

The North Wales Wind Farms Connection Project

Statement of Common Ground

Between

**SP MANWEB PLC
AND
Natural Resources Wales**

Author		SP Manweb	
Planning Inspectorate Application Reference		EN020014	
Date	Version	Status	Description/Changes
12/06/2015	1	Live	New document for discussion with Natural Resources Wales
01/09/2015	2	Live	Updated following meeting of 20 August 2015
18/09/2015	3	Live	Updated following submission of written representations dated 1 September 2015 by Natural Resources Wales
30/10/2015	4	Live	Updated following comments from Natural Resources Wales
03/12/2015	5	Live	Updated by SPM and NRW to include summary
09/12/2015	6	Live	Final agreed version

SP Manweb plc, Registered Office: 3 Prenton Way Prenton CH43 3ET. Registered in England No. 02366937

1	INTRODUCTION	2
2	DOCUMENTS CONSIDERED WITHIN THIS SOCG	4
3	MATTERS AGREED AND MATTERS NOT AGREED	5
4	SUMMARY	13

1. INTRODUCTION

1.1. Purpose of Document

- 1.1.1 This document is submitted to the Secretary of State through the Planning Inspectorate (as responsible agency) in relation to the application by SP Manweb Plc ("**SP Manweb**") for development consent under the Planning Act 2008 (the "**Application**") for a 132kV Overhead Line together with required pedestrian and vehicular accesses, temporary construction compound, construction laydown areas, mitigation planting and other integral works ("**Proposed Development**"). The application was submitted to the Planning Inspectorate on 20 March 2015. An Environmental Statement was submitted as part of the application documentation.
- 1.1.2 This statement of common ground (SoCG) has been prepared in respect of the Proposed Development. Guidance about the purpose and possible content of SoCGs is given in paragraphs 58-65 of the Department for Communities and Local Government's "Planning Act 2008: examination of applications for development consent" (March 2015).

1.2 Parties to this SoCG

- 1.2.1 This SoCG has been prepared in respect of the Proposed Development, by SP Manweb, as the applicant, and Natural Resources Wales (NRW).
- 1.2.2 NRW brings together the work of the Country Council for Wales (CCW), Environmental Agency Wales (EAW) and Forestry Commission Wales (FCW), as well as some functions of Welsh Government. NRW's purpose is to ensure that the environment and natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.
- 1.2.3 This SoCG has been structured to reflect matters and topics of interest to NRW in relation to the Proposed Development.
- 1.2.4 NRW is a party to this SoCG as a Statutory and Interested Party for the purposes of the Application. It does not concern, represent or bind NRW in respect of its land management functions
- 1.2.5 Section 2 provides a summary of the relevant documents that relate to the information considered in this SoCG.
- 1.2.6 Section 3 provides a summary of areas that have been agreed and areas that have not been agreed.
- 1.2.7 Section 4 provides a record of areas still under discussion.
- 1.2.8 Section 5 provides a succinct summary of the matters contained within this SoCG.

1.2.9 Section 6 includes the signatures of all parties to indicate agreement that this is an accurate record of issues and discussions.

1.2.10 This SoCG relates to the following topics:

- (a) Order Limits in which the Proposed Development is to be located
- (b) The Proposed Development
- (c) Content of the Environmental Statement (ES) being within the remit of NRW:
 - (i) Ecology and Biodiversity
 - (ii) Landscape and Visual
 - (iii) Historic Environment
 - (iv) Flood risk and water quality
 - (v) Land use and Agriculture
 - (vi) Socio-economics and Tourism
 - (vii) Emissions
 - (viii) Cumulative Effects
 - (ix) Content of the Habitats Regulations Assessment No Significant Effects Report
 - (x) Other Consents
- (d) Land Interest
- (e) Content of the Draft Development Consent Order (DCO)

1.2.11 This SoCG sets out those matters agreed between the Parties and those that are still outstanding.

1.2.12 Throughout this SoCG:

1.2.13 The "Parties" for the purposes of this SoCG means SP Manweb and NRW.

1.2.14 Where a sentence begins "It is agreed", this signifies a matter that has been specifically stated as agreed by SP Manweb and NRW.

