

# The North Wales Wind Farms Connection Project

Responses to Submissions made by Interested  
Parties and Statutory Consultees at Deadline 10

Application Reference: EN020014

Deadline 11 Submission  
28<sup>th</sup> January 2016



**The Planning Act 2008**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

**The North Wales Wind Farms Connection Project**

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Deadline 10**

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Respondent	Written Representation	SP Manweb Response
<b>Robin Barlow</b>	<p><b><u>Earthing</u></b></p> <p>If RWE has a local earthing scheme for its substation at Clocaenog Forest then SP Manweb must be able to use a similar earthing solution for its substation. The earthline on the 132kV Overhead Line is therefore not technically necessary.</p>	<p>The revisions to the layout of the substation submitted by SP Manweb to PINS on 6 January 2016 as part of the Town and Country Planning Act appeal for the substation at Clocaenog Forest do not alter the need for an earth wire.</p> <p>SP Manweb have previously explained how it has arrived at the design of the earthing arrangements for this particular scheme. SP Manweb have stated on both occasions of the hearings that one of its primary Statutory duties is to provide a safe system for public, livestock and its own personnel. Even with the revised arrangements the SP Manweb Network substation must provide a shared compound facility and Collector substation. As such the reliance on the safety features of only one single customer is not satisfactory.</p> <p>Further as stated by Counsel for SP Manweb at the substation appeal hearing on 12 January 2016, SP Manweb cannot comment on the technical design of RWE's substation (which has consent pursuant to the Clocaenog Forest Wind Farm Order). However SP Manweb believe it is likely that the RWE earthing design will incorporate significant amount of conductors external to the compound following the route of the wind turbine connection cables. These conductors would route all over the extensive wind farm area which would significantly assist in bringing the earth resistance down to an acceptable level for RWE. RWE are operating and controlling the whole area concerned and they are therefore able to maintain and operate their Safe systems.</p>

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		<p>This is not acceptable to SP Manweb as reliance on a third party to provide its Safe System is not acceptable and therefore SP Manweb would have to treat this arrangement as a remote earth system which has all of the disadvantages to SP Manweb of a remote earth compound typically described previously, In summary the main points being:-</p> <ul style="list-style-type: none"> <li>• Remote earth systems are not the preferred mechanism as they require additional protection measures including extensive additional fencing to provide physical security and are very difficult to monitor effectiveness of the earth system. The fencing perimeter would be outside of the DCO corridor and change the boundaries. The use of the existing earth system at St Asaph provides a proven, effective and secure method to provide the safety critical earth system. . As mentioned at the hearing the area required for an earth system in one location is likely to be very large and would have a resulting visual impact, although not a noise impact (other than during construction).</li> <li>• Where SP Manweb installs a multi customer Network Collector Substation it cannot rely solely upon a single customer earth system as it requires to have the ability to have independence of any particular customer.</li> <li>• It is worth adding that should a suitable location be identified and constructed allowing transition to an unearthed</li> </ul>

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		<p>construction then there would typically still be 20-25% of unearthed structures using double poles. This is due to the structural design requirements. This negates any visual benefits as not all poles would be single poles.</p>
<p><b>Iwan Jones</b></p>	<p><b><u>DCO Expiry of development consent</u></b></p> <p>The development consent granted by this Order expires 30 years after the date of this Order.</p> <p>The addition of requirement 19 is welcomed but it's vital that the Compulsory Acquisition of Rights also matches it in that the applicant must surrender the rights it compulsory acquired from landowners at the 30th anniversary of the consent order.</p>	<p>As Requirement 19 requires SP Manweb to decommission the Proposed Development after a period of 30 years, it is not possible for the 132kV Overhead Line to be retained unless an application is made for a new DCO, or Requirement 19 is amended in order that the existing lifetime of the Proposed Development is extended, both of which would require an application to be made to the Secretary of State and for the application to be determined on its merits. As SP Manweb has already explained, the ability to exercise rights to construct and maintain the Proposed Development will be spent after the 30 year period and they will not be able to utilise them in relation to any other development. In other words, by operation of law, SP Manweb will not be able utilise remaining compulsory acquisition rights for the Proposed Development after the 30 year period has ended. In relation to the Deed of Surrender, SP Manweb set out its position clearly at paragraph 7.12 of the Oral Summary to the Compulsory Acquisition Hearings held in December 2015:</p> <p>Mr Westmoreland Smith informed the Examination that in order to remove the rights from the title to the land, a deed of surrender or deed of release would need to be entered into with the landowner. It</p>

