

OBJ-009-RE-DETERMINATION

**The Mid Wales (Powys) Conjoined Public Inquiry into 5
Windfarm Proposals and a 132kV overhead Electric
Line Connection**

**Re-determination of the applications by RES
(Llanbrynmair) and RWE (Carnedd Wen)**

Shropshire North Against Pylons

Written submission

1. This written submission addresses matters arising under matters 1 to 6, 8 and 9 which are to be taken account of by the Secretary of State in re-determining these two applications, as set out in the letter of 6 July 2016 from DECC, signed by Giles Scott (Head of National Infrastructure Consents and Coal Liabilities).
2. Shropshire North Against Pylons (SNAP) represents the interests of a number of people in North Shropshire who will be (and are already being) affected by major infrastructure proposals associated with windfarms in Mid Wales. The major known such proposal is National Grid's Mid Wales Electricity Connection project (NGMWEC) for which the Planning Inspectorate issued a Scoping Opinion dated July 2014.

Background

3. It has been our case (and that of our fellow objector groups, including the Alliance) throughout the Mid Wales (Powys) Conjoined Public Inquiry (the CPI) that a windfarm built in isolation is useless unless it can export its generated electricity via a grid connection. The windfarm and its grid connection represent an inextricably interlinked overall project. The Secretary of State's policy is that, even if a separate application is made for the necessary grid connection the applicant for the windfarm:

"must ensure they provide sufficient information to comply with the EIA Directive including the indirect, secondary and cumulative effects, which will encompass information on grid connections".¹

4. The Carnedd Wen and Llanbrynmair windfarm proposals are incomplete in that:
 - i) they are imprecise as to their means of exporting their generated electricity, and

¹ Overarching National Policy Statement for Energy (EN-1) paragraph 4.9.3

- ii) they have not provided sufficient information to comply with the EIA Directive as to the full indirect, secondary and cumulative effects of any proposed grid connection.
5. Inspector Poulter, in his report of 8 December 2014 on the CPI said (at paragraph 502):

"The Mott MacDonald report confirms the Welsh Ministers' belief that provided development is limited to the maximum capacities identified by Garrad Hassan (SSA B = 430MW, SSA C = 98MW), there would be no need for large, visually intrusive high voltage network infrastructure and an associated 132 / 400kV sub station. Connections could be made to the distribution network by a standard system with any OHLs on Trident or HDWP wood poles, though there would be higher transmission losses at this voltage than if connection were to be made at 400kV."

6. He then discussed alternative ways of connecting to the grid before concluding (at paragraph 506) that:

"If all the schemes currently in planning were to be approved, technically all could still be connected at 132kV. However, the likely consequence would be an extensive and intrusive 'wirescape' of many lines, and transmission losses would mount. In practice, as identified by Mott MacDonald, the 'trigger' for a 400kV line would be about 600MW of generating capacity connected at Cefn Coch. Proposