

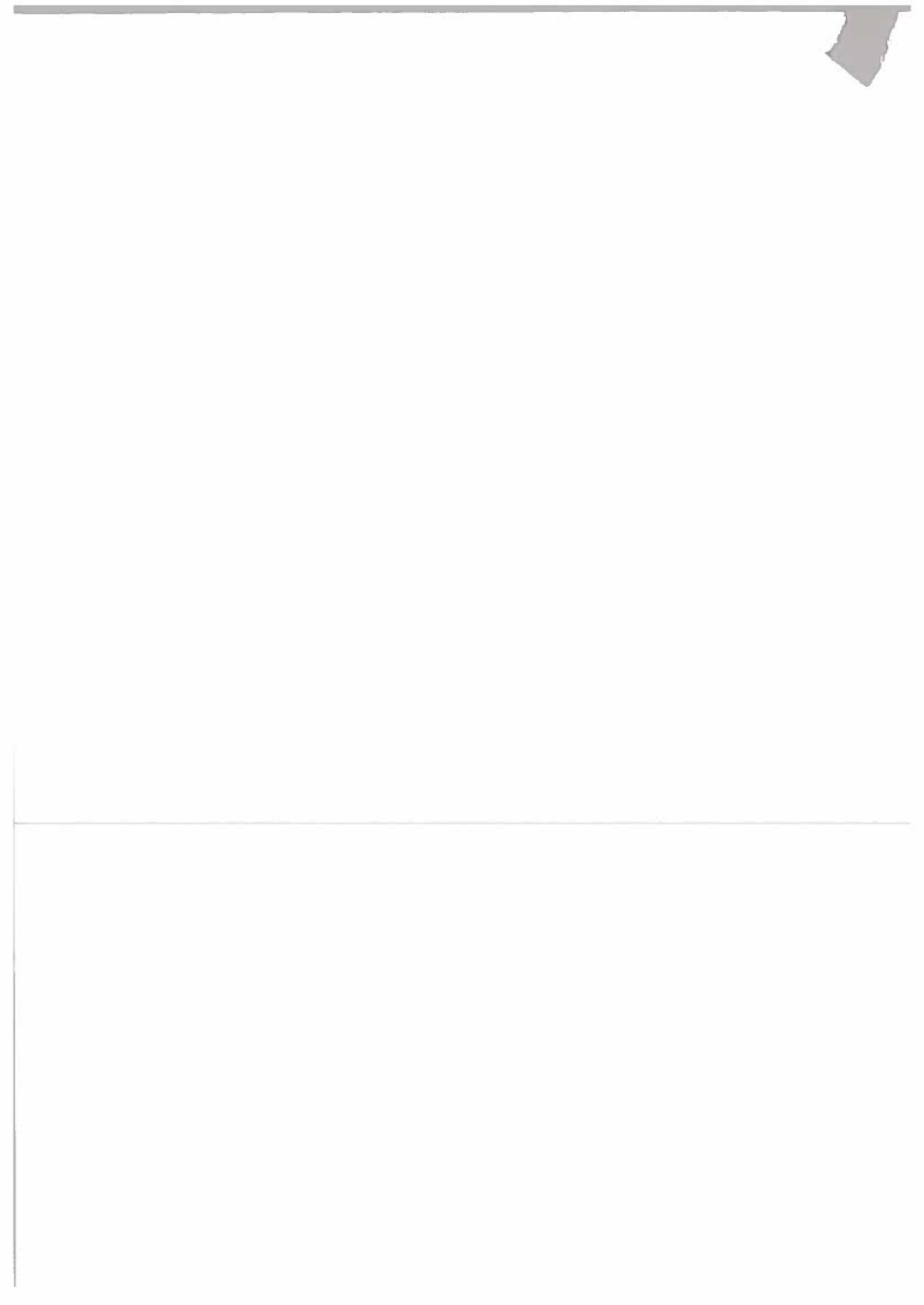


**NORTH WALES WINDFARM OVERHEAD LINES EXAMINATION
DEADLINE 3 SUBMISSION – DENBIGHSHIRE COUNTY COUNCIL**

ATTACHMENT 1 OF 4

IN RELATION TO LANDSCAPE AND VISUAL IMPACT HEARING, 30TH SEPTEMBER

- Summary of opening presentation at the Hearing by Andrew Sumner, Landscape Consultant for Denbighshire County Council
- Copy of the photograph showing comparative sizes of poles at Cefn Meiriadog, prepared by Landscape Consultant
- Clarification of comments from Andrew Sumner on the duration of the development
- Clarification of comments from Andrew Sumner on the topic of Significance of Effects
- Confirmation whether there is a Registered Park / Garden at E riviati Hall
- Comments from Denbighshire County Councillor Meirick Lloyd Davies
- Information from Councillor Joseph Welch in relation to responses from Tan yr allt and Ty Coch



SUMMARY

Landscape and visual impact

1 Introduction

Denbighshire County Council want the proposed scheme placed underground because overhead lines and poles would have detrimental impacts on local landscapes.

This is a summary of points raised, respecting Landscape and Visual Impact, in the Denbighshire Written Representation and Local Impact Reports. This summary was originally prepared to be read at Examination on the 30th September 2015 and is not intended to replace the Landscape and Visual Impact element of the Denbighshire County Council Written Representation. Any new evidence included in this summary document is identified in underlined text.

