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Customer Services: 0303 444 5000
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Your Ref:

Our Ref: EN020016

Date: 3 September 2015

Dear Sir/Madam

**Planning Act 2008 (as amended) – Section 88 and the Infrastructure
Planning (Examination Procedure) Rules 2010 (as amended) – Rules 4 and 6**

**Application by Western Power Distribution (South Wales) plc for an Order
Granting Development Consent for the Brechfa Forest Connection**

**Notice of Preliminary Meeting, availability of relevant representations and
appointment of the Examining Authority**

The Secretary of State has appointed me to act as the Examining Authority (ExA) to carry out an examination of the above proposal **by Western Power Distribution (South Wales) plc (see Annex A)**.

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and contains a number of supporting annexes. I would like to thank those of you who submitted relevant representations. These representations have assisted me when preparing my proposals regarding how to examine this proposal.

Date of meeting: Tuesday 6 October 2015

Seating available from: 9.30am

Meeting begins: 10.00am

Venue: St Peter's Civic Hall, 1 Nott Square
Carmarthen SA31 1PG

The purpose of the Preliminary Meeting is to enable views to be put to me about the way in which the proposal is to be examined. It is important to appreciate that this meeting deals only with procedure, and not the merits of the proposal. The merits of the proposal will only be considered once the examination starts after the Preliminary Meeting has closed.

The Planning Inspectorate will send you a copy of my procedural decision as to how the proposal is to be examined as soon as practicable after the meeting.

I wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, I strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is in **Annex B**. This has been set following my initial assessment of the principal issues arising on the proposal. That assessment is set out in **Annex C**. As a result of this assessment I wish to hear at the meeting from the Applicant, interested parties, statutory parties and local authorities where they consider changes may be needed to draft timetable set out in **Annex D**.

Up to date information about the project and the examination can be obtained from:

<http://planninginspectorate.gov.uk/BrechfaConnection>

This is the web address from which I will make copies of all future communications and examination documents available to the public.

Further information is given in Advice Note 8.4, which is available on the National Infrastructure Planning website (<http://bitly.com/1DWa7q7>).

Attending the Preliminary Meeting

If you wish to attend the Preliminary Meeting please write, email or telephone the Planning Inspectorate, using the address and contact details set out at the front of this letter marking correspondence for the attention of Nicholas Coombes, Case Manager. We need to receive your confirmation **by noon, Tuesday 29 September 2015**.

It will help the management of the meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- Inform us if you wish to speak in Welsh at the meeting; and
- Notify us of any special needs you may have (eg Disabled access, hearing loop etc)

The Preliminary Meeting provides a useful introduction to the examination process. I will use it to make procedural decisions that will affect everyone participating in the examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the examination or you have questions about procedure it is useful to attend the meeting. However, please note that you are not required to attend the Preliminary Meeting in order to participate in the examination. If you are an interested party you will still be able to make written representations and participate in any hearings that are arranged. Should you no longer wish to be an interested party and do not wish to be involved in the examination process, you can notify the case manager of this in writing.

After the Preliminary Meeting

Shortly after the Preliminary Meeting you will be sent a letter setting out the timetable for the examination. The audio recording and a note of the meeting will also be published on the project page of the National Infrastructure Planning website.

Interested parties have the right to request an open floor hearing and those persons affected by any request for compulsory acquisition or temporary possession of their land or rights may request a compulsory acquisition hearing. Any other issue specific hearings are at the discretion of the ExA and will be arranged if I feel that consideration of oral representations would ensure an issue is adequately considered. My examination will comprise of written representations about the proposal and any oral representations made at the hearings, in addition to consideration of the project documents, policy and legal positions, site inspections and any other matters I consider to be relevant and important.

All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Energy and Climate Change, who will take the final decision in this case.

Procedural decisions made by the ExA under sections 89(3) and 93(1) of the Planning Act 2008

I have made some preliminary procedural decisions. These include the setting of deadlines for the agreement and submission of Statements of Common Ground (SoCG) and a request for revised application documents. These procedural decisions are all set out in full at **Annex F**.

