

Examining Authority's Questions

These are the Examining Authority's written questions (EAQs) and requests for information. Responses should be received

SoCG will be sufficient.

No.	Question to:	Question Subject Matter	DCC RESPONSE TO QUESTIONS
0		Examination Management – Site Inspection in the Company of Interested Parties	
0.1	Interested Parties (IPs)	In addition to unaccompanied site inspections, the Panel is considering inspecting sites and locations along the route of (and in close proximity to) the proposed development on Tuesday 22 September 2015 and/or Wednesday 23 September 2015, in the company of any interested parties who wish to attend. Do any interested parties have a view on which sites and locations are the priorities for the Panel to inspect and/or do they suggest additional locations for an unaccompanied site inspection by the Panel? Please could interested parties give a brief summary regarding why they are suggesting locations for the accompanied site inspection and any health and safety issues the Panel would need to be made aware of when visiting the site, and whether they would wish to attend if space was available.	The Council has made suggestions for additional locations for inspection. These are contained in Paragraphs 3.2.24 and 3.5.2 of the Written Representations document, and are annotated on the map in Appendix 1 of that document.
0.2	The Applicant	Could the applicant suggest an existing double wood pole line, which is similar in scale and landscape setting to the proposed development, which the Panel could inspect on an unaccompanied site inspection from a public footpath, highway or other public place.	
1		Principles of Development: Assessment Approach and Policy Planning Policy and Legislative Matters	
1.1	The Applicant	<p>The Planning Statement document explains that the Proposed Development does not include all elements of the North Wales Wind Farms Connection Project (NWWFCP), because a number of elements are considered to be "Associated Development" which, in Wales, cannot be included in an application for a development consent order. Those elements not included are described as the "Wider Scheme" and comprise works to the existing St Asaph substation and a section of underground cabling, a new collector substation at Clocaenog, temporary storage areas at the collector and St Asaph substations and a number of lower voltage diversions.</p> <p>(a) Please could the applicant provide a plan (or series of plans) on an OS base map at a set scale with a north point, showing the location of these aspects of the "Wider Scheme" in relation to the proposed development and provide a table identifying their distances to the proposed development.</p> <p>(b) Please could the applicant provide an update on the planning status of all of these aspects of the "Wider Scheme" including the new collector substation at Clocaenog?</p> <p>(c) The Funding Statement glossary (page 10) includes the wind farms that would be served by the proposed development within the definition of the "Wider Scheme", but these are omitted from the description of the "Wider Scheme" in paragraph 1.2.7 of that document. Please could the applicant confirm whether the "Wider Scheme" does indeed include the wind farms?</p>	
1.2	The Applicant, the Welsh Government and all Interested Parties	<p>The Panel recognises that PA2008 does not place a limitation on the scope of principal development, and that guidance on the subject is not prescriptive or binding.</p> <p>(a) Does the Welsh Government consider that the "Proposed Development" as described in the Planning Statement and Funding Statement does not include "associated development" for the purposes of section 115 PA2008?</p> <p>(b) The Panel invites legal submissions from the applicant that support its position that all of the proposed development is properly described as principal development, and from any party who wishes to argue against that position.</p>	

1.3	Local Authorities and the Welsh Government	<p>The Applicant has made an assessment of the proposed development against National Policy Statements (NPS EN-1, the Overarching National Policy Statement for Energy) and EN-5 (Electricity Networks Infrastructure), as well as considering planning policy specific to Wales (PPW and TANs) and local development plan policies which are considered to be relevant to the development.</p> <p>(a) Are the two Local Authorities in which the proposed development would be located and the Welsh Government satisfied that the Planning Statement addresses all relevant aspects of National Policy Statements, Welsh policy and development plan policies?</p> <p>(b) Are the two Local Authorities in which the proposed development would be located and the Welsh Government in agreement with the applicant's conclusions that the 'Proposed Development complies with the relevant planning policy tests'?</p>	<p>(a) The Council is satisfied that the Planning Statement refers to the relevant aspects of National Policy Statements, Welsh Government policy, and the policies of the Denbighshire Local Development Plan.</p> <p>(b) The Council considers the local impacts of the development would be unacceptable, hence it can not agree that it 'complies with the relevant planning policy tests'. Please refer to the Local Impact Report and Written Representations .</p>
1.4	The Applicant and Interested Parties	<p>NPS EN-1 requires applicants to consider 'good design' in their proposals, having regard to regulatory and other constraints, ensuring that they are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. In so doing, the applicant should take into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located) as far as possible. It is suggested in the NPS that the applicant could demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Has the applicant, in the Environmental Statement (ES) documents suitably addressed 'good design' in the ES? If not, why not?</p>	
1.5	Applicant and the wind farm developers	<p>Please can the applicant and/or wind farm developers provide an update regarding the planning status and option/lease agreement situation with the landowners for the following aspects of the three wind farm developments as follows:-</p> <p>(a) The underground connection from Brenlg wind farm to the Collector Substation along existing forest tracks through Clocaenog Forest;</p> <p>(b) The underground connection from Nant Bach wind farm to the Collector Substation along existing forest tracks through Clocaenog Forest; and</p> <p>(c) The underground connection from Derwydd Bach wind farm to the Collector Substation along existing forest tracks through Clocaenog Forest.</p> <p>(d) Please could the applicant and/or the wind farm developers also provide details of the likely construction dates of the four wind farms.</p>	
1.6	Applicant (part a), The Welsh Government (part b) and Local Authorities (part c)	<p>Planning (Wales) Act 2015: Para 4.4.3 of the Planning Statement makes reference to the draft Planning (Wales) Bill</p> <p>potentially being given Royal Assent in summer 2015. Now that the Bill has received Royal Assent:-</p> <p>(a) Can the applicant provide a statement explaining how this new Act may affect the application and what actions they have taken in the application to ensure compliance with this legislation.</p> <p>(b) Can the Welsh Government clarify whether the Royal Assent of this legislation will impact upon the policy framework that the application is to be considered within, during the timescale of the Examination?</p> <p>(c) Can the Local Authorities provide their views on whether the workforce required to construct and maintain the development would have any impact on the linguistic balance of those communities, as the Act requires that the Welsh language is a material issue when</p>	<p>(c) The applicants should provide an assessment. The composition of the workforce at construction and operational stage is not known, making any impact assessment difficult. It would seem unlikely that there would be long term impacts on the linguistic balance of local communities from the presence of a workforce for a relatively short term construction period, and from the likely limited numbers involved in subsequent maintenance work.</p>
1.7	The Applicant	<p>Please could the applicant clarify the difference between reinstatement planting and replacement planting (The Planning Statement (paragraph 5.2.51))?</p>	

1.8	The two Local Authorities in which the Proposed Development would be located	<p>The Planning Statement identifies in paragraph 5.2.76 that the development would have potential effects for land allocated for mineral safeguarding as avoidance of these areas is not possible.</p> <p>(a) Please could the two LAs in which the proposed development would be located provide information regarding the mineral safeguarding areas that would be affected by the development;</p> <p>(b) Please could the two LAs identify whether the crossing of the mineral safeguarding areas by the proposed development would impact upon their future ability to ensure that sufficient minerals would be available to meet their area's needs.</p>	<p>(a) A map showing the overhead line route and the Minerals Safeguarded areas is in Appendix 4 of the Council's Local Impact Report (b) The Minerals Officer has advised that the routing of the electricity transmission line crosses areas which are included as minerals safeguarding under Policy PSE15 of the Denbighshire Local Development Plan. The purpose of safeguarding is to ensure that new development does not unnecessarily sterilise mineral resources that may be used future generations and this is achieved by assessing the need and benefits of the development weighed against the need to protect mineral resources for future generations.</p> <p>In this instance it appears, due to the geography and geology, whichever routing the transmission lines take will inevitably cross over land containing safeguarded minerals. The footprint of the transmission lines and any easement & covenants either side of the line designed to protect the line and apparatus from damage once operational, is narrow. This means that the area of minerals sterilisation is relatively small compared with the total area safeguarded in Denbighshire, and therefore would not significantly compromise the ability to work new mineral deposits in the future. There has been little commercial interest in working the mineral along the proposed route. In the event that a mineral deposit under and adjacent to the transmission line did have significant commercial potential, mineral workings are able to work around electricity lines, and leave the poles or gantry apparatus intact on pillars of ground or even have the line moved, so in practice the mineral is not permanently sterilised. Much of the transmission line routing is in remote areas, which, for the foreseeable future, are not in areas that are not economically attractive, and lacks transportation infrastructure to remove mineral to market. The level of permitted hard rock reserves across the North Wales Region is relatively healthy and any new reserves required is more likely to be met from extensions to existing quarries in the coastal belt which has access to the A55 or Chester to Holyhead train line. Sand and gravel resources are more scarce in Denbighshire than hard rock, however, the localised and narrow nature of the deposits and very limited extent of sterilisation combined with the remote location means that the loss of resource is insignificant.</p> <p>The quality, lateral and vertical extent and workability of the of the mineral resource that may be affected is not known in any great detail, and in ideal circumstances the developer should provide an assessment of the resource that is affected: to determine whether a resource actually exists or not. It may be that the sand and gravel is very thin, contaminated with clay and so on, in which case the resource would have very limited value and the development would not technically sterilise the sand & gravel resource. Likewise, the limestone and other safeguarded hard rock may be of poor quality, or be buried under deep boulder clay, again limiting the value of the resource. However, even in the absence of such information it appears to be the case that the need for the transmission lines and the lack of alternative routes which avoids affecting a safeguarded areas outweighs the very limited need to safeguard the mineral resources which may be present along the routing proposed. The total area of mineral resource potentially sterilised in the context of the isolated location is a very small percentage of the total area which is safeguarded.</p> <p>For the reasons outlined above it is considered that the sterilisation of the mineral under the routing of the transmission lines would have no significant impact on the ability of Denbighshire to fulfil its obligations to make provision for future hardrock or sand & gravel minerals allocations or supply.</p>
1.9	Welsh Government and Local Authorities	<p>(a) Do the Welsh Government and the LAs accept the need case for the project is made, as set out in the Planning Statement?</p> <p>(b) In particular, that in principle, the project conforms with Planning Policy Wales (PPW)?</p>	<p>(a) The Council accepts the need for a connection to the National Grid</p> <p>(b) The Council has concerns over the local impacts of the development, which are basic land use planning considerations outlined in PPW?</p>

1.1	Local Authorities	The LAs are invited to answer this question or in a SoCG or LIR as preferred, to set out:- (a) The Development Plan policies that they consider relevant; Any Development Plan policies with which the scheme is considered to conflict; (b) Whether any identified conflict would amount to a reason to refuse the consent; and (c) Any further mitigation requested.	See Local Impact Report, Written Representations, and Statement of Common Ground
1.11	The Applicant, NRW and the Local Authorities	(a) With regard to consents set out in application document 5.9 (other consents and licences report), that would need to be granted by NRW/the LAs if the Development Consent Order (DCO) were to be made, are those consents likely to be ultimately forthcoming? (b) Please could the applicant provide an updated list of consents and licences required, in order to inform the Examination on matters related to any other permissions and licence matters that have progressed since the application documents were prepared.	Any consents required within the highway will be dealt with by the Highway Authority at the appropriate time in line with current procedures. We do not object to a limit of 28 days being included to respond to any application made from the date The Highway Authority receive it. Please be advised that the following notice periods are required to process temporary traffic regulations; three days or less - a minimum of two weeks notice over three day - a minimum of 8 weeks
1.12	The Applicant, the Welsh Government and Local Authorities	In relation to the area at the northern end of the Order Limits where the cable would be constructed underground, it is unclear whether there may be a need to open up the road to facilitate the burying of the underground section of the cable. If so, would this require a separate agreement to be entered into with the Welsh Government (or the Welsh Ministers), the applicant and the LAs.	If the highway is a Trunk Road separate consent from The Welsh Government will be required and if it is not a Trunk Road separate consent will be required from the Highway Authority. A minimum of six weeks is required to process a section 50 licence (licence to place apparatus in the highway).
1.13	Welsh Government, relevant Local Authorities and NRW	Does the proposed development help deliver the following:- (a) Climate Change Strategy for Wales (Welsh Government, 2010); (b) Low Carbon Revolution – Welsh Government Energy Policy Statement (2010); (c) Energy Wales : A Low Carbon Transition.	It is accepted that a grid connection is essential to realise the potential of renewable energy development in this area, in turn assisting the drive in national strategies for reducing carbon emissions. However, the connection can be achieved by overhead lines or undergrounding, and either option would achieve the objectives in the strategies referred to.
1.14	Welsh Government, relevant Local Authorities and NRW	The applicant states in the Planning Statement (document 7.4) that the following Technical Advice Notes (TANs) are considered to be relevant:- • TAN 8: Renewable Energy (2005) • TAN 11: Noise (1997) • TAN 15: Development and Flood Risk (2004) • TAN 18: Transport (1997) (a) Are there any aspects of the application that fail to conform with or contradict the above TANs? (b) Are there any other TANs that the applicant should have considered?	(a) TAN 8 contains limited advice on considerations specific to overhead lines proposals. (b) See the Local Impact Report. The Council suggests the following additional TANs are relevant - TAN 5 Nature Conservation and Planning - TAN 6 Planning for Sustainable Rural Communities - TAN 13 Tourism
1.15	Welsh Government, relevant LAs and NRW	Do the parties consider that within the Welsh national context, there are any other present or forthcoming future policies, strategies or initiatives that are relevant to the examination and should therefore be considered by the Panel during the examination?	None known of relevance to the Council's main representations.
1.16	NRW	In its relevant representation, NRW states that:- "The purpose of the Natural Resources Body for Wales (NRW) is to ensure that the environment and natural resources of Wales are sustainably maintained, sustainably enhanced and sustainably used." (a) How does the current application for the proposed development fit with this overall statement of purpose? (b) In particular, how does the broad design of the development relate to sustainability considerations in NRW's purpose statement?	
		Technology, Cost, Reliability and Productivity of the Proposed Development	