2 Heights of poles

SPManweb propose using 11.1 to 16.6 metres tall pairs of 470mm in diameter (18.8 inch) wooden poles set 3 metres (10 ft) apart. These poles will be taller than many of the local trees which tend to be modest in stature. The Council considers that whilst these will be made of wood, they would be of sufficient height and diameter to be intrusive forms in the landscape and would cause adverse visual impacts on residential properties and public space.

A photograph illustrating the typical telecoms pole and electricity pole with superimposed poles of the kind proposed for the North Wales connections was presented as evidence by Andrew Sumner during the examination on the 30th September. This photograph (entitled **Comparison between pole sizes**) is submitted with this summary.

3 Route selection and undergrounding

Policy Statement for Energy EN-5 sets out when undergrounding of cables should be considered. *'Where there is serious concerns about the potential adverse landscape and visual effects of a proposed overhead line.'* If SP Manweb's stated intent is to consider undergrounding only as a form of mitigation once a given length has been identified as

being of *'serious concern'*, we conclude that undergrounding has not been properly considered as a means of avoidance of impact during the design and selection of alternative routes.

It is possible that a different Preferred Route might have been considered if undergrounding as a means of impact avoidance, had been taken into consideration for at the earliest stage. It is also possible that some of the more significant visual and landscape impacts, such as sky-lining, would be reduced if burial had been considered.

4 Identified receptors

The Council has concerns that the visual impact assessment is not comprehensive and that if it were the results would show that there will be a more significant overall visual impact. In response to comments from SPManweb ¹ the Council does not accept that failing to assess the effects on all public rights of way is standard practice for linear projects of this nature.

5 Photomontage and wireline visualisations

In showing the effects of a proposal, photomontages are only as useful as a selected viewpoint will allow:

- A. In the Written Representation the council made comments and suggested some different viewpoints and some locations where reorientation better presented the 'worst case'. We have asked the Panel to visit these in the course of their unaccompanied site inspections.
- B. The Council is concerned that the winter time photomontages do not present the worst case impact. Good practice in LVIA is to show a scheme in the worst circumstances. Whilst 'worst case' is generally taken to mean the winter, our site inspection, demonstrated that in summer there is better light, the air has good clarity making the poles more visible over greater distances and more people would be outside to enjoy the views. Furthermore, in open and upland landscapes, where trees are smaller in stature or absent, the poles would be much more visible and cause a greater adverse impact in these conditions.

¹ EN020014 September 2015

6 Significance of effects

The Council is concerned about the manner in which definitions are adopted by SP Manweb that exclude the possibility of undergrounding as a means of mitigation. The argument for not undergrounding relies on an interpretation of the ambiguous phrase '*serious concern*' in Policy Statement for Energy EN-5.

SP Manweb have chosen to define 'serious concerns' as being significant adverse effects. This is clarified later to mean '*effects which are predicted to be major or moderate significance*', which seems a reasonable assumption based on a 5-point scale of impacts that are, 'None', 'Negligible', 'Minor', 'Moderate' and 'Major'. In contradiction SP Manweb also state that 'serious concerns' are only taken to be major adverse effects and justify this by stating that they have applied this approach on a previous scheme at Llandinam in mid Wales.

In the assessments the term Moderate-Major is then used for impacts in several locations. We question if this is indicating a sliding scale where an impact falls precisely on the dividing line, or is stating that the impacts varies over time from Moderate to Major. Either way, the use of Moderate-Major seems to be a means to escape from a clean statement of Major Impact which would justify undergrounding.

To add to the uncertainty, the ES states that 'serious concerns' means adverse significant landscape and visual effects 'that are over and above that expected for this type of project'. This 'circular' definition is highly significant in deliberations over the case for undergrounding as mitigation because it means that the overhead line scheme can never cause major adverse impacts. The statement implies that any intrusive development which is intrinsically damaging to the landscape is acceptable provided that the damage is no greater than might expected for this kind of damaging development. Effectively this definition bars any effect from resulting in undergrounding being considered. Surely this is not what policy writers regulators intend?

The Council consider that on the basis that both moderate and major effects are significant, there is a need to reconsider the criteria for undergrounding.

7 Predictable changes in the landscape

The likely effect of Ash Die-back disease (Chalara) have not been considered. The loss of ash will have a profound effect on landscape and will open up views that are currently screened. The effect of this loss of trees would worsen visual impact for parts of the proposed development.

8 Mitigation planting

The Council has considered the proposed landscape and visual mitigation scheme as set out in the ES. This includes proposed planting schemes, inside the Orders Limits, which would be SPMANWEB's statutory to complete. These will be carried out and maintained by SPMANWEB for 5 years with the objective of achieving fully effective mitigation after 15 years. Once Orders are confirmed this mitigation becomes a SPMANWEB legally binding commitment. It would be a breach of that commitments if the planting failed to achieve the expected mitigation. The council want to know how SPMANWEB will be legally responsible for sustaining this mitigation to fulfil commitments beyond the 5 years of aftercare when planting is returned to the landowner.

