



The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Ms C Duffy
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Your Ref:
Our Ref: EN020014
Date: 4 March 2015

Dear Ms Duffy

NORTH WALES WIND FARMS CONNECTION PROJECT

DRAFT HABITATS REGULATIONS ASSESSMENT NO SIGNIFICANT EFFECTS REPORT AND DRAFT ENVIRONMENTAL STATEMENT CHAPTERS 1-5

1. Thank you for giving the Planning Inspectorate the opportunity to comment on the draft 'Habitats Regulations Assessment No Significant Effects Report' (HRA NSER) and for forwarding draft copies of Chapters 1 – 5 of the draft Environmental Statement (ES) for the North Wales Wind Farms Connection Project. The Planning Inspectorate does not as a matter of course conduct detailed reviews of ESs ahead of the examination stage, but when possible we do provide some advice as to the approach applicants are proposing.
2. We have now reviewed the documents and have set out some comments below which we hope will be helpful. These comments are in addition to the points raised at our meeting on Friday 23 February. Please note that these comments are based on a high level review at this stage and are given on a without prejudice basis. Comments are limited to the process and do not address conclusions reached within the documents. As these comments constitute section 51 advice under the Planning Act 2008 (as amended) they will be placed on the Planning Inspectorate's register of advice on the National Infrastructure Planning website.

Draft Habitats Regulations Assessment No Significant Effects Report

3. The Inspectorate recommends that in accordance with advice contained in Planning Inspectorate Advice Note 10 the NSER should include evidence that Natural Resources Wales (NRW) support the conclusions reached. The NSER

should confirm that the project is not connected with or necessary to the management of the European sites considered. The terminology used within the report should be consistent with the HRA process, eg reference should be made to 'in-combination effects' rather than 'cumulative impacts' (an EIA term). It is also important to ensure that the assessment concludes as to the likely significance of each impact considered in order to support the finding of no likely significant effect.

4. The Inspectorate highlights the importance of providing consistency and clarity in the description of development in the NSER. There are some areas where this could be improved, eg references to 'existing highway' could be clarified by specifically identifying road numbers. It would also aid the reader if proposed and existing infrastructure was always identified as such.
5. There are some sections of the NSER for which it is recommended that greater detail is provided to ensure that the process by which European sites were selected and assessed is clear, and that the conclusions are fully substantiated. This particularly applies to Section 5 of the NSER in relation to the assessment of likely significant effects. Cross-reference should be made as appropriate to the relevant baseline information within the Environmental Statement (ES).
6. Specific comments relevant to the NSER are as follows:
 - Paragraphs 1.2.11 -1.2.18: It would be helpful if these paragraphs cross-referenced relevant plans identifying the elements of the proposed development and those of the wider scheme.
 - Paragraphs 1.2.14 -1.2.18: The description of the wider scheme in the NSER is not consistent with the description of the wider scheme contained in the draft ES Chapter 2, which includes the four wind farms for which the project will provide a connection, and diversions of existing lower voltage overhead line crossings. The descriptions in the NSER of both the proposed development and the wider scheme should reflect the descriptions set out in the ES so it is clear what has been assessed.
 - Paragraph 3.3.1: The justification for selecting the 15km study area should be provided, and it is recommended that it is stated whether the study area and identified sites were agreed with NRW.
 - Table 3.1, page 13 and Table 3.2, pages 14 – 15: All the features of the sites should be identified here, not only those that are a primary reason for designation. Table 3.2 should identify whether the sites included are SPA or Ramsar sites.
 - Paragraphs 4.4.1, 4.4.7, 4.4.9, 4.4.12, 4.4.13: Refer to dimensions that do not appear to be maximum dimensions permissible under the DCO. The dimensions on which the assessment is based should reflect the maximum parameters specified in the DCO and represent the worst case scenario.
 - Paragraph 4.4.20: It would be helpful to include information on the duration of the construction activities.

