

Brechfa Forest Connection

Development Consent Order Application - Reference EN020016

EIA09 Appendix 4 CCC Response on Draft ES

November 2015

Regulation 8(1)(b) of the Infrastructure Planning
(Examination Procedure) Rules 2010

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Introduction

This report comprises the Head of Planning's response to the consultation carried out by Western Power Distribution (WPD) (the developer) under Section 42 of the Planning Act 2008 for the development of an electricity connection from Brechfa Forest West wind farm to an existing connection point near Llandyfaelog. The consultation is due to end on 16th January 2015. Members are requested to endorse the report's content as the Council's formal response to the consultation.

The consultation documents submitted by the developer comprise a draft Environmental Statement (DES) and is supported by plans, figures and appendices. The DES describes the impacts of the proposal and how they will be mitigated. The consultation will enable the Council to assess the project details and provide WPD with feedback ahead of their formal submission of the application. WPD will need to take into account the response of the Council along with other statutory consultees and members of the public. This may involve further refinement of the proposed development to take into account material policy and planning issues, or more information clarifying project impacts and/or mitigation.

The proposal will comprise a combination of 132kV overhead lines (OHL) supported by wooden poles together with sections of underground 132kV lines, which will have a total length of approximately 29km. The proposed Brechfa Forest Connection is classed as a nationally significant infrastructure project (NSIP); therefore Carmarthenshire County Council will not be the determining authority.

It is the developer's intention to submit an application to the Planning Inspectorate (Pins) in spring 2015 for development consent under the provisions of the Planning Act 2008. Pins will assess the project and make a recommendation to the Secretary of State for Energy and Climate Change to consider and determine.

The Council will be given an opportunity to participate in the examination of the project and also present a Local Impact Report (LIR), which will highlight the scheme's positive, negative and neutral effects. If the project is consented, the Council will be the determining authority for all pre-commencement requirements in addition to enforcing the provisions of the development consent order.

Since 2012 the Council's officers have provided WPD with technical advice at meetings, workshops and through written communication as part of an iterative pre-application process. The purpose of the informal consultation was to highlight potential constraints and impacts particularly in relation to landscape, biodiversity, cultural heritage and transportation. During this process WPD identified an initial study area, followed by route corridor options, a preferred corridor and finally an alignment of the proposed grid connection which is the subject of this current statutory consultation.

The report has been set out in a systematic format that provides commentary, review and assessment where necessary of the individual chapters, appendices and figures contained within the Draft Environmental Statement (DES). More specific technical commentary is provided at Annex 1 which is appended to the report for completeness. In addition to the Planning Department, other CCC Department's and sections have contributed to the content of this report, namely Public Health Services, Technical Services and Leisure and Recreation. Consultants appointed by CCC have assisted with the review of aspects of the DES relating to Landscape and Visual.

The review of the Transport and Transport will be provided as an addendum to this report.

Project Description

The Proposed Development which is a 132kV single circuit connection will comprise both overhead line (OHL) and sections of underground cable (UGC). The proposed southern connection is located approximately 10km south of Carmarthen and approximately 3km east of the River Towy estuary. From the southern connection point the Proposed Development heads broadly northwards, passing under the existing 132kV and 400kV lines then crossing the River Towy and passing to the east of Carmarthen in an underground section. After approximately 20km the OHL turns east, in the vicinity Alltwalis, and extends further to connect to the proposed wind farm substation at Brechfa West wind farm.

The connection will require approximately 25.2km of 132kV overhead line supported by wooden poles and approximately 3.4km of underground cable. There will be a total of 203. These will primarily be single poles averaging 15m in height. Twin poles will be required where the line changes direction, whilst a four pole structure will be used adjacent to underground sections of the line.

The electricity wires will be carried on the wooden pole, predominantly on the single trident pole type where three conductor wires are supported by insulators mounted on a galvanised steel cross-arm above.

The underground cables will be laid beneath the River Towy through hydraulic directional drilling (HDD), whilst other sections will be laid in an open cut trench and backfilled.

The project construction programme is estimated to last 9 months including a month for reinstatement works. The main construction compound will be established at the Carmarthen showground and will act as a hub for the storage and distribution of materials and poles. Two satellite compounds will also be established along the proposed route. The main construction compound will require temporary planning permission

An assessment of the topic areas within the draft Environmental Statement will now follow:-

Land Use Agriculture and Forestry

WPD conclude in their draft ES that there will be no significant impacts on land uses, soils, agriculture or forestry during the operational phase of the proposed development. The construction phase of the development will disrupt agricultural activity but this is likely to be negligible. They have also confirmed that no land will be taken permanently out of agricultural use, whilst no access land will be permanently removed or obstructed.

Notwithstanding WPD's conclusions, the review of the draft ES by the Council's officers, has highlighted areas which still need to be assessed, therefore the conclusions are questioned at this stage. For example details of the location and scale of the undergrounding compound north of Abergwili Road will need to be provided. Furthermore justification is required why an alternative location for the substation in the south west of the Brechfa Forest cannot be found. A substation at the western edge of the forest would avoid the need for the creation of a linear corridor for the OHL and removal of up to 10ha of trees.

Landscape and Visual Assessment

The route of the proposed development passes through four regional landscape character areas from south to north: the Gwendraeth Vales (rolling, pastoral countryside), the Towy Valley (flat, open pastoral land), the Carmarthenshire Foothills (mixed agricultural influences with some settlements) and the Cambrian Mountains (high open moorland and coniferous forest).