9 Mitigation: undergrounding

The Council notes a reference in the ES which states that Underground cables may sometimes be appropriate to overcome technical issues or in areas of highest visual sensitivity. EN-5 states that the decision maker will only refuse consent for overhead line proposals in favour of underground alternatives if 'the benefits....clearly outweigh any extra economic, social and environmental impacts, and the technical difficulties are surmountable.' The Council do not agree with the conclusions that no undergrounding is required. In a number of locations, undergrounding would have a minimal short term impact on the landscape because the buried cables could pass under productive landscapes of improved grassland and arable land, or in verges or roads. However, returning to Section 3, above, as undergrounding was not a consideration in route selection then SPMANWEB will be faced with high costs to underground cables over ridges and high ground where rock is close to the surface. They will argue for overhead cables on the grounds of cost.

10 CONCLUSIONS

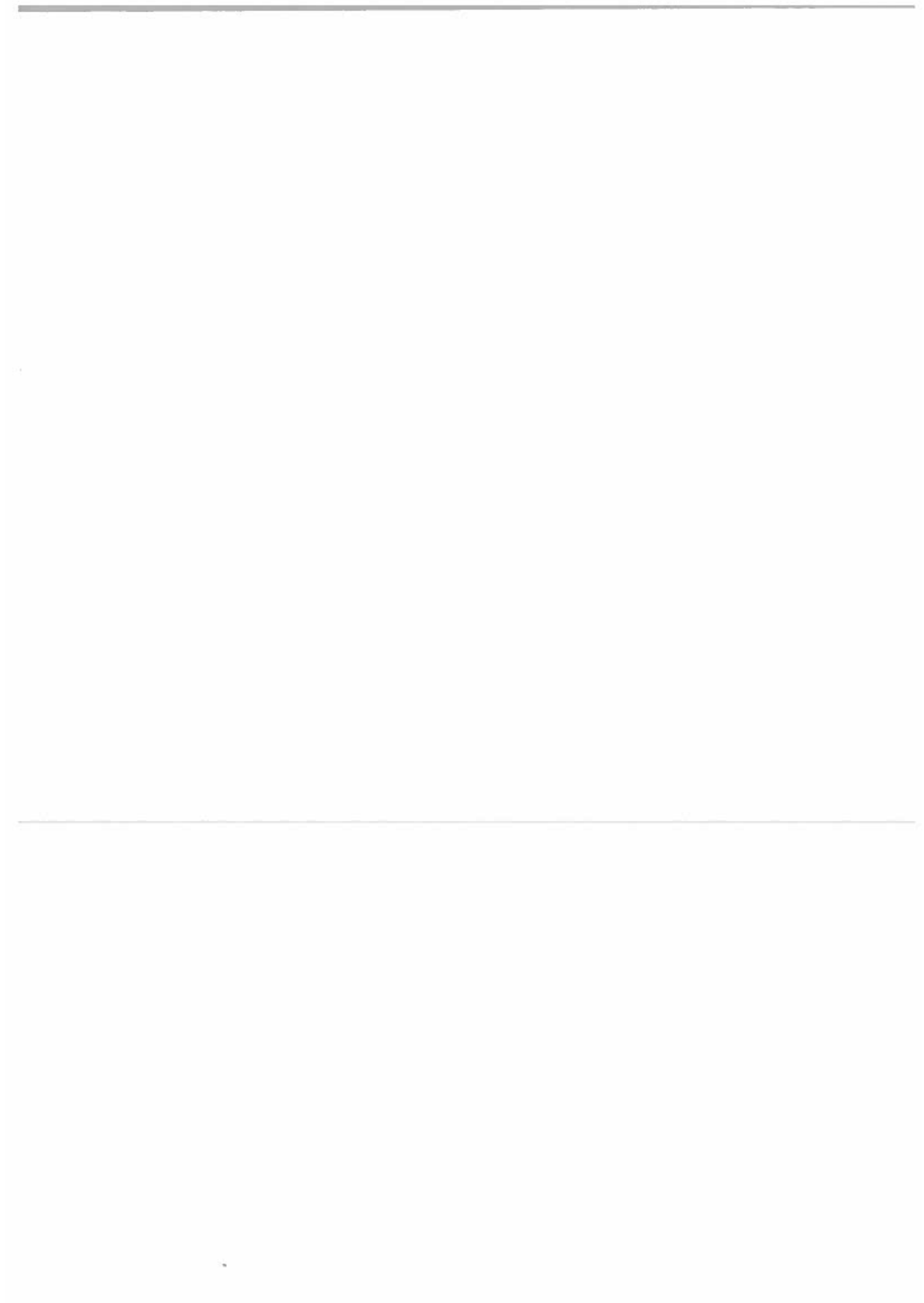
The scheme would have a detrimental landscape and visual impact on the quality and integrity of the local landscape, with sections being more adversely affected than others. In some area the poles and lines will be prominent and visible on the skyline.

It is questioned whether appropriate consideration has been given to factors determining the choice of the overhead option in preference to undergrounding

There are concerns over elements of the Environmental Statement, including the identified receptors and viewpoints used to assess impacts; the approach to photomontages and whether they demonstrate 'worst case' scenarios; the terminology used in identifying significance of effects; and arrangements for mitigation planting.

There would be adverse impacts on residential visual amenity and the enjoyment of the landscape by users of public footpaths and highways.

The Council consider that the impacts of the overhead lines would be significant, raising serious concerns. Therefore there are reasonable grounds to raise an objection to the proposed development and to require undergrounding.