- Paragraph 5.1.1: A definition of what is considered to constitute a significant effect should be provided in this section.
 - Paragraph 5.2.4: It would be helpful to include the survey dates for all the surveys listed.
 - Paragraphs 5.4.1- 5.4.5: A more detailed explanation and justification for the conclusions reached should be provided in relation to the European sites identified in Tables 3.1 and 3.2. Cross-reference should be made to relevant baseline information contained within the ES and supporting documents. This may include, for instance, the location of relevant watercourses, information relating to migratory bird species including use of the site or fly over activity and findings from the winter bird survey.
 - Paragraphs 5.4.19 – 5.4.31: The conservation objectives for the Dyfi Estuary SPA have not been provided. The NSER should include the conservation objectives for all European sites taken forward for assessment.
 - Stage 1 Matrix A, page 32: The evidence notes provided in support of the conclusions for Elwy Valley Woods SAC should be expanded to provide greater demonstration of why significant effects are unlikely such as, for instance, clarifying that there are no pathways which could give rise to indirect effects on the SAC.
 - Paragraphs 5.4.24–5.4.30: Suggest cross-reference is made to relevant survey information in the ES and appendices as appropriate, such as for instance the winter bird survey.
7. The Inspectorate has also identified a number of minor typos and omissions within the main body of the report, eg paragraph 1.2.13, first bullet point: we assume '-wide' has been omitted after '60m'.
8. The Inspectorate makes the following comments in relation to the figures and matrices provided as appendices to the main report:
- Paragraph 1.2.9: Figure 1.1 is referenced but not included in the NSER.
 - It is presumed that the location plan at the end of the document is Figure 1.2 but this is not clear. It is recommended that it is labelled as such, and that the SAC referenced in the key is clearly labelled.
 - Paragraphs 4.3.16 and 4.4.12 refer to Figure 1.2, which is a location plan. It would appear that these should more appropriately refer to Figure 4.1, 'Preferred Route Corridor and Proposed Route Alignment'.
 - For ease of reference we suggest that the locations of the matrices in the Report are identified on the Contents page.
 - If any other European sites are subsequently screened in for assessment corresponding matrices should be provided, and any matrices provided should include all the features for which the European site is designated.

- Stage 1 Matrix A table, page 35: 'Effect 1' should reflect the name of the effect. Suggest replacing 'x' in the shaded boxes with 'n/a', as advised in AN10, Appendix 1.
- For ease of reference, we request that all matrices are numbered uniquely rather than all titled 'Matrix A'. The matrices should include a key, as shown in Advice Note 10, Appendix 1.

Draft Environmental Statement Chapters

Chapter 2: Description of the proposed development

- Paragraph 2.2.7: The last bullet point refers to diversions of existing lower voltage overhead line crossings comprising part of the wider scheme, and reference is made to this in paragraph 2.7.5. However, the first bullet point of paragraph 2.5.14 includes 'reconfiguration or undergrounding of existing overhead lines' as works integral to the proposed development. The Inspectorate considers that inconsistencies within the ES and application documents as a whole should be avoided where possible.
- Paragraph 2.4.1: The Inspectorate suggests that this is reworded to make it clear that it is only the pole positions, and not also the route alignment, that are indicative on Figure 2.2.
- Figure 2.3: Is indistinct and the dimensions are unreadable in the hard or electronic copy.
- Paragraph 2.7.50: Reference is made to final connections at the terminal poles to St Asaph and the collector substation via a sealing end and a slack span respectively. It would be clearer if a more distinct name was given such as the Clocaenog collector substation. It is also unclear the extent to which these features are part of the proposed development or the wider scheme.
- References to dimensions are often described in terms of the minimum, in general or approximately, such as for instance in paragraphs 2.5.11, 2.5.13, 2.6.13 and 2.6.16. Whilst it is understood that the final specifications aren't known at this stage, the assessments in the ES must be based on the worst case scenario, and it should be made clear in the ES that this has been the approach.
- It is stated in Section 2.7 that some excavated material will need to be removed from the site and some backfill material will be imported to the site. The ES should include consideration of removal of waste materials and traffic movements relating to removal and importation of material.

Chapter 3: Alternatives and Design Evolution

- Paragraph 3.3.7, 2nd bullet point: It is stated that there is a preference for the 'Link corridors' but the term is not explained here or subsequently.

Chapter 4: EIA Methodology

- Table 4.3 - Cumulative Assessment:
 - Although identified in paragraph 4.6.26 as forming part of the wider scheme, the proposed lower voltage diversions are not included in the table and presumably should be;
 - Two of the four wind farms described as included in the wider scheme are shown in the table as excluded from the cumulative assessment. It is stated that Derwydd Bach Wind Farm is considered to be too far from the proposed overhead line to give rise to any significant cumulative **visual** effects, which suggests that there is potential for cumulative effects in relation to other factors, so it is unclear why it is identified as excluded;
 - It would be helpful to include the proximity to the proposed development of the developments identified in the table.
 - Paragraph 4.7.10: suggest that this is reworded so that it is clear that the laying of the underground cable is not part of the proposed development.
9. Please note that as with the NSER there are some typos and referencing errors in the draft ES chapters that will need to be corrected prior to submission. However, the Planning Inspectorate acknowledges that these are working drafts and that there will be further refinement and editing prior to submission.
10. I hope you find these comments useful. Please do not hesitate to contact me should you have any queries.

Yours sincerely

Alison Down

ALISON L DOWN
EIA and Land Rights Adviser

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.