



Reference Nos: BFC-AFP093, BFC-AFP108

24th November 2015

Dear Sir/Madam,

**Application by Western Power Distribution (South Wales) for an Order Granting Development Consent for the Brechfa Forest Connection:
Comments on Applicant's Responses to Relevant Representations**

We write to make our Comments on the Applicant's Responses to Relevant Representations.

Our Relevant Representations set out our initial views on the ineffective and superficial nature of the Consultation that had been undertaken, and we expanded upon this in our Written Representations. The Applicant's responses to Relevant Representations¹ set out some further information on this topic. This letter comments upon this further information.

Comments at Stage 2 Consultation

WPD argues that "Comments received at Stage 2 Consultation were taken into consideration when progressing the project", and refers to sections of the Interim Consultation Report that set out the points that we raised in consultation.

We agree that the points that we made were noted in the report, but we can still see no evidence that WPD has taken them into account or acted upon them in any way. As we stated in our Written Representations, all responses set out in WPD's report argue for a routing east of Tyllwyd Mawr. No consultation response argued for a route west of Tyllwyd Mawr, the route selected and taken forward. The consultation therefore appears to have been an exercise that was undertaken purely to "tick the box" of consultation for the planning application rather than actually listening and properly acting upon the responses submitted.

Given that there were no arguments advanced for the easterly route from consultation it appears that the route selected for consultation at Stage 3 is based solely upon preferences stated by the owners of Tyllwyd Mawr outside of the Stage 2 consultation period. No record of these comments has been provided.

We cannot see evidence that any of the comments provided during the Stage 2 Consultation process have been balanced against these later preferences. Comments

¹ Relevant Representations 24 and 25, BFC_Vol_09.4_Applicant's Responses to Relevant Representations, Planning Inspectorate website

made in the Consultation process appear to have been disregarded. We do not consider that the information provided is sufficient to demonstrate that the route west of Tyllwyd Mawr is the best route for the line.

Changes in Alignment since Stage 3 Consultation

Changes subsequent to the Stage 3 Consultation are argued by WPD to address comments made on "...a draft alignment presented during land rights discussions". This resulted in changes based on requests outside of the consultation process, received at a Change Request workshop and on site.

We agree that it is important to ensure that the rights of landowners are properly considered to ensure that the chosen alignment causes minimum impact on owner's rights. We would like to make it clear that we have not had any such discussions with WPD regarding the alignment. WPD has not approached us or discussed the alignment in any way to ensure that any interference with our rights are minimized or that plans for development of our property are properly balanced in the alignment. Instead, WPD has decided to make a significant change to the alignment at the last moment. This change from Stage 3 consultation is significant to us for the reasons set out in our Written Representations:

- It has changed the project from one that would not have required rights over our land to one that does.
- It has ignored every view that we have expressed via the consultation process.
- It has not reflected the reality of the occupation of our dwelling, and so the proposed route runs closer to our dwelling than WPD has set out in their response.
- It removes our ability to mitigate the visual impact of the proposed development.

We have used the consultation process and planning process as we understand it to make our views clear, since we were not aware that there was a parallel process of discussion and negotiation with affected landowners. We have therefore been excluded from what now appears to be the main way that WPD has decided upon the route. This exposes the official consultation process as what we asserted in our Written Representations: a superficial and ineffective screen to give the impression that the views of residents and landowners have been heard, but with no intention of acting upon those responses.

WPD's response indicates that the closest pole is now approximately 93m from our dwelling. As we stated in our Written Representations, this ignores the fact that we have planning permission to convert one of our outbuildings into a home office. This building should therefore be considered as occupied, making the closest pole approximately 80m from our dwelling. WPD stated in its Interim Consultation Report for the Stage 2 Consultation that it would consider planning applications in taking its view. It appears that, as with all other areas that it noted in its reports, it has neglected to act upon the consultation. WPD appears to believe that writing down what has been said in consultation is equivalent to acting upon it. This is clearly not the case.

In its response, WPD states that it made some changes to the alignment "some distance from Tyllwyd Mawr farmhouse" to "...stay closer to field margins, avoid a large tree and to...protect their future farm building expansion options." As noted above this has

resulted in a significant change to the impact on our property. It has also resulted in the lopping or felling of one of the only mature trees on our property.

The change has therefore:

- Made a change some distance from Tyllwyd Mawr farmhouse, but within 80m of our dwelling;
- Protected uncertain and unspecified future farm building expansion options, but ignored an approved development of our property and eliminated the potential for future tourist accommodation;
- Avoided a large tree on adjoining property at the expense of lopping or felling a tree on our property; and
- Required the acquisition of rights over our property where none were previously necessary.

All of this has been undertaken without any discussion with us, without us being given the opportunity to comment upon or influence the changes and by disregarding comments that we previously submitted via consultation. The change made is clearly not an appropriate balance of our rights with those of others. It seems to us that this unmerited and un-discussed change should be removed, with minimum changes made to the Stage 3 consultation to allow the benefits to Tyllwyd Mawr without the impact on our property.

Amendments Required

WPD has indicated that it is prepared to limit the deviation of the line such that it could not come any closer to our property. While this is welcome, given that it is already planned to be only 80m from our dwelling, it is wholly inadequate. We remain of the view that the steps that Dr Woods set out in his Written Representation are more appropriate. We have replicated these below.

In our 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 our property, such that there is no necessity to affect our rights over our property. This would likely involve the alignment being moved approximately 40m north-east² from its current location, remaining roughly parallel to the currently proposed route; and
- Include screen planting along the border of our property in the proposal such that the visual impact of the scheme is mitigated.

² WPD state that this change is some 20m. Given the scale of the maps of the Stage 3 consultation this may be the case, but it appears more than this to us.

Yours faithfully,

[REDACTED]

[REDACTED]

Dr Michael Woods
Nicola Woods