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	<p data-bbox="421 596 1193 727"><b><u>Class 2g Rights</u></b> Can 2g be amended to remove “<i>the right to install any necessary ecological and/or landscaping measures</i>”;</p>	<p data-bbox="1216 260 2047 564">is not possible for SP Manweb to enter into a deed of surrender unilaterally and register it at the Land Registry. The Applicant considers that it would be very onerous and inappropriate for SP Manweb to be obliged to approach and negotiate a deed of surrender for every landowner where SP Manweb could not exercise the rights going forward and the landowners will have been paid compensation for a right in perpetuity.</p> <p data-bbox="1216 596 2047 1091">SP Manweb has already explained upon submission of the Development Consent Order submitted at Deadline 9 that it has been decided to delete Class 2(g) rights in their entirety in the Book of Reference and article 29 has been subsequently amended. A revised definition of maintenance period has been included in the article. The revised definition ensures that SP Manweb is able to carry out maintenance of landscaping, reinstatement planting and laying of hedgerows whilst also ensuring it addresses Iwan Jones’ concerns. Without this definition, SP Manweb will need to retain its Class 2 rights as shown in the Book of Reference V.3 (Examination library reference REP6-018 and REP6-20).</p>
Dewi Parry	<p data-bbox="421 1121 1193 1353"><b><u>Visual Assessment at College Farm</u></b> The Applicant gives a judgement of moderate for the wider visual amenity effects even though nobody in Peniel would experience the line closer than 200m distance. The Applicant’s assessment of “moderate” for Peniel refers to</p>	<p data-bbox="1216 1121 2047 1345">As Mr Parry notes in his response, moderate effects on wider visual amenity are likely to be felt in very close proximity to the 132 kV Overhead Line, and the viewpoint 5 is representative of both stationary views (e.g. from edge of settlement or scattered residential receptors) and sequential views (roads, footpaths).</p>

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	<p>general visual amenity rather than effects on a specific view, yet they also emphasise the effect of people moving under the overhead lines as they travel along the B4501 and minor routes.</p> <p>For Viewpoint 5, the Applicant's assessment of visual effect is moderate and therefore significant. The nearest property is College Farm and they share the same views of the route.</p> <p>It is logical to conclude that College Farm residents being already high sensitivity receptors (unlike the road users) would therefore fall into at least a moderate category.</p>	<p>The visual assessment in Appendix 7.3 D (Examination Library Reference REP1-093) also notes that:</p> <ul style="list-style-type: none"> <li>• Approximately 10 poles would be visible in the far to middle distance as the proposed 132kV Overhead Line runs down through sloping pastureland to the centre left of the view. However, from this viewpoint these wood poles would be backclothed by the rising land. Four poles would become more visually prominent as the Overhead Line rises up the field to the left of the B4501 and crosses into the field to the right of the near view. One pole would skyline to the left of the B4501 some 90m from the view;</li> <li>• The proposed 132kV Overhead Line will add to the effect of an existing 11kV Overhead Line but due to the screening effect of backclothing and their alignment along the lower slopes of the localised valley, these combined effects are considered not significant; and,</li> <li>• The screening effect afforded by backgrounding, existing vegetation and topography would reduce the overall magnitude of the visual effect from this viewpoint which is predicted to be medium.</li> </ul> <p>In essence, whilst moderate significant visual effects are judged to occur at this viewpoint, the assessment makes it clear that this would be in close proximity to the line and near the B4501. Whilst the view is representative of “both stationary views (e.g. from edge of settlement</p>