Your status in the examination

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA 2008).

If you are not an interested party or a prescribed consultee (i.e. body specified in the relevant regulations supporting the PA 2008), you have received this letter because I wish to invite you to the Preliminary Meeting as an 'Other person' because it appeared to me that the examination could be informed by your participation. 'Other persons' have a reference number beginning with BFC-OP.

If you have made a "relevant representation", have a legal interest in the land affected by the proposal or are a relevant local authority (reference numbers beginning with 100), you have a formal status as an interested party in the examination process.

Interested parties will receive notifications from the Planning Inspectorate about the examination throughout the process and may make written and oral submissions regarding the proposal.

If you are a prescribed consultee (i.e. body specified in the relevant regulations supporting the PA 2008) but have not made a relevant representation (reference number beginning with BFC-SP) you will not automatically be an interested party. However, following the Preliminary Meeting, you will have a further opportunity to

notify the Planning Inspectorate that you wish to be treated as an interested party.

If you are not sure whether you are an interested party, please contact the case manager using the details at the top of this letter. Information regarding the formal status of interested parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 on the National Infrastructure Planning website (<http://bit.ly/1zdsVW5>).

Welsh language/Y Gymraeg

The Planning Inspectorate welcomes contributions in both Welsh and English. Welsh to English translation facilities will be available at each hearing, but please let us know in advance if you intend to make use of these.

Please let us know if you wish to receive future correspondence in both English and Welsh. This letter is available in Welsh using the following link:

<http://infrastructure.planninginspectorate.gov.uk/document/3388820>

Mae'r Arolygiaeth Gynllunio yn croesawu cyfraniadau yn Gymraeg a Saesneg. Bydd cyfleusterau cyfieithu o Gymraeg i Saesneg ar gael ym mhob gwrandawriad, ond rhowch wybod i ni o flaen llaw os ydych yn bwriadu defnyddio'r rhain.

Rhowch wybod i ni os ydych yn dymuno derbyn gohebiaeth yn y dyfodol yn Gymraeg a Saesneg. Mae'r llythyr hwn ar gael yn Gymraeg gan ddefnyddio'r ddolen ganlynol:

<http://infrastructure.planninginspectorate.gov.uk/document/3388820>

Award of costs

I also draw your attention to the possibility of the award of costs against interested parties who behave unreasonably. You should be aware of the relevant cost guidance that applies to National Infrastructure Projects. The "Awards of costs; examinations of applications for development consent orders" is available on the National Infrastructure Planning website (<http://bit.ly/1ODUUFi>).

Management of Information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this Project (if accepted) and any record of advice which has been provided, is 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 has been protected in accordance with the Planning Inspectorate's Information Charter.

I look forward to working with all parties in the examination of this Application.

Yours faithfully

Martin Broderick

Martin Broderick
Examining Authority

Annexes

- A** Notice of appointment of Examining Authority
- B** Agenda for the Preliminary Meeting
- C** Initial assessment of principal issues
- D** Draft timetable for examination of the Application
- E** Availability of Examination Documents
- F** Procedural decisions made by the Examining Authority

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 National Infrastructure Planning 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.



PLANNING ACT 2008

INITIAL CHOICE OF PANEL OR SINGLE APPOINTED PERSON

Notice of the appointment of an examiner¹ when an initial decision² has been made that the application is to be handled by a single appointed person

Application: EN020016

Acceptance:
24 June 2015

Development description: Brechfa Forest Electricity Connection – installation of a 132kV electric line of 28.6km (approximately 25.3km above ground and 3.3km below ground), connecting the consented Brechfa Forest West Wind Farm to an existing overhead line near Llandyfaelog.

Initial Choice of Panel – s61 Planning Act 2008

I have considered the *CLG Guidance*³ which identifies criteria relevant to appointing an examining authority and I have decided [on behalf of the Secretary of State] that the application should be examined by a single examiner.