The draft ES concludes that no significant effects on the landscape character of the Towy Valley during the operational phase were identified, due to the decision to underground the route where the potential effects of an OHL would have a high likelihood of presenting serious concerns from a landscape and visual perspective.

No locations were identified that would experience any highly significant visual effects from the presence of the OHL, however, Moderate but significant visual effects would be experienced as a result of the OHL by the receptors identified below:

- 21 residential properties
- 9 groups of residential properties
- 8 footpaths
- 1 campsite
- 2 sections of a promoted cycle path

The landscape consultants commissioned by the Council have provided the following comments which have been vetted and agreed by officers:

Assessment Methodology: The Council considers that the methodology is in accordance with current published guidance as set out in the *Guidelines for Landscape and Visual Impact Assessment* [3rd Edition 2013]. It correctly distinguishes between landscape effects and visual effects, the levels of significance are defined appropriately, and the assessment process is transparent and follows recommendations as set out in current guidance.

Construction Phase Effects: The likely landscape and visual effects resulting from the construction of the development are properly identified and reasonably described and assessed.

Operational Phase Effects: The likely landscape and visual effects resulting from the operation of the development are properly identified and reasonably described and assessed.

Mitigation Measures: The ES confirms [at Para 9.9.1] that the '*mitigation of landscape and visual effects of both the underground and overhead sections of the Proposed Development is primarily embedded within the design of the infrastructure and its routeing*'. Details of design and alignment mitigation are reasonably described, together with other mitigation measures, including the landscape reinstatement works proposed to underground sections of the route.

Cumulative Effects: The approach to the assessment of cumulative effects is in accordance with guidance contained within GLVIA 3rd Edition. Furthermore, it is noted the amendment made to the cumulative assessment [at section 9.11.3] to include an assessment of both the combined and additional cumulative effects. Notwithstanding this the Council have concerns regarding the potential understatement of the cumulative effects in the southern corridor arising from the convergence with the existing high voltage overhead line [near Viewpoint 5]. Para 9.4.10 does confirm that '*landscapes with already high levels of prominent existing electricity infrastructure and telegraph poles ...may display high susceptibility*.' The design should seek to avoid these '*wirescape conflicts*' in order to reduce the landscape and visual effects – the Council notes the commitment in the ES [Para 9.12.1] that '*in undertaking this*

draft assessment consideration has been given to the need for and practicality of further design iterations to further reduce the effects identified.'

Prior to WPD confirming that the grid connection between Brechfa West and East wind farm would be removed from the project, Council officers and the appointed consultant requested that further undergrounding of the OHL be considered in the Cothi valley, as it would be traversing through a landscape with sensitive receptors and impact on landscape character.

Ecology

The ecology chapter of the draft ES predicts ecological impacts that may arise from construction and operation of the proposed grid connection. Surveys have been carried out along the route alignment to identify habitats of conservation value and to assess the suitability of the habitats for legally protected animals and notable species. These showed limited evidence of protected species such as dormouse or otter found along the alignment, although tree and hedgerow clearance along the route and open trench and HDD works at the undergrounding sections could disturb these species and their habitats. Mitigation proposals have been outlined by the applicant to overcome these impacts.

WPD have concluded that significant effects during construction are associated with the loss of woodland, hedgerows and mature trees. They have proposed mitigation through re-planting of semi mature shrubs to help reinstate the gaps created to construct the OHL and underground cable. WPD propose to periodically manage these areas throughout the operational phase of the development. The Council would wish to see some enhancement proposals in addition to the mitigation proposed by the applicant (see below).

Members will note from the technical review of the draft ES (Annex 1) that there are a number of omissions and areas which require further clarification. Moreover, there are a number of impacts identified by WPD which have not been supported by adequate mitigation and enhancement proposals. The Council would expect these to be submitted for comment and assessment prior to the formal submission of the Development Consent (Order) application. These are summarised as follows:

- Translocation of hedgerows rather than removal should be considered.
- No draft Construction Environmental Management Plan (CEMP) submitted for assessment.
- The Council expects to see the details outlined in Annex 1 of this report in the CEMP.
- A draft Habitat Regulations Assessment (HRA) should ideally be submitted for assessment and comment before formal submission of the DCO application.
- No details of the location and size of the undergrounding compound north of Abergwilli Road. The potential effects upon the land arising from this element of the proposal are unknown.
- No details of felling proposals in plantation areas and associated mitigation/enhancement.
- No draft Habitat Management Plan.

- The Council consider that the requirement for ecological gain and enhancement as detailed in its scoping opinion is entirely lacking. Enhancement is a requirement of National Policy Statement EN-1, LDP policies, TAN5 and the NERC Act 2006.

The information submitted in respect of this statutory consultation is referred to as Preliminary Environmental Information (PEI) and it is likely that the formal submission will include more information given the various commitments in the draft ES and the requests outlined by CCC.

Guidance on this matter is provided in the Planning Inspectorate's Advice Note 7 which states that "the focus of the PEI is to enable the local community to understand the environmental effects of the proposed development so as to inform their responses regarding the proposed development". On this basis it is considered that more information should have been provided by the applicant, as this stage of the process is the final statutory opportunity to influence the project before formal submission. For example without details of how impacts will be mitigated the Council cannot confirm whether aspects of the project will be acceptable or not. Members are therefore requested to endorse the need for the additional information and clarifications referred to above, before the formal submission of the application.

Historic Environment

The historic environment chapter of the draft ES includes assessments of the proposal on archaeological features, historic buildings or structures (listed buildings and scheduled ancient monuments) and elements or areas of the historic landscape character. The developer's study area recorded and assessed 400 historic assets within 3km of the grid alignment. These are primarily listed buildings and non-designated assets, whilst the grid alignment proposal crosses one designated historic landscape i.e. the Towy Valley Registered Historic Landscape.

The impact of the OHL on Towy Valley Registered Historic Landscape has been mitigated by undergrounding of the line through much of the designation, however it is, noted that a 1km (approximately) section of OHL will be located within the Registered Historic Landscape (to the east of the Police HQ). WPD conclude that that the impacts are predicted to be of minor or negligible adverse significant effect. Given the location and extent of the OHL element through the designation, these conclusions are considered valid; however, the views of Cadw should also be sought on this matter.

The undergrounding section also ensures that that there are no operational impacts upon the setting of a number of listed buildings north of the Towy.

With regard to the impact of the proposal upon the setting of listed buildings, the draft ES has concluded that adverse effects are predicted within the setting of one Grade II listed building, namely St Maelog's Church in Llandyfaelog.

Officers visited locations where listed buildings are within 200m of the proposed OHL or at locations where the setting of the listed building was deemed to be impacted upon (i.e. the Church referred to above). Whilst it is acknowledged that the majority of listed buildings are screened by existing vegetation and topography and located at a distance that ensures no significant impacts, it is considered that further assessment is required by the applicant at 3 listed buildings. By doing this the Council will have a clearer understanding of the impacts predicted at these locations, namely at LB4, LB181 and LB308. This assessment should include details of the setting's contribution to the listed building and where within the setting impacts from the proposed development will be experienced. Where there are considered to

be no impacts at these locations, the Council expects more justification by WPD in the final ES.

The Council has not assessed or commented on the impact the proposal will have on scheduled assets and potential archaeological remains as these would be best provided by Cadw and Dyfed Archaeology. It is however, noted that in sensitive archaeological areas, if unforeseen remains are found, established mitigation procedures will be put in place. It is unclear on the detail of these procedures at present.

Geology, Hydrogeology and Ground Conditions

Although the developer concludes significant impacts from the proposed development upon geology, hydrogeology and ground conditions are unlikely, it is noted that contamination could be encountered along the route alignment. There will be a process set out in the Construction Environmental Management Plan (CEMP) for the proposed development as to how unforeseen contamination, if encountered, will be dealt with, including a process for agreeing any necessary site investigation, risk assessment and if required remedial measures with relevant regulators.

Notwithstanding this it is considered that information stated in this section of the draft ES regarding contamination should be determined to inform the required Habitats Regulations Assessment. The Council would also wish to have confirmation of these details prior to the DCO submission.

Hydrology and Flood Risk

Water quality issues are primarily for Natural Resources Wales to comment on given that they are statutory advisers on these matters, although it is acknowledged that Land Drainage Consent will need to be sought from CCC for the open cut works within the ordinary watercourse of the Nant Crychiau (near Abergwili). Works within 7m of main rivers will require consent from NRW.

Noise and Vibration

The main noise impacts associated with the proposed development will occur during the construction phase. The noise associated with each construction activity (open cut trenching and HDD) has been predicted at each identified noise sensitive receptor. Exceedances of the threshold value of 65 dB(A) are predicted at one residential receptor adjacent to the A485. Such an exceedance would be temporary as the undergrounding passes this location.

The only potential noise source identified by WPD following the construction phase is the operation of the new overhead lines. In certain conditions audible noise can be generated by electrical stress, the level of which is derived from a combination of factors, including the operating voltage, diameter of conductors and the number of conductors which are "bundled" together. WPD indicate that even with high voltage overhead lines, the noise produced dissipates within ten metres of the source. The closest residential receptor is 70m from the proposed overhead lines and WPD concludes that the impact would be negligible.

The Council's Public Health Services Division Section have been consulted and provided the following comments in respect of noise and vibration:

In relation to the operational phase of the proposed development, it is acknowledged that at the Scoping Stage the Secretary of State has agreed that the operational noise effects of the development could be scoped out of the assessment if further justification was presented with the Environmental Statement. It is also acknowledged that the closest residential

receptor is 70m from the proposed overhead lines, and it was stated previously that the impact would be negligible at a distance of 50m. However, Public Protection would welcome further information on any mitigation measures proposed in order to ensure noise disturbance is minimised.

In relation to construction noise, the Environmental Statement contains considerable detail regarding predicted noise impact in line with the relevant guidance BS5228. It clearly sets out the estimated duration of the works; it is expected that further information regarding this matter will be submitted with the Construction Environmental Management Plan when known. The proposed hours of operation are in line with the relevant standard, and noise modelling has been carried out to assess the impact on nearby noise sensitive receptors which predict that the development will not result in a significant impact.

The Environmental Statement also acknowledges that some of the detail regarding the construction works, such as Contractor Contact Details and a Noise Monitoring Plan, would not be available until after detailed design, at which point a Construction Environmental Management Plan (CEMP) would be submitted containing this information. It has also been acknowledged that mitigation measures are to be integrated into the CEMP. It is recommended that this document is submitted and approved prior to the development commencing.

Air Quality

Construction phase activities associated with the proposed development may give rise to dust emissions, although these will be temporary in nature and restricted to areas close to the construction activity.

WPD consider that the highest risk of dust impacts will be associated with earthworks (e.g. open cut trenches and HDD) and "track out" (the tendency for vehicles leaving sites to deposit material on roads near to the site).

Where the risks of dust impacts are highest, WPD propose mitigation measures e.g. Dust Management Plan.

Without knowing full details of vehicle movements at this stage and the periods of highest activity, CCC would question whether atmospheric pollutants associated with construction vehicles have been adequately assessed. These details will need to be submitted before WPD formally submits its DCO application so an assessment of impacts can be made.

Traffic and Transport

WPD's draft ES indicates that the majority of traffic arising from the Proposed Development is associated with the main construction compound on the A40 (Nantyci Showground). This may be the case, however, the Council has not seen details of movement numbers associated with the construction phase at this stage and therefore cannot comment on this conclusion. The Council would expect to see these details for comment prior to formal submission of the DCO application.

The observations from the Head of Highways have not been provided at this stage. These are expected before the 16th January consultation deadline and will form part of the Council's formal response.

Socio-economics

WPD considered the potential socio economic impacts of the grid connection upon access,

recreation and tourism. The study area includes a range of activities which include angling, horse-riding, adventure activities and other organised events.

During the construction and operational phases of the development WPD conclude there will not be any significant effects on the enjoyment and/or use of recreational attractions and tourist accommodation. These conclusions are reasonable in the context of the scale and location of the proposal in relation to these facilities.

Whilst it is regrettable that there is a visual impact on access routes, it appears that on the majority of routes the impact has been assessed as '*not significant*' with only a relatively small number of routes affected significantly and then to a low or medium degree. Therefore, on balance, it appears that the development is successful in limiting any negative visual impact.

Electromagnetic Fields

Electric and magnetic fields (EMFs) are produced by human activities where electricity is produced, distributed and used, including electrical substations, power lines and electrical equipment.

All OHL produce EMFs, and tends to be highest for a ground-level receptor directly underneath the line, but diminishes rapidly with increasing distance. For underground lines electrical fields are blocked by the soil; whereas magnetic fields are not blocked but diminish rapidly with increasing distance from the source. It is not evident in the draft ES at which distances the effect of EMF diminishes.

In line with the NPS for Electricity Networks Infrastructure EN-5, it has been shown that the relevant electrical infrastructure will comply with the current public exposure guidelines, so no further mitigation is necessary, and there will be no residual effects.

Cumulative

The assessment of cumulative effects took into account proposed and existing development proposals such as LDP land designations, existing and proposed wind turbines and electricity wires, poles and pylons. WPD have concluded that there will be no significant cumulative impacts.

Notwithstanding the developer's conclusions on the project's cumulative impacts, the Council has concerns that the cumulative impact of the OHL with existing electricity lines in the Gwendraeth Vales character area has been underestimated.

An assessment of 'inter-relationships' has considered the way in which separate impacts may contribute to affect the same receptor. For example, separate impacts such as noise and air quality may combine and affect a single receptor such as fauna, resulting in an overall significance of effect that is greater than the individual effects when considered on their own.

WPD have concluded that there are no potential inter-related effects identified that could interact to lead to a greater significance of effects than already identified in the topic specific chapters. This conclusion is considered reasonable following the Council's review of the draft ES.

Conclusion

This statutory consultation has allowed the Council's officers to review and assess the

impacts of the proposed Brechfa Forest connection project. Issues and concerns have been highlighted for the developer to consider before the formal submission of the application. These have primarily focused on a lack of information and there is an expectation that further clarification will be given to the Council before the developer formally submits the application to the Planning Inspectorate.

Principle issues include the lack of mitigation and enhancement in relation to biodiversity interests which will be impacted upon as a result of tree and vegetation clearing for the OHL, whilst key documents such as a Habitat Management Plan and a Construction Environmental Management Plan have not been submitted for assessment. The acceptability of the proposal in landscape and visual terms cannot be confirmed at this stage as there are concerns that the proposal's cumulative impact with existing electricity lines south of Carmarthen has been under-assessed by the developer. With regard to cultural heritage impacts, further clarification is requested regarding the impact upon the setting of listed buildings, whilst highway impacts cannot be ascertained without more details of construction movements associated with the proposed development.

Notwithstanding the above, the undergrounding of the proposed line under the Towy valley is considered a positive feature of the project which will overcome significant adverse impacts upon this sensitive landscape. Furthermore the identification of the southern connection point near Llandyfaelog has prevented a much longer overhead line and the associated environmental impacts it would have. Finally it is considered that the submitted information complies with established methodologies for the assessment of environmental impacts and robust assessment has been provided on many of the topic areas. With the exception of the issues identified the conclusions have been fairly assessed and are considered acceptable.

Members are therefore requested to endorse the content of this report and the accompanying Annex 1 as the Council's formal response to the Section 42 consultation relating to the Brechfa Grid Connection Project.

ANNEX 1

Draft Environmental Statement – Preliminary Environmental Information – Brechfa Forest Connection Project - November 2014

Chapter 2 – Project Description

Para 2.5.1 Construction – the CMS should contain a method statement for the removal and replacement of hedgerow.

Para 2.5.8 and Foot note on Page 12 states that as well as the section under the Towy, there may also be a need to underground short lengths of existing OHL where the Brechfa Forest Connection crosses them, should there be insufficient vertical separation distance to ensure adherence to relevant guidelines. This should be addressed in the ES; we would wish these details to be confirmed prior to DCO submission. All areas of undergrounding must be identified, as undergrounding has potential to result in greater ecological impacts when compared to overhead lines. (**Other relevant sections – Para 8.6.23**)

Para 2.5.14 - requires further explanation.

Para 2.4.16 - states that where poor or waterlogged ground is encountered modified foundations are to be designed on a site by site basis. What would modified foundations typically involve? This is of concern, as poor or waterlogged ground is likely to be of higher ecological value and sensitivity and therefore an idea of the type of work involved on these

sites and how works will take place would be beneficial to make an informed response to the application. This should be addressed in the final ES, but we would wish these details to be confirmed prior to DCO submission.

