

Written Representation of ScottishPower Renewables in respect of A30 Chiverton Cross to Carland Cross DCO

1. Introduction

- 1.1 This Written Representation (“WR”) is submitted by ScottishPower Renewables (“SPR”) in pursuance of Rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 in relation to an application under the Planning Act 2008 for a Development Consent Order (“DCO”) for the A30 Chiverton Cross to Carland Cross highway improvement scheme (the “A30 Scheme”) submitted by Highways England.
- 1.2 SPR is a licensed generator and a statutory undertaker and has a number of major concerns with the A30 Scheme as currently proposed due to the impact it will have on SPR’s operational Carland Cross Windfarm (the “Windfarm”).

2. SPR’s principal concerns

- 2.1 SPR’s principal concerns relate to the following significant impacts on the Windfarm:
- 2.1.1 Restriction on access to the Windfarm during the construction of the A30 Scheme;
 - 2.1.2 Restriction on access to the Windfarm during the operation of the A30 Scheme; and
 - 2.1.3 Diversion of Windfarm infrastructure.
- 2.2 SPR provided details of its concerns in its Relevant Representation (“RR”), submitted to the Planning Inspectorate on 8 November 2018. This WR does not repeat the issues raised in the RR. The concerns set out in the RR are still relevant and discussions are ongoing with Highways England to seek to resolve these. As part of this ongoing dialogue, SPR received updated information in respect of the technical solution and legal agreement from Highways England late on Friday 15 February which SPR is currently reviewing.

3. Requirement for technical solution, legal agreement and protective provisions

- 3.1 SPR objects to the A30 Scheme to the extent that it impacts on the Windfarm and will maintain this objection unless and until:
- 3.1.1 A technical solution is agreed between Highways England and SPR which mitigates the impacts of the A30 Scheme on the Windfarm;
 - 3.1.2 Any agreed solution is secured within a legal agreement; and
 - 3.1.3 SPR’s position is adequately protected through protective provisions within the DCO.

4. Updated works plans

- 4.1 It is anticipated that updated works plans and works descriptions will require to be submitted by Highways England as technical discussions progress in order to demonstrate how concerns have been resolved (for example to clearly address the access road tie-in issue highlighted in the RR).

5. Rights

- 5.1 The technical solutions currently under discussion to address operational access issues involve the creation of over-run areas at various locations for the benefit of vehicles accessing the Windfarm however it is not clear how Highways England will transfer permanent and uninterrupted rights of access to SPR in respect of the agreed over-run areas, particularly where the relevant land is adopted by Cornwall Council in the future.