

From: [Eifion Bibby](#)
To: [North Wales Wind Farm Connection](#)
Subject: FAO Steffan Jones- Proposed North Wales Wind Farms Connection Scheme Our Ref-:NWW.Gen
Date: 24 August 2015 11:31:37
Attachments: [image001.png](#)
Importance: High

Dear Sirs,

Further to our previous communications, a series of emails with proposed amended scheme plans appertaining to our Landowner clients were received, on the afternoon on Friday 21st August 2015, in respect of Scottish Power [being we interpret the detail referred to in the letter from Pinset Masons to the Planning Inspectorate on 24th July 2015 (as specified under the heading “ Revisions to application documents” in the Rule 8 letter dated 4th August 2015)].

We have endeavoured to forward the same forthwith to our client’s for consideration (either by email where this facility is known to be available, or alternatively by first class post) .

Furthermore we have been informed ,in respect of Scottish Power ,that an explanation on of the revisions made or otherwise, (pursuant to the interested parties’ requests) is to follow- but this has not yet been received.

In addition please note we have not yet received the revised plans in respect of our clients whom are Tenants.

We would accordingly appreciate the Planning Inspectorate’s due consideration and urgent directions ,please, on the following :

1. We have explained previously the practical difficulties given the timescale for Deadline 1 (i.e 12 noon on 1st September 2015) .With such revisions only being received on Friday 21st August ,and the writer being away on annual leave from 27th August -2nd September (together with the writer’s alterative commitments scheduled in the meanwhile) we request that the opportunity is extended for representations to be made for, or on behalf of our clients, by at least 1 week to **12 noon on 8th September 2015**.

Whilst we note and appreciate the previous invitation to make representations, on formerly submitted application detail ,we are concerned that our clients will be subjected to abortive time & costs should they be required to make representations on existing as well as revised submissions ;and respectfully consider it would be a waste of resources to provide representations on scheme proposals which are subject to potential alteration , particularly given that all the updated detail and associated explanations, is expected from the applicant ,we understand by ,at the latest ,Friday 28th August (prior to the bank holiday weekend).

2. For the avoidance of any doubt (and to ensure there is no confusion as to what is being regarded as the submission forming part of the scheme application) ,we would be obliged to receive confirmation of whether the Planning Inspectorate have received

updated detail from Scottish Power as from 21st August 2015, in respect of our clients (whom have been registered as interested parties) or whether the Planning Inspectorate are expecting the aforesaid detail to be received by 28th August (on the basis of our interpretation in item 1 above) as amended application submissions. **Naturally it is vital that any revised application detail to be considered by the Planning Inspectorate corresponds with that which has been submitted by the Applicant to our clients.**

3. That we may reserve the right for (and on behalf of) each of our clients (as interested parties) to :
 - i) make oral representations at the issue specific hearings and/or to speak at the compulsory acquisition hearing.
 - ii) be in attendance to accompany at a site inspection in respect of their affected property (if required).

In the meanwhile the following **preliminary representations** are submitted in respect of each of our clients (whom are registered as interested parties):-

i) The preference would be for electricity apparatus to be sited below (instead of above) ground in order to mitigate long term adverse effects on the use of agricultural land and enterprise [which if above ground would result in inconvenience (together with health and safety concerns) with farming operations (including the use of agricultural machinery) & loss of productivity (for instance in respect of forage and arable cropping as appropriate)].

ii) It is considered significant that as part of any required planting proposals determined in respect of the scheme application that no trees will be planted in boundaries along public roadsides (appertaining to our clients properties) owing to concerns regarding the effects on highway safety (in particularly near existing field gateways) and also given the costs for future long term exposure to maintenance and insurance liability for such trees abutting the highway . It is our concern that the provisions in the existing compensation code will not duly protect our clients in this respect and therefore it is considered that the equitable solution would be to avoid such a requirement being necessary at the outset.

iii) It is fundamental that no existing access facilities (including rights of way) are extinguished/ disadvantaged and that rights for water supplies are maintained (without harm).

iv) As a precautionary measure until the position in respect of item 2 above is known, and accordingly clarified, the following supplemental representation is also made in respect of each of our clients:

