

Nicola Woods



Reference No: BFC-AFP108

8<sup>th</sup> November 2015

Dear Sir,

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

I write to make my Written Representation on the above Application. This representation sets out my views on two issues:

1. The ineffective and superficial nature of the Consultation that has been undertaken; and
2. The lack of need for compulsory acquisition of rights over my property and the excessive rights claimed as necessary by the Applicant.

I have also set out the amendments that I believe that the Applicant should make to address these issues.

My objections relate to Section A of the proposed development. My property is Ref A245 in the Book of Reference, and the extent of the proposed compulsory acquisition is depicted in page 17 of document BFC Vol 02.2 Land Affected and Land Plans Section A<sup>1</sup>

**1. Ineffective and Superficial Consultation**

I believe that the consultation has been ineffective because:

- I have not seen any evidence that demonstrates that my comments from the Stage 2 consultation have been reflected in the proposed alignment of the transmission cables.
- The proposed alignment has changed since that set out in the Stage 3 consultation. No explanation has been provided for this movement in the alignment of the transmission cables, and moreover this movement is directly in conflict with the comments that I made during the Stage 2 consultation.

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<sup>1</sup> As found at <http://infrastructure.planninginspectorate.gov.uk/projects/wales/brechfa-forest-connection/?ipcsection=docs&stage=app&filter=Plans>

I provide my comments in relation to the section of the Brechfa Forest Connection that directly affect me. However, the weaknesses in the consultation process that I identify below may well exist across the full length of the proposed alignment.

I have set out the chronology of the consultation undertaken, the responses received for the alignment close to my property and my views on the process and outcome in more detail below.

### *Stage 2 Consultation*

In the Stage 2 consultation there were two possible alignment options for the cables near to our property (section A6) – one running to the east of Tyllwyd Mawr farm and one to the west. I responded to that consultation stating that I had a strong preference for the route to the east of Tyllwyd Mawr farm to be chosen (noted in section 7.8 of the Second Interim Consultation Report dated August 2014) and provided reasons for this preference.

No responses were submitted to the Applicant that favoured the routing to the west of Tyllwyd Mawr and yet, it is this western route that has been chosen by the Applicant. I therefore do not believe that the consultation was effective as the Applicant has not reflected the views of consultees when choosing its routing. In fact the Applicant has chosen the option that was opposed by all respondents who stated a preference.

**Amendment needed:** The alignment of the transmission cables in section A6 should be changed to run to the east of Tyllwyd Mawr farm thereby reflecting the views of respondents to the Stage 2 consultation.

### *Current Proposal*

The current proposal indicates an alignment practically along my boundary with pole 76 being less than 10m from the boundary of my property and 80m from our dwelling. Compulsory acquisition of rights over my property are required.

I do not understand why the Applicant has made this late change to the route of the transmission cables. In the Stage 3 consultation, the transmission cables were approximately 50m distant from the boundary of my property, and around 120m from any dwelling on my property. There would be no requirement for the compulsory acquisition of rights over my property.

However, the current proposal has moved the alignment of the transmission cables presented in the Stage 3 consultation so that they are closer to my boundary and in direct conflict with the response that I provided to the Stage 2 consultation. I believe this to be unnecessary and again, unsubstantiated. This further movement makes it impossible for me to erect screen planting on my boundary to reduce the visual impact from my dwelling and from the nearby road. This latest alignment is materially closer to my dwelling and may also result in the felling or lopping of some of the only mature trees on my land.

No explanation of the change in alignment of the cables has been provided. The current proposals significantly impact me and it is my opinion that had the Stage 2 consultation been effective, I would not be affected in this manner.

**Amendment needed:** If it cannot be proven that the Stage 2 consultation was fully effective and took into account and reflected the views of respondents, then the alignment of the transmission cables should revert to a route running to the east of Tyllwyd Mawr for Section A6 - being the route that was not objected to in the Stage 2 consultation.

## 2. Necessity for and Extent of Rights of Compulsory Acquisition

Part of my property is identified as required for the proposed development. The rights required are set out in the Book of Reference Plan Number A/LP/PS/7, Reference Number A245.

I do not believe that my land is required for the Brechfa Forest Connection since:

- There is suitable land adjacent to my property.
- A route further from my dwelling is available. This would remove the need for my property to be acquired and would have no discernable impact on other dwellings.
- I do not believe that all reasonable alternatives to the compulsory acquisition of my land have been explored. Had they been explored fully, I believe that the acquisition of my property would not be necessary.
- I do not believe that the impact of the connection on me has been properly assessed since the proposed alignment is so close to my dwelling, and I believe that there is no compelling case that the compulsory acquisition outweighs the interference with my rights.

**Amendment needed:** In the event that the proposed alignment (to which I object for the reasons provided above) is approved in its current form and my property is to be subject to compulsory acquisition (which I believe unnecessary for the reasons stated above) I consider that the rights sought are excessive and the following amendments are needed:

- My property is defined within the Book of Reference as Class 1, which would result in the acquisition of significant rights over my property. These appear to be far in excess of what is required for the proposed development to proceed and be maintained. In my view only Class 1 right (b), to “with or without vehicles, plant and equipment to enter, access over and remain on the land to fell, trim or lop trees, shrubs, hedges, coppices, woods, roots and bushes which may obstruct or interfere with the rights sought by the undertaker” is required for the development, which does not pass directly over my land. Other rights sought for the compulsory acquisition of my property should be removed.

- Similarly, only Class 2 right (b) and Class 3 right (a) are required for the development. No rights in Class 4 are required for my property.

The Applicant's responses to the Examining Authority's first round of written questions and requests for information should address some of the issues identified in this Written Representation. I therefore intend to respond to any relevant Applicant's responses by Deadline 2, 24<sup>th</sup> November 2015.

Yours faithfully,

*Nicola Woods*

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