Comparison between pole sizes

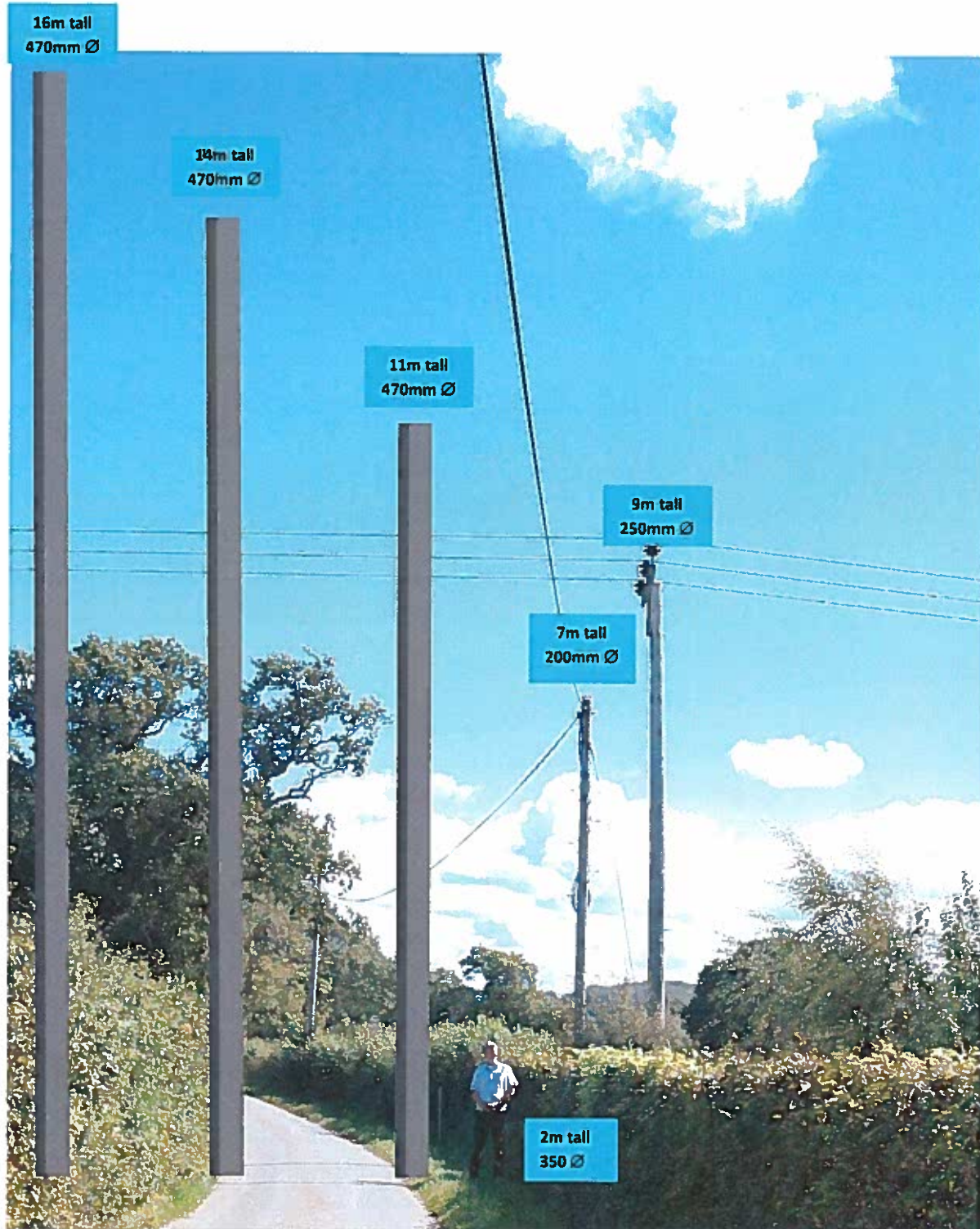
Height and diameter comparisons for typical telecoms and electricity poles with the wooden poles proposed for the North Wales Connections Project