Para 2.4.21 - states that a maximum 12.5 m lateral limit of deviation (LoD) either side of the alignment pole positions will be included in DCO limits and that this area will be used where necessary to micro-site poles, where environmental constraints allow. Much of the ecological mitigation involves the restriction of micro-siting and the identification of specific sites for the proposed infrastructure. It is recommended that a plan of the LoD with environmental constraints where deviation is restricted should be addressed in the ES; we would wish these details to be confirmed prior to DCO submission. (**Other relevant sections – Para 10.5.74, Para 10.9.8**)

Para 2.5.1 - states that there may be a need to modify existing entrances and in some cases it will be necessary to temporarily remove sections of hedgerow. Translocation of hedgerows rather than removal should be considered. Details of proposed mitigation and a detailed method statement must form part of a draft CEMP; we would wish to see a draft CEMP prior to DCO submission for assessment and comment. (**Other relevant sections – Table 8.4** - which states hedgerow sections removed during works will be replanted where suitable, again we would wish for translocation to be considered, **Para 9.5.53, Para 10.9.14**)

Para 2.5.14 - states that it may be necessary for environmental reasons, to provide continuity of field boundaries and hedgerows that cross the cable circuit and that this is considered necessary to provide ecological mitigation. The paragraph states that the proposed methods for reinstatement will require consideration with respect to the effects on thermal ratings, this statement requires further clarification and the implications of this should be provided and addressed in the ES, we would wish these details to be confirmed prior to DCO submission.

Para 2.5.20 - This section states that the cable depths for the HDD sites are to be determined depending on ground condition, available area, location of the drive site and bending radius of ducts. This information should be determined to inform the required Habitats Regulations Assessment (See Section 7.2.6). We would also wish to have confirmation of these details prior to the DCO submission.

Para 2.5.28 - This section states that the underground (UG) sections in rivers would be completed before mid October – This section should clarify the ecological mitigation requirements that the HDD Works for the Tywi will also be restricted to outside the migratory period for spawning Twaite Shad (April to June) and that open cut crossings of minor tributaries in the UG section will take place before October 15th or after April 15th to avoid impacts on spawning salmonids. This should be reflected in **Appendix 16.2**. This must be addressed in the ES; we would wish these details to be confirmed prior to DCO submission. (**Other relevant sections – Para 10.9.1, Para 10.9.4, Para 10.9.34, Para 10.9.35**)

Para 2.8.6 - states that the development of fluid pathways between the bore hole and surface (for instance where site investigation bore holes have been drilled and not sealed) may result in the venting or Frac-Out of drill fluid. Potential pathways and receptors will be identified for each site and a Frac-Out Contingency Plan will be implemented. This information should be determined to inform the required Habitats Regulations Assessment (See section 7.2.6) (**Other relevant sections – Table 8.4, Table 12.3, Para 12.5.47**). We would also wish to have confirmation of these details prior to the DCO submission.

Para 2.8.9 - states that a source of water extraction has yet to be identified, although water for drilling operations may be sourced from a local hydrant or abstracted from local surface waters. This information should be determined to inform the required Habitats Regulations

Assessment (See section 7.2.6). We would also wish to have confirmation of these details prior to the DCO submission.

Chapter 4 – Consultation

Para 4.4 - Identification of route corridor – at this stage the re-positioning of the sub-station to avoid the need for a OHL in the forest was not explored an assumption was made that the original position of the substation be retained although the position of the connection of the grid line to the main line changed during this time.

Para 4.4.9 - Does not refer to the fact that CCC questioned the location of the substation and suggested a mechanism by which this could be addresses, namely WPD could add a substation to their application.

Para 4.5.1 - BFE was granted in October 2014 not December 2013?

Para 4.6 Alignment options - The need for an OHL through the forest was not considered in the options set out by WPD. The Council does not consider that the need for an OHL through the forest was fully reviewed at workshops with WPD.

Chapter 7 – Planning Framework

Para 7.2.6 - highlights the requirement of the decision maker to consider, prior to granting a DCO, whether the project may have a significant effect on a European site, under the Habitats and Species Regulations. It is stated that to assist in this consideration applicants are requested to provide information to support the preparation of a Habitat Regulations Assessment (HRA). WPD state this will be provided as part of the DCO application. CCC would have welcomed the opportunity to see a draft HRA submitted as part of the ES, we would wish these details to be confirmed prior to DCO submission. The HRA should incorporate the information requested within this response. CCC would also expect to be consulted regarding any necessary in combination assessment. In combination assessments must assess any major scheme in hydrological connectivity to the Afon Tywi SAC, as well as schemes within a specified buffer zone. Cumulative assessments within the ES to date do not appear to have considered hydrological connectivity, only a specified buffer distance. **(Other relevant sections – 10.2.5, 10.12.1, Section 13.11)**

General Comment – Throughout chapter 7 and other chapters of the draft ES it is stated that information concerned with various mitigation measures will be provided within the CEMP (Construction and Environmental Management Plan) which will be submitted with the DCO application. CCC would have welcomed the opportunity to see a draft CEMP submitted as part of the ES, we would wish these details to be confirmed prior to DCO submission. **(Other relevant sections – Table 8.4)**

CEMP Contents - We would expect to see certain details within the CEMP including strict pollution prevention measures to reduce the risk of any sediment or pollution entering the Afon Towy SAC (**Para 10.9.3**), Methodology for use of temporary protective surfacing to protect sensitive habitats (**Paras 10.9.6, 10.9.7, 10.9.16**), all proposed ecological mitigation (**Section 10.9**), Invasive Species Management Plan (**Para 10.9.18**), Consideration of any unforeseen contamination (**Table 12.8**) Embedded Mitigation (**Chapter 12**), Hydrology mitigation measures (**Section 13.9**) Site specific Dust mitigation Measures (**Appendix 15.1 Section 5**).

Chapter 8 – Land Use Agriculture and Forestry

Para 8.1.3 – OHL and undergrounding tally 28.6km. Has the 29km figure been rounded up

or is there 400m unaccounted for?

Para 8.5.2 – No reference to where grade 3a land that could be affected is located?

Table 8.4 - Re-instatement after all works - Hedgerows – The Council has not discussed hedgerow removal – presumably this may be in issue with the undergrounding? If this is the case then the hedgerows sections to be removed should be placed to one side of the remaining hedge, then replaced after construction work is complete as was done for the gas pipe line. This has proved very successful, but does require that this work is done in the winter months to avoid the nesting season and also when the shrubs are dormant. Hedgerow removal and replacement is far more environmentally acceptable, nor does it involve contract and maintenance.

Para 8.6.6 - states that WPD has identified an area of search for an undergrounding compound located north of the Abergwili Road, the draft ES states that this would be on land currently used for grazing. The section states that the precise location and size of the compound is yet to be confirmed and the potential for effects upon land use arising from this element of the Proposed Development will be assessed and presented within the final ES. CCC would have welcomed the opportunity to comment on this proposed location, we would wish these details to be confirmed prior to DCO submission. This information should also be determined to inform the required Habitats Regulations Assessment (See section 7.2.6) and relevant ecological investigations as these areas have not be subject to phase 1 survey. **(Other relevant sections – Para 9.6.11, 10.6.2)**

Para 8.6.9 – Refers to a 50m swathe of tree clearance in forestry plantation areas to prevent toppling onto OHL. A 2km of route runs will run through the plantation but the precise route and felling are to be agreed with NRW. The Council would expect to see these details for assessment before formal submission e.g. cutting period, movements, mitigation for swathe.

Para 8.6.14 - the Draft ES states that felling proposals will be confirmed in the Final ES, CCC would have welcomed the opportunity to comment on these, we would wish these details to be confirmed prior to DCO submission.

Para 8.6.21 – Unclear what affect bentonite mud has on agricultural land?

Para 8.9.1 - the Draft ES indicates that felled areas along the alignment are to be planted and or managed for ecological gain according to a Habitat Management Plan (HMP) (See Chapter 10 of the ES) consistent with the objectives agreed with NRW and so that they do not preclude return to woodland following project decommissioning. The section states that full details will be provided at detailed design stage. It should be noted however that no suggestion of a HMP or an assessment of the plantation woodland works is mentioned in Chapter 10, very little detail has been provided as part of the ES on the ecological proposals for this area and as such currently ecological gain is lacking. **Table 10.8** records the impact of this proposal as a significant negative effect at a site level and does not state any gain. CCC would welcome the opportunity to comment on a Draft HMP and the forestry proposals; we would wish outline details to be confirmed prior to DCO submission. **(Other relevant sections – Para 10.7.4)**

Para 8.9.5 - The section states that decommissioning impacts would be similar in scale and nature to those likely to arise during the construction phase and so the mitigation measures should be applied during this stage as well. This statement does not account for the proposals to provide ecological gain or enhancement as detailed under section 8.9.1. Therefore the impacts to ecology from decommissioning may be greater. **(Other relevant sections – Para 10.8.2)**

General Comments - There is no justification given in this chapter as to why the sub-station is in the south east corner of the forest and the power is leaving from the south west corner. Council officers have discussed this with NRW, RWE and WPD on several occasions. The Council has advised that WPD could include in their application a new position for a substation in the SE section of the forest, but have received no justified response. The construction of the overhead line is costly and requires the loss of up to 10ha of forest. CCC requests a satisfactory explanation as to why the power cannot be taken out of the forest in the south west section. This would avoid the need for the creation of a linear corridor through the forest for the OH line. The loss of up to 10ha forest has not been considered in combination with that which will be lost as a result of the construction of Brechfa Forest West wind farm (at least 28 x 0.7ha =19.6ha, construction felling, plus track widening). It is suggested that there are alternatives to the proposed OH route within the forest that should be fully considered. The proposed route through the forest should also be considered in terms of its visual impact in combination with the 28 turbines and the forest management landscape of clear fells and replanting etc.

There are few details as to how the corridor required for the OHL in the forest will be managed for over the duration of the development. What type and height of vegetation will this support?

Chapter 9 – Landscape and Visual Assessment

Para 9.2.36 – NRW policy position on woodland aims to achieve planning gain and mitigation including proposals for compensatory replanting to achieve equivalent or greater public benefit. This is lacking in WPD’s proposals and falls short of CCC mitigation and enhancement expectations.

Para 9.4.42 – “some elements of additional landscape and visual mitigation may nevertheless be incorporated within the scheme as the assessment progresses e.g. replacement and screen planting”. This is positive but where are the proposals for CCC to comment on appropriateness of mitigation?

Para 9.7.35 – No Highly Significant (Major Effects) identified. Significant (Moderate) at locations listed in **Para 9.7.35** - 42 dwellings (the NPS states 21 properties and 9 groups of properties? 10 footpaths, promoted walking or cycle routes and 1 campsite. Despite these conclusions no screen planting is proposed at these locations. National Policy Statement (NPS) EN1 - 5.9.22 refers to the use of landscape schemes to mitigate adverse landscape and visual effects. Mitigation of this nature is limited in WPD’s proposal?

