



## Meeting note

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| <b>File reference</b>     | EN020016  |
| <b>Status</b>             | <b>Final</b>  |
| <b>Author</b>             | Steffan Jones   |
| <b>Date</b>               | 16 December 2014  |
| <b>Meeting with</b>       | Western Power Distribution (South Wales) plc  |
| <b>Venue</b>              | Conference Room 9, Rivergate, Bristol   |
| <b>Attendees</b>          | Kathryn Dunne - The Planning Inspectorate<br>Nicholas Coombes - The Planning Inspectorate<br>Steffan Jones - The Planning Inspectorate<br>Richard Kent - The Planning Inspectorate<br><br>Andrew Hubbard - Western Power Distribution<br>Geraint Griffiths - Western Power Distribution<br>David Kenyon - AMEC<br>Jason Pacey - Copper Consultancy<br>Victoria Robinson - RSK |
| <b>Meeting objectives</b> | Update meeting regarding the Brechfa Forest Electricity Connection proposal   |
| <b>Circulation</b>        | All   |

Western Power Distribution (South Wales) plc was made aware of the Planning Inspectorate's openness policy (that any advice given will be recorded and placed on the Planning Inspectorate's website under s51 of the Planning Act 2008 (PA 2008) as amended). Any advice given does not constitute legal advice upon which applicants (or others) can rely.

Where this note refers to 'the developer' it means Western Power Distribution (South Wales) plc.

### Project Update

The Planning Inspectorate requested a copy of the developer's s42 consultation cover letter. The developer's consultation under s42 and 47, and publicity under s48, of the PA 2008 will last for 7 weeks from the 28 November 2014 until 16 January 2015.

The developer informed the Planning Inspectorate of its intention to meet with local authorities prior to the submission of the application; a copy of the ecological section of the Environmental Statement may also be provided to local authorities for comment.

A draft Development Consent Order (DCO) will be made available for comment to the Planning Inspectorate in the New Year; the developer was asked to provide the Planning Inspectorate with a minimum of 3 weeks to comment on any draft documents and to provide a 2 week advance warning of submission of these documents. The developer will also meet with the relevant highways authority prior to submission to discuss works in and over highways and how they will be presented in the DCO.

The developer's Statement of Community Consultation (SoCC) was published on 19 November 2014, and located at 5 points along the proposed route alignment. The SoCC was published bilingually as was the developer's SoCC notice and s48 publicity notice.

The Planning Inspectorate sought confirmation from the developer on what specifically the statutory consultation was seeking comments on; as it could appear that the developer was consulting on the information in the Environmental Statement only.

Following the periods of statutory consultation, the developer will hold an internal 2 day workshop to discuss any requests for changes to the application made by consultees; these requests known as 'Change Requests' will also be included in written form within an appendix to the Environmental Statement and should be thoroughly explained within the consultation report.

If new persons with an interest in land became apparent, the developer confirmed they will provide them with a 28 day period to respond to the consultation material. The Planning Inspectorate advised the developer to fully explain and evidence any discrepancies in relation to those persons with an interest in the land listed in the consultation report and those in the book of reference. The Planning Inspectorate will check the list of names of consultees provided in the consultation report against the names in the Book of Reference during the acceptance stage.

### **Draft Environmental Statement (ES) and Habitats Regulations Assessment (HRA)**

The developer explained that the ES is largely complete in draft version, but at this stage does not include a Construction Environment Management Plan (CEMP) and further work is being carried out on cumulative impact assessment schemes for inclusion as part of the ES. The Planning Inspectorate advised the developer it may wish to produce a document which chronicles and explains the amendments made to the ES so that the reader can identify how the document has changed over time, particularly in light of responses to the statutory consultation.

The developer informed that a post scoping consultation with local authorities and Natural Resources Wales (NRW) will also take place; the developer was advised to seek written agreements of assessment methodologies, mitigation measures and conclusions reached where possible and provide them within the ES.

A report for the purposes of the 2010 Habitats Regulations is being prepared by the developer and will be circulated in draft form to NRW in early 2015. The Planning Inspectorate reminded the developer that they are able to review and provide comments on draft HRA reports prior to the submission of an application.

## **Underground as integral or ancillary development**

The developer informed that it considered that the undergrounding element of the scheme was integral to the project, and could therefore be consented as part of the DCO. However, due to the uncertainties surrounding the issue of undergrounding in connection with a Nationally Significant Infrastructure Project (NSIP) in Wales, and without prejudice, it was also considering the submission of a planning application for the undergrounding element to Carmarthenshire County Council. This would be submitted in parallel to the DCO. The Planning Inspectorate queried the appropriateness of this approach and that the developer would need to consider on what basis they are submitting an application to the local authority, if the DCO application states that the undergrounding is integral to the NSIP. The developer asked whether advice could therefore be provided as to which consenting route should be followed. The Planning Inspectorate stated that this advice should be provided by the developer's legal advisor, on which the Planning Inspectorate can comment. The Planning Inspectorate advised the developer to consult with Welsh Government on this issue and suggested whether a meeting could be arranged between the developer, the Planning Inspectorate and Welsh Government.

## **3D Visualisations**

The developer introduced its 3D visualisation tool to the Planning Inspectorate. The tool enables the user to view the proposed route alignment from any vantage point it wishes to do so; this has been used primarily with members of the public during the pre-application stage. Questions were raised by the developer as to whether the Planning Inspectorate would be able to host this tool on its website; this will need to be confirmed with the Planning Inspectorate's IT team. Prior to submission of the application, the developer will provide the Planning Inspectorate with the package it intends to use and submit with the application, and the Planning Inspectorate will confirm if the website can host it.

## **Other Consultation**

The developer is attempting to liaise with the Welsh Government in order to discuss what it intends to include within its draft DCO. The Planning Inspectorate advised the developer to view the examination submissions for the current Welsh projects under the PA 2008 regime for information.

Discussions are also currently on-going with NRW Forestry and the relevant highways authorities. The developer was advised to provide a schedule of all the elements of the scheme and the relevant consenting process for each one.

## **On-going studies and route refinement**

The Department for Communities and Local Government (DCLG) has issued guidance on the pre-application process; the developer was reminded that guidance on the procedures for consultation is included within it which may be helpful.

## **AOB and Next Meetings**

The developer has agreed to sign up the contact plan as offered by the Planning Inspectorate in the pre-application prospectus; once signed and agreed this will be

published to the project page of the National Infrastructure pages of the Planning Portal website.

The developer queried whether the Planning Inspectorate has provided any comments on the draft DCO in relation to the SP Manweb North Wales Wind Farms Connection project; a note of the draft DCO meeting has been taken and will be published on the project page of the National Infrastructure pages of the Planning Portal website. The developer was advised to read the note once it has been published.

The developer was asked to provide an Explanatory Memorandum to supplement its draft DCO to the Planning Inspectorate when asking for comments during the pre-application stage. It would also be helpful that it is made clear where the DCO deviates from statutory clauses and why. The developer should use modern language within the DCO where possible.