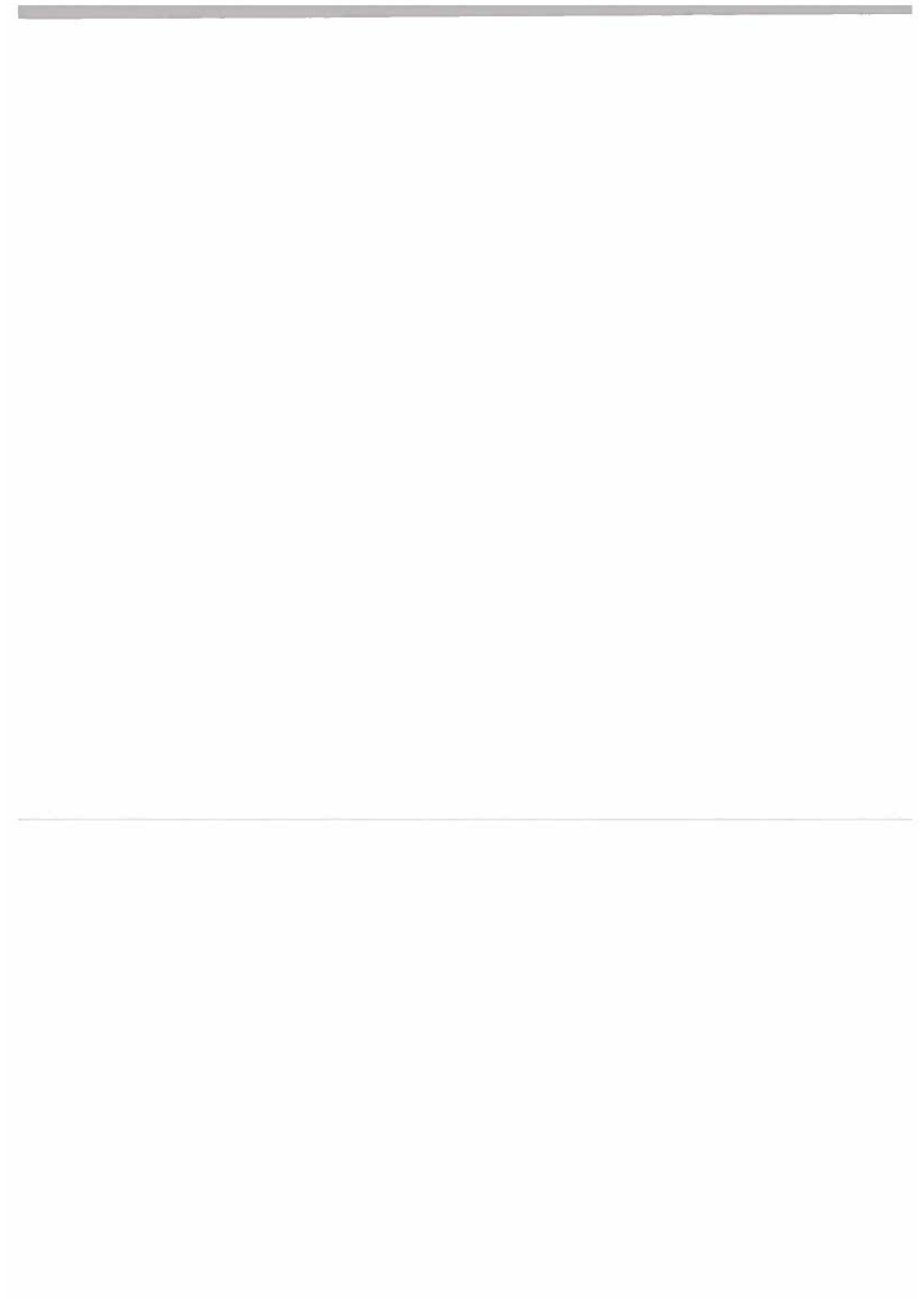
2m tall landscape Architect compared with:

7 metre tall 200mm diameter telegraph pole;

9 metre tall 250mm diameter electricity pole

16 metre maximum, 11metre minimum and 14metre tall 'typical' proposed poles (470mm diameter)





Clarification on the duration of the development

1 Introduction

- 1.1 Duration the examination it was revealed that SP Manweb intend that the overhead lines would be in place for 125 years. This is a change from the duration set out in the ES Chapter 2 Description of the Proposed Development:

2.11 Decommissioning

2.11.1 The need for the connection is dependent on the four wind farms, which have an operational life of 25 years. The operational life of a 132kV overhead line is approximately 40 years therefore longer than the lifespan of the wind farms. Operational requirements of the local electrical network and associated demand would be kept under continuous review throughout this period to determine the long term use and retention of the connection, prior to any decommissioning decision being taken. If it's useful life has expired and the connection is to be removed, much of the material would be taken for recycling. A similar process to remove the connection would be required as for construction.

- 1.2 This raises several concerns relevant to landscape and visual impact:

- A. The extended lifetime of the poles and cables in the landscape will require additional maintenance and replacement of poles and cables with consequential disturbance of the landscape including the removal of hedges and trees and the opening up of access points from public roads.
- B. The LVIA, based on the stated 40 year life does not reflect the increased impacts of the 125 year life. Paragraph 7.4.95 of the LVIA states that 'more weight is usually given to effects that are greater in scale and long-term in duration'. Therefore the LVIA underestimates the effect of duration. The increased duration will mean increased landscape and visual impacts.

Assessing the Magnitude of Visual Effects

7.4.95 In accordance with Paras 6.38 to 6.41 of GLVIA3, the magnitude of visual effects on a receptor is determined by combining a judgement about the likely size/ scale of the change with the geographical extent of the area likely to be affected. More weight is usually given to effects that are greater in scale and long-term in duration. In assessing the duration of the effect, consideration was given to the effectiveness of the specific mitigation measures, particularly where planting is proposed as part of the works and which over time may lessen the scale of visual effect.

- 1.3 Taking account of the extended duration many landscape and visual impacts might be considered to rise from Minor to Moderate and from Moderate to Major, thus requiring the consideration of undergrounding as mitigation.
- 1.4 Undergrounding of the cables through agricultural land would reduce the need for maintenance and replacement of poles and the need for access to the land and the removal of hedges.
- 1.4 The extended lifetime of the cables by over 3 times the original stated life will mean a longer period for the infrastructure to earn income to cover the investment costs.

Undergrounding would therefore be more affordable to deliver reduced landscape and visual impacts.