1.2.15 Where a sentence begins "It is not agreed", this signifies a matter that has been specifically stated as not agreed by SP Manweb and NRW.

- 1.2.16 Where a sentence begins "It is under discussion" this signifies a matter is not yet agreed however is still under discussion by SP Manweb and NRW.
- 1.2.17 It is agreed that any matters not specifically referred to in Sections 4 and 5 of this SoCG are not of material interest or of relevance to the Parties, and therefore have not been the subject of any discussions between the Parties.
- 1.2.18 Reference in this SoCG to DCO means the draft DCO submitted for Deadline 3 (Examination Library Reference REP3-031).

1.3 **Project Description**

- 1.3.1 The Proposed Development comprises an approximate 17 kilometre 132,000 volt (132kV) electric line above ground (electricity distribution connection) from a collector substation at Clocaenog Forest, Denbighshire, to a terminal point located to the south of the unnamed Groesffordd Marli to Glascoed Road and the B5381 (Glascoed Road) near to St Asaph, Denbighshire. In addition to the electric line above ground, the following works form part of this Nationally Significant Infrastructure Project:
- (a) A temporary construction compound at Broadleys Farm, A543, Denbighshire and temporary storage or 'laydown areas' along the alignment;
 - (b) Access points for pedestrians and vehicles along the length of the route alignment for construction and maintenance;
 - (c) Landscaping and ecological measures to restore trees and other vegetation that have removed during construction
 - (d) Landscaping to mitigate any adverse effects;
 - (e) Other integral works such as site preparation and clearance, earth works, alteration of existing services and minor street works.

2. **DOCUMENTS CONSIDERED WITHIN THIS SOCG**

2.1 The following documents have been considered with this SOCG:

- Draft DCO submitted for Deadline 3 (Examination Library Reference REP3-031)
- Statement of Reasons (Examination Library Reference APP-078)
- Environmental Statement (ES) (Examination Library Reference APP-091 – APP-150).

- Construction Environmental Management Plan (CEMP) (Examination Library Reference APP-117 – APP-122, including Appendices C to E).
- Landscape Management Plan (Examination Library Reference APP-139)
- Planning Statement (Examination Library Reference APP-157).
- Habitats Regulations Assessment No Significant Effects Report (Examination Library Reference APP-089)
- The relevant representation submitted by NRW to the (Examination Examination Library Reference RR-075).
- The written representations submitted by NRW to the Examination and dated 1 September 2015 (Examination Library Reference REP1-041 and REP1-042).
- The oral submissions made by NRW at the Issue Specific Hearings on 29 and 30 September and 2 October 2015.
- The revised CEMP and its appendices submitted by SP Manweb for Deadline 4.

3. MATTERS AGREED AND MATTERS NOT AGREED

3.1 Order Limits in which the Proposed Development is to be located

3.1.1 Matters agreed

Ref	Matters agreed
1	SP Manweb and NRW AGREE with the Order Limits as defined in the draft DCO for the Proposed Development as set out in Chapter 2 'Description of Proposed Development' of the ES (Examination Library Reference APP-093).

3.1.2 Matters not agreed

- (a) There are none to report.

3.2 The Proposed Development

3.2.1 Matters agreed

Ref	Matters agreed
1	SP Manweb and NRW AGREE that the Proposed Development is accurately described in Chapter 2 of the ES (Examination Library Reference APP-093), Chapter 2 of the Planning Statement (Examination Library Reference APP-157) and sections 1.6, 2.1 and 2.2 of the Statement of

	Reasons (Examination Library Reference APP-078).
--	--

3.2.2 Matters not agreed

- (a) There are none to report.

3.3 **Content of the Environmental Statement**

Ecology and Biodiversity

3.3.1 Matters agreed

Ref	Matters agreed
1	<p>SP Manweb and NRW AGREE the following in respect of ecology and biodiversity</p> <ul style="list-style-type: none"> a) the survey information adequately describes the status of the species that NRW has assessed; b) approach to the assessment methodology and significance criteria for ecology and biodiversity impacts; c) conclusion on assessment of significance (alone and cumulatively); d) mitigation; and e) no outstanding issues that need to be addressed at any issue specific hearing.
2	<p>SP Manweb and NRW AGREE that no part of the Proposed Development will be within the boundaries of a SSSI and granting development consent is unlikely to damage the features of any SSSI</p>

3.3.2 Matters not agreed

- (a) There are none to report

Landscape and Visual

3.3.3 Matters agreed

3	<p>SP Manweb and NRW AGREE the following in respect of landscape and visual impacts:</p> <p>It is agreed that no significant effects are likely on statutory landscape designations as a result of the Proposed Development</p>
4	<p>SP Manweb and NRW AGREE the following in respect of landscape and visual impacts:</p> <ul style="list-style-type: none"> a) the baseline; b) approach to the assessment methodology and significance criteria for landscape and visual impacts; c) there will be no effect upon Statutory Landscape Designations; and d) no outstanding statutory landscape designation issues that need to be addressed at any issue specific hearing.

3.3.4 Matters not agreed

- (a) There are none to report

Historic Environment

3.3.5 Matters agreed

5	<p>SP Manweb and NRW AGREE the following in respect of historic environment impacts:</p> <p>In respect of the historic environment NRW is concerned with areas registered as landscapes of historic interest in Wales</p>
----------	---

6	<p>SP Manweb and NRW AGREE the following in respect of historic environment impacts:</p> <ul style="list-style-type: none"> a) the baseline; b) approach to the assessment methodology and significance criteria for historic environment impacts; c) conclusion on assessment of significance (alone and cumulatively); d) mitigation; and e) there are no impacts which are of more than local significance that need to be addressed at any issue specific hearing.
----------	---

3.3.6 Matters not agreed

- (a) There are none to report.

Flood Risk and Water Quality

3.3.7 Matters agreed

7	<p>SP Manweb and NRW AGREE the following in respect of flood risk and water quality:</p> <ul style="list-style-type: none"> a) the baseline; b) approach to the assessment methodology and significance criteria for flood risk and water quality; c) conclusion on assessment of significance (alone and cumulatively); d) mitigation; and e) no outstanding issues that need to be addressed at any issue specific hearing.
----------	--

3.3.8 Matters not agreed

- (a) There are none to report.

Land use and Agriculture

3.3.9 Matters agreed

8	<p>SP Manweb and NRW AGREE the following in respect of land use and agriculture:</p> <p>NRW is not involved in the classification of agricultural land and therefore leaves it up to the Secretary of State to balance the land use and agricultural impact against the other impacts identified.</p>
----------	---

3.3.10 Matters not agreed

- (a) There are none to report

Socio Economics and Tourism

3.3.11 Matters agreed

9	<p>SP Manweb and NRW AGREE the following in respect of socio economics and tourism:</p> <p>NRW leaves it up to the Secretary of State to balance the socio economics and tourism impact against the other impacts identified.</p>
----------	---

3.3.12 Matters not agreed

- (a) there are none to report

3.3.13 Matters not agreed

- (a) There are none to report

Emissions

3.3.14 Matters agreed

10	<p>SP Manweb and NRW AGREE the following in respect of emissions:</p> <p>NRWs remit in respect of this project does not cover noise as no permits are being issued under the environmental permitting regulations.</p>
-----------	--

11	<p>SP Manweb and NRW AGREE the following in respect of emissions:</p> <ul style="list-style-type: none"> a) the baseline; b) approach to the assessment methodology and significance criteria for emissions; c) conclusion on assessment of significance (alone and cumulatively); d) mitigation; and e) no outstanding issues that need to be addressed at any issue specific hearing.
-----------	--

3.3.15 Matters not agreed

- (a) There are none to report

Cumulative Effects

3.3.16 Matters agreed

12	<p>SP Manweb and NRW AGREE the following in respect of cumulative effects:</p> <ul style="list-style-type: none"> a) the two-staged approach to cumulative effects as set out in Chapter 4 'EIA Methodology' of the ES (Examination Library Reference APP-095) b) the conclusions of the cumulative assessment so far as relevant to those environmental and land use planning impacts which have been assessed by NRW set out in Chapter 15 'Summary of Environmental Effects' of the ES (Examination Library Reference APP-106)
-----------	---

3.3.17 Matters not agreed

- (a) There are none to report.