Appointment of single appointed person – s78/79 Planning Act 2008

I have considered the skill sets required and I have decided [on behalf of the Secretary of State] to appoint Martin Broderick.

This appointment is made in accordance with the Planning Inspectorate’s *Conflict of Interest Policy*.

.....*Pauleen Lane*.....

26.06.15

**Dr Pauleen Lane CBE FICE MBA
Group Manager National Infrastructure**

DATE

¹ Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 4

² s26 Infrastructure Act 2015

³ *CLG Guidance for the examination of applications for development consent for nationally significant infrastructure projects March 2015*, particularly paragraphs 12-14

Agenda for the Preliminary Meeting

Date:	Tuesday 6 October 2015
Seating available from:	9.30am
Meeting Start Time:	10.00am
Venue:	St Peter's Civic Hall, 1 Nott Square Carmarthen SA31 1PG

Welcome and introductions
Examining Authority's remarks about the examination process
Initial assessment of principal issues
Draft timetable for the examination – see Annex D
<p>Deadlines for submission of:</p> <ul style="list-style-type: none"> • Statements of Common Ground • Comments on Relevant Representations • All Written Representations • Local Impact Reports • Responses to ExA's written questions • Notifications relating to hearings
Break (if needed)
<p>Hearings and accompanied site inspection:</p> <ul style="list-style-type: none"> • Date of accompanied site inspection to application route alignment and surrounding areas • Date of issue specific hearings on the Development Consent Order • Date reserved for open floor hearings • Time period reserved for issue specific hearings • Time period reserved for compulsory acquisition hearings
Any other business
Close of Preliminary Meeting

Please note: Please be available from the start and throughout the meeting. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items.

Initial assessment of principal issues

This is the **initial** assessment of the principal issues arising from consideration by the Examining Authority of the application documents and relevant representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the examination is concluded. The identified principal issues are listed in alphabetical order and should not be taken to imply an order of importance.

The policy and consenting requirements and documents associated with the Planning Act 2008 (as amended) are an integral part of the examination and are therefore not necessarily set out as separate principal issues. In addition, it should be noted that a number of these principal issues set out below have an interrelationship and overlap and these will be reflected in the examination.

The identified principal issues are set out under headings organised in alphabetical order. They include, but are not limited to:

Compulsory Acquisition, including issues related to:

- The requirement for the powers sought
- The need to establish a compelling case in the public interest
- Have all reasonable alternatives to compulsory acquisition been explored
- Financial arrangements - is adequate funding likely to be available to enable the promoter to carry out the compulsory acquisition within the statutory period
- Whether the purposes stated for the acquisition are legitimate and sufficient to justify the inevitable interference with the human rights of those affected
- Accuracy of the book of reference
- Whether any statutory undertakers will suffer detriment that may be caused by the carrying on of the undertaking in question
- The adequacy of any protective provisions set out in the draft DCO
- Crown land

Development Consent Order (DCO), including issues related to:

- The description of the development and definitions used
- Protective provisions
- Integral elements of application i.e. 3.3 km of undergrounding
- Consistency with that which has been applied for
- Obligations such as s106 agreements and unilateral obligations

Economic and Social impacts, including issues related to:

- The impact on the local economy
- The impact on local services and facilities
- The impact on agricultural activities
- The impact on tourism and local recreational users
- The adequacy of the baseline assessment methodologies and any proposed mitigation measures to avoid, reduce or compensate for adverse impacts

Environmental Impact Assessment, including issues related to:

- The adequacy of the assessment of its potential impacts
- Cumulative effects
- Climate Change
- Flooding
- Noise & Vibration, Construction and operational noise and vibration effects including upon the living conditions of local residents
- Water quality and supply
- Health Impact Assessment

Habitats, Ecology and Nature Conservation, including issues related to:

