



BY EMAIL

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28th January 2016

Dear Sirs

PLANNING ACT 2008

APPLICATION BY SP MANWEB FOR DEVELOPMENT CONSENT FOR THE NORTH WALES WIND FARMS CONNECTION

I am writing in response to the requirements of Deadline 11.

In accordance with the timetable set by the Examining Authority, I enclose the following documents submitted by the applicant, SP Manweb Plc ("SP Manweb"):

1. Addendum to the Book of Reference Option A Version 4 (Document Reference 4.3 Option A V.4 (addendum));
2. Addendum to the Book of Reference Option B Version 2 (Document Reference 4.3 Option B V.2 (addendum));
3. SP Manweb's Response to CADW's submission at DL10 (Document Reference SPM NWWFC CSDL10);
4. Responses to Submissions made by Interested Parties and Statutory Consultees at Deadline 10 (Document Reference SPM NWWFC RSIP&SC DL10);
5. Summary of Landowner and Part 3 Interest Negotiations (Document Reference SPM NWWFC SL&P3IN DL11);
6. Excel spreadsheet summarising negotiations to Date version 2 (Document Reference SPM NWWFC ESSNv2 DL11);
7. Signed Statement of Common Ground between SP Manweb and NRW (Document Reference NWWFC DL11 SOCG NRW);
8. Statement of Common Ground between SP Manweb and the Welsh Government (Document Reference NWWFC DL11 SOCG WG);
9. Correspondence from Wardell Armstrong in relation to negotiation updates from the Crown (Document Reference NWWFC DL11 CN);
10. Draft Development Consent Order for Option A v6 Document showing the tracked changes between the Development Consent Order for Option A v5 (submitted

December 2015) and Development Consent Order for Option A v6 (submitted January 2016) (Document Reference 3.1 v6 Tracked);

11. Draft Development Consent Order for Option A v6 (Document Reference 3.1 v6);
12. Draft Development Consent Order for Option B v3 Document showing the tracked changes between the Development Consent Order for Option B v2 (submitted December 2015) and Development Consent Order for Option B v3 (submitted January 2016) (Document Reference 3.1 Option B v3 Tracked); and
13. Draft Development Consent Order for Option B v3 (Document Reference 3.1 Option B v3).

Changes made to the Draft Development Consent Orders

The Development Consent Orders submitted for Deadline 11 (both Option A and Option B) include the amendments described in SP Manweb's Comments on the Examination Authority's Consultation Draft of the Development Consent Order (DCO) submitted for Deadline 10 (Examination Library Reference: REP10-019).

In addition to the above, the following minor amendments have been made to the draft Development Consent Orders for Option A (v6) and Option B (v3):

1. As an additional Book of Reference was submitted for Deadline 10 and this is subject to an amendment by the addendum submitted for Deadline 11, the definition of "the book of reference" in the Interpretation clause has been updated to reflect this.
2. The amendment to requirement 17 (Decommissioning) in Schedule 2, as suggested by the Examining Authority in their letter of 07 January 2016 (the "ExA's Letter"), replaces the term "restoration plan" with "restoration scheme". This change was accepted and is incorporated into the new versions of the draft Development Consent Orders. We have also ensured that all references to the scheme refer to "site restoration scheme" as previously both "site restoration scheme" and "restoration scheme" had been used. The definition of "decommissioning and restoration plan" in the Interpretation clause of Schedule 2 has also been updated to accord with the new drafting of requirement 17.
3. As an addendum to the Book of Reference is to be submitted for Deadline 11, this has been added to the list of documents to be certified within Schedule 12.
4. The Explanatory Note section has been updated to reflect the ExA's Letter which highlighted that "approximately 17.3km" should be changed to read "approximately 17.4km".

The following amendment has been made to the Option A draft Development Consent Order but not the Option B draft Development Consent Order:

5. The document descriptions in Tables 13 to 15 of Schedule 12, which respectively detail the Works Plans, the Access and Rights of Way Plans and the Crown Land Plans have been amended to remove the term "Option A" from the titles. This is to reflect the description of the plans on those plans. The amendment has been made to ensure consistency between the titles of the documents as submitted and the descriptions given in these Tables. The Land Plans, set out in Table 12, were updated following the submission of Option B; therefore the titling of these documents correctly includes the term "Option A". No such changes are required to the Option B documents.

Section 127/138 of the Planning Act 2008

SP Manweb's response to the Examining Authority's first written question 11.3 (Examination library reference REP1-056) set out SP Manweb's position regarding the application of sections 127 and 138 of the Planning Act 2008 to the Proposed Development. This position (together with relevant updates) is set out below.

Section 127

Two statutory undertakers are relevant for the purposes of section 127: Natural Resources Wales ("NRW") and Dwr Cymru Welsh Water ("DCWW"). In both cases, for the reasons outlined in the response to first written question 11.3, section 127 is not engaged.

Section 138

NRW and DCWW (as statutory undertakers) and British Telecommunications Plc ("BT") (as operator of an electronic communications code network) are relevant for the purposes of section 138.

NRW's rights do not engage section 138 (see the response to first written question 11.3 for reasons).

DCC has withdrawn all objections to the Application for development consent as a result of agreeing to the relevant protective provisions in Schedule 9 of the draft DCO (see letter to the Examining Authority of 21 December 2015 (Examination library reference REP9-022)).

BT has confirmed that it agrees to the relevant protective provisions in Schedule 9 to the DCO (see correspondence from BT dated 17 November 2015 (Examination library reference REP6-045)).

For the reasons above and those set out in SP Manweb's response to first written question 11.3, it is submitted that the Secretary of State ought to be satisfied pursuant to section 138 that it is necessary for the Order to include provisions for the extinguishment of BT's and DCWW's relevant rights and the removal of the relevant apparatus for the purpose of carrying out the development, and that the Secretary of State should also have regard to the proposed agreed form of protective provisions in Schedule 9 to the Order.

As stated in the recent SP covering letter submitted at Deadline 10, the documents submitted by SP Manweb for Deadline 11 provide further comprehensive responses to the submission made for Deadline 10 and completes the examination of the NWWFC DCO application. When read together with the submissions that have been made throughout the examination process, SP Manweb considers they have provided detailed responses to all issues raised. SP Manweb trusts this will assist the Panel in its consideration of the issues before it and in reporting to the Secretary of State on this DCO application.

If you have any queries in relation to this submission, then please do not hesitate to contact me.

Yours faithfully,

A large black rectangular redaction box covering the signature of Steven Edwards.

Steven Edwards

Land & Planning
SP Energy Networks, for and on behalf of SP Manweb