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		<p>or scattered residential receptors) and sequential views (roads, footpaths)” this does not mean that moderate visual effects will be felt by all of those receptors. As noted in the assessment, it is receptors who are very close to the 132 kV Overhead Line including users of the B4501 and footpaths that pass under the 132 kV Overhead Line who are likely to experience moderate effects. Whilst College Farm is the closest residential receptor, there are therefore footpaths, roads and publicly accessible places from which the 132kv Overhead Line can be viewed in closer proximity and this is what viewpoint 5 seeks to demonstrate (noting that it is not a substitute for site visits, which have been undertaken on many occasions by the consultant team). The assessment cannot be classed as minor for viewpoint 5, since these receptors will experience a moderate effect very close to the 132 kV Overhead Line.</p> <p>College Farm is the closest residential receptor, and is a high sensitivity receptor, but effects on its residential visual amenity are considered to be at the upper end of minor, rather than moderate, because of both the gradual diminishing of the effect due to increased distance from the 132 kV Overhead Line, the backclothing of the valley slopes and the orientation of the property. We reiterate that the residential amenity assessment is a different method of assessing effects than a visual impact assessment.</p>
	<p><b><u>Visual Assessment at College Farm</u></b></p> <p>The Applicant noted that their assessment was revised to upper</p>	<p>Comment 2.1 questions what the upper end of minor can mean when assessing the effects on residential visual amenity. Within each</p>

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	<p>end of minor. It is difficult for me to attribute any meaning to upper end of minor as there is no possibility to evaluate. I have to assume no real change in assessment was made.</p> <p>Doubts over the Peniel vs College Farm assessments give me little confidence in the Applicants interpretation of the visual assessment methodology in this project.</p> <p>The Applicant noted that my photographic depictions of the south and west views given in Deadline 4 submission are not in an acceptable GLVIA format and should not be admissible as part of the examination. I can however attest to the accuracy of the height of poles 69 and 65 in the photos due to comparison with adjacent structures of known height. Depiction of the other visible poles, especially the large skylined poles to the west does take into account the rising landform and distance.</p> <p>It's of concern that the Applicant appears to have changed the definition of terms that are used in their visual impact assessments. Discrepancy between the definition of "briefly visible" in visual assessment.</p>	<p>category of significance (negligible, minor, moderate and major) there is some variation in the sensitivity and magnitude of effect felt by each receptor depending on proximity, orientation, scale of development, existing views, etc. As such, although the receptor will be judged as minor, it could be that it is only just above the negligible threshold, or just below the moderate threshold. This is all considered when making the final judgement of significance. Mr Parry submitted detailed information about his property and views, and invited the Examination Panel to visit his property in order to illustrate the location and orientation of his property in relation to the 132 kV Overhead Line. In response to this detailed knowledge, the assessment of residential visual amenity was revised to acknowledge additional information about the orientation of views from the side of the property. The significance of effects was judged to be slightly higher and adjusted to the upper end of minor. The effects at this location would still not constitute a moderate effect, because of other factors considered in the assessment. This includes the intervening distance between the receptor and the 132 kV Overhead Line, the backclothing afforded by the valley slopes, the partial screening afforded by intervening trees, the scale of the development, the orientation of other views and garden areas, and the presence of existing low voltage overhead lines in the views.</p> <p>Comment 3 from Mr Parry notes SP Manweb's comment that his</p>

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		<p>photographic submissions are not verifiable under the GLVIA3 guidelines, and whilst we welcome and appreciate Mr Parry's submissions, this statement stands. To be clear, SP Manweb did not state at any point that such photographs were not admissible to the Examination; simply that they were not compliant with the stringent requirements imposed by GLVIA3. Mr Parry notes that he included the photographs to illustrate 'the enormous structures and severe intrusion in the landscape.' Since the photomontage submitted by SP Manweb is a verified photomontage based on three dimensional models of both the existing landscape and the proposed 132 kV Overhead Line, it portrays the likely appearance of the 132 kV Overhead Line at this location using the most relevant data. The photomontage is a verifiable representation and can therefore reliably assist in gauging the scale of the structures within this particular landscape.</p> <p>Comment 4.3 notes that the term 'briefly' was used when describing sky-lined sections of the route near Eriviat Park and Berain, as well as at Peniel. As noted previously (Section 7.50 of SP Manweb's Written Summaries to Oral Evidence) it was agreed that using the phrase "the Overhead Line would skyline over a short section" would have better represented the findings of the assessment than using the term "briefly skylines". This is an issue relating to the appropriateness of terminology rather than magnitude, and as such, would not change</p>