Whilst we are aware (subsequent to recent site meetings held in July 2015) that the Applicant is in the process of reviewing existing scheme plans (including ,in part, the type [e.g poles with our without stays] ,number ,location and frequency of apparatus proposed to be site to seek to mitigate the concerns in item 1 above)] it is contended that the current application detail submitted to the Planning Inspectorate does not illustrate unambiguously what rights are intended to exist in perpetuity (in effect “ permanently”) and what temporary rights will apply in consequence of the proposed scheme . This is necessary in order to give due consideration as to the enduring impact of the intended scheme on the interested parties (owner/occupiers) affected properties pursuant to compulsory powers and accordingly to illustrate to what extent the subject land will be sterilised [so as to ascertain whether the effects of such impediments are capable of being duly compensated (pursuant to the compensation code) to reflect the

associated limitations; and on whether there will be a requirement imposed for extinguishment of the proposed rights if there is an end date determined for decommissioning of the wind farms –as raised in item 5.3 of the Examining Authority’s questions].

We trust the Planning Inspectorate will be in a position to consider this submission to be fair and reasonable and to accept the preliminary representations made herein on behalf of each of our clients (formerly registered as interested parties). Given the time limitation we would very much appreciate your earliest attention in this respect, including please on the extended timescale request.

We look forward to hearing from you.

Yours faithfully,

Eifion Bibby

J Eifion Bibby MRICS FAAV

Senior Consultant & RICS Registered Valuer

For and on behalf of :

Davis Meade Property Consultants, Plas Eirias Business Centre, Abergele Road, Colwyn Bay, Conwy, LL29 8BF.

Mobile No: 07969 273433 Tel: 01492 510360 Fax: 01492 512151

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From: North Wales Wind Farm Connection [<mailto:NWWFConnection@pins.gsi.gov.uk>]

Sent: 12 August 2015 11:16

To: Eifion Bibby

Cc: North Wales Wind Farm Connection

Subject: RE: FAO Steffan Jones- Proposed North Wales Wind Farms Connection Scheme Our Ref-:NWW.Gen

Dear Mr Bibby

Thank you for clarifying your position in relation to submitting written representations on behalf of your clients for deadline 1 (1 September 2015); I encourage you to keep the Planning Inspectorate informed of any concerns you may have in responding to deadlines as set out in the Examining Authority’s (ExA) Examination Timetable over the course of the examination period.

Your email of 8 July 2015 requesting an extension to Deadline 1 was provided to the ExA in advance of the Preliminary Meeting and in fact another interested party present at the Preliminary Meeting made the same suggestion. The request was given careful consideration by the ExA however

on this occasion it was felt that an extension to Deadline 1 could not be achieved, taking into account that an ExA has only 6 months to examine an application for a Nationally Significant Infrastructure Project under the Planning Act 2008 (as amended) (PA2008). A delay of a month at this stage would have caused the examination to run beyond the statutory deadline.

We understand that the applicant wishes to provide an alternative option on 28 August 2015; perhaps this is the update to which you are referring? Clearly this would not allow interested parties time to comment on the alternative option by Deadline 1, but comment on the original proposals would be welcome as we understand that the applicant does not intend to withdraw this option. If the Examining Authority accepts the proposed second option, then a new period for comment would be arranged at a later date.

The ExA would be grateful of any information you would be able to provide them by Deadline 1, regardless of whether you believe that such a submission could be updated following receipt of further information at a later date. May I take this opportunity to also remind you that there is provision for the ExA, at their discretion, to accept submissions from interested parties outside of the examination deadlines. Therefore should you wish to provide the ExA with a submission outside an examination deadline, there may be the opportunity to do so.

I hope this information is useful, should you have any further questions please get in touch.