Clarification on the topic of Significance of Effects

1 Introduction

1.1 During the examination on the 30th September 2015 a clarification was requested on the use of terminology in the Manweb Application documents, which developed into a matter of debate. The decision as to whether or not to place cables underground or overhead depends upon the way in which these terms are understood. The terms are:

- 'Serious Concerns',
- 'Significant Effects',
- 'Moderate' and 'Major' Effects

We consider that the Developer's justification for not undergrounding cables is based on a flawed premise. In Section 5 we present a proposed process for the consideration of undergrounding.

2 Serious Concerns

2.1 The policy justification for undergrounding or otherwise rests on a requirement in Policy Statement for Energy EN-5, which sets out when the undergrounding of cables should be considered. '*Where there are serious concerns about the potential adverse landscape and visual effects of a proposed overhead line.*' See extract below:

Undergrounding

2.8.8 Paragraph 3.7.10 of EN-1 sets out the need for new electricity lines of 132kV and above, including overhead lines. Although Government expects that fulfilling this need through the development of overhead lines will often be appropriate, it recognises that there will be cases where this is not so. Where there are serious concerns about the potential adverse landscape and visual effects of a proposed overhead line, the IPC will have to balance these against other relevant factors, including the need for the proposed infrastructure, the availability and cost of alternative sites and routes and methods of installation (including undergrounding)¹³.

2.2 The need to address 'serious concerns' is adopted for the North Wales Connections project and this is stated several times in the Environmental Statement.

3 Significant Effects

3.1 SP Manweb have provided their interpretation of 'serious concerns' in paragraph 2.3.2 of the Planning Statement Technical Appendices (Doc Ref 7.5), which clarifies that 'serious concerns' means '*adverse significant landscape and visual effects that are over and above that expected for this type of project*'. This is copied below in context:

2.3.2 In terms of defining '*serious concerns*', this has previously been interpreted by SP Manweb in its submissions in respect of the Llandinam Scheme, as referred to above, to mean adverse significant landscape and visual effects that are over and above that expected for this type of project. In the context of an overhead line, this is taken to be a major adverse effect as identified in the ES for the Proposed Development.

3.2 As stated in the Denbighshire County Council Written Representation, this phrase seems to indicate that even if the adverse landscape and visual effects are significant they are not considered to be of serious concern unless they are greater than the effects expected for overhead cables. Thus, we are drawn into a circular argument which can only result in the conclusion that no landscape and visual effects can cause serious concern because none are over and above what is expected.

3.3 An examination of the key word 'expect' indicates that its relevant meanings include to consider probable or certain, or due or necessary, or to anticipate, or look forward to, or wait for. All impacts identified in the LVIA are expected, otherwise they could not be reported there. It is hard to see this ambiguous phrase as anything other than a means to justify exclusion of all adverse landscape and visual impacts from being defined as of serious concern. Whilst this phrase may have been used to justify non-undergrounding in a previous overhead cables project (Llandinam), there seems no reason to accept this as a precedent.

4 Moderate and Major Effects

4.1 The ES states that Moderate or Major effects are considered to be significant, while Minor and Negligible effects are not considered to be significant. This is set out in the ES Chapter 7 Landscape and Visual Impact Assessment, paragraph 7.4.2 on page 21. This is repeated in paragraph 7.4.103, on page 46. See below:

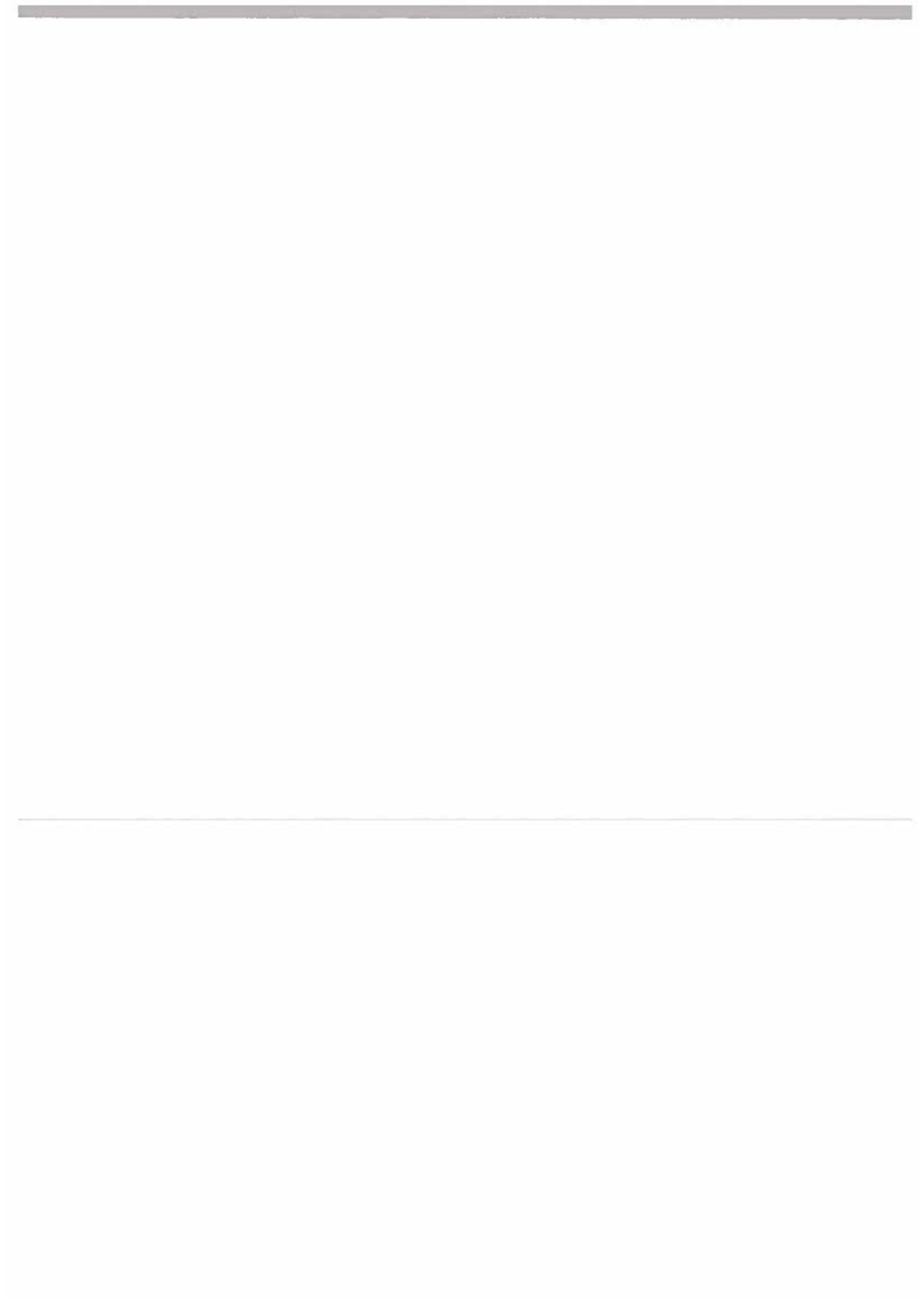
7.4.103 The judgements on sensitivity and magnitude were combined to give an overall assessment of the likely effects on the visual receptors at each viewpoint. Informed professional assessment, drawing on guidance in GLVIA3, was used to categorise effects on the landscape into one of four broad categories - major, moderate, minor and negligible (note: effects judged to be moderate or major are considered to be significant). In addition, a final statement summarising the significant landscape effects has been provided. This includes a statement on the duration and reversibility of likely effects.

