

Ymgyrch Diogelu Cymru Wledig Campaign for the Protection of Rural Wales

Elusen Gofrestredig / Registered Charity 239899

CANGEN CLWYD / CLWYD BRANCH

(Denbighshire, Flintshire, Wrexham County Borough)



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30th August 2015

Application by SP MANWEB for an Order Granting Development Consent for the North Wales Wind Farms Connection. PINS Reference: EN010014

1. Objection

- 1.1 The CPRW Clwyd Branch objects to the preferred route solution for the overhead transmission line for the following reasons:
- The overhead line will have a significant, permanent and damaging impact on a landscape noted for its natural beauty and unique features.
 - The overhead line will cause significant harm to the landscape that makes an immeasurable contribution to the local economies of the areas through which it will pass.
 - SP Manweb does not accept the implementation of undergrounding the line connection purely on financial considerations despite creation of a wirescape within an area of attractive high quality landscape where the overhead line negotiates the Afon Elwy Valley.
 - SP Manweb fails to adequately justify that the preferred route option reflects the company's accepted national responsibilities to safeguard the landscape of rural Wales and to protect the continued well being of those who live, work and depend on the areas through which the preferred route will pass and also those who visit these locations.

2. Justification for Objection

- 2.1 As a matter of principle, the CPRW Clwyd Branch does not accept that any one activity or development should be allowed to displace or create such an imbalance within a landscape that would result in the value of the place where it is located, or the qualities of its surroundings, being degraded or forfeited.
- 2.2 We believe there are few more devastating examples of landscape degradation than structures; indicated as being between approximately 11.8m (38.7ft) and 16.4m (53.8ft)

high above ground, (source: Environmental Statement, Chapter 1, Section 1.5.5); each comprising of double wooden poles in order to carry a transmission line across 17km of open countryside. This is despite mitigation suggestions as to screening that, allegedly, will reduce their adverse impact upon the natural beauty of the landscape.

2.3 Under Article 1 of the European Landscape Convention; of which the UK is a signatory, 'landscape protection' is referred to as being measures to preserve the present character and quality of landscape which is greatly valued on account of its distinctive natural or cultural configuration. Such protection must be active and involve upkeep measures to preserve significant features of landscape. Article 2 of the same document reveals that the scope of the Convention covers natural, rural, urban and peri-urban areas, inland water and marine areas. It also concerns landscapes that might be considered outstanding, as well as everyday or degraded landscapes.

2.4 Attention is drawn to National Policy Statement for Electricity Networks Infrastructure EN-5, (July 2011), where within Section 2.8.2 it states: *'...at particular sensitive locations the potential adverse landscape and visual impacts of an overhead line proposal may make it unacceptable in planning terms, taking account of the specific local environment and context.'*

This is particularly pertinent with regard to the Afon Elwy Valley where, just over the northern side of the Cefn Meiriadog ridge at the terminal pole the overhead line is to be undergrounded for 1.8km to its connection with the St Asaph Substation. Is it not conceivable for the undergrounding of the line to be extended across the valley to just behind its southern ridge to protect such a sensitive area?

2.5 The long established Holford Rules relating to landscape principles that are applied in the decision making of routing overhead lines clearly state that such proposals should be avoided if possible where areas of highest amenity value, or smaller areas of high amenity value is encountered and alternative routing arrangements adopted.

2.6 SP Manweb is also under a statutory obligation under Section 38 and Schedule 9 Electricity Act 1989, (as amended), that adds weight to any decision to underground a line with it reading:

'1. (1) In formulating the relevant proposals, a licence holder or a person authorised by exemption to generate, transmit, distribute or supply electricity

(a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest, and

(b) shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any flora, fauna, features, sites, buildings or objects.'

2.7 Such an option to underground would not only rectify the damage to the landscape by existing overhead lines but prevent the additional adverse impact with the creation of a new and more intrusive one.

3. Agricultural Land Classification

- 3.1 Within SP Manweb's submitted Environmental Statement, Chapter 10, Section 10.5.7, it is revealed that agricultural land of Grade 3 classification is contained within the 1km Order limits of the Proposed Route Alignment along a significant distance of the preferred route option. No reference is made of its sub-division into Grades 3a and 3b, of which Grade 3a is deemed to be as 'Best and Most Versatile' (BMV) land.
- 3.2 At Section 10.5.4 of the same chapter, the applicant states: *'Provisional reclassification By the Department for Environment, Food and Rural Affairs (DEFRA) to-date has removed Sub-classifications within Grade 3, considering Grades 1 and 2 as 'Best and Most Versatile' (BMV) land.'*
In support of this, at Section 10.5.6 of Chapter 10 of the Environmental Statement, a Table 10.4, headed 'Definition of Agricultural Land Classification Grades' is produced with the Grade 3 classification being undivided.
This information is at complete variance with information available from the Welsh Government's Land, Nature and Forestry Division who maintain the sub-division of Grade 3.
- 3.3 Agricultural land is a finite resource with land designated as being the 'Best and Most Versatile' confined to an extremely small percentage of the total agricultural land use within Wales. Such land falling within this classification requires to be protected and conserved for future generation.
- 3.4 In Planning Policy Wales, Edition 7, (July 2014), Chapter 4 – Planning for Sustainability, at Section 4.10.1, it is stated: *'In development plan policies and development management decisions considerable weight should be given to protecting the land from development because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for development, and either previously developed land or lower in agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.'*
Budgetary consideration is not accepted as being an overriding need with regard to use of agricultural land classified as Grade 1, 2 or 3a.
- 3.5 In Technical Advice Note (TAN) 6 – Planning for Sustainable Communities (2010), at Section 6.2.3 it states: *'Agricultural land is classified by grades according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use for food production. There are 5 grades of land numbered 1 to 5, with grade 3 divided into two sub-grades. The best and most versatile land falls into grades 1, 2 and sub-grade 3a and is the most flexible, productive and efficient in response to inputs.'*
- 3.6 Within the same TAN 6, attention is also drawn to the following sections, which read respectively:

‘6.2.1 When preparing development plans and considering planning applications, local planning authorities should consider the quality of agricultural land and other agricultural factors and seek to minimise any adverse affects on the environment.

6.2.2 Planning authorities should bear in mind that, once land is built on, the restoration of semi-natural and natural habitats and landscape features is rarely possible and usually expensive, and archaeological and historic features cannot be replaced. Also, once agricultural land is developed, even for ‘soft’ uses such as golf courses, its return to agriculture as best and most versatile agricultural land is seldom practicable.’

3.7 SP Manweb has failed to differentiate between agricultural grades 3a and 3b that could result in loss of BMV land due to proposals to construct access tracks, underground limited short sections of the line and erect poles upon agricultural land. Such a loss has the potential to become permanent from information contained in Chapter 5 of the submitted Environmental Statement where, at Section 4.6.5, one is informed: *‘The need for the 132kv Overhead Line is dependent on the contracted wind farms, which have an anticipated operational life of 25 years. Operational requirements of the local electricity network and associated demand will be kept under continuous review throughout the period to determine the long term use and retention of the 132kv Overhead Line.’*

CPRW Clwyd Branch