- The information provided and whether this enables the competent authority to reach a view as to whether or not the project will adversely affect the integrity of any European site
- The impact on European and other protected sites and species
- Impacts on habitats and on biodiversity
- Mitigation and compensatory measures
- Drilling fluids breakout potential

Historic and Archaeological Environment, including issues related to:

- The effects of the project on the settings of heritage assets
- The effects of the project on archaeological remains

Landscape and Visibility, including issues related to:

- Visual impact of the proposals during construction and operation, including adequacy of methods of assessment of impact and accuracy of illustrative material
- Effects on the landscape of the areas in which the proposed development lies and from where the proposals are theoretically visible
- Consideration of the effectiveness of the mitigation proposals (for construction, operation and decommissioning), including the degree to which they are secured via the DCO.

Operational, including issues related to:

- Frequency of maintenance access

Route optioneering, including issues related to:

- The route optioneering concept and process
- Consideration of the infrastructure against the Holford Rules¹ and in the context of residential and public amenity, including the location and impact of the proposed development
- Undergrounding

Transport and Traffic, including issues related to:

- Construction Traffic movement and routeing
- The local and national road network

¹ http://infrastructure.planningportal.gov.uk/wp-content/ipc/uploads/projects/EN010013/2.%20Post-Submission/Application%20Documents/Environmental%20Statement/CFAppDoc04_Annex15.2_FINAL.pdf

Draft timetable for examination of the application

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the preliminary meeting.

My examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at the hearings.

Item	Matters	Due Dates
1	Preliminary Meeting	Tuesday 6 October 2015
2	Publication by ExA of: <ul style="list-style-type: none"> • Examination timetable • First written questions (on website) 	As soon as practicable following the Preliminary Meeting
3	Deadline 1 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on relevant representations • Written representations (WRs) by all interested parties • Local Impact Reports from any local authorities • Statements of Common Ground requested by the ExA • Responses to ExA's first written questions • Comments on revised application documents • Notification of wish to make oral representations at the December issue specific hearings • Notification of wish to speak at an open floor hearing • Notification of wish to speak at a compulsory acquisition hearing • Notification of wish to attend an accompanied site inspection, suggested locations and justifications • Notification by statutory parties of wish to be considered an interested party 	Monday 9 November 2015 at noon

4	<p>Deadline 2</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on Local Impact Reports • Comments on responses to ExA's first written questions • Revised draft DCO from applicant 	<p>Tuesday 24 November 2015 at noon</p>
5	Accompanied route alignment and surrounding areas inspection	<p>Tuesday 1 December 2015</p>
6	Open floor hearing (evening)	<p>Tuesday 1 December 2015</p>
7	Compulsory acquisition hearing	<p>Wednesday 2 and Thursday 3 December 2015</p>
8	Issue specific hearings (including, landscape, route optioneering, undergrounding, socio-economic biodiversity and construction issues)	<p>Tuesday 8 to Wednesday 9 December 2015</p>
9	Issue specific hearing on draft DCO(including integral arguments)	<p>Thursday 10 December 2015</p>
10	<p>Deadline 3</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Post-hearing documents • Applicant's revised draft DCO • Any further information requested by the ExA 	<p>Monday 21 December 2015 at noon</p>
11	<p>Publication on website by ExA of:</p> <ul style="list-style-type: none"> • Second round of written questions(if required) 	<p>Monday 11 January 2016</p>

12	<p>Deadline 4</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to ExA's second written questions • Notification of wish to make oral representations at the February hearings 	<p>Monday 1 February 2016 at noon</p>
13	<p>Issue specific hearing on the DCO, residual matters and/or compulsory acquisition hearings (if required)</p>	<p>Wednesday 10 and Thursday 11 February 2016</p>
14	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Post-hearing documents • Any further information requested by the ExA • Comments on responses to ExA's second written questions • Any further information requested by the ExA • Revised draft DCO from applicant 	<p>Thursday 18 February 2016 at noon</p>
15	<p>Publication of ExA's consultation draft DCO and RIES</p>	<p>Thursday 25 February 2016</p>
16	<p>Deadline 6</p> <ul style="list-style-type: none"> • Comments on ExA's consultation draft DCO and RIES • Any further information requested by the ExA 	<p>Thursday 17 March 2016 at noon</p>
17	<p>Deadline 7</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to comments on the ExA's consultation draft DCO and RIES • Comments on any further information requested by the ExA 	<p>Thursday 31 March 2016 at noon</p>
18	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p>Wednesday 6 April 2016</p>

Publication Dates

All information received will be published on the project website as soon as practicable after the deadline for submissions.