5 Process for consideration of undergrounding

5.1 We consider that a more justifiable and logical approach to addressing the Policy Statement for Energy EN-5 (para 2.1 of this document) would be to identify all locations where there are significant adverse landscape and visual effects and then to consider what benefits undergrounding could achieve in each of those locations, before balancing those benefits against the whole-life cost over the 125 year intended life of the development. The ES is the mechanism by which landscape and visual effects have been identified and assessed on a recognised scale of impact. The next

step should have been a methodical consideration of the potential benefits and costs of undergrounding in each location, instead of ruling out any such consideration by a pre-set but arbitrary definition of 'serious concerns'.

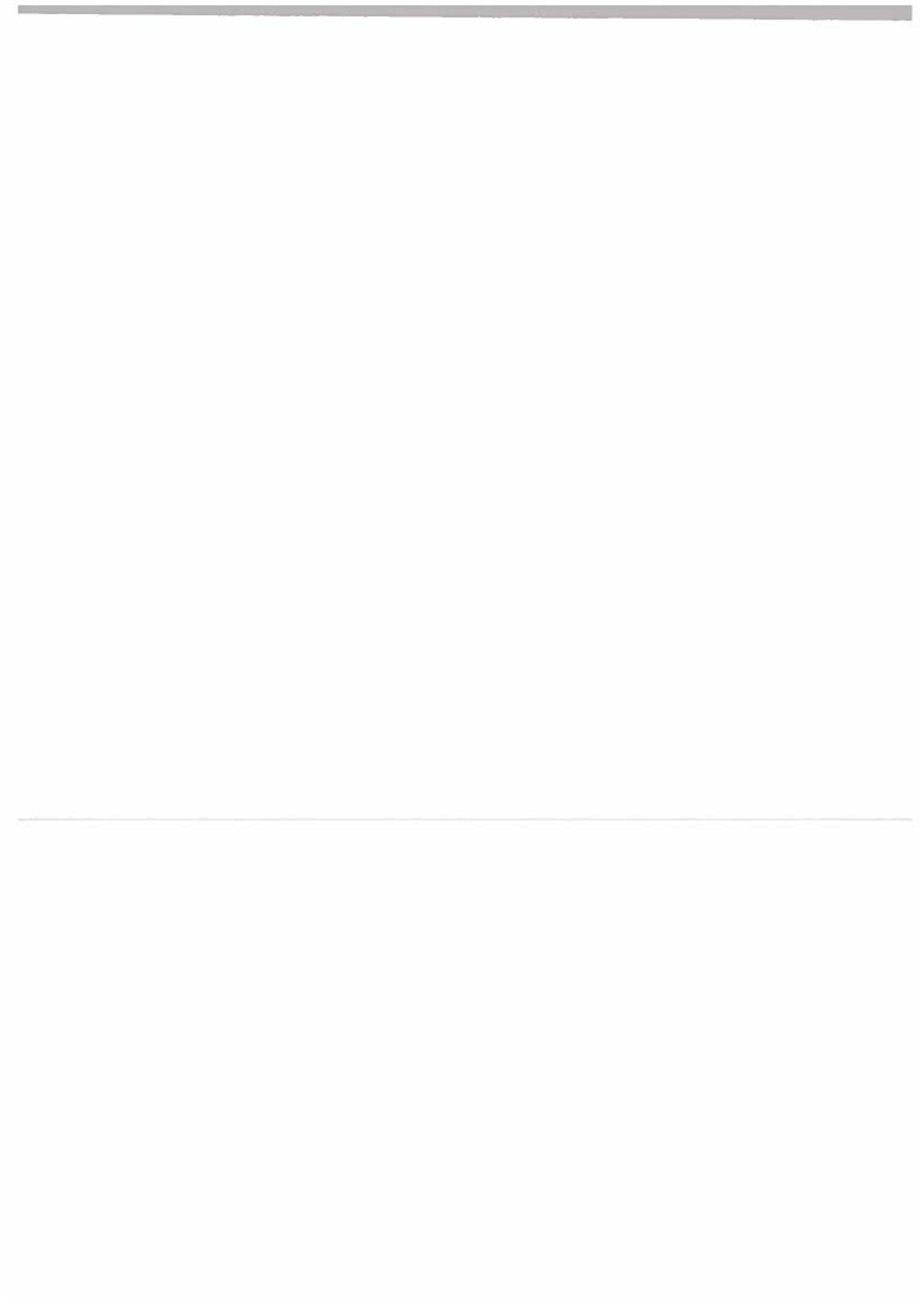
- 5.2 The Policy Statement for Energy EN-5 (para 2.1 of this document) also reinforces the point made in the Denbighshire Written Representation (LVIA Section), that proper consideration of undergrounding at the route selection stage may identify better alternatives to the preferred overground route. The optimum overground and underground routes may well follow different alignments. These should have been considered at an earlier stage, with the result that a more economical underground option could have been identified.