3.4 Content of the Habitats Regulations Assessment No Significant Effects Report

Ref	Matters agreed
-----	----------------

1	<p>SP Manweb and NRW AGREE the following in respect of the Habitats Regulations Assessment No Significant Effects Report</p> <p>a) conclusions on the test of significance (alone and cumulatively);</p> <p>b) no outstanding issues that need to be addressed at any issue specific hearing.</p>
2	<p>SP Manweb and NRW AGREE that it is unlikely that there will, as a consequence of the Proposed Development, be any significant effects on White Fronted Geese that are features of the Dyfi Estuary Special Protection Area</p>

3.5 Other Consents

3.5.1 Matters agreed

Ref	Matters agreed
1	<p>SP Manweb and NRW are AGREED that the content of Environmental Statement Chapter 6 is sufficient to inform decisions concerning methods and procedures needed to protect nationally and internationally protected species.</p> <p>Based upon the information currently available NRW considers that it is not unlikely that any necessary protected species licenses will be granted.</p>
2	<p>SP Manweb and NRW are AGREED that NRW has considered and agreed the mitigation strategy set out in SP Manweb's draft method statement for dormice.</p>

3.5.2 Matters not agreed

- (a) There are none to report.

3.6 Land Interest

3.6.1 Matters agreed

Ref	Matters agreed

1	SP Manweb and NRW are AGREED that NRW's land agency function relates to land management issues and is separate to and independent of NRW's role as Statutory and Interested party for the purpose of the Application.
----------	---

3.6.2 Matters not agreed

- (a) There are none to report.

3.7 **Content of the Draft Development Consent Order**

3.7.1 Matters agreed

Ref	Matters agreed
1	<p>SP Manweb and NRW are AGREED on the wording of the requirements contained in Schedule 2 of the DCO (Examination Library Reference REP3-031) as submitted for Deadline 3 and any future iteration of the draft DCO provided requirement 13 (CEMP) requires SP Manweb to consult with NRW in relation to the CEMP and Ecological Management Plan prior to submission and to submit the final CEMP and final Ecological Management Plan to NRW for approval at the same time as submitting it to the relevant planning authority.</p> <p>The parties are also agreed on:</p> <ul style="list-style-type: none"> a. That NRW would defer to the relevant local authorities on the outline Landscape Management Plan (Examination Library Reference APP-139) b. the outline CEMP and its relevant appendices; outline Hedgerow Management Plan, outline Ecological Management Plan and outline Traffic Management Plan (as submitted for Deadline 4) c. the treatment of public rights of way and how they are to be managed during construction, as set out in the CEMP (as submitted for Deadline 4)
2	SP Manweb and NRW are AGREED on the wording contained in Schedule 10 of the DCO

3	SP Manweb and NRW are AGREED that Article 33 of the DCO will be amended to remove the disapplication provisions as they apply to NRW. The references to NRW in Schedule 9 of the DCO will also be removed.
----------	--

3.7.2 Matters not agreed

- (a) There are none to report

4. SUMMARY

4.1 Matters relating to the following topics are agreed between SP Manweb and NRW to the extent detailed above:

- (a) Order Limits in which the Proposed Development is to be located
- (b) The Proposed Development
- (c) Content of the Environmental Statement (ES) being within the remit of NRW:
 - (i) Ecology and Biodiversity
 - (ii) Landscape and Visual
 - (iii) Historic Environment
 - (iv) Flood risk and water quality
 - (v) Land use and Agriculture
 - (vi) Socio-economics and Tourism
 - (vii) Emissions
 - (viii) Cumulative Effects
 - (ix) Content of the Habitats Regulations Assessment No Significant Effects Report
 - (x) Other Consents
- (d) Land Interest
- (e) Content of the Draft Development Consent Order

4.2 There are no matters not agreed between SP Manweb and NRW.

5. Agreement on this SoCG

This Statement of Common Ground has been jointly prepared and agreed by SP Manweb and NRW.