



Reference Nos: BFC-AFP093, BFC-AFP108

1st February 2016

Dear Sir/Madam,

Application by Western Power Distribution (South Wales) for an Order Granting Development Consent for the Brechfa Forest Connection: Compulsory Acquisition of Rights over our property

We write to update you on progress made on Compulsory Acquisition of rights over our property prior to the Compulsory Acquisition Hearing on 10th February. The Applicant has identified part of our property 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.

To date, the Applicant has responded on two related, but distinct, issues:

- The area and location of land over which rights are required; and
- The extent of the rights required.

On the first point, the Applicant offered, in its responses to Relevant Representations¹, to “... limit the deviation of the line such that it could not come any closer to the property owned by Dr Woods.” We have not received any information from the Applicant setting out the impact of this. We would assume that this would reduce the area of land over which any rights were requested, and this impact might materially reduce the area of our land that is included in the Book of Reference since the line is roughly parallel to our boundary. We have not seen any evidence of any change in the area over which rights are requested and would ask that this be scrutinised carefully.

Notwithstanding this, and as set out in our submission subsequent to the Compulsory Acquisition Hearings², we remain of the view that no rights over our land should be acquired by the Applicant since our land is not required for the development. Simple modifications to the proposed scheme are possible and would remove the need for the compulsory acquisition of our land. These modifications would have no discernable impact on any other residence, or of the scheme as a whole. The Applicant has not responded to us on these points and appears intent on seeking rights over our property even though they are not necessary for the proposed development.

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

² <http://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN020016/Events/Deadline%203%20-%202017-12-2015/151215%20EN020016%20Dr%20Michael%20Woods%20and%20Nicola%20Woods%20-%20Written%20Representation.pdf>

On the second point, the Applicant responded in its response to the Compulsory Acquisition Hearings³. We welcome the fact that the Applicant has concluded, following our arguments, that the range of class rights requested are too wide.

However, we are concerned that the Applicant has noted that our submission “concludes that even if the land is required for the placing of one pole, then the range of class rights are too wide over his land”. We did not restrict our conclusion in this way. The Applicant’s submission does not include any poles on our land, and as noted above the Applicant has offered to limit the deviation of the line such that it will not be closer to our property. Given these facts we cannot imagine any scenario where our property would be required to place a pole, whether on our property or on adjacent land. The only rights over our property that could be of any value would be to ensure that trees or vegetation on our land do not affect the development. These are the rights that we set out in our written representation.

We would ask that, in the event that rights over our property are acquired, and as noted above we do not believe that any such rights are required for the development, they be limited to those properly required.

Yours faithfully,

M I Woods
N Woods

Dr Michael Woods
Nicola Woods

³ Paragraph 4.3.5, http://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020016/Events/Deadline%203%20-%202017-12-2015/BFC_Vol_09.12_Applicants%20Response%20to%20Compulsory%20Acquisition%20Hearings.pdf