<http://infrastructure.planninginspectorate.gov.uk/BrechfaConnection>

Hearing Agendas

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subjected to change at the discretion of the ExA.

Report on the Implications for European Sites (RIES)

Where the applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a RIES during the examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake their HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

Availability of Examination Documents

All application documents including relevant representations and application documents are available on the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planninginspectorate.gov.uk/BrechfaConnection>

Documents can be viewed electronically at the following locations. Please note that you may need to bring a form of ID to use the computer at these locations.

Electronic Deposit Locations:

Local Authority	Library/ Address	Opening Hours
Carmarthenshire	Carmarthen Library St Peter's Street Carmarthen SA31 1LN	Monday – 9am – 7pm Tuesday – 9am – 6pm Wednesday – 9am – 6pm Thursday – 9am – 7pm Friday – 9am – 6pm Saturday – 9am – 5pm Sunday - closed
Printing Costs	Black and White	Colour
A4	15p	25p
A3	65p	£1
Link to all council library locations:		
http://www.carmarthenshire.gov.wales/home/residents/libraries-archives/ http://www.sirgar.llyw.cymru/cartref/preswylwyr/llyfrgelloedd-ac-archifau/		

Procedural decisions made by the Examining Authority (ExA)

The ExA has made the following procedural decisions under Section 89(3) of the Planning Act 2008:

1. Statements of Common Ground (SoCG)

In relation to some of the principal issues identified in Annex C, the ExA would be assisted by the preparation of SoCGs between the applicant and certain interested parties. The draft timetable for the examination therefore provides a deadline for submission of SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the applicant and the other relevant interested party or parties, and submitted by the applicant.

SoCGs are requested to be prepared by:

The applicant and Carmarthenshire County Council to include:

- Development Consent Order (DCO)
- Economic and Social impacts
- Environmental Impact Assessment, including issues related to:
 - The adequacy of the assessment of its potential impacts
 - Cumulative effects
 - Noise & Vibration, Construction, operational and decommissioning noise and vibration effects including upon the living conditions of local residents
- Habitats, Ecology and Nature Conservation
- Historic and Archaeological Environment
- Landscape and Visibility
- Route optioneering
- Transport and Traffic

The applicant and Natural resources Wales (NRW) to include:

- Development Consent Order (DCO)
- Environmental Impact Assessment, including issues related to:
 - The adequacy of the assessment of its potential impacts
 - Cumulative effects
 - Climate Change
 - Flooding
 - Water quality and supply
- Habitats, Ecology and Nature Conservation
- Historic and Archaeological Environment

- Landscape and Visibility
- Route optioneering
- Transport and Traffic

The SoCGs should cover the following topics where relevant:

- Methodology for environmental impact assessment including assessment of cumulative effects
- Data collection methods
- Baseline data
- Data/statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the DCO

2. Request for revised documents

Having reviewed the submitted application documents, the ExA requested revisions to the Book of Reference and other related documents. This procedural decision was made on 6 July 2015 and published on our website:

<http://infrastructure.planninginspectorate.gov.uk/document/3276643>

The applicant, Western Power Distribution, provided revised documents on 21 August 2015. These have been published on our website:

<http://infrastructure.planninginspectorate.gov.uk/projects/wales/brechfa-forest-connection/?ipcsection=docs&stage=app&filter=Post+submission+changes>

Comment is invited on these revised documents by the first deadline.