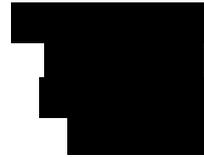


Dr Michael Woods



Reference No: BFC-AFP093

9th November 2015

Dear Sir/Madam,

**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:

- The ineffective and superficial nature of the Consultation that has been undertaken; and
- 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.

All of 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 A¹.

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 cables².
- 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.

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

² I note that the ExA's written question CA06 has requested detail on this issue.

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

I responded to the Stage 2 consultation setting out my views as to the impact that certain alignment options would have on the use of my property³, in particular:

- The use of my outbuildings as a home office, close to potential alignments, and the impact that an alignment would have on potential tourist accommodation in these buildings, should they be converted for tourist use; and
- My preference that the alignment take the option that would result in it being furthest from my property, taking it east of Tyllwyd Mawr.

My preference for a route east of Tyllwyd Mawr was noted in Section 7.8 of the subsequent Second Interim Consultation Report⁴, and no views suggesting that the alternative route west of Tyllwyd Mawr were preferable were noted. In addition, my preferences were noted via responses 8.2.21, 8.2.23 and 8.2.24. It is important to note that my consultation response stated that I have planning consent to convert an outbuilding into a home office⁵, while response 8.2.21 implies that this use would be the subject of a future application.

Stage 3 Consultation

At Stage 3 consultation an alignment passing west of Tyllwyd Mawr was selected, despite there being no consultation response reported at Stage 2 that gave a preference for this alignment. It seems clear to me that the consultation responses at Stage 2, which gave a clear preference for the alignment east of Tyllwyd Mawr, had been disregarded. The consultation therefore appears to have been aimed only at giving an appearance of consultation rather than actually acting on responses and taking them into account.

However, importantly, the route did not impact on my land to the extent to that now proposed. The alignment was approximately 50m distant from the boundary of my property, and around 120m from any dwelling on my property. It would therefore be possible for screen planting to be erected on my boundary such that any visual impact was reduced, both from my dwelling and from the nearby road. It therefore appeared to me that, while the proposal was far from ideal, it would allow its worst impacts to be mitigated.

Proposal

The proposal indicates an alignment practically along my boundary, pole 76 being less than 10m from the boundary of my property. This has three implications:

³ My property was in Section A6 of the proposed development, where there were two viable high level options presented, one to the east and one to the west of Tyllwyd-Mawr

⁴ <http://www.westernpower.co.uk/docs/About-us/Our-business/Our-network/Current-WPD-Planning/Library/20140819-Second-Interim-Consultation-Report-FINAL.aspx>

⁵ Carmarthenshire County Council planning application W/24200, granted 16/03/2011

- It is materially closer to my dwelling, being only around 80m⁶ from it;
- It may require the removal of the only mature trees on my land, which as I indicated in my response to Stage 2 Consultation, surround a small orchard.
- It removes the possibility of any mitigation of the impacts of the transmission lines, since it will not be possible to use screen planting on the boundary to mitigate its impacts.

The proposal therefore appears to discard the results and opinions that have been carefully collected over the last two years. It appears that changes to the proposal, that have a material impact on my property and my rights over it, have been taken at the last moment and that these changes are contrary to any responses to consultation that have taken place.

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, which would remove the need for my property to be acquired, 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 and so the acquisition of my property is not necessary⁷.
- 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 rights⁸.

In the event that the proposed alignment is approved in its current form and my property is to be subject to compulsory acquisition I consider that the rights sought are excessive:

- 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.

⁶ Estimated from plans of development

⁷ I note that ExA question CA01 and CA05 have asked for further detail on this issue

⁸ I note that ExA question CA04 has asked for further detail and substantiation on this issue

- 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.
- In the event that compulsory acquisition of my property is approved, and as stated above I do not consider that this is necessary for the development, the rights acquired should be limited to those set out above.

Amendments to address Issues with Proposed Development

In my view the following step should be taken by the Applicant:

- Revert to a route east of Tyllwyd Mawr for Section A6 as set out in the Stage 2 consultation and to which no objections were raised in consultation.

However, if the route west of Tyllwyd Mawr in Section A6 from the Stage 2 consultation is properly justified as the best high-level option then the development should be refined to:

- Better reflect that set out at the Stage 3 consultation in the area close to my property, such that there is no necessity to affect my rights over my property. This would likely involve the alignment being moved approximately 40m north-east from its current location, remaining roughly parallel to the currently proposed route; and
- Include screen planting along the border of my property in the proposal such that the visual impact of the scheme is mitigated.

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, 24th November 2015.

Yours faithfully,



Dr Michael Woods

Word count: 1464 words