

Deadline 6

Response to the Examining Authority's 2nd written questions

Interested Parties Ref: **NWWFC-AFP012 and NWWFC-AFP011**

Mr Dewi Parry and Mrs Helen M Parry

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Question 0.2

0.2	The Applicant, Interested Parties, Affected Persons and their Land-agents	Please could the Applicant, Interested Parties and Affected Persons provide details of requests that were made to the applicant for the pole locations that were proposed in the original application (Option A) to be moved, where these requests could not be accommodated within Option B, and provide the reasons why these requests were made and why they could not be included in Option B.
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Pole 64, (Land Plot 27)

Prior to Option B we had requested that the Applicant look at relocating pole 64 further eastward for the following reasons:

- It is on valuable land that is cultivated.
- The pole contains 4 stays that would interfere with cultivation and with hedge maintenance in its current position.
- It is sited very close to a waterway, a point already covered in my Deadline 5 submission and the subject of the Examiner's action point 14 from Day 1 ISH.
- It may be possible to reposition it to adjacent grazing land that is not cultivated due to the steeper slope; however this would be subject to Mr Davies the owner of the adjacent land being happy with such an arrangement.

Our request to move the pole was not accommodated within Option B.

Our request was verbally rejected by the Applicant citing insufficient height clearance for the line due to the rise in the landform towards pole 63. This explanation was not entirely clear to us but in order to try to accommodate the Applicant's supposed clearance problem we suggested that we could possibly accept an extended height pole in this particular location. If clearance really is the issue the greater visual impact of an additional 1 or 2 metres in height for this pole would be more acceptable to us than the detrimental effect of the current pole location. As yet we have not received a response or any further clarity from the Applicant.

Pole 64 has in fact been repositioned in Option B, but not to accommodate our wishes. The Option B pole location was to accommodate other changes made by the Applicant elsewhere along the route. Option B pole 64 position appears even closer to the waterway than Option A, contrary to the Applicant's own 10m stand-off rule.

Pole 69 (Land Plot 29)

Option B has resulted in a repositioning of pole 69 closer to the B4501 road. The new location was not to accommodate our wishes. In the issue specific hearings the Applicant described how they had "utilised a small hollow in the landform on the B4501 to limit views of the line". It appears that they were describing the new Option B position for the pole rather than Option A.

We had requested that pole 69 be sited such that a road gateway in the northwest corner of the field (plot 29) would be freely and safely accessible and that farm machinery had room to

manoeuvre in and out of the field. Unfortunately Option B positions the pole even closer to the gateway. It is considered problematic as pole 69 has 4 stays, the precise position of which the Applicant has yet to verify. The gateway cannot be repositioned further to the south due to a rise in the relative levels of the field and road. The Applicant will need to confirm that should Option B be adopted the positioning of pole 69 and its stays will allow machinery to manoeuvre easily and safely to and from the gateway and that access for hedgecutting is not affected.

Viewpoint 5 photo shows pole 69 in the foreground. Option B position has the pole and stays further to the right towards the road. The gateway to the road is located in the corner (not visible).

Question 0.5

0.5	DCC, CCBC and other Interested Parties	Do the LPAs and other Interested Parties agree with the Applicant’s ERISOB, particularly in respect of the conclusions on landscape effects, visual effects and residential visual amenity effects. If not, why not?
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Specific to Option B pole locations; Pole 63 would stand higher on the slope than previously and is likely to be more visible for College Farm residential receptors above any intervening trees in summer. In winter it’s also likely to be more prominent.

Pole 65 position has changed and is at risk of coming into view of College Farm residential receptors because it may be shifted away from intervening trees that may offer screening. This would be a wholly unacceptable outcome as pole 65 is one of the most directly prominent poles in southerly views. We require assurances from the Applicant that this is not the case and that Option A scenario will also make full use of the trees for screening.

We disagree with the Applicant’s general visual assessment for Option B. It mirrors Option A to which we have already made our objections.

The Applicant states in Changes 4 and 5:

- “...The conclusion of Section 7.7 is that moderate and therefore significant effects would be experienced by the following visual receptors:
- from the northern slopes of the ridge east of Foel Gasyth and Peniel, and close to the alignment (part of the Denbigh and Derwen Hills) at Viewpoint 50; and
 - from hamlets, clustered properties and linear routes which cross or lie close to the Proposed Development as it heads towards the Llanefydd Lowlands via Peniel, Segrwyd, and Eriviat...”

The above description traces the line down past Peniel and then College Farm and up to and across the B4501 road. A ‘moderate/significant’ visual assessment is given. We have already stated in previous submissions that we feel this is inconsistent with the ‘minor’ assessment for College Farm residents, given the extent of visual impact and location of residential receptors. The Applicant defines Minor as “*where the development would cause a barely perceptible deterioration to the existing environment*”. It is ridiculous and unacceptable in our view for the Applicant to still maintain that visual effects would be ‘barely perceptible’.