Clarification of the status of Ereviat Park

1 Introduction

- 1.1 The status of Ereviat Park was questioned during the examination on landscape and visual impact on the 30th September. Andrew Sumner was asked to enquire whether the park was on the Cadw/ICOMOS Register.
- 1.2 Cadw did not seem to be aware of the site and it is not included on the Parks and Gardens Register.
- 1.3 Ereviat Park is mentioned in the Landmap database for Visual and Sensory Ref CNWVS019 (Estate and Parkland character evident at Ereviat Park with estate fencing, lime avenue and holly hedges).



• COUNCILLOR MEIRICK LLOYD DAVIES
SUMMARY OF OPENING REMARKS
AT TOPIC HEARING

Rwyf wedi ceisio tynnu at ei gilydd y datganiad llafar y bu i mi ddatgan 30/09/15.

Ymateb i Adroddiad Arbenigwr yr Amgylchedd a'r Tirlun ar ran S.P. Manweb.

Dwedodd bod ganddi ugain mlynedd o brofiad yn y gwaith ac hefyd "Nid yw yn ddull manwl gywir ond mater o Farn Proffesiynol".

Dywedais fy môd wedi byw yn Ardal yr Elwy ers 69 mlynedd yn harddwch cynhenid y Dyffryn. Fe welir ym Moelfre, Abergele hylltra y gwaith Dŵr ar ben y polion pren uchel, a gwifrau cynnal a dal y polion rhag gŵyro, yn dôd i fynnu'r caeau o gyfeiriad Abergele. Harddwch yn llygad y Gweledydd, a phan ewch i Moelfre fe welwch yr hylltra. Sensatifrwydd - ymdeimlad o hylltra'r Sefyllfa. Mawredd y newid, fe welir nad yw y coed Derw pressenol a'r Gwrychoedd a Pherthi yn ddigon uchel i guddiopolion, 16m, 14m, a 11m a'r hylltra sydd i gael ei orfodi arnom gan y Cwmni Trydan. Bydd cerddwyr a'r Plwyfolion, perchenogion Maes, Tŷ'n y Ffordd Maes, Ysgybor Newydd ac o Bryn Cefn Meiriadog yn gweld y linell dalgryf yn rhedeg lawr lawr o griby Bryn lawr am yr Elwy a fynnu'r ochr am Llanefydd heibio Bodysgawen Isaf, Myfoniog (Adeilad Cofrestredig) ac i Berain (A.C.) Problem mynd cydrhwng tai annedd ac yn y blaen; Tanddaearu a dim hylltra o gwbl.

Dywedwyd bod y Polyn Terfynnol dim hyllach na'r Peilonau Mawr Dŵr presennol; ddim yn esgis i osod rhagor. Nid yw dau gangymeriad yn gwneyd unrhw un yn gywir. Y linell lawr am Fferm y Groesffordd (Marli) dim ond yn cael eu tanddaearu hanner ffordd i lawr y cae, gan ymddangos yn hyll tros y Grib wrth ddod trosodd o'r de. Ceir ger Fferm Groesffordd yr hên Bentre Capel ple bu Eglwys Galfinaidd yr ardal yhn cwrdd cyn codi'r Capel Cefn Meiriadog, sydd tros 150 oed ac i'r Gorllewin o'r fan.



• COUNCILLOR JOSEPH WELCH
COMMENTS ON RESPONSES
FROM PRIVATE PROPERTIES

Reasons for no response from Ty Coch

In 2014 there was a bereavement in the family at Ty Coch and therefore the pylon route was the last thing on their mind.

Tan Yr Allt have responded and strongly object to the overhead pylon route therefore I am not sure why house has come up as not responding.