Summary of amendments made to Chapter 9 LVA Draft ES

The Council can confirm that the responses received by WPD from NRW and CCC have been incorporated into Chapter 9: Landscape and Visual Assessment of the Draft ES, as detailed below:

- Optimum use of all 5 Aspects of LANDMAP to provide baseline landscape data in the assessment of landscape effects. LANDMAP Visual & Sensory Aspect data is a key factor in the identification and assessment of sensitivity for the project Landscape Character Areas [pLCAs], as detailed in Appendix 9.2;
- Assessment of effects on both the existing adopted and proposed Special Landscape Areas designation boundaries, as detailed in Appendix 9.3;
- Assessment of residential visual amenity to be included for properties within 100m of

overhead line, as detailed in Section 9.7;

- Locally promoted trails to be included within scope of visual assessment, as detailed in Appendix 9.6;
- Other recreational and visitor locations [e.g. camping sites] to be included in the visual assessment, as detailed in Appendix 9.8;
- Cumulative assessment includes various types of development [e.g. small scale wind turbines, solar PV sites and telecommunication masts], as detailed in Section 9.11;
- Cumulative assessment is to assess both the additional and combined effects of existing, consented and proposed developments, as detailed at Section 9.11.

Chapter 10 – Ecology

Table 10.1 Summary of consultation relating to Ecology - CCC Scoping Response

11.08.14 – Ecological Enhancement – In the CCC officer's response it was requested that net gain for biodiversity be explored. The sections referred to where this comment is addressed appear to be incorrect as Section 1.9 and 1.10 of the Draft ES do not exist. However it is considered that this should likely read 10.9 and 10.10. See further comment under Section 10.11 below.

Para 10.6.3 - states that a review of any impacts associated with upgrading works at New Lodge will be undertaken for the final ES Submission. CCC would have welcomed the opportunity to comment on any relevant ecological investigations (the area has not been subject to phase 1 survey as yet) and the necessary works due to the proximity of reptile records and the Ash pits Pond Local Nature Reserve, we would wish these details to be confirmed prior to DCO submission.

Section 10.6 Assessment of Impacts: Construction Phase - despite plantation woodland being identified as an ecological receptor in Table 10.6 no ecological assessment of the area has been undertaken, despite the felling being a necessary part of the development. We would request clarification of plans for forestry regeneration. It is assumed that the mitigation detailed in Sections **10.9.9 – 10.9.14** will not be applicable for the plantation woodland areas.

Section 10.11 Residual effects – CCC consider that the requirement for ecological gain and enhancement as detailed in our scoping response– (**Table 10.1 Summary of consultation relating to Ecology - CCC Scoping Response 11.08.14 – Ecological Enhancement**) is entirely lacking. The ES mentions ecological gain in terms of the works required within the plantation woodland but no information on this proposal is detailed in the ES (**see comments under section 8.9.1 above**). Otherwise the scheme only details mitigation but does not provide **any** enhancement, despite enhancement being a requirement of policy EN1, embedded in the Carmarthenshire Local Development Plan Policies, advised in Technical Advice Note 5 and a statutory duty for all public bodies under the NERC Act 2006. CCC would wish to see a mechanism put in place to secure enhancements as part of the scheme, examples may include (on the basis of the observed impacts of the scheme)

1) Details as suggested under section **Appendix 10.4**.

2) Introduction of bat boxes to enhance the potential roost stock of the area as many

potential tree roosts are to be affected.

3) A scheme to seek to replace mature hedgerow trees and provide an element of hedgerow enhancement across the landscape, this could be in the form of setting up a project or donating to an existing scheme, specifically as significant effects during construction are at a local level and are associated with the loss of woodland, hedgerows and mature trees.

Chapter 11 – Historic Environment

Para 11.9.1 - Mitigation is proposed which will address “unforeseen archaeological impact”....if the impacts are unforeseen and unknown, how can appropriate mitigation be proposed. DAT advise should be sought by WPD.

Para 11.9.13 - Loss of historic hedgerows would be better mitigated by removal and replacement as referred to above. See also para 11.6.8.

Para 11.10.5 - The Council does not consider that replanting of a historic hedgerow “completely negates an adverse impact”.

Enhancement of the historic landscape - Hedgerow trees are a feature of the Towy Valley but are tending to be lost as a result of ageing and development. An opportunity such as this project should not be overlooked as providing an opportunity for some replanting of these trees.

Chapter 12 – Geology, Hydrogeology and Ground Conditions

Para 12.5.51 – it is considered that information stated in this section regarding contamination should be determined to inform the required Habitats Regulations Assessment (See Section 7.2.6). We would also wish to have confirmation of these details prior to the DCO submission.

Chapter 17 – Socio-economics

Para 17.5.6 - It states that 16 Public Rights of Way are crossed by the Proposed Development which are then listed in **Table 17.7** though only 15 routes are listed in the table. One of these 55/PP2/1 is in fact a permissive footpath rather than a public right of way. BOAT 28/20 is listed twice under its different link numbers 1 and 2 but it is in fact 1 Public Right of Way. The route also crosses 2 County Walks and 2 Long Distance Trails and 4 Cycle Routes.

The development consists of an overhead line on 15 metres high poles (approximately). The Council cannot see that it will have a substantive impact in crossing public rights of way, County Walks/Long Distance Trails or Cycle Routes. However, we note that in the cases of BOAT 28/20, Footpaths 2/8/1, 55/PP2/1, 27/14/1, 26/8/1, 26/9/1 and 27/10/2 the poles to be installed are stated to be on or in very close vicinity to the line of the public right of way. The existing width of the public right of way must not be obstructed or narrowed/encroached upon by the placing of any structure on it as legally the public are entitled to use of the full width of the registered public right of way.