It is also seems incongruous with the Applicant’s own commentary on EN-5 paragraph 2.8.9: “*..it is noted that in terms of visual effects, paragraph 2.8.9 refers to residential areas, which SP Manweb considers attract more weight than individual viewpoints.*”
(Planning Statement Technical Appendices Document reference 7.5, March 2015)

Question 4.8

	(c) Please could Affected Persons provide evidence to the Examination identifying where, in their view, if the development was consented, they would need to construct barriers and/or goalposts to mark the locations of the overhead wires to minimise the risk of tractors/sprayers/mobile plant and tipper lorries etc. coming into contact with the wires?
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- Span between Poles 64-65-66, plot 27.

There could be a risk of a machine coming into contact with the overhead wires in the field at land plot 27 due to the woodland backdrop 100m away rendering wires less visible to a machine operator located within the field. Vulnerability can be at any point on the 140m between poles 64 and 66. The woodland backdrop (on rising land) runs parallel approx. 100m southwest of the line and there are also rising landforms in two other directions that may also reduce wire visibility for machine operators. Moreover, risk in this location significantly increases later in the day as it is a small valley that is in comparatively deeper shadow in early evening.

- Span between pole 68-69 and either side. Plot 29.

Although there is less backdrop and more skylining of wires the risk remains of some machinery coming into contact with wires.

- Safety Measures.

We recognise the very severe risk posed by 132kV lines and from our understanding of the HSE guidelines, the provision and proper maintenance barriers and goalposts in line with the safety guidelines would be a very significant challenge. In order to safely accommodate machinery such as loaders and crop sprayers with folding boom arms the two plots (27 and 29) would require safety features along the length of the wire span, i.e. two 140m spans of line. This is difficult to achieve in practice.

- Ground level barriers are not possible as they would impede the work.
- Goalposts would have to be erected at gateways to each of the two land plots affected; 5 or 6 gateways.
- A safety marker would be needed where the wires cross over hedges to alert operators during hedgecutting.
- Brightly coloured markers along the wires are unacceptable due to their overall visual impact.
- The conspicuous visual impact of any or all of these measures has not been accounted for in the visual impact assessment.

Question 8.1b

8.1	The Applicant and Interested Parties	<p>In the Appendices to SP Manweb’s Responses to First Written Questions, (PINS Document Library reference [REP1-082]), the Updated Outline Construction Environmental Management Plan v2 (September 2015), paragraph 3.3.2 (second bullet point), states, “Replanting of trees would be partially undertaken as secondary mitigation and partially by agreement with landowners”.</p> <p>(a) Please could the Applicant expand on this statement especially explaining how a reluctant landowner would be accommodated.</p> <p>(b) Please could Interested Parties provide their interpretation of the above sentence.</p>
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Without the word ‘partially’ the sentence makes sense. Otherwise, the sentence as written can allow the Applicant to interpret their obligations as they wish. It does not provide a clear legal framework for landowners.

Question 11.1

11.1	The Applicant and Affected Persons and their Land-agents	<p>The Panel has prepared a schedule of Interested Parties and Affected Persons that have objected to the compulsory acquisition (CA) of rights over land in their representations. The Panel proposes to keep this schedule updated during the remainder of the Examination. It is attached as Table 1.</p> <p>(a) Please could the Applicant, Interested Parties, Affected Persons and their agents check it for accuracy and provide any changes or additions that they consider should be made to it (by track changes or provision of a note submitted by the 18 November); and</p> <p>(b) Please could the Applicant assist with populating the column identifying land plots and pole numbers.</p>
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Relevant additions have been supplied to ExA.

Question 12.1

12.1	The Applicant	<p>Draft Development Consent Order (DCO) v2 (September 2015) contained the definition of "distribution" which included the words, "...is used for conveying electricity from a generating station to a substation", and the definition of "operate" which "means one or any of the following: to put or keep working in operation, the distribution and export of electricity together with the running, activating, managing, controlling and utilising that distribution..." whereas the definition of "operate" has been deleted in v3 of the draft DCO and the definition of "distribution" has been changed in the draft DCO v3 (October 2015) to "distribution system" which is "...used for the distribution of electricity from grid supply points or generation sets or other entry points to the points of delivery to customers or authorised electricity operators".</p> <ul style="list-style-type: none"> (a) Does this mean that if the DCO is made using the terminology in v3 of the draft DCO, the cables could be used for the import or export of electricity? (b) Why has this change been made? and (c) How can the Applicant justify this change as the ES and application documents are predicated upon the cable connection being the "North Wales Wind Farms Connection" serving four (now three) wind farms?
12.2	Interested Parties	Do Interested Parties have comments to make upon these changes to definitions?

We strongly object to the Applicants change to the definition of use of the proposed line. The whole consultation and public representation from the beginning of the project up to the present was predicated upon its use to export electricity from the windfarms to the grid. It has always been referred to as a 'Windfarms Grid Connection'. To seek to redefine its use at this stage ignores the basis upon which public consultation and representations were made. It seems that the Applicant is avoiding having to undertake to decommission the line when windfarms no longer export.