Regards

Steffan

Steffan Jones

Case Officer

Major Applications & Plans

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

Direct line: 0303 444 2197

Helpline: 0303 444 5000

Email: Steffan.Jones@pins.gsi.gov.uk

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

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

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

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From: Eifion Bibby [<mailto:eifionbibby@dmpropertyconsultants.com>]

Sent: 10 August 2015 21:00

To: North Wales Wind Farm Connection

Subject: RE: FAO Steffan Jones- Proposed North Wales Wind Farms Connection Scheme Our Ref-:NWW.Gen

Importance: High

Dear Sirs,

Further to the email exchange hereunder (given my understanding upon returning from annual leave today that ,unfortunately, the request to extend the deadline for written representations to be received from 12 noon on 1st September has not been approved) I write to express concern , in respect of all our affected clients (registered as interested parties) , that they may well not be in a position to provide due representations by the aforesaid deadline . This is owing to us awaiting (pursuant to recent site meetings with the Utility Company's appointed representatives -held on 7th , 9th & 14th July) updated scheme plans (amongst other detail) from Scottish Power to identify the siting and type of apparatus proposed (following the request ,in certain circumstances, for amendments to mitigate adverse impact on the property that they own/occupy) and/or to clarify what areas will be subject to temporary and perpetuity (“ permanent”) rights .

I have today had the opportunity to confirm that the suggested revised **template** plan format (illustrating proposed temporary and permanent rights) received from Scottish Power(during my absence on annual leave) , is deemed satisfactory; –however at this stage (on 10th August) I have no knowledge of how long it will take for the Utility Company to issue the requested detail (which I would envisage would also be required by the Planning Inspectorate so as to be in a position to correctly interpret and equitably consider the compulsory powers requested by the applicant) appertaining to our individual clients (and accordingly what residual time there will remain for our clients to provide duly considered representations on the latest proposals, as appropriate).

I would accordingly be grateful if the Planning Inspectorate would consider allowing an extended period for our clients to be able to make such submissions.

I look forward to hearing from you, please, at your earliest convenience .

Yours faithfully,

Eifion Bibby

J Eifion Bibby MRICS FAAV

Senior Consultant & RICS Registered Valuer

For and on behalf of :

Davis Meade Property Consultants, Plas Eirias Business Centre, Abergele Road, Colwyn Bay, Conwy, LL29 8BF.

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From: North Wales Wind Farm Connection [<mailto:NWWFConnection@pins.gsi.gov.uk>]
Sent: 14 July 2015 11:57
To: 'Eifion Bibby '
Cc: North Wales Wind Farm Connection
Subject: RE: FAO Steffan Jones- Proposed North Wales Wind Farms Connection Scheme Our Ref-:NWW.Gen

Dear Mr Bibby,

Thank you for your email below this has been sent to the Examining Authority for their consideration, and I have updated our records to show you are unable to attend the Preliminary meeting.

Kind regards

Zena

Zena Madden
Assistant Case Officer
Major Applications & Plans
The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN
Helpline: 0303 444 5000
Email: NWWFConnection@pins.gsi.gov.uk
Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)
Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)
Twitter: @PINSgov
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From: Eifion Bibby [<mailto:eifionbibby@dmpropertyconsultants.com>]
Sent: 08 July 2015 17:59
To: North Wales Wind Farm Connection
Subject: FAO Steffan Jones- Proposed North Wales Wind Farms Connection Scheme Our Ref-:NWW.Gen

Dear Sirs

We act as Agents representing a number of interested parties (being landowners/occupiers) affected by the above proposed scheme.

Unfortunately the writer will be unable to attend the Preliminary Meeting scheduled for Tuesday 28th July 2015 and we request that consideration, please, be given to deferring "Deadline 1" referred to in the draft timetable (in Annex D of the Planning Inspectorate's letter of 2nd July 2015) to 1st October 2015 (and thereafter the subsequent time-limits on a corresponding basis). This is owing to pragmatic concerns that the period extending from (and

including) the preliminary meeting and 1st September is within the school summer holidays and a number of potential parties ,that may be wanting to submit representations, will be on vacation for at least up to a fortnight reducing the time available to liaise with their representatives (compounded by potentially staggered annual leave commitments) to arrange comprehensive submissions .

In anticipation we thank you for affording due consideration to this request.

Yours faithfully,

Eifion Bibby

J Eifion Bibby MRICS FAAV

Senior Consultant & RICS Registered Valuer

For and on behalf of :

Davis Meade Property Consultants, Plas Eirias Business Centre, Abergele Road, Colwyn Bay, Conwy, LL29 8BF.

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