwards, Steven <Steven.Edwards@scottishpower.com>
Sent: 27 June 2014 18:26
To: Environmental Services
Cc: Fenn, Jacqui (Jacqui.Fenn@nationalgrid.com)
Subject: RE: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Jenny,

Thank you for your consultation regarding the above project and this response is submitted on behalf of SP Manweb, the licenced DNO for the distribution network affected by the proposed development.

As noted in the NG Scoping Report, SP Manweb is also developing its own proposals and in providing a response to the consultation, I would advise that NG and SP Manweb are working very closely on their respective NG Mid Wales Connection Project and SP Mid Wales Connections Project and the approaches being taken in the NG scoping report for the proposals it refers to are supported.

Whilst the two projects are very closely related, they are also of a different scale and as para 1.6.7 refers, the NG proposals fall within Schedule 1 and the preparation of the ES in the NG case is a mandatory requirement whereas the SP project falls within Schedule 2. SP Manweb suggests this point could be reflected on in the environmental statement. SP Manweb would point out that PINS should also bear this in mind when reviewing both projects in terms of approach and content.

In terms of how the NG proposals relate to SP Manweb existing network, whilst no reference is made in the NG scoping report to this aspect, SP Manweb understands that NG accepts that it needs to have further discussions with SP Manweb regarding how any existing distribution network may be affected both in terms of physical impacts and in relation to land rights. SP Manweb's view is that this aspect does not need to be included in the NG ES but it would prefer to discuss the matter sooner rather than later so that it is clear what aspects need to be included or omitted from any DCO application.

I hope the above is useful.

Regards
Steven

From: Environmental Services [mailto:EnvironmentalServices@infrastructure.gsi.gov.uk]
Sent: 30 May 2014 10:40
Subject: EN020010 Mid Wales Connection (National Grid) Scoping Consultation

Dear Sir/Madam

Please see attached correspondence in relation to the request for a Scoping Opinion for the proposed Mid Wales Connection (National Grid).

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3/18 Eagle Wing
Temple Quay House



**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

Ms Jenny Colfer – Senior EIA and Land Rights Advisor
The Planning Inspectorate

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

Your Ref: EN020010

16 June 2014

Dear Ms Colfer

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

Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

Thank you for your consultation letter of 30 May 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

The proposed draft route of the Mid Wales Electricity Connection is located outside of the defined coalfield; accordingly, there would be no requirement to consider coal mining legacy issues as part of the development of the proposed underground or overground connection on this route.

However, it is noted from the consultation materials that the proposal also encompasses the existing Shrewsbury Substation. I can confirm that this site is located within the Development High Risk Area and is also underlain by surface coal resources.

Our records indicate the presence of recorded mine entries within and adjacent to the eastern site boundary of the substation.

In accordance with the agreed risk-based approach to development management in Development High Risk Areas, in the event that redevelopment of the Shrewsbury Substation site is to occur as part of this proposal then the past coal mining activities and the presence of surface coal resources within this site should be considered as part of the Environmental Statement (ES). This should take the form of a risk assessment, together with any necessary mitigation measures.

Consideration of Coal Mining Issues in the ES

There are a number of coal mining legacy issues that can potentially pose a risk to new development and therefore should be considered as part of an Environmental Statement for development proposals within coalfield areas:

- The location and stability of abandoned mine entries
- The extent and stability of shallow mine workings
- Outcropping coal seams and unrecorded mine workings
- Hydrogeology, minewater and minegas

In addition, consideration should be afforded as part of development proposals and the ES to the following:

- If surface coal resources are present, whether prior extraction of the mineral resource is practicable and viable
- Whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work

Coal Mining Information

Information on these issues can be obtained from The Coal Authority's Property Search Services Team at: www.groundstability.com or book an appointment to visit The Coal Authority's Mining Records Centre in Mansfield to view our mining information (www.coal.decc.gov.uk).

An assessment of the risks associated with the presence of coal mining legacy issues on a proposed development should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies can be found at: <http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy/strategy.aspx>

In accordance with our consultation requirements, should this proposal include the redevelopment of the Shrewsbury Substation site, we look forward to receiving the planning application and Environmental Statement for comment in due course.

I trust this is acceptable, please do not hesitate to contact me if you require any additional information or 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

Cyng / Cllr Alun Williams, Cadeirydd / Chairman
Swyddfa TraCC Office, Canolfan Rheidol, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion SY23 3UE

The Planning Inspectorate
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Eich cyf / Your ref: EN020010
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 National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (n Grid)
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.

Yours sincerely



Cyng Cllr Alun Williams
Cadeirydd TraCC Chairman



www.tracc.gov.uk



Hannah Nelson

From: Paul Round <Paul.Round@wyreforestdc.gov.uk>
Sent: 02 June 2014 09:22
To: Environmental Services
Subject: EN020010 - Mid Wales Electricity Connection (N Grid)

FAO Jenny Colfer

Application by National Grid for an Order Granting Development Consent for the Mid Wales Electricity Connection (N Grid)

I write to confirm that Wyre Forest District Council have no comments to make as the development is not considered to impact on this District.

Kind regards

Paul;

Paul Round
Senior Development Control Officer
Wyre Forest District Council
01562 732516

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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.