Table 17.20 - States “Where possible, all public rights of way will be kept open to minimise impact for tourists. Where this is not possible, a suitable diversion will be created. Temporary PROW closures or diversions will be communicated to Carmarthenshire County Council and other relevant organisations, including Community Councils. Information will include the duration and proposed alternative routes”

The Council appreciate the pragmatic approach but would also point out that closure or works on public rights of way also have an impact on the local population in addition to tourists. We prefer public rights of way to be kept open during construction where this can be done with arrangements on the ground to enable safe use by the public e.g. Banks men. However, if a temporary closure and diversion is required, please ensure that Carmarthenshire County Council Countryside Access Service is given sufficient notice to implement any Traffic Regulation Orders to affect such closures/diversions.

Table 17.20 - States 'Where possible all PROW will be kept open during maintenance and annual inspection. In normal operation all access routes will be open to the public.'

The Council appreciates the positive intention to keep all public rights of way open during maintenance/inspection and note that all routes will be open during normal operation. Please note that public rights of way cannot be closed for more than a short period without a Traffic Regulation Order being put in place. Early contact with Carmarthenshire County Council is essential for any proposed temporary closures.

Appendix 9.6 - Potentially, the greatest effect of the project on public rights of way and countryside access is the visual impact of the overhead line and poles running across rural Carmarthenshire. We note that this aspect appears to have been comprehensively analysed in '**Visual Impact on Footpath Users**'. It assesses the visual impact of some 80 routes within 1km of the Proposed Development. It is accepted that the use of wooden poles and underground section on the route will ameliorate the visual impact on the landscape. We note that of the 80 routes assessed using objective criteria 4 are considered to be affected significantly during the construction phase, and 4 are considered to be affected significantly during operation in the long term. These include, parts of the Cistercian Way Long Distance Footpath but 2-3km are affected. Two routes in the Llangunnor area are affected by medium to minor alteration in views. A route in Bronwydd/Newchurch on the southern slopes of a tributary valley to the River Gwili with a medium degree of visual change due to removal of some trees and view of overhead line and poles.

Whilst it is regrettable that there is a visual impact on access routes, it appears that on the majority of routes the impact has been assessed as '*not significant*' with only a relatively small number of routes affected significantly and then to a low or medium degree. Therefore, on balance, it appears that the development is successful in limiting any negative visual impact.

Chapter 19 - Cumulative

Para 19.5.30 - No consideration appears to have been given to the combined effect of the new wirescape of the OHL and the continued management of the "commercial" forestry as set out in the Forest Design plan.

Para 19.5.8 - The project will result in a cumulative loss of natural (forest) habitat.

Para 19.5.9 - How has the loss of 10ha and more been assessed as not significant?

Chapter 20 – Environmental Management

Para 20.2.4 - CCC would advocate the production of a Habitat Management Plan and an Ecological Mitigation Plan/method statement to accompany the CEMP and Final ES.

Para 20.2.5 - Regarding a system to monitor and audit environmental effects, from an ecological perspective it is considered that an Ecological Clerk of Works must be employed for the duration of the scheme, this is not specifically referenced in Chapter 20.

Para 20.2.13 - CCC would welcome the opportunity to comment on any ecological monitoring plans. We would wish outline ecological monitoring details and proposals to be confirmed prior to DCO submission.

Table 20.1 - CCC consider it would be sensible to highlight the potential/requirement for Protected Species licences to be obtained as appropriate within Table 20.1. We would also wish to see a greater commitment to ecological enhancement as highlighted above.

Appendix 10.1

Category 2 trees can be used for mating, occasional roosting, night roosting or hibernation. Features that are present are only physically large enough to support individual or low number of bats. In Table A1 - Results of the Tree Assessment and Climbing Surveys for Roosting bats, it does not appear that category 2 trees were subject to climbing surveys, it is therefore possible that lower status roosts may have not been identified. Under the inspection results section of the table for many trees it is advised that pre-fell checks by an ecologist are required. This should be undertaken for all category 1 and 2 trees.

Appendix 10.2

Access into many of the more sensitive habitats along the route is yet to be determined, including areas between poles/pole locations –

2 – 4, 19 – 23, 54, 58 – 61, 126 – 130, 156 – 158 and 171.

It is therefore not possible to fully comment on potential impacts in these areas from an ecological perspective. These areas must be dealt with sensitively and should be addressed in the ES, we would wish these details confirmed prior to DCO submission. An idea of the type of access work involved on these sites and how the works will take place would be beneficial to make an informed response to the application.

Appendix 10.4

The post development mitigation contingency includes a one off payment to a local Dormouse monitoring scheme to fund local population monitoring schemes. It is recommended that this not be restricted to monitoring but contribute to positive habitat management and enhancement for dormice. The impacts of the scheme mean an element of mature vegetation will be lost for the lifetime of the development. It is considered that an element of enhancement elsewhere would offset this impact. Details of where the money, management and monitoring effort will be targeted should be provided, a suitable organisation must be identified as there is no local dormouse group in Carmarthenshire and measures put in place to oversee the project and monitoring delivery. These details will allow assessment of the relevance of the scheme in relation to the anticipated impacts. An outline scheme should be addressed in the ES, we would wish these details to be confirmed prior to DCO submission (**Other relevant sections – Para 10.9.33**).