1.17	The Applicant	<p>NPS EN-1 and NPS EN-5 recognise that there is more than one technological approach to making a connection and that the costs and benefits of the alternatives should be properly considered. Section 4.3 of the Planning Statement Technical Appendices (PSTA) provides some broad costings for underground routes compared with overhead ones. Could the applicant:</p> <p>(a) Explain why a 24km underground route compared to a 17km overhead route was considered?</p> <p>(b) Advise whether, given that much of the route would be through fields, the lower figure of £1.1m should be applied when calculating the cost of undergrounding for this scheme.</p> <p>(c) Transmission losses are cited at £2.1m for an underground line and £2.2m for an overhead line - is this per annum or a lifetime cost?</p> <p>(d) Explain where the additional £11.3-£11.6m cost is derived from between the overall cost (£48-60m) and the total cost (£59.9-71.3m)</p> <p>(e) The £1.1m cost of undergrounding a cable is for installing a cable in a roadside verge - could the applicant advise if this cost would be lower for installing a cable in a field?</p> <p>(f) A cost of £340K per km has been given for installing an overhead line - could the applicant advise how this figure was calculated and whether the cost (as for the underground line) would vary depending on location for example if piling was required?</p> <p>(g) Details have been provided for the incidence of faults per annum; cost of repair for and operation and management costs for an underground cable, could the applicant please provide the same information for an overhead line.</p> <p>(h) The costs for undergrounding the Tir Mostyn section have been provided as an overall lifetime scheme cost. Could the applicant provide a comparative costing for installing an underground cable and an overhead cable for this section. Can the applicant also confirm how many years constitute the 'lifetime' for the purposes of this calculation?</p>	
1.18	The Applicant	<p>Please could the applicant provide details of the alternative technologies that were considered in the process of selecting options, including wood pole lines and undergrounding the cable route (both partially and wholly) in a 'like for like' comparison table, to enable the Panel to understand the additional costs and benefits/disbenefits that would be associated with undergrounding the cable.</p> <p>(a) For each of the technology options considered in the appraisal of options process, please could the applicant provide a summary of their comparative costs for installation and maintenance (total costs and annual costs over the life of the proposed development for the whole development as well as on 'per km' basis); reliability; productivity; reliability and other benefits and disbenefits.</p> <p>(b) Please explain why the double wood pole line was chosen.</p> <p>(c) If the option of undergrounding the cable (for its total length) along the preferred route was not considered in the appraisal, why not?</p>	
2		<p>Nature of the Proposed Development and Relationship with the Wind Farms at Clocaenog, Brenig, Derwydd Bach and Nant Bach as well as the Electricity Substation at St Asaph and the new Collector Station at Clocaenog Forest</p>	
2.1	The Applicant	<p>There are references throughout the documentation to the proposed order limits as being typically 40m wide, widening to 60m wide where, for example a wider area is needed for construction or there are poor ground conditions and Chapter 3 of the ES explains that the 100m corridor has been reduced in width to remove any areas no longer required for the proposed development. However the majority of the documentation refers to a proposed route alignment of 100m.</p> <p>(a) Can you confirm the proposed width parameters (minimum and maximum) for the route alignment?</p> <p>(b) Where are these secured in the draft Development Consent Order (DCO)?</p>	

2.2	The Applicant	<p>The route would consist of 215 pole positions. However on page 26 of the Design and Construction Report (Document reference 7.1) reference is made to 186 poles requiring directly buried foundations; 29 poles in poor ground conditions; 43 poles potentially on shallow rock and 8 pole positions requiring stabilisation measures due to ditches/streams. This totals 266 pole positions. However, draft DCO Article 3, Schedule 1 refers to up to 225 double wood pole positions.</p> <p>(a) Can you please confirm the number of pole positions proposed? (b) Which plan or plans show the positions of the poles? (c) Have the visual impacts of the proposed locations of the poles (as shown on the plan or plans to be identified in response to (b)) been assessed in the ES? If so please provide details of the relevant ES paragraphs that contain this information.</p>	
2.3	The Applicant	<p>The ES Non Technical Statement (ESNTS) states that the underground cable between the substation at St Asaph and the terminal point of the overhead line would be 2.2km long, while the cable is described in the ES chapters as 1.8km long. Please could the applicant confirm which is the correct measurement?</p>	
2.4	The Applicant	<p>The Planning Statement (para 2.1.9/2.1.10) makes reference to a number of works being Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995. However, a new Town and Country Planning (General Permitted Development) Order was adopted in 2015. Can the applicant confirm if this Order applies in Wales and if it does, if the works proposed would still constitute Permitted Development under the new Order?</p>	
2.5	The Applicant	<p>Paragraph 6 of the Planning Statement makes reference to the fact that under condition 16 of its distribution licence SP Manweb is required to provide a connection to its distribution network if asked by its customers. Does condition 16 set any parameters as to how this connection should be delivered?</p>	
2.6	The Applicant	<p>(a) Reference is made at paragraph 2.1.11 of the Planning Statement to a planning application having been submitted for the Collector substation at Clocaenog Forest – where is this application currently in the process, if not consented are there any impediments to obtaining consent and if consented what is the time frame for the delivery of the collector? (b) If consented, please could a copy of the planning permission be provided? (c) Have the parts of the “Wilder Scheme” that are the subject of requests for compulsory purchase powers now received planning permission, if not yet consented are there any impediments to obtaining consent?</p>	
2.7	The Applicant	<p>Para 3.2.1 of the Planning Statement makes reference to a number of different options explored by SP Manweb. Connecting to the existing network was discounted as the existing network is close to capacity – has the option of upgrading the existing network been considered?</p>	
2.8	The Applicant	<p>Para 3.5.6 of the Planning Statement makes reference to the use of existing trees at Berain Farm for screening – can the applicant confirm whether these are deciduous or evergreen?</p>	
2.9	The Applicant	<p>The applicant has cited the Legacy Substation (DECC reference 12.04.09.05/205C, PINS reference 515606) as setting a precedent for approving overhead lines. Could the applicant please provide a copy of the Inspectors Report and Secretary of State’s decision?</p>	
2.1	The Applicant	<p>The PSTA makes reference to the Llandinam Wind Farm as setting a precedent in how to approach the EIA work and in terms of defining ‘serious concerns’. Could the applicant provide an update as to where this application is in the determination process and whether the Secretary of State has accepted SP Manweb’s interpretation of ‘serious concerns’.</p>	

2.11	The Applicant	<p>Para 3.2.9 of the PSTA refers to the fact that the 4 wind farms have an anticipated operational life of 25 years but that the overhead line would have an operational use of approximately 40 years. Reference is then made to SP Manweb possibly retaining the overhead line for long term use given their duty to provide an economical network.</p> <p>(a) Can the applicant please outline the length of time that they envisage that they would retain the overhead line?</p> <p>(b) If this is longer than the operational life of the wind farms, please could an explanation be provided for the need for the facility after the wind farms cease generating electricity?</p>	
2.12	The Applicant	<p>Figure 1.2 'TAN8 and Connected Windfarms' of the Flood Consequences Assessment (FCA) (page 6) shows two existing windfarms (Tir Mostyn and Foel Goch) in close proximity to the proposed windfarms. How are these windfarms connected to the grid?</p>	
2.13	The Applicant	<p>Para 2.11.1 of document 6.18 (page 18) makes reference to the fact that the reinstatement works will be complete within 12 months of the completion of the proposed development. Why is such a long time frame necessary given that the construction programme indicates that the reinstatement process would happen in parallel to the construction programme and would finish 4 months after completion of the line?</p>	
2.14	The Applicant	<p>The impact of proposed mitigation on another topic e.g. those between traffic and noise have not been clearly defined within Chapter 13 of the ES can the applicant provide confirmation that the mitigation proposed in the assessment does not have the potential to have an adverse impact on any other topic.</p>	
2.15	The Applicant	<p>The ES identifies a number of mitigation measures that the applicant considers would address the effects of the proposed development. However while the draft DCO would secure the construction environmental plan through a requirement other measures such as the use of portable noise screens are not included. Can the applicant explain why all the proposed mitigation measures have not been secured within the draft DCO?</p>	
2.16	The Applicant and the wind farm developers	<p>On the 18th June 2015 the Government issued a Written Ministerial Statement about on-shore wind turbine development setting out proposals to end new subsidies for onshore wind specifically in relation to the Renewables Obligation. However, a grace period is included which would continue to give access to support under the Renewables Obligation to those projects which, as of June 2015, already have planning consent, a grid connection offer and acceptance and evidence of land rights for the site on which their projects will be built. Can the applicant and/or the wind farm developers confirm that the North Wales Wind Farms that would be served by the proposed connection are covered by this grace period and would still be proceeding and therefore the proposed connection would still be required?</p>	
3		<p>Construction Impacts including Noise and Vibration, Traffic and Aerial Emissions Traffic</p>	
3.1	The Applicant	<p>What is the maximum height, width, length, weight and turning circle of the largest vehicles (fully laden) that the applicant intends to use to build and maintain the proposed overhead electricity line?</p>	
3.2	Local Authorities	<p>Do the Local Authorities have any comments to make:-</p> <p>(a) on the extent to which the local community (including local businesses, schools and farms) might be affected by the construction traffic routing and related arrangements as proposed by the applicant, and</p> <p>(b) on the suitability of the local road network for the size, quantity and type of construction traffic which is proposed would use it?</p>	<p>It is not clear as to the effects on local users, as stated in the Environmental Statement chapter 12.7.15 - the exact routes to each location are not known. More information would be required as to the exact routes and the detailed design of the access points to the highways including the visibility splays in accordance with TAN 18 and their construction. Some highways may need passing places along the possible routes. All works within the existing highway will be subject to separate highway consent.</p>

3.3	Local Authorities	<p>(a) Given the rural nature of the road network that would be used by construction and maintenance traffic are the Highways Authorities satisfied that the road network is capable of taking the loads proposed and would not be damaged as a result of the use by construction traffic?</p> <p>(b) If the road network is damaged by construction traffic who would be responsible for its repair?</p> <p>(c) Are there any requirements that the Highways Authority would suggest to minimise the effect of construction traffic on the road network and maintain the existing road conditions?</p>	The Highway Authority can not be sure the road network is capable of taking the loads and traffic proposed. It is recommended that a detailed condition survey is carried out on the highway and any structures prior to any works starting in consultation with the Highway Authority. Any damage will be the responsibility of the developer. Once the exact routes are identified and any problem locations identified can be looked at in more detail.
3.4	Local Authorities	Do the local authorities agree with the applicant's description of the baseline situation regarding traffic flows and can they confirm whether they were involved in scoping out the transport surveys for establishing the baseline?	The base line data is agreed. The Highway section were not involved in the transport surveys.
3.5	Local Authorities	The applicant has applied the '100 two way trip daily threshold' as set out in the Planning Policy Wales' Technical Advice Note (TAN) 18 'Transport' (2007) and as a result has concluded that there would be no significant adverse impacts, can the local authorities comment as to whether they have any concerns regarding the assessment methodology and whether they are satisfied with the assessment of significance? (para 12.4.7 of the ES Chapter 12 page 11).	The traffic count data appendix 12.1 clearly identifies roads with a higher two way flow than 100 vehicles per 12 hours, at certain locations there may be problems associated with the construction traffic and the site access locations depending on their detailed design.
3.6	The Applicant	<p>Para 12.4.1 of the ES Chapter 12 (page 11) makes reference to the Department of Transport's 'Guidance on Transport Assessment' (GTA) March 2007. However, this document was withdrawn in October 2014 and replaced by 'Transport evidence bases in plan making and decision taking'.</p> <p>Can:</p> <p>(a) the applicant advise the Panel why the updated guidance was not used when carrying out the assessment, and</p> <p>(b) whether if the new guidance had been used it would have altered the results of the assessment?</p>	
3.7	Conwy County Borough Council (CCBC)	Para 12.2.17 of ES chapter 12 (page 6) refers to CCBC developing planning supplementary policy for onshore wind developments which will include transport – can the council please provide an update as to where this document is in development and what advice it contains with regards to transport. If relevant can a copy of the most recent version of this document be made available to the Panel?	
3.8	Denbighshire County Council (DCC)	Table 12.3 of the ES chapter 12 (pages 8-10) refers to a request from the local highways authority that the site compound locations, vehicular access points and construction traffic routes be agreed with them. Can the council please confirm if the routes, access points and site locations proposed in the application were agreed with them?	These details have not been agreed by the Highway Authority
3.09	NFU Cymru	Table 12.3 of the ES chapter 12 (pages 8-10) - NFU Cymru raised a concern about the capability of some of the roads being able to carry the amount of traffic and the size of loads required. Are you satisfied with the applicant's assessment of these routes and that as they consider that the effects would be short term and temporary they could be managed with additional escorts?	
3.1	The Applicant	Can the applicant clarify the current surface of the access track to Clocaenog Forest and given that the track is currently very lightly trafficked whether it is capable of taking the construction traffic (including for the wider scheme) or whether it would need to be upgraded? (Para 12.5.4 of the ES Chapter 12 pg 14)	
3.11	The Applicant	Para 12.7.8 of the ES chapter 12 page 19 provides the dimensions of the truck needed to deliver a 16m pole. However a number the poles would be smaller and larger than 16m can the applicant confirm if a truck of the same dimensions would be used to deliver all the poles? If a larger truck is needed for the longer poles please can details of the height, width, length and weight of the truck be provided?	