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		<p>the assessment of effects at these locations.</p> <p>The remainder of the comments are a summary of issues that have been responded to in previous deadlines. No further comment is made by SP Manweb in relation to these issues, other than to state that it is maintained that all of the sections that have been produced are an accurate assessment of landscape and visual impact of the Proposed Development.</p>
Dewi Parry	<p><b><u>Rerouting of Existing 11kV lines</u></b></p> <p>The issue of the diversion of 11kV overhead lines in instances where they cross the proposed 132kV overhead route was raised at the issue specific hearing.</p> <p>Mr Parry is aware that the lower voltage diversions are outside the scope of the DCO I nevertheless wish to bring the following to the ExA's attention</p> <p>a) Since the December hearings took place the Applicant has contacted me to reaffirm their requirement to underground an existing 11kV overhead line as it crosses the proposed 132kV overhead line. An apparently unavoidable consequence of the diversion is that several additional stays would be installed that take up currently unaffected arable land. The planned 11kV diversion is inextricably linked with the proposed 132kV connection and is according to the Applicant absolutely required</p>	<p>When a need to divert the lower voltage network was identified, SP Manweb's representatives entered in to discussions with Mr Dewi Parry (on behalf of his mother, Mrs Helen Morris Parry) and their agent Ms Rosie Wilson. SP Manweb's preferred option for the network diversion was not accepted by Mr D Parry. Consequently, a second option for the network diversion was then offered by SP Manweb following engineering discussions. This second diversion would reduce the number of overhead lines visible from the College Farm Bungalow following construction of the North Wales Wind Farms Connection. This second diversion therefore required additional undergrounding of the existing 11kv overhead line. This second option was also rejected by Mr D Parry. Nonetheless, SP Manweb's representatives have continued to negotiate with Mr D Parry and his new agent, Mr Eifion Bibby.</p>

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	<p>to be implemented. The net result in our case (and very likely others) is an even greater impact on landowners over and above the impact already identified for the 132kV installation.</p> <p>b) 6.17.4 ES Chapter 1 - Introduction Technical Appendix 1.4 (Examination Library APP-115) lists all the lower voltage diversions required. There are 15 in total. Mr Parry provides details of our 11kV line to remain in situ. This description is clearly at odds with the wayleave agreements that SPM are seeking to underground the line and I appreciate that this may simply be an oversight in updating of documents.</p>	<p>Mr Parry has since suggested further amendments to the diversion of the 11kv overhead line. SP Manweb's engineering team has considered this and produced a third revised design solution in return for the grant of a voluntary wayleave, however so far Mrs HM Parry has not provided this consent. SP Manweb will pay compensation for any impact of apparatus on the property in accordance with the relevant compensation codes (the grant of the wayleave) and will continue to negotiate with Mr D Parry and the agent in this regard.</p> <p>In summary, the Environmental Statement has assumed that the 11kV line will remain in situ. The engineering solutions proposed by SP Manweb to Mr Parry relate to the potential undergrounding of the 11kv line, rather than the line remaining a visual element in the landscape. The Environmental Statement Chapter 2 (Examination Library Reference APP-093) furthermore makes clear at paragraph 2.2.10 (APP-093) that longitudinally placed stays allowing span lengths to be increased can be included on any of the wooden poles and this forms part of the envelope of the description of development as assessed within the Environmental Statement. SP Manweb have therefore assessed a realistic worst case scenario of the wayleave diversions and the construction of the wooden poles in their Environmental Statement.</p>