3.12	The Applicant	Chapter 12 of the ES makes reference to (subject to consent) work commencing on site in June 2016, as a result the work would overlap with works that form part of the wider scheme. In order for the Panel to be able to assess the cumulative impact could the outline project programme for the collector substation and the works to the St Asaph substation (including the underground cabling work) be provided?	
3.13	The Applicant	Could the applicant please provide details of the agreed delivery routes and 24 month construction programme for the Clocaenog windfarm referred to in para 12.9.21 of the ES Chapter 12 (page 37) in order that the Panel can assess the cumulative impact of construction traffic on the highways network. In particular could the applicant please clarify when month 16 of this construction programme would be, given that this is when peak construction traffic is proposed?	
3.14	The Applicant	Could the applicant please provide details of the agreed delivery routes and details of the proposed construction programme for the Brenig windfarm in order that the panel can assess the cumulative impact of construction traffic on the highways network. In particular could the applicant please clarify if the reference to August in para 12.9.23 of the ES chapter 12 (page 38) is 2016 or 2017?	
3.15	The Applicant	Para 2.4.5 of document 6.18 (page 13) states the intention to maximise the capacity of potential haulage vehicles to reduce the number of trips made. Could the applicant confirm that the use of larger haulage vehicles would not cause problems/damage to the rural road network in the area given its limited capacity?	
3.16	Local Authorities	Can the LA's advise if they have agreed with the list of developments included in the cumulative assessment on Table 12.9 of Chapter 12 of the ES (pg 46)? Whether this list needs updating given it was compiled in March 2015 and if any other developments should be included in the list and if so details of what and where these developments are.	The Highway Authority have not been involved in advising on this list.
3.17	CCBC	Can the Council please explain why they requested that the Llys Dymper Wind Farm be included in the cumulative assessment and if they are satisfied with the reasons given by the applicant as to why they have not included it (Table 12.19 of chapter 12 of the ES page 46).	
3.18	Local Authorities	Are the Local Authorities satisfied with the proposed mitigation measures for construction traffic that are included in the draft Construction Environmental Management Plan (CEMP) (Document 6.18) and the Design and Construction report (Document 7.1)?	The Highway Officer has concerns over some of the information in the draft CEMP. In relation to potential impacts in section 1.4, there does not appear to be enough information to cover these impacts. There is concern over some of the proposed routes to site for some vehicle types and the design of the vehicle access points onto the highway. The TMP passes on most of the responsibility onto the Construction Contractor.
3.19	All Interested Parties (IPs)	Chapter 12 of the ES gives limited consideration as to whether the mitigation measures proposed for traffic could have any adverse effect on any other topics. Can interested parties with an interest in transport matters confirm whether they consider there will be any adverse impacts on other topics as a result of the implementation and the proposed embedded mitigation?	
3.2	The Local Authorities, NFU Cymru and the Welsh Government	Section 12.3 of Chapter 12 of the ES summarises concerns that you have raised during pre-application consultation on the proposal. Given the application has now been submitted can you confirm that there are no outstanding concerns that you would wish the Panel to consider?	The Highway Officer has concerns over the visibility and design of the access points, the construction routes for certain vehicle types as identified above in the answer to 3.18.
		Noise and other disturbance	
3.21	The Applicant	(a) The proposed hours of work are 4 hours longer than a standard working day and would operate 7 days a week. Could the applicant advise why the extended working hours are required and why working is required at the weekends and on public holidays? (b) Furthermore, what action is the applicant proposing to minimise the effect of deliveries and construction on the living conditions at nearby residential properties particularly between the hours of 07:00- 09:00 and would deliveries be Monday- Friday only as for Clocaenog Wind Farm (para 12.9.21 of chapter 12 of the ES page 37)?	

3.22	The Applicant	Para 2.1.4 of document 6.18 (page 10) states that for November to February reduced working hours of 07.30 to 17.30 are proposed or as 'daylight allows'. (a) Could the applicant confirm what they mean by 'daylight', and (b) Are they are proposing to use lighting towers to enable working outside of daylight hours but between 7.30 and 17.30? If so, where is the impact of the lighting towers assessed within the ES?	
3.23	The Local Authorities	Do the local authorities have any comments to make on:- (a) the extent to which the local community (including local businesses, schools and farms) might be affected by the proposed working hours, and (b) what they consider would be appropriate hours for (i) working (ii) deliveries and (iii) operation of noisy plant?	The public Protection Officer advises our Standard hours are 08:00-17:00 hrs Monday-Friday and 08:00-13:00 hrs on Saturday. No working on Sunday or Bank Holidays. There is obviously some flexibility on these and so providing suitable acknowledgement of nearby property is given then the proposed hours should not cause an issue.
3.24	The Applicant	Piling is proposed to be limited to between 09.00 and 17.00. (a) Can the applicant confirm that there would be no piling at the weekends or on public holidays? (b) Please can the applicant provide a plan showing the locations where piling would be necessary as well as a chart identifying the closest sensitive receptors to each piling location.	
3.25	The Applicant	Para 3.9.3 of document 6.18 (page 30) refers to the use of an excavator and a hydraulic Jackhammer in areas where there are poor ground conditions. Can the applicant explain why they consider that the use of a portable noise screen would be sufficient to minimise the noise and whether it would be appropriate to limit the use of this equipment to the same hours as those proposed for piling?	
3.26	The Applicant and the Local Authorities	Para 2.4.2 of document 6.18 (page 12) indicates that the applicant would liaise with the relevant local authority over plant and working methods that have the potential to cause a noise nuisance. (a) In addition to piling and the proposed use of a Jack hammer can the applicant indicate what other plant and working methods they consider may cause a noise nuisance and how they propose to manage the noise created (e.g. silencers, using non-audible reversing beepers, limiting hours of work etc.) over and above those set out in para 2.4.4; and (b) whether the Local Authorities are satisfied with this proposed liaison and how much notice they consider would be appropriate for comment.	The Public Protection Officer is satisfied with the proposed liaison and would consider 14 days a reasonable amount of notice.
3.27	The Applicant	Para 2.4.7 of document 6.18 (page 13) makes reference to the possibility in areas where there are poor ground conditions that additional measures such as a concrete or screw anchor pile foundation may be required. (a) Can the applicant confirm whether the installation of such foundations would result in additional noise and as a result whether it would be appropriate to limit these works to the same hours as proposed for piling? (b) Please can the applicant provide a plan showing where these additional measures are likely to be required?	
3.28	The Applicant	According to the Overhead Line Construction Programme (page 53 of document 7.1) foundation and pole erection is proposed between December – March 2017. What provisions does the applicant propose to put in place to deal with the practical problems of constructing a grid connection during the lambing season?	
3.29	The Local Authorities and NRW	The study area for the noise assessment included the order limits plus a 2km buffer can the Local Authorities and NRW confirm whether they are satisfied with the study area incorporated within the relevant assessments and if not what they consider would constitute an appropriate study area.	The Pollution Control Officer is satisfied.
3.3	The Local Authorities and NRW	The application of professional opinion is referred to within the noise assessment. Can the Local Authorities and NRW confirm that they are satisfied with the areas of assessment where professional opinion has been relied upon?	The Pollution Control Officer is satisfied but would like to see some data for operational noise. It would be useful to assess how this will impact on the nearest noise sensitive receptors given the low background noise levels expected in certain areas.

3.31	The Local Authorities	Table 13.12 of Chapter 13 of the ES (pg 32-33) identifies six specific locations where unmitigated significant impacts are predicted to occur. The subsequent paragraphs then set out the level of mitigation proposed for each of these locations. (a) Are the Local Authorities satisfied that the levels of mitigation proposed will be adequate to reduce these impacts to an Insignificant Impact and (b) if not what measure would they consider appropriate?	The Pollution Control Officer is satisfied and if an issue does arise will be able to liaise with the contractor in an effort to resolve them.
		Emissions	
3.32	The Applicant	Para 12.7.5 of chapter 12 of the ES (pg 19) makes reference to the need for temporary lay down areas and that these would need to be level areas approximately 50m x 50m. If available can the applicant provide details of the location of these temporary lay down areas and if regrading of these areas is required details of levels (existing and proposed) and surface materials.	
3.33	The Applicant	Para 9.7.6 of chapter 9 of the ES (pg 18) makes reference to protection measures at the temporary lay down areas for the storage of poles and the sites being equipped with spillage protection – Can the applicant confirm what measures they propose to put in place to minimise contamination from the spillage of oil from refuelling and parking of vehicles? And can the fuelling and servicing of machines be limited to the site compounds to minimise the possibility of fuel spillage polluting watercourses?	
3.34	The Applicant	Whilst the air quality section (2.3) of document 6.18 indicates a number of proposed measures to minimise emissions and creation of dust it does not include a reference to how dust from excavation would be minimised. Could the applicant confirm how they proposed to manage this?	
3.35	The Local Authorities and NRW	There are several references within Chapter 13 of the ES regarding the application of professional opinion can the Local Authorities and NRW confirm that they are satisfied with the areas of assessment where professional opinion has been relied upon?	The Pollution Control Officer is satisfied but would like to see some data for operational noise It would be useful to assess how this will impact on the nearest noise sensitive receptors given the low background noise levels expected in certain areas.
3.36	The Applicant	The Planning for Air Quality Guidance was updated in May 2015 and the new guidance altered the impact descriptors for individual receptors. However the assessments carried out in Chapter 13 of the ES were undertaken in March 2015. Can the applicant confirm whether the application of the new guidance could have altered the results of the air quality assessment?	
3.37	The Local Authorities and NRW	Can the Local Authorities and NRW confirm if they are satisfied with the proposed assessment methodologies contained within Chapter 13 of the ES?	The Pollution Control Officer is satisfied.
3.38	The Applicant	For waste and air quality it has not been stated clearly that a Rochdale envelope approach to these assessments has been taken. Can the applicant confirm whether or not a worst case approach was taken when modelling both the waste and air quality assessments?	
3.39	NRW	Can NRW confirm that they have no outstanding concerns regarding the approach to the assessment of emissions contained within chapter 13 of the ES?	
4		Operational Impacts Including Land-use, Land-take and Land-management, Electro-Magnetic Fields (EMFs), Noise and Community Benefits Land-use, land-take and Land Management	

4.1	The Applicant	<p>Document Reference 6.22 ES Chapter 10- Land Use and Agriculture, Technical Appendices refers to a desk top study, in which it is anticipated that 30 towers will need concrete foundations, 43 towers will be within the vicinity of shallow bedrock and the remaining 145 towers will have traditional foundation types.</p> <p>The document recommends a site walk over by a Geotechnical Engineer or Engineering Geologist to verify the assessment.</p> <p>(a) Has the walk over been done?</p> <p>(b) Have the above figures been verified; if not what is the new breakdown?</p> <p>(c) What are the implications for 'land-take' for concrete foundations and the consequential implications for agricultural operations?</p> <p>(d) How will the 43 towers in the vicinity of shallow bedrock be 'anchored', what are the agricultural operation implications?</p> <p>(e) Does an industry agreed formula exist to deal with compensation for these various scenarios?</p>	
4.2	The Applicant	<p>Para 1.3 of document 6.22 (ES Chapter 10) states that an assessment of contaminated land risks and potential clashes with the route of existing utilities was not part of this survey.</p> <p>(a) How were these assessments handled?</p> <p>(b) If any problems arise with contaminated land or existing utilities on the proposed preferred route, what are the implications for the preferred route? What are the implications for agricultural operations?</p> <p>(c) Would a new visual impact assessment be needed for any potential deviation?</p>	
4.3	The Applicant	<p>Para 2.1 mentions a disused quarry close to Tower 196.</p> <p>(a) When was this quarry was last active and what was quarried?</p> <p>(b) Does the site have potential to resume active quarrying?</p> <p>(c) If yes, what are the implications for the proposed route? and</p> <p>(d) What are the implications for future land management options at this location?</p>	
4.4	The Applicant	<p>Section 3.4 (Unexploded Ordnance). This section of the ES chapter 10 is based on a pre-desk study undertaken by Zetica. It concludes that the risk of unexploded ordnance is very low. However the recommendation in Appendix A states, "a detailed desk study, whilst always prudent, is likely to do no more than confirm a low UXO hazard for the site". Is the applicant confident enough in the pre-desk study to warrant not accepting this "prudent" recommendation?</p>	
4.5	The Applicant	<p>Table 3.4 contains the Site History for the Overhead Line route.</p> <p>(a) Towers 1-7. A coniferous forest plantation was shown to be present in 1964. Is this plantation still standing?</p> <p>(b) If yes what are the implications for the application in terms of felling and re-planting obligations?</p> <p>(c) Towers 60-69. A non-coniferous forest covered an area between towers 60 to 62 up to 2005. Does the cleared area carry a re-planting obligation?</p> <p>(d) Towers 83-115. Pandy Wood, located on the banks of Afon Ystrad and is in the proximity of towers 85 to 96. Since this wood appears to have been established since at least 1879, is any of this subject protection, for example Tree Preservation Orders?</p> <p>(e) Towers 115-130. Forest covered an area between towers 116 to 118 until 2006. Does the cleared area carry a re-planting obligation?</p>	
4.6	The Applicant	<p>Along with a site walkover by a Geotechnical Engineer or Engineering Geologist, a visual inspection to assess the potential risk of slope stability and other ground related hazards is also recommended.</p> <p>(a) Has a visual inspection now been undertaken?</p> <p>(b) If so have any new problems been discovered and solutions found?</p> <p>(c) If not, when will this be undertaken?</p>	

4.7	The Applicant, NRW, NFU Cymru and other IPs	<p>Land Use and Agriculture.</p> <p>The Applicant has stated (paragraph 5.10.15) that no Best and Most Versatile (BMV) land, is within the Order limit. However the applicant used a "provisional reclassification by the Department for Environment, Food and Rural Affairs (DEFRA) to remove sub-classifications within Grade 3" so that only Grades 1 and 2 were considered to be BMV land in the assessment. However PPW7, paragraph 4.10 states that "in the case of agricultural land, land of grades 1,2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification (ALC) is the best and most versatile and should be considered as a finite resource for the future."</p> <p>(a) Please can the Applicant provide a revised ALC map for the route of the proposed development showing Grades 2, subgrades 3a and 3b separately, and Grades 4 and 5.</p> <p>(b) If sub-grades 3a and 3b are considered over the route of the development corridor, how much of the route would pass over sub grade 3a?</p> <p>(c) Are NRW and NFU Cymru satisfied that the applicant has used the provisional DEFRA reclassification, removing subgrades within grade 3 land to identify BMV land?</p> <p>(d) Many of the agricultural holdings that might be affected by the proposed application contain grades 5, 4, and 3b and therefore are heavily dependent on the productive capacity of sub-grade 3b land to maintain a balanced agricultural unit. Have any of the holdings expressed a concern that that balance may be compromised by the proposed development?</p>	
4.8	The Applicant, Interested Parties and NFU Cymru	Given the number of historic quarrying sites in proximity to the entire length of the proposed development; are any small scale quarrying operations for on farm use likely to be compromised?	
4.9	The Applicant	Para 10.5.33 states that 180 poles out of 218 are positioned on soils that may provide an adequate stratum for the instillation of pole structures and foundations. However Table 4.1 in Doc 6.22 puts this figure at 145 with 30 on poor ground and 43 on shallow rock. Please explain the discrepancy?	
4.1	The Applicant	Para 10.6.4. Damage to land drainage caused by the construction work may take some time to manifest. What is the intended time frame to assess any potential problem?	
4.11	The Applicant	Para 10.6.5. Any area damaged by the works and not immediately re-instated for agricultural use may have a detrimental effect on the calculation of an agricultural holding's Single Payment Scheme under Pillar One of the Common Agricultural Policy. How will this potential problem be addressed?	
4.12	The Applicant	Para 10.6.16. Replacement trees locations would be agreed with landowners and local communities. In respect of potential disputes, whose voice would be paramount, the community or the landowner?	
4.13	The Applicant	Para 10.7.2. How would potential short and long-term breaches of Agri-environment schemes caused by the Application be dealt with? Who takes the responsibility, the Applicant or the signatory to the scheme?	
4.14	The Applicant, Interested Parties and NFU Cymru	<p>Para 10.7.2.</p> <p>(a) How will short term and potentially long term loss of field water supplies to agricultural animals be dealt with?</p> <p>(b) Are any private water supplies likely to be disrupted or their standards compromised either temporarily or permanently?</p> <p>(c) If a problem arises, how will it be addressed?</p>	
		Other Operational Matters	

4.15	The Applicant and Civil Aviation Authority (CAA) and Ministry of Defence (MOD)	<p>Pole and Wire Conspicuity. This question could be answered through a Statement of Common Ground (SoCG) if preferred.</p> <p>(a) What measures are proposed to ensure that the pole and wires are conspicuous to low flying aircraft?</p> <p>(b) Have these proposals been agreed with the CAA and/or MOD?</p> <p>(c) How would these measures be secured in the DCO?</p> <p>(d) Have these measures been assessed in the ES documents? Please provide document details and paragraph numbers for ease of reference.</p>	
4.16	The Applicant	<p>Impacts Upon Birds</p> <p>(a) What measures are proposed to minimise the risk of birds colliding with the poles and wires?</p> <p>(b) What measures are proposed to minimise the risk of electrocution of birds from the wires?</p> <p>(c) For both (a) and (b), where in the DCO would such mitigation be secured?</p> <p>For both (a) and (b) where have these mitigation measures been assessed in the ES? Please provide document details and paragraph numbers for ease of reference.</p>	
4.17	The Applicant (parts a and b) and IPs (part c)	<p>Electric and Magnetic Fields (EMFs)</p> <p>Application Document 6.14 identifies (in paragraph 14.2.11), that concerns have been raised during the consultation process in relation to EMFs. Consultation responses from Government Agencies have also requested calculations on EMF levels for the overhead line. As such, it is stated that SP Manweb will be carrying out an assessment of EMF levels to provide evidence that the proposed development complies with the exposure guidelines.</p> <p>(a) Has this study now been carried out?</p> <p>(b) Please could the applicant provide the results for the Examination, or provide a cross reference to the document/paragraph number where these details may be found.</p> <p>(c) Please could any IPs with an Interest in EMFs explain whether they agree with the applicant's summary conclusion (paragraph 14.10.3) that there "would be no significant EMF effects resulting from this Proposed Development."</p>	
4.18	The Applicant	<p>Noise</p> <p>Para 5.2.79 and 5.3.49 of the Planning Statement makes reference to the fact that overhead lines can create noise particularly when it rains. Given that the area has a high rainfall (800 - 1200mm per annum) it is likely that the lines would hum. Whilst it is noted that the applicant considers that the noise would be relatively low level could the applicant provide the relevant DbA/Leq values for humming caused by rain so that the Panel can consider this matter.</p>	
4.19	The Applicant (Part a) and Local Authorities (part b and c)	<p>Community Benefits</p> <p>(a) What benefits (if any) would be available for the communities that would host the proposed development, if the Order was to be made?</p> <p>(b) Could the LAs confirm that there would be no Community Infrastructure Levy (CIL) payable on the proposed development, if the Order was made?</p> <p>(c) Would the LAs expect a development of this nature to make contributions to the local communities in which it would be located?</p>	<p>(b) The Council has no Community Infrastructure Levy in place</p> <p>(c) The Council is aware of TAN8 advice on the relevance of Community Payments to the consideration of planning applications and consider it inappropriate to comment on the issue, other than to note that Payments have been made by windfarm developers in the locality to local community councils and organisations.</p>
5		Decommissioning Phase	

5.1	The Applicant and Local Authorities	<p>The Panel notes that the DCO for Clocaenog Wind Farm (Requirement 4(1)) states that the development consent granted by the order expires 25 years after the first export date. Requirement 4(2) goes on to require the undertaker to provide to the Local Planning Authority confirmation of the first export date within 1 month of its occurrence.</p> <p>(a) Are there similar requirements attached to the planning consents for the three other wind farms which would be served by the NWWFC, including expiry dates for the termination of the permission or specified dates for the decommissioning, removal and restoration of the sites of the wind farms?</p> <p>(b) Please could a copy of the planning permissions, or links to their locations on the local councils' websites be provided?</p>	<p>(a) The Council imposed similar conditions on the permissions for the 2 windfarms in its area - Brenig and Derwydd Bach. The one for Brenig referred to notice of the first generation of electricity to the grid within 1 month; the one for Derwydd Bach referred to the notification of the date of commissioning of the development within 1 month.</p> <p>(b) The Decision Notices for the two windfarms referred to can be found on the planning application search facility on its website - application references 25/2007/0565 (Brenig), and 04/2007/0964 (Derwydd Bach) Website - www.denbighshire.gov.uk</p>
5.2	The Applicant	<p>(a) When would the proposed development be decommissioned?</p> <p>(b) How would the decommissioning of the wood pole line, together with the restoration of its route be secured through the DCO?</p>	
5.3	The Applicant and IPs	If the Order were to be made, should there be a requirement within it providing for an end date for the proposed development (tied to the life of the wind farms), after which it must be removed and the land restored to its current use and quality?	
5.4	Local Authorities and other Interested Parties	Does the Proposed Development's lack of clarity on decommissioning cause concern?	The Council suggests this could be dealt with by use of appropriate conditions/ requirements
6		Species and Habitats – European Sites and Other Designated Sites and Protected European Sites – No Significant Effect Report (NSER)	
6.1	The Welsh Government	<p>The Welsh Government commented in their s42 consultation response (June 2014) that the Dyfi Estuary Special Protection Area (SPA), which is 68km away, and its overwintering population of Greenland white-fronted geese should be considered in the Habitats Regulation Assessment (HRA). In paragraph 3.2 of their Relevant Representation (RR), NRW comment that they are aware of the issue raised by the Welsh Government and do not consider that there will be any significant effects on the Dyfi Estuary SPA. The Welsh Government did not submit a RR.</p> <p>Please could the Welsh Government provide their views on the findings of the NSER, particularly in relation to the Dyfi Estuary SPA?</p>	
6.2	The Applicant	<p>Please could the Applicant:</p> <p>(a) separate out the SPAs and Ramsar sites in the NSER tables 3.1 and 3.2 and identify the primary and non-primary qualifying features of each;</p> <p>(b) provide an amended Table 3.1, Table 3.2, and Figure 1.xx (from document 5.8, the NSER Appendices), which reflect current and consistent information about each of the European sites, including reflecting any changes made as a result of the JNCC 2001 SPA review; and</p> <p>(c) in the event that additional primary and/or non-primary features are identified, provide revised matrices for the Coedwigoedd Dyffryn Elwy / Elwy Valley Woods SAC and the Dyfi Estuary SPA accordingly. It may be preferable to provide this information in an updated NSER.</p>	
6.3	NRW and other IPs	Are NRW and other IPs that have an interest in the European Sites satisfied that the features for the relevant European sites have been correctly identified in the NSER?	
6.4	The Applicant	Several of the European sites identified in the NSER as being within 70km of the proposed development are English sites. Was Natural England consulted in relation to these and if so can the Panel be provided with a copy of their response? If not, why was this considered not to be necessary?	
6.5	The Applicant	The NSER states that Greenland is in a north-westerly direction from Wales and that therefore the Greenland white-fronted geese (which are the primary feature of the Dyfi Estuary SPA) tend to fly across Ireland and over the North Atlantic when migrating, while the scheme is in a north-easterly direction from the Dyfi Estuary. Please could the applicant justify this statement?	

		Environmental Statement Biodiversity Matters	
6.6	The Applicant	<p>There are some apparent inconsistencies and omissions between Chapter 6 of the ES and the NSER:</p> <ul style="list-style-type: none"> • only Special Areas of Conservation (SACs) within 10km of the application site (two) are identified in Table 6.7 of Section 6.5, although it is stated in Section 3.3 of the Habitats Regulations Assessment No Significant Effects Report (HRA NSER, Doc 5.7) that all SACs within 15km of the application site (four) have been identified; • no Ramsar sites are identified in Section 6.5 although three are identified in Table 3.2 in the NSER (which also appears to have potentially omitted another four SPAs within 70km of the application site); • only primary features for designation/classification are identified for the two SACs and thirteen SPAs identified in the tables in Section 6.5. Non-primary features (described in the NSER as 'secondary reasons for designation') are additionally identified in the NSER for all the European sites considered; • only one European site, the Dyfi Estuary SPA, is considered further in this chapter, although that and the Coedwigoedd Dyffryn Elwy / Elwy Valley Woods SAC are both taken forward for further assessment in the NSER; • paragraph 6.5.9 states that the 13 Sites of Special Scientific Interest (SSSI's) identified within 10km of the proposed route are shown in Table 6.9 but only 12 are included; and • paragraph 6.5.10 states that there are 33 Local Wildlife Sites (LWS) within 2km of the application site however Table 6.10 identifies 41 sites. <p>Please can the Applicant explain the discrepancies between the information on protected sites in Chapter 6 and the NSER, and confirm which sites were considered in the ecological assessment.</p>	
6.7	The Applicant	<p>(a) Please could the applicant provide further explanation, or a cross-reference to information in other relevant application documents if appropriate, about why it was considered that some ponds that were identified as potentially having good ecological value were unlikely to be impacted by the proposed development; and</p> <p>(b) Please could the applicant confirm whether the streams in the wooded valleys identified as potential s42 habitats were considered as such in the evaluation and assessed accordingly, and provide a cross-reference to information in other relevant application documents if appropriate.</p>	
6.8	The Applicant	<p>ES Paragraph 6.4.13 states that it is not anticipated that there will be any indirect impacts on any wildlife sites from the proposed development, and that therefore the buffer selected for the desk study was based on potential direct impacts only, but does not provide any further justification for this conclusion. Please could the applicant provide further reasoning for the conclusion that there are unlikely to be indirect impacts on any wildlife sites.</p>	
6.9	The Applicant	<p>ES Paragraph 6.7.11 explains that the development would result in the loss of 1.10ha of ancient woodland and 0.05ha of broad leaved woodland would also be lost from within existing LWSs. Please could the applicant clarify the total area of ancient woodland that will be lost, quantify it as a proportion of the total ancient woodland in the application area and in the study area, and confirm whether it is additional to the receptors included in Table 6.19.</p>	
6.1	The Applicant	<p>ES paragraph 6.7.17 refers to an additional 0.67ha of woodland that would need to be clear felled.</p> <p>(a) Where is this woodland? What is its status? Please could it be identified on a map or plan?</p> <p>(b) Would any of this woodland loss result in impacts to protected or Biodiversity Action Plan species?</p>	

6.11	NRW, Local Authorities and other Interested Parties (IPs) which have an interest in biodiversity issues	There is no information in Chapter 6 to indicate that relevant stakeholders agreed with the applicant's assessment of likely significant effects in relation to impacts upon biodiversity interests. Please could NRW, DCC and CCBC and other IPs provide their comments on the conclusions of the ecological assessment in relation to residual likely significant effects.	Agree with assessment of residual effects (section 6.11) and would not dispute the conclusions. However, the assessment of "moderate adverse" effect on ancient semi-natural woodlands including those within Wildlife Sites. Policy VOE 5 of LDP states that planning permission should not be granted for proposals that adversely affect priority habitats, which includes ancient woodland. The Council considers this to be significant, irreversible and permanent, and therefore feel that redirection of the route needs to be considered to avoid ancient woodland sites.
6.12		Inter-relationships between impacts on species and habitats have been considered in the ES, such as the potential impacts on dormice of removing hedgerows, and the potential impacts on bats of removing trees. Section 2 of ES Chapter 15 (Doc 6.15) is titled 'Intra- Project Effects', however it does not provide an assessment of the effects of inter- relationships between topics, such as for instance the effects on ecological receptors of hedgerow improvements and tree planting proposed to mitigate potential landscape and visual effects. Please could the Applicant consider whether any of the effects identified in relation to other topic areas, and the measures proposed to mitigate them, could potentially impact on ecological receptors, and provide an assessment as appropriate.	Agree with assessment of residual effects (section 6.11) and would not dispute the conclusions. However I am concerned about the assessment of "moderate adverse" effect on ancient semi-natural woodlands including those within Wildlife Sites. Policy VOE 5 of LDP states that planning permission should not be granted for proposals that adversely affect priority habitats, which includes ancient woodland. I consider this to be significant, irreversible and permanent, and therefore feel that redirection of the route needs to be considered to avoid ancient woodland sites.
6.13	The Applicant	Please could the Applicant consider and advise whether any of the effects identified in relation to other topic areas, and the measures proposed to mitigate them, could potentially impact on ecological receptors, and provide an assessment as appropriate.	
6.14	The Applicant	<p>The cumulative assessment has been undertaken in two stages: Stage 1 which considers the potential cumulative effects of the proposed development with the Wilder Scheme; and Stage 2, which considers potential effects of Stage 1 together with a number of other developments. Paragraph 6.10.3 notes that these are listed in Chapter 4 – EIA Methodology and Table 6.19 (page 83) in chapter 6. However, Chapter 4 identifies 11 developments and Table 6.19 identifies 12 developments, and the lists are not consistent. Chapter 4 additionally includes the Llys Dymper Wind Farm (10 turbines), and Table 6.19 additionally includes the North Wales Connection 400kV reinforcement to the National Grid and a small domestic wind turbine at Pentre Du Isaf, Conwy. It is stated in chapter 4 that the Llys Dymper wind farm was refused but could go to appeal.</p> <p>(a) Please could the applicant explain the discrepancy between the lists, and provide an update on the status of the Llys Dymper wind farm application. If it has gone to appeal, consideration should be given to the need to include it in the cumulative assessment.</p> <p>(b) Please could the applicant provide information on the proximity of the proposed development to the other developments included in the cumulative assessment, and explain why it was not possible to obtain information on potential effects of the Clocaenog Forest and Brenig wind farms. (c) In relation to the Stage 1 assessment, paragraph 6.10.5 states that for two species potentially impacted by the proposed development, dormice and common lizard, positive residual impacts are predicted as a result of habitat creation and management. It is assumed that this reference is to measures provided to mitigate impacts of Clocaenog Forest wind farm, as Table 6.19 (page 88) identifies that the proposed development is anticipated to have a minor adverse residual impact on common lizards, however it not clear. Please could the applicant provide clarification of the position.</p>	
6.15	NRW and Local Authorities	No reference is made in this chapter to agreement with any statutory bodies about the scope of the cumulative assessment. Paragraph 4.6.30 notes that the cumulative assessment has taken into account the scoping consultation response from DCC. However, and bearing in mind the discrepancy between the lists in Chapters 4 and 6, please could NRW, and DCC and CCBC provide their views on the scope of the cumulative assessment.	Discrepancy noted. If there have been any subsequent wind turbine applications since this assessment has been carried out then it should be updated, however currently agree with cumulative assessment.

6.16	The Applicant	<p>Paragraphs 6.7.19-6.7.25 detail hedgerow losses that would occur. The 'worst case scenario' is considered to be the loss of 400m of hedgerow, which is reduced to 135.1m of hedgerow (of which 36.3m would be 'important' hedgerows' when other factors such as the relationship between the poles and the hedgerows is taken into consideration). Paragraph 6.7.24 states that the impact is considered to be wholly reversible in a very short timeframe since hedgerows will be removed and replaced within 48 hours.</p> <p>(a) From past experience from other similar developments, what is the success rate of these replaced hedgerow plants expected to be?</p> <p>(b) Would some hedgerows not be replaced, for example if the poles or their stays are located within the route of the hedgerow?</p> <p>(c) What steps would be taken to minimise the impacts of the excavation of pole positions upon existing hedgerows?</p> <p>(d) Where are the details for the scheme to replace these hedgerows provided in the ES and how would they be secured in the DCO?</p> <p>(e) Paragraph 6.7.25 -26 detail the irreversible loss of further hedgerows that would be lost in the construction of new accesses from highways. These amount to a further 106m. Are any of these 'important' hedgerows?</p> <p>(f) Please could all 106m of hedgerows lost to accesses be shown on a plan (or give a reference to an existing plan)?</p> <p>(g) Please could the applicant tabulate the full extent of losses of hedgerow in terms of length in relation to whether they are lost to the wood poles or to the construction of accesses or other aspects of the development, and cross refer to their locations shown on a plan?</p> <p>(h) Para 2.7.4 of appendix 3 of document 6.18 (pg 6) states that at between 10 and 15 years hedgerows shall be laid to further increase their wildlife value? Can the applicant advise who will be responsible for this - the landowner or SP Manweb, how will this be secured in the DCO and what measures will be put in place to ensure that the hedgerows are</p>	
6.17	The Applicant	<p>(a) Paragraph 6.7.30, which identifies the total number of mature trees which would be lost (110) of which 61 are described as 'no data'. As over half of the mature trees that would be lost have not been identified, (but it is stated that these 61 trees would be individuals from groups of trees), please could the applicant update this list to provide details of the likely species of all of the mature trees that would be lost by listing the species within the various groups of trees from which the 61 would need to be felled.</p> <p>(b) Does this figure include or exclude those trees that would be lost from within Clocaenog Forest? If it does not include these trees, how many additional trees would be lost from Clocaenog Forest?</p> <p>(c) How many other trees would need to be coppiced or pruned?</p>	
6.18	The Applicant	<p>ES paragraph 6.7.37 states that great crested newt (GCN) populations are considered to be 'small' and therefore impact is less likely; however, habitat loss, injury and death could all occur as a result of the Proposed Development'.</p> <p>(a) what steps would be taken to ensure that impacts upon GCNs are minimised and where in the DCO would these be secured?</p> <p>(b) Would any ponds that are known to currently host GCNs be directly impacted by the development?</p> <p>(c) What are the distances between the ponds known to host GCNs and the Order Limits?</p>	

6.19	The Applicant	ES paragraph 6.7.9 states that the proposed development will impact on six LWS, listed in Table 6.11. Table 6.11 gives habitats identified in the Phase 1 Habitat Survey, not LWS details. Table 6.17 gives Local Wildlife Sites – details of areas lost in the absence of mitigation, which lists six LWSs. However, paragraph 6.7.67 states that the proposed development would intersect seven LWSs and the reader is referred to Table 6.11. (a) Please could the applicant provide a new table which lists all seven of the LWSs that would be impacted and provide details of areas of the various habitats that would be lost in each LWS, explaining which of these would result, in the applicants view, in a significant impact? (b) Please could the applicant provide a map showing the location of all seven LWSs that would be directly impacted by the proposed development.	
6.2	The Applicant and NRW	(a) Which species would be the subject of European Protected Species Licence applications needed for the construction phase of the development? (b) Please could the Applicant provide/identify the location in the application documents of the draft protected species licence application details in relation to dormice. (c) Please could the applicant and NRW provide an update on any discussion that has taken place in relation to protected species licensing.	
6.21	The Applicant (part a and b), NRW (part c and d) and Local Authorities (part c and d)	(a) The applicant proposed to plant two trees for every tree that would be felled. Is this the same for both deciduous and coniferous trees? (b) What size would the replacement trees be and from where would they be sourced? (c) Are NRW and the LAs satisfied with this ratio? (d) Similarly there would be 106m of hedgerow lost (ES paragraph 6.9.2) with 550m of new hedgerow planted. (However, this figure for lost hedgerow appears to conflict with the figures quoted earlier). With hedgerow being reported to be replaced on a 2:1 basis, 212m would be mitigation and 338m is considered to be an enhancement. Are NRW and the LAs satisfied with this ratio of lost hedgerow to new planting?	Would like clarification of species proposed and provenance. Satisfied with ratios.
6.22	The Applicant, NRW and Local Authorities	ES Paragraph 6.3.1 states that statutory PEI consultation, and non-statutory consultation with NRW, informed the ES; paragraph 6.4.9 notes that the surveys undertaken were influenced by liaison with NRW; and paragraph 6.4.20 notes that the viewpoint (VP) survey methodology was agreed with NRW. Otherwise there is no information in this chapter to indicate that the approach and results of the assessment were agreed with key stakeholders. (a) Please can the Applicant confirm whether agreement of relevant bodies was sought and received. (b) Please can NRW, DCC and CCBC provide their views on the approach and results of the ecological assessment.	Satisfied with approach and results of ecological assessment. Standard methodologies have been followed and surveys undertaken at appropriate times of year. Lack of bat roost surveys of trees is noted, however due to the nature of these it is understood that these would be undertaken closer to commencement of work, since use of tree roosts can be transient and results would be quickly out of date.
7		Flood Risk, Water Resources and Climate Change Adaptation Flood Risk	
7.1	The Applicant	Can the applicant explain why they considered that no surveys or field measurements were considered necessary for the Flood Consequence Assessment (FCA)? (para 9.4.3 of chapter 9 of the ES page 9)	
7.2	The Applicant	Para 9.7.1 of chapter 9 of the ES (page 17) states that SP Manweb is committed to ensuring that the proposed development is built in accordance with current best practice for minimising the adverse effects of construction on the environment and the local community. Could the applicant provide details of which best practice they are referring to and how this will be achieved?	
7.3	The Applicant	Para 9.7.2 of chapter 9 of the ES (page 18) makes reference to construction access being approximately 3-4m in width. However, elsewhere in the documentation there are several references to construction access needing to be 5m wide. Can the applicant confirm which measurement is correct and why that width is necessary?	

7.4	The Applicant	Para 4.1.2 of the FCA (page 25) states that a minimum statutory ground clearance of 6.7m is required at all times for safety. Can the applicant confirm that this minimum ground clearance will be achieved by the proposed overhead line as it crosses the existing floodplains taking into account the precautionary guidance which suggests that peak river flows may increase by 20% over the lifetime of the project?	
7.5	The Applicant	Currently one pole is proposed within the floodplain, para 4.1.4 of the FCA (page 25) makes reference to 'where-ever possible the poles being positioned outside of the floodplain'. Can the applicant identify any poles which would currently not be located within the floodplain may come within a floodplain during the lifetime of the project when taking into account the effects of climate change over the lifetime of the project.	
7.6	The Applicant	Para 4.1.9 of the FCA (page 26) states that extra bracing and/or foundation design has been 'considered' for the pole within the floodplain. Can the applicant confirm if either of these would be implemented?	
7.7	The Applicant	Whilst there has been no loss of life in the UK from reservoir flooding since 1925 can the applicant provide details of how frequently reservoir flooding occurs (para 4.3.1 of the FCA page 29) and if a reservoir did flood would the velocity of flow result in scour to the pole within the floodplain?	
7.8	The Applicant	Para 4.5.3 of the FCA (page 30) states that temporary storage of plant and materials at locations other than Broadleys Farm, Clocaeog Forest and St Asaph Substation may be at risk from surface or fluvial flooding from localised sources and that they should not be placed within floodplains or close to watercourses. Can the applicant highlight those locations where this problem may arise and what measures they propose to put in place to ensure that storage is outside of the floodplain or away from watercourses?	
7.9	The Applicant	The FCA (para 4.6.2 page 31) states that temporary structures on access tracks should be adequately designed to allow free passage of local flood water. Can the applicant confirm that they will be designed to allow free passage of local flood water and how this will be secured?	
7.1	The Applicant	Para 2.13.3 of document 6.18 (pg 21) states that wherever possible machinery, equipment and stockpiled soil will be kept a minimum of 10m from the edge of a watercourse. Can the applicant explain why this distance was chosen and are they are confident that this is an appropriate distance to ensure that no materials, fuels, vehicles or other plant would break free and float away to damage – or directly or indirectly contaminate the watercourse?	
7.11	NRW	Can NRW confirm that they have no outstanding concerns with regards to flooding?	
		Climate Change Adaptation	
7.12	The Applicant	NPS EN-5 requires applicants to take into account the need for resilience in relation to factors associated with climate change including flooding, effects of wind and storms on the overhead lines and higher annual temperatures over future years which could lead to increased transmission losses. Please could the applicant explain where in the ES these factors are considered and provide a summary table identifying the climate change adaptation measures that would be included in the development together with details explaining where these are secured in the DCO?	
		Water Resources	
7.13	The Applicant	The proposed route includes a number of aquifers which are moderately productive and respond rapidly to rainfall in an area with higher than average rainfall levels. As the levels of these aquifers will vary depending upon the amount of rainfall/time of the year can the applicant confirm that the proposed excavations would not penetrate these aquifers or if they would what measures they propose to put in place to minimise the impact and what the likely effect on groundwater would be?	

7.14	The Applicant	<p>(a) What chemicals would be used for preserving the wooden poles and when in the wood pole manufacturing process would the wood preserver be applied?</p> <p>(b) Would any secondary treatments of the wood poles be required within the application site prior to their installation? If so what chemicals would be used and how would they be stored and applied to the wood poles?</p> <p>(c) Given the high rainfall conditions experienced along the route of the proposed development and the ground conditions into which the poles would be installed what is the expected life of each pole?</p> <p>(d) Do the wood preservatives used in the treatment of the poles pose any risk to water quality if they leach out of the wood?</p> <p>(e) Would there have to be dewatering of any of the pole sites during the installation phase if ground conditions were particularly wet or water tables were high? If so, where would this occur?</p>	
7.15	The Applicant	<p>(a) Would there be any hazardous substances used within the proposed development?</p> <p>(b) For each hazardous substance that would be used please could the applicant provide details of the substance used, Control of Substances Hazardous to Health (COSHH) * requirements for each substance and details of storage and disposal of each substance?</p> <p>(c) Please could the applicant provide details of the spillage procedures to be used in the event of a spillage of a hazardous substance?</p> <p>(d) How would the spillage procedure be secured through the DCO?</p> <p>(e) Would there be a Waste Management Plan produced and agreed with the LAs prior to construction commencing? How would this be secured in the DCO?</p>	
8		Landscape and Visual Impact	
8.1	All Interested Parties	Do you agree with the applicant that the benefits that would be derived from undergrounding the cable as a means of reducing visual effects are likely to be outweighed by the effects of underground cables on habitats, ground cover, land management and unknown archaeology? Please provide a brief explanation.	
8.2	Denbighshire County Council (DCC) (part a) and all Interested Parties (apart from the applicant)(part b)	<p>Paragraph 7.5.69 confirms that the location of the Viewpoints (VPs) was discussed with NRW and CCBC, and that on this basis, VPs over 5km from the route of the overhead line have not been considered. DCC were consulted on the suggested VPs but did not comment.</p> <p>(a) Please could DCC provide their comments on the locations of the viewpoints, including whether they consider that all relevant locations have been included.</p> <p>(b) Do IPs agree that the viewpoints selected by the applicant are suitable and adequate, if not, are there any other viewpoints that they would like the Panel to consider?</p>	<p>It is clear that undergrounding would be beneficial in a number of locations to reduce visual and landscape impacts and these need not have a damaging effect on habitats, archaeology etc. Undergrounding should have been considered as one of the design criteria at the route selection stage. Even if habitats were affected many types can be easily restored over the 5 years of aftercare and the intervention might do something to improve them.</p>
8.3	The Applicant	The titles of some of the related appendices are not consistent with their content and the references to them in the chapter. Paragraph 7.4.79 states that the VP locations are described in ES Appendix 7.3. However, only the photographs, wireframes and photomontages are provided in Appendix 7.3, titled 'Viewpoint Assessment and Photomontages', Parts A, B and C (Docs 6.20.3A, 6.20.3B and 6.20.3C), none of which contain any explanatory text. ES Appendix 7.5 is titled 'Photographs, Wireframes and Photomontages' (Doc 6.20.5), although they are all contained in Appendix 7.3, and instead it describes the methodology used to produce the photographs, wireframes and photomontages. Please could the Applicant provide the reference of the document containing the VP Assessment, and provide a copy if it has been omitted from the application documents.	<p>There will always be more places from which views could have been taken and photomontages produced. Our concern is that the viewpoint locations could have been moved a distance, or even re-orientated to face another direction to reveal greater visual effects. Some viewpoints could be interpreted as concealing effects by having vegetation in the foreground that screens or filters views. It is not considered that all the views (taken in winter) present the worst case</p>

8.4	The Applicant	<p>Paragraph 7.7.52 states that the visual assessments are based on the assumption that the wooden poles would be on the centre-line of the Limits of Deviation (LoD), but that where there is likely to be a change in the magnitude of the effect if the positions were different this has been noted in ES Appendix 7.3 (Doc 6.20.3A -3C). As stated above, this Appendix comprises the visual assessment photomontages, wireframes and photographs and does not include any explanatory text. No contents list is included and it is not apparent that any differences/changes have been identified. Please could the Applicant provide a contents list for Appendix 7.3, Parts A, B and C, and identify to which of those photomontages, etc this applies.</p>	
8.5	The Applicant	<p>(a) A residential visual amenity assessment is provided in ES Appendix 7.1 (Doc 6.20.1), the results of which are summarised in Section 7.7 of the chapter. Table 2.1 in Appendix 7.1 summarises the anticipated effects on residential amenity for each property/group of properties identified, and Table 3.1 provides fuller details of the findings. However, the information contained within the tables in the appendix is not consistent. Table 2.1 identifies a moderate (therefore significant) effect on Bryn Amlwg (property reference 186) although Table 3.1 identifies that only a minor effect is anticipated. Table 7.22 in the chapter and Table 2.2 in the appendix indicate that it is anticipated that four individual properties/groups of properties within 200m of the scheme are likely to experience moderate, and therefore significant, effects, and do not include Bryn Amlwg. The properties identified are Tan Yr Allt; Ty Coch; Lechryd Bach; and Plas Hafod. Further information in the chapter and appendix is only provided in relation to these four properties. Please could the Applicant confirm the nature of the predicted effect on Bryn Amlwg. If it is anticipated to be significant, fuller consideration of it should be provided.</p> <p>(b) In addition, in relation to visual amenity, paragraph 7.7.133 of the chapter identifies that there are five additional locations which could experience significant effects if planting which provides existing screening was removed or if the poles were moved within the LoD so that they would end up closer to the receptor. The note to Table 3.1 in Appendix 7.1 states that consideration has been given to the worst case scenario whereby the poles move to the edges of the LoD, and that where a change in significance could occur this has been noted in the table. However, the potential for a significant effect on the five properties is not subsequently considered more fully. Therefore, although it is stated that the worst case scenario has been considered, it is not clear that this has been addressed in the assessment. Please can the Applicant explain and justify the approach that has been taken.</p>	
8.6	The Applicant	<p>(a) Paragraph 7.10.16 of Chapter 7 notes that the proposed planting is unlikely to fully offset any combined visual effects of the scheme with existing overhead lines and that any effect is likely to remain the same. Although it can be assumed that this effect has been identified in this section because it is likely to be a significant effect the level of significance of that effect, eg moderate, major, etc has not been specified. Please could the Applicant provide this information.</p> <p>(b) In relation to cumulative landscape and visual effects, paragraphs 7.10.17 – 7.10.19 identify that 'at the southern end' of the scheme there may be moderate landscape effects, moderate to major visual effects, moderate sequential visual effects, and a moderate effect on residential visual amenity. It is concluded that the contribution of the scheme to the total cumulative effects is small and that as the wind farms and turbines make the greatest contribution no mitigation measures are proposed. It is not explained what is meant by 'the southern end' so it is not clear to which area/s this refers. Please could the Applicant provide clarification.</p>	

8.7	The Applicant	In relation to cumulative landscape and visual effects, It is stated that cumulative residual moderate visual effects are anticipated on receptors in elevated positions located towards the north of the study area, mainly due to close-up views of the scheme in combination with distant wind farms, and that the proposed mitigation is unlikely to reduce the effect from moderate. The individual receptors are not identified in this section so it not clear to which receptors reference is being made. Please can the Applicant provide the information on landscape and visual likely residual effects in tabular form and include the receptors to which reference is made, as above.	
8.8	The Applicant	Paragraphs 7.4.6 – 7.4.7 of Section 7.4 (Methodology) note the importance of inter-relationships between landscape and visual effects and the historic environment, ecology, and socio-economics. However, the potential effects on ecological receptors of the proposed landscape and visual mitigation measures are not considered in this (or the Ecology and Biodiversity) chapter. Please could the Applicant identify where in the application documents this information is located, or provide it now if it has not been included.	
8.9	The Applicant	Paragraphs 7.9.1 and 7.9.2 describe the two-stage approach taken regarding cumulative impacts, as with all other topics, and note that the developments included in the Stage 1 and Stage 2 assessments are shown on Figures 7.14 and Figure 7.15 respectively (in Doc 6.16). However, the underground cable route included in Stage 1 and 2 is not shown on Figure 7.14 or 7.15, and Burbo Bank Extension, specifically mentioned as included in Stage 2, is not shown on Figure 7.15. Please could the Applicant explain the discrepancy, and provide additional text and/or figures if these are needed for clarification.	
8.1	The Applicant	ES Chapter 15 summarises the likely significant effects for all topics. Paragraph 3.2.6 notes that in relation to the Stage 1 cumulative assessment there will be moderate cumulative effects on the landscape particularly around Clocaenog Forest, the Denbigh and Derwen Hills, and Llyn Brenig. This description lacks detail and is not consistent with paragraph 7.9.26 of Chapter 7 (page 141), which also includes the Llanefydd Lowlands as likely to experience moderate cumulative effects. Section 3.3 of Chapter 15 summarises the likely cumulative effects of the scheme together with the developments identified in the Stage 2 cumulative assessment. It is inconsistent with paragraph 7.10.17 of this chapter, which also includes moderate cumulative effects on residential visual amenity. Please could the Applicant explain the discrepancies.	
8.11	Local Authorities and other Interested Parties	Section 7.8 proposes a number of planting schemes as mitigation measures for the significant landscape and visual effects, including tree planting, additional hedgerow and hedgerow tree planting, and linear belts and blocks of woodland planting. It cross-refers to Appendix 7.6, an 'Outline Landscape Management Plan' (OLMP) (titled 'Landscaping Planting Method Statement' in the front pages) (Doc 6.20.6), and Figure 7.13 (in ES Figures, Doc 6.16), which shows indicative locations of the proposed planting. Schedule 2 of the draft DCO defines the OLMP as the plan at ES Appendix 6 and Article 5 provides that no stage of the development may commence until a written landscaping scheme, 'substantially in accordance with' the OLMP (and ecological management plan), has been submitted to and approved by the LPA. Does this sufficiently secure the mitigation in the DCO?	There are concerns that the planting scheme within the Order Limits would be maintained by SP Manweb for 5 years following planting and then handed over to the landowner. This is unsatisfactory because the commitment to provide mitigation is a duty on SPManweb, not on the landowner. It would not be equitable to pass over the responsibility to the landowner unless a substantial payment were made. However, even if the landowner receives money there is no guarantee that the 5 year old trees won't be lopped, felled, ploughed, driven over or eaten by stock. Once dead who would then ensure replacement and maintenance? Experience suggests many schemes or mitigation planting are abandoned soon after contractual works are completed. This landscape is too sensitive to allow this to occur.
8.12	The Applicant	The landscape chapter of the ES does not cross-reference the proposed landscape mitigation to articles or requirements in the DCO. Please can the Applicant provide this information in tabular form.	

8.13	Local Authorities	Requirements 5, 6 and 7 address planting schemes and five-year maintenance plans. Are DCC and CCBC satisfied that five years is sufficient, given the statements regarding hedgerow management which consider aspects over a longer timescale?	No. Manweb will need to ensure survival, maintenance and growth to the required performance of full mitigation by Year 15. Otherwise they will be able to walk away from any responsibility. They need to be responsible for aftercare for 15 years and then to be responsible for the cost of monitoring and further maintenance as required until the scheme is dismantled. The Welsh Government commit themselves to long term maintenance of roadside planting in fulfillment of their ES commitments. SPManweb should be similarly responsible.
8.14	Local Authorities	It is not stated in the landscape section whether the results of the assessment have been agreed with relevant bodies, however NRW, in their Relevant Representation, state that they consider the methods used to be appropriate and compliant with current guidance, and that they agree with the assessment of residual effects. Please could DCC and CCBC provide their views on the methods and assessment of residual effects.	The method of assessment is in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3). However, there are questions over some of the assumptions that have been made regarding significance of impacts, the manner in which the ENS statement about 'serious concerns' is used to raise the threshold for significant impacts justifying undergrounding above any impacts that the application considers will be caused on this scheme. There appears to have been some very careful 'calibration' to avoid more severe impacts and so avoid undergrounding.
8.15	The Applicant	Please can the Applicant expand the photomontages provided to include an additional image for each photomontage location where the pylons are highlighted in a bright colour to enable the Panel to assess fully the proposed changes to the landscape.	
8.16	The Applicant	Please can the Applicant provide a plan showing the location of the crematorium in relation to the terminal pole.	
8.17	The Applicant	Please can the Applicant provide further sets of photomontages for:- (a) the view of the proposed development from the ridge near Bron Heulog (at or near Tan Yr Allt); (b) the view of the proposed development from Pen Parc Llwyd; and (c) the view of the terminal pole when viewed from the nearest residential properties on Groesffordd Marl to Glascoed Road.	
9		Heritage Impacts	
9.1	The Applicant, CADW, NRW and LAs	(a) Please could the Applicant confirm whether CADW, NRW, DCC and CCC have agreed the results of the heritage assessment. (b) Please could CADW, NRW, DCC and CCC state whether they agree with the findings of the historic assessment and if not, set out their specific concerns.	(a) The Council have no comments on the results of the heritage assessment (b) The Council do not contest the findings of the heritage assessment.
10		Socio-economic Impacts	
10.1	Interested Parties	Paragraph 11.8.13 of the Socio-economic and tourism chapter of the ES (Chapter 11) states that the proposed development is likely to have a negligible/low adverse effect on the area's tourism economy and in terms of overall significance (paragraph 11.8.15), the development is unlikely to have any significant adverse effects on the overall tourism economy during the construction, operation and decommissioning phase. Do IPs agree with this statement? If not, why not?	
10.2	The Applicant	Paragraph 11.8.14 states that one business is however within close proximity of the route and may be moderately (and hence significantly) affected by the proposed development. (a) What is that business? (b) Has the applicant been in discussions with the business concerned to minimise the impacts that the development would have upon it? (c) If so, what are the outcomes?	
11		Compulsory Acquisition of Rights over Land etc Crown Land	

11.1	The Welsh Government (part a), NRW (parts b-d); Applicant for parts (c and d and e)	<p>(a) Please could the Welsh Government confirm that NRW is authorised to provide any s135 PA2008 consent(s) that may be required from the Welsh Ministers in relation to the application.</p> <p>(b) Please could NRW confirm whether or not its letter of 2nd July 2015 to Richard Griffiths of Pinsent Masons LLP, entitled, "SP Manweb Plc – North Wales Wind Farms Connection Order Planning Inspectorate Reference Number : EN020014 Section 135 of the Planning Act 2008", is intended to provide consent on behalf of the Welsh Ministers, to both:-</p> <p>(i) the inclusion in the proposed DCO of a provision or provisions authorising the compulsory acquisition interests in Crown land, including by the creation of new rights and imposition of restrictions described in the Book of Reference (BoR), for the purposes of s135(1) PA2008, and, if so, in which plots of land identified in the BoR; and</p> <p>(ii) the inclusion in the proposed DCO of all other provisions proposed by the applicant, applying in relation to Crown land, or rights benefitting the Crown, for the purposes of s135(2) PA2008, and, if so, in which plots of land identified in the BoR.</p> <p>(c) If the answer to (b) is "no", how could the development proceed under an Order in which the Crown land plots remain within the Order land and the BoR?</p> <p>(d) The recently identified land plots containing Crown interests are shown on the June 2015 Crown Land (sheet 3) Document reference 2.3.1 v1 and noted as Plots 19, 19A, 19B, 19C, 21A and 21B on the June 2015 submission by the applicant to the Planning Inspectorate. Are the Crown interests in these plots restricted to an interest in mines and minerals within them? (e) Paragraph 11.5 of the SoR refers to s135(2) of the PA2008 in relation to Crown Land. Please could the applicant confirm that s135(1) is also relevant?</p>	
11.2	Applicant, the Welsh Government and NRW	The Panel notes that NRW acts as the land agent on behalf of the Welsh Government in respect of some land plots which are subject to the development consent order, (land within the most southerly 0.5km of the proposed development). Would this land be considered to be Crown Land in its own right, in respect of it being owned by the Welsh Ministers, as well as the stated mineral and mine interests?	
Statutory Undertakers Land			
11.3	The Applicant, Dwr Cymru Welsh Water (DCWW) and British Telecommunications Plc (BT) and any other Statutory Undertakers (SUs)	<p>(a) Have the two statutory undertakers identified in the Book of Reference (BoR) as DCWW and BT agreed the protective provisions provided in the draft DCO at Schedule 9? If not, why not?</p> <p>(b) Are there any other known SUs that have interests in land within the Order limits? If so, please could they be identified in a table?</p> <p>(c) Which rights and/or apparatus belonging to SUs would be compulsorily acquired or interfered with under the powers of Article 28 and where in the BoR are these details provided?</p>	
11.4	The Applicant, DCWW and BT and any other SUs	<p>(a) How would the applicant ensure that PA2008 s127 (6)(a) or (b) are met?</p> <p>(b) Do the SUs consider that the rights required by the applicant would cause any serious detriment to the carrying on of the undertaking?</p> <p>(d) Or could any detriment to the carrying on of the undertaking, in consequence of the acquisition of the right be made good by the undertakers by the use of other land belonging to or available for acquisition by them?</p>	
Land Plans and Affected Persons			
11.5	The Applicant	Are all parcels of land shown on the land plans correctly shaded/ annotated and referred to consistently with the BoR? The applicant is required to provide any amended land plans and an updated BoR as may be necessary, together with a summary tracking document providing lists of dates of re-issued land plans and the BoR, together with brief summaries of the changes that have been incorporated into the various editions of these documents.	

11.6	The Applicant	Can the applicant confirm that all affected persons have been consulted with reference to the correct land plans and BoR entries in respect of land in which they have an interest?	
11.7	The Applicant	(a) Is every landplot in the BoR identified as being owned by an affected person (AP)? (b) Please could details of any land plots where the owners could not be traced be provided? (c) What steps have been taken in the land referencing process to ensure that every reasonable effort has been made to trace the owners of all of the plots that would be affected? (d) How will the applicant ensure that the BoR is kept up to date during the Examination?	
11.8	The Applicant	(a) Are any claims for statutory blight expected? (b) What provisions does the applicant have in place for dealing with any claims for statutory blight?	
Underground Cable Section			
11.9	The Applicant	Please could the applicant provide clarification as to whether it considers the underground section of cable between the proposed terminal poles (assumed to be at the point marked "Termination of numbered works 1A and 1B") and the northern limit of the application area, where it abuts Groesfordd Marll to Glascoed Road, shown on Works Plan Sheet 13, (document reference 2.3.13) to be associated development?	
11.1	The Applicant	(a) Why does the applicant consider that plots 110, 111 and 111A should be subject to the compulsory acquisition of rights and temporary use of land as well as the suspension or extinguishment of easements, servitudes and other private rights, required for that part of the underground cable from the terminal point to the highway at Groesfordd Marll when it considers that the underground cable will be Permitted Development and therefore outside the scope of the DCO? (b) The Works Plan Sheet 13 shows these plots identified as Works No 2A (Works comprising temporary laydown/construction working areas/access for construction and maintenance/landscaping measures. Is this correct? Are the rights that are sought for these plots in relation to these temporary works or in relation to the longer-term requirements for the installation and maintenance of the underground cable (or both)? Where is this explained? (c) How are the tests in PA2008 ss122(2) and 122(3) met with regard to these plots? (d) Given the recent Secretary of State decision for the Tidal Lagoon Swansea Bay NSIP (Ref: ENO10049, dated 9 June 2015), in which she considered the particular works in question (an underground cable between the generating station and the grid connection point at Baglan Bay) fell outside the powers of the Planning Act 2008; she therefore removed those works from the Order that was being made; and consequently (at paragraph 86) any compulsory purchase plots related to the grid connection were also removed from the Order, why does the applicant consider that in the case of the North Wales Wind Farm Connection (NWWFC) project the plots for the area of underground cable, which are outside the scope of the DCO could be considered to be justified within the scope of compulsory acquisition powers?	
The DCLG guidance related to procedures for the compulsory acquisition of land			

11.11	The Applicant and Affected Persons (APs)	<p>This guidance requires (paragraph 8) that :-</p> <p>'The applicant should be able to demonstrate to the satisfaction of the Secretary of State that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored...'. The Panel considers that this should be examined in terms of the selection of the site, the scale of the development proposed, the specific characteristics of the development and alternatives to the proposed acquisition of rights over land. Please could the applicant and APs provide their views on whether the applicant has provided sufficient information to explain how all aspects of consideration of alternatives have been explored with justification for the Proposed Development, in particular with regard to the following:</p> <p>(a) Are the purposes stated for the acquisition of rights over land sufficient to justify the inevitable interference with human rights of those affected?</p> <p>(b) Is the land that would be subject to compulsory acquisition rights no more than is reasonably required? Please could APs provide an explanation clarifying how they come to their conclusions in respect of their answers to this question.</p>	
		Size of Land-Take and Alternatives to CA	
11.12	The Applicant (all sections) and APs (g only)	<p>(a) Is the width of the Order limits (varying between 34m and 54m depending on ground conditions) the minimum land-take that is necessary for the proposed development? If not, why not?</p> <p>(b) Please could the applicant explain why the land-take required for CA rights is no more than is reasonably required?</p> <p>(c) Please could the reason for the difference in Order Limit width between good ground conditions (where it is 34m) and poor ground conditions (where it is 54m) be explained?</p> <p>(d) Paragraph 1.2.6 of the Statement of Reasons appears to confuse the area over which compulsory acquisition powers would be exercised and the likely maximum easement. Please could the applicant provide clarity in terms of revised Lands Plans and descriptions showing the minimum area that would be needed for compulsory acquisition powers to enable the proposed development to be delivered;</p> <p>(e) Please could the applicant provide details of progress regarding voluntary negotiations with landowners along the route of the proposed development in relation to options and leases for the development on a plot-by-plot and land-owner by land-owner basis.</p> <p>(f) If successful in negotiating alternatives to compulsory acquisition rights through options and leases with landowners along the length of the development, why would CA powers still be required?</p> <p>(g) Are the purposes stated for the acquisition of rights over land sufficient to justify the inevitable interference with human rights of those affected.</p>	
		Funding Statement	

11.13	The Applicant	<p>(a) In the Funding Statement Executive Summary, first paragraph, the term (kV) is added after '132,000 volts'. Should this be '132kV', not just 'kV'?</p> <p>(b) In paragraph 1.2.7 of the Funding Statement, the Panel understands that the second sentence may not be entirely accurate. Would adding, for example, the term, 'for an NSIP of this type' at the end of the sentence be more accurate?</p> <p>(c) What evidence can the applicant provide the Panel with to demonstrate sufficient funding being in place, prior to any grant of development consent, if the Order were to be made, to provide certainty that legal obligations necessary for the CA rights could be met?</p> <p>(d) Can the applicant confirm details of the full name of the company that would be liable for the compulsory acquisition costs and details of their registration at Companies House?</p> <p>(e) The applicant is required to provide the most recently published audited accounts of the company that will bear the compulsory acquisition liability and to indicate where in the accounts any amounts are safeguarded or to be safeguarded to meet such liabilities.</p> <p>(f) In order to provide certainty that CA costs would be available for the development, how does the applicant propose to provide a mechanism to secure the funding in the DCO?</p> <p>(g) Who is the expert that SP Manweb has taken expert advice from in respect of the likely costs implementing the proposed development (paragraph 2.4.2 of the funding statement)? Please could the applicant provide details of their experience and their involvement in coming to the estimated total costs for CA? Are they independent or an employee of the applicant company?</p> <p>(h) The funding statement refers to the total costs for rights acquisition, including option and easement payments, disturbance, injurious affection and related professional fees as an estimated £1.7m. How has this been calculated and does it include those costs for any compulsory acquisition powers required for any part of the Wider Scheme?</p> <p>(i) How has this figure been independently verified?</p> <p>(j) Has the District Valuer or other independent source been used to inform this figure?</p> <p>(k) The funding statement (eg in paragraph 2.4.1 and 2.4.3) identifies that it is securing rights for new 132kV connections based upon securing rights in land that are</p>	
		<p>necessary to construct, operate and maintain the proposed development. What about the rights required for the underground section of the cable, which is part of the 'Wider Scheme' as well as costs for decommissioning the development at the end of the life of the wind farms?</p> <p>(l) Do the total project costs in 2.4.4 of the funding statement include costs for the "Wider Scheme" and costs for decommissioning the project at the end of its life? If not, why not?</p>	
11.14	Local Authorities (LAs)	Would the LAs require a mechanism in the DCO to ensure that sufficient funds needed to meet all of the CA liabilities would be available and in a form that would be acceptable to the LAs?	Yes
11.15	Affected Persons	Is there any evidence that the total funds estimated for CA liabilities for the development is not sufficient to meet the liabilities that would be incurred?	
		Statement of Reasons (SoR)	
11.16	The Applicant	<p>Paragraphs 1.2.6 and 2.5.2 of the SoR states that the applicant would not exercise CA powers over all of the land coloured blue on the land plans. Paragraph 2.5.2 explains that the maximum likely easement width varies between 9.2 and 19m.</p> <p>(a) Please could the applicant confirm whether they are seeking the power of CA rights for all of the blue land? If not, which areas would be the subject of CA powers?</p> <p>(b) Please could the applicant explain how it considers that the land take is no more than is reasonably required, if some of the blue land is not necessary for the proposed development?</p>	
11.17	The Applicant	Paragraph 1.3.9 of the SoR explains that in the applicant's view, because of SP Manweb's statutory duty to connect under the terms of its Distribution Licence, together with the need for new electricity generation pursuant to NPSs EN-1 and EN-5, the proposed development is both necessary and in the public interest to be provided. How can the northern most land plots which are required for the underground section of the connector and lie outside the proposed development be considered to be necessary and in the public interest?	

11.18	The Applicant	<p>Paragraph 1.7.2 of the SoR states that Article 19 of the draft DCO would authorise SP Manweb to create and acquire compulsorily the following rights and impose the following restrictions.</p> <p>Class 1: rights for the installation, maintenance and use of the Proposed Development and the imposition of restrictions to protect the Proposed Development;</p> <p>Class 2: rights to use the land as a temporary laydown area, construction working area, access for construction and for landscaping measures and the imposition of restrictions to enable the unimpeded construction of the Proposed Development;</p> <p>Class 3: rights for landscaping and the imposition of restrictions to protect the landscaping; and</p> <p>Class 4: rights for tree felling.</p> <p>(a) Where in the DCO are these four classes of rights and restrictions specified?</p> <p>(b) Why are the rights that are required to facilitate the installation of the underground cable in the northern most plots not described here?</p> <p>Why are there no rights sought for the removal and decommissioning of the proposed development?</p>	
11.19	The Applicant	<p>The SoR Table 4 states that Class 1b) rights and restrictions for the underground cable include but are not limited to, earth wires and fibre optic cables.</p> <p>(c) (a) How widely used are fibre optic cables in electricity transmission connectors?</p> <p>(b) Would the underground cable route be shared with any other communications or service providers?</p>	
11.2	The Applicant	<p>Section 8.2 of the SoR (particularly in paragraphs 8.2.1 and 8.3.8) does not provide a justification for the proposed acquisition of rights over part of the route of the underground cable which the Panel understands forms part of the Wider Scheme. Please could the applicant provide justification for this?</p>	
11.21	Affected Persons (APs)	<p>Paragraph 8.3.2 of the SoR states that the Order limits have been drawn so as to avoid any unnecessary interference with or extinguishment of private interests or rights.</p> <p>(a) Do any APs disagree with this statement?</p> <p>(b) Please could the APs that respond to this question, provide an explanation for their response?</p> <p>Do any APs consider that the land that would be subject to CA rights is more than would be required to deliver the electricity connection project?</p>	
11.22	The Applicant	<p>Definitions</p> <p>(d) The Statement of Reasons (SoR), paragraph 1.2.1 describes the Proposed Development as a "UPAS Wood Pole" line. Please could the term "UPAS" be explained here and included in the glossary?</p>	
11.23	The Applicant	<p>Justification for Interference with Land Rights</p> <p>(c) Where does the applicant justify the interference with ownership and other land rights in the SoR? Is this sufficient of an explanation to justify the interference that is being proposed?</p>	

11.24	The Applicant	<p>(a) When did the applicant commence its function as holder of the Electricity Distribution Licence for the Cheshire, Merseyside, Shropshire, North and Mid Wales areas?</p> <p>(b) When did SP Manweb receive the requests for connections from the developers of the four wind farms at Clocaenog Forest; Brenig; Nant Bach and Derwydd Bach?</p> <p>(c) If the North Wales Wind Farm Connector Order was not made, would SP Manweb have a legal requirement to provide an alternative connection facility? If so, what would be the procedure for ensuring an alternative connection facility in terms of legal obligations to the wind farm operators?</p> <p>(d) Does the Electricity Act 1989 (or any guidance or policy documents related to the primary legislation) give any timescale requirements within which the licence holders have to supply the connections?</p> <p>(e) Paragraph 3.2.7 of the SoR explains that following the connection requests by the wind farm developers, respective connection offers were issued to the wind farm developers as part of SP Manweb's distribution licence obligations. Were the connection offers provisional, based on the outcome of the DCO application and did the connection offers include contractual price/cost details for the supply of the connection?</p>	
		Draft DCO Matters in Relation to CA	
11.25	The Applicant	Draft DCO Article 25(5) appears to be missing a word, (to) after 'not'?	
11.26	The Applicant	<p>(a) Draft DCO Articles 26(1)(c) and 27(1)(b) refer to buildings on the land. Where in the ES are these buildings described and their locations shown on a plan or plans?</p> <p>(b) Draft DCO Article 26 (4)(b) – is this exclusion appropriate?</p>	
11.27	The Applicant	Draft DCO Article 29(3) states, 'in this paragraph', should this be 'in this Article'?	
		Funding Statement	
11.28	The Applicant and wind farm developers	<p>Paragraph 2.3.2 and 2.3.3 of the Funding Statement explain that the proposed development is developer funded to enable it to be delivered. However the underground cable is understood to be part of the 'Wider Scheme' and does not fall within the terms of the proposed development.</p> <p>(a) How is the Wider Scheme (in particular the underground section of the cable) to be funded?</p> <p>(b) What are the funding obligations of the wind farm developers in relation to CA matters within the proposed development and the Wider Scheme?</p> <p>(c) If the wind farm developers have an obligations to contribute to CA costs (as is assumed from paragraphs 2.5.2 and 2.5.7 of the funding statement), how can these be secured to ensure that the legal obligations regarding CA are met, should the Order be made? Are these funding obligations based on SP Manweb's estimates of CA obligations? As the Panel has a duty to examine and probe on all matters, what would be the situation if the Panel considered that the applicant's estimate of the CA liabilities was not sufficient, how would any shortfall be rectified?</p>	
		Book of Reference (BoR)	
11.29	The Applicant	<p>The introductory paragraph in section 1 of the BoR (Introduction and Rights Classes) provides a meaning for the term, "North Wales Wind Farm Connection Project" which, in the BoR means the underground cable that links St Asaph Substation, the authorised development, the substation subject to planning application reference 23/2014/1440 lodged with DCC and diversions of existing lower voltage overhead line crossings necessary for the authorised development. The "authorised development" has the same meaning as in the North Wales Wind Farm Connection Order.</p> <p>(a) Is the 'North Wales Wind Farm Connection Project' as defined in the BoR, the same as the 'Wider Scheme' described in other documents in the application?</p> <p>(b) What is the relevance of this statement here?</p>	

11.3	The Applicant	<p>(a) The BoR Table 1 (Introduction and Rights Classes) includes in Class 1a), 1b) and 1c) "all necessary decommissioning work". Why is this included here, if the draft DCO does not include requirements to decommission or reinstate at the end of the lifetime of the wind farms intended to be connected? (b) This table includes as the top left header of every page, "Class 1 (or 2 etc) Compulsory acquisition and the creation of rights, and the imposition of restrictions,". Is this heading correct as the Order is only seeking to acquire rights over land and not the compulsory acquisition of land?</p> <p>(c) Class 1f) in this table is for the felling, trimming or lopping of trees, removal of vegetation etc. Class 4 is also for the creation of rights for "felling". Why does the applicant consider that CA rights are necessary for this work to be undertaken? As these are temporary rights only, are they relevant to Compulsory Acquisition?</p> <p>(d) Are the Class 2 rights sought (for construction) temporary rights only?</p> <p>(e) Where are the expressions "Class 1 Rights", "Class 2 Rights", "Class 3 Rights" and "Class 4 Rights" defined as such?</p>	
11.31	The Applicant	BoR Table 2 Part 1: Categories 1 and 2; Column (7) for Plot 9B (for example) states that in respect of Other persons with interests – "see Part 2 for a description". What is the reason for the cross-references to Part 2 here? Is it appropriate or necessary?	
11.32	The Applicant	Why is Part 2 of the Book of Reference sub-divided into two parts, namely: "Part 2a Category 3: Section 10 Compulsory Purchase Act 1965 / Section 152(3) Planning Act 2008" and "Part 2b Category 3: Land Compensation Act 1973"?	
		Other Draft Development Consent Matters	
12.1	The Applicant	Article 2(1): Where the "access and rights of way plans" and some other definitions are defined by reference to application "document reference numbers", would it be more appropriate to define them by reference to, for example, individual drawing numbers, as that would be more precise and allow for any revisions that may be needed?	
12.2	The Applicant	Article 5(b)(ii): Why is there no maximum depth specified for the downward deviation from the levels of the authorised development? Would experience from other linear power cables inform the maximum limit of downward deviation that is required? What would be a reasonable limit?	
12.3	The Applicant	Article 6(2): "Operate". Please could the applicant provide a definition of 'operate' under Article 2 of the draft DCO when it is next updated?	
12.4	The Applicant	Article 7: The National Grid (North London Reinforcement Project) Order 2014 DCO article 7(2) states, "(2) Paragraph (1) does not apply to the benefit of the consent granted by this Order for works for the express benefit of owners and occupiers of land, statutory undertakers and other persons affected by the authorised development." Would the NWWFC DCO benefit from a provision of this type being added to article 7?	
12.6	NRW	Article 17: Are NRW content with the details contained within Article 17 regarding the drainage of water into watercourses or public sewers or drains etc?	
12.7	The Applicant	Article 32: In their RR, NRW state that the legislation listed in draft DCO article 32 (a) and (b) in relation to the Water Resources Act 1991 (WRA) should not be disapplied. Please could the applicant explain why they require these disapplications of the WRA as well as the legislation quoted in article 32(c) and (d).	

12.8	The Applicant	<p>Article 33:</p> <p>(a) What mechanisms would be incorporated into the Construction and/or Environmental Plans to enable complaints to be recorded and actions taken to minimise the risk of the factors causing the complaint to re-occur?</p> <p>(b) How would these alternative mechanisms be secured in the DCO?</p>	
12.9	The Applicant	Draft DCO, Schedule 1 works No 1A/1B makes reference to the poles extending up to 19m. However Requirement 3 of the draft DCO states that the maximum height of the proposed poles is 16.4m. Can you confirm the proposed height parameters (minimum and maximum) for the proposed structures (above existing ground level) and explain how and where these will be secured within the DCO?	
12.1	The Applicant	Draft DCO Schedule 1 works No 1A/1B refers to an above ground cable length of 9.6km and 7.8km respectively which would give a total overall cable length of 17.4km. However other documentation refers to a proposed cable length of 17km. Can you confirm the correct distance?	
12.11	The Applicant	Draft DCO Schedule 1 Works no.2B (g) refers to, "landscaping and ecological measures to restore trees..." Is the word "restore" correct here? Perhaps it should be "replant" or "replace" instead?	
12.12	The Applicant	Draft DCO Schedule 2 (Requirements), Requirement 3(1) requires the authorised development to be carried out in accordance with the approved plans etc. However the table at the bottom of this part of Requirement 3 refers to submission document reference numbers and not the actual approved plan numbers and titles. For clarity could this table refer to plan numbers/dates/revision numbers and name instead?	
12.13	The Applicant	<p>Tailpieces.</p> <p>Draft DCO Requirement 3(2) states that the authorised development "may be amended by approval of the relevant planning authority pursuant to requirement 16(1)". Requirement 6(2), 7(1), 10(2), 13(2) and 14(2) also have tailpieces which state, "unless otherwise approved by the relevant planning authority" or words to similar effect. Bearing in mind the advice in Planning Inspectorate Advice Note 15: Drafting Development Consent Orders, would the applicant consider removing the tailpieces from the draft requirements or setting out where the discharge of the requirement does not go to the heart of the scheme, as would be permitted should the DCO be granted, compelling reasons why such a tailpiece would be lawful and meet the tests for conditions in PPW7 that requirements must be precise and enforceable.</p>	
12.14	The Applicant	The table under Requirement 3(2) states in the title boxes for rows 2 and 3, "Maximum Height AOD (metres)". Is "AOD" the correct term here? Should it be "above ground level"?	
12.15	The Applicant	Requirement 3(3): What are the "relevant design principles" that this requirement relates to? Please could they be defined in the DCO?	
12.16	The Applicant	<p>Requirement 5: (Landscaping) refers to a "written landscape scheme which is substantially in accordance with the outline landscape management plan.."</p> <p>(a) Why is the landscape scheme only to be "substantially in accordance" with the outline management plan, not "in accordance with..."</p> <p>Is the applicant proposing to update the "outline landscape plan" during the Examination so that the details that it contains are better detailed? If so, should it not refer to the "landscape plan".</p>	
12.17	Local Authorities	<p>Requirement 6(2):</p> <p>(a) Do the two LAs accept that, as worded, this draft requirement would put the onus upon them to identify seriously damaged or diseased trees and shrubs during the 5 year aftercare period.</p> <p>(b) Do the LAs have the resources and expertise to do this?</p> <p>(c) If so, would they expect developer contributions for doing this?</p>	DCC staffing resources are limited. There is no in house landscape officer and routine monitoring is not a priority. It is not considered reasonable for this work to be carried out for the developer. 5 years of monitoring with say 2 visits a year and reporting would require 10 days minimum. During Aftercare the developer should be fully responsible for this.

12.18	The Applicant	Requirement 10 (construction hours): (a) Please define, "during daylight hours" and "core working hours". (b) Requirement 10(1), should "whichever is shorter" be added after, "or during daylight hours"?	
12.19	The Applicant	Requirement 11 (1)(contaminated land and groundwater): (a) Please could the applicant provide details regarding the timing of submission and approval of the scheme that is referred to in the third line of this requirement. (c) Where is this scheme documented in the ES?	
12.2	Local Authorities	Requirement 12 (archaeology): (b) Are the LAs satisfied that this requirement is sufficiently robust to ensure that if any significant unexpected archaeological features are discovered within the proposed development, there would be sufficient mechanisms and controls to provide for their protection/retention in situ and/or recording as necessary?	The watching brief condition is designed to preserve by record any archaeology which comes to light during the construction process. In any development, should unexpected remains of significant archaeological importance come to light, their retention in situ is always a matter for discussion between the developer and the local curatorial archaeologist.
12.21	The Applicant (all parts) and Local Authorities (parts b and d and e)	Requirement 13(1) (Construction Environmental Management Plan): (a) Should 'substantially in accordance with' as currently worded, be "in accordance with"? (b) Does the use of this term render the whole of the requirement imprecise? (c) Please could the applicant explain why Requirement 13(1)(a)(i) states that the ecological management plan must incorporate an "outline method statement for sensitive habitats and species" and not a "full method statement...". (d) If this is an "outline method statement" how would the full method statement be later approved under the terms of the draft DCO? Should the requirements and/or the Construction Environmental Management Plan (CEMP) include a section ensuring that reversing beepers on lorries and mobile plant are not audible beyond the Order Limits?	Please refer to Table A in Section 18.3 of the Local Impact Report
12.22	The Applicant (both parts), Local Authorities and Interested Parties (b only)	Requirement 16: (a) Please could the applicant explain why this is required? (b) If retained in the DCO, would it give the applicant the ability to modify the scheme in such a way that it could achieve approval for aspects of the project that fall outside the ES as assessed and thus sidestep the statutory process?	(b) The Council has drawn attention to this in its Local Impact Report. It is suggested the wording be reconsidered or the requirement is dropped.
12.23	The Applicant, Welsh Government, LAs and IPs	Should additional requirements be included in Schedule 2 to specify:- (a) An expiry date of the development consent (if granted) tied to the life of the wind farms? (b) The time within which decommissioning of the wood pole line and restoration of its route must be undertaken after such expiry date? Mitigation in relation to European Protected Species and important habitats that would be impacted?	Decommissioning impacts on ecology are likely to be significant and therefore if the development has a limited lifespan, this should be considered. It is up to the applicant to propose mitigation in relation to EPS and important habitats.
13		Questions in Relation to the Documents Submitted by the Applicant in July 2015	
13.1	The Applicant	Land Plan (Sheet 11) was updated and submitted with the July 2015 documents. (a) What change was made to this plan, compared with the original Land Plan 11? (b) The table (3.3) identifying the plots where PINS had identified errors in land plans referred to plots on Land Plan Sheet 5,9, 10,11,12. Do these other Land Plans that are referred to in table 3.3 also need to be updated? If not, why not?	
13.2	The Applicant	(a) Did the updated Arboricultural Survey Figure X.1-X.5: (document 6.19.9) have any changes compared with the original figure, apart from the word 'Draft' removed? (b) Where is the key to the Arboricultural survey documented?	
13.3	The Applicant	(a) Are the documents referenced 2.7.0-2.7.3 (key plans plus 29 sheets) to be certified documents if the Order were to be made? (b) If so, please provide properly referenced plans which reflect that there is a key plan and 29 sheets.	

14		Construction Environmental Management Plan; Ecological Management Plan, Landscaping Plan, Traffic Management Plan etc	
14.1	The Applicant	The outline CEMP (Document 6.18, para 3.6.3 page 28) refers to the use of brash mats to minimise damage to soil structure, can the applicant confirm where the brash will be coming from? I.e. will there be sufficient from the tree felling/lopping or will brash need to be imported from elsewhere. The CEMP indicates that the brash would not be removed from the site can the applicant confirm that the relevant landowners do not object to the brash being left behind?	
14.2	The Applicant	Does the applicant propose to update these draft environmental management plans during the Examination, and if so how will document control for the various documents be managed during the Examination, so that the final versions are the ones that would be referred to in the draft DCO?	
14.3	The Applicant	Please can the applicant provide a list of dates, full titles and edition/review numbers of all of the current editions of the environmental management plans, and provide details explaining where they are secured in the draft DCO.	

Glossary:

AP	Affected Person
BoR	Book of Reference
BT	British Telecom
CA	Compulsory Acquisition
CAA	Civil Aviation Authority
CCBC	Conway County Borough Council
CEMP	Construction Environment Management Plan COSHH Control of Substances Hazardous to Health
DCC	Denbighshire County Council
DCO	Development Consent Order DCWW Dwr Cymru Welsh Water
EMF	Electro-magnetic Field
ES	Environmental Statement
ESNTS	Environmental Statement Non Technical Summary
FCA	Flood Consequences Assessment
GCN	Great Crested Newts
HRA	Habitats Regulation Assessment
IP	Interested Parties
LA	Local Authority
LoD	Limits of Deviation
LWS	Local Wildlife Site
MOD	Ministry of Defence
NPS	National Policy Statements
NRW	Natural Resources Wales NSER No Significant Effect Report
NSIP	Nationally Significant Infrastructure Project NWWFC North Wales Wind Farms Connection
OLMP	Outline Landscape Management Plan
PA2008	Planning Act 2008
PPW	Planning Policy Wales
PSTA	Planning Statement Technical Appendices
RR	Relevant Representation
SAC	Special Area of Conservation
SoCG	Statement of Common Ground
SoR	Statement of Reason
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest SU Statutory Undertaker
TAN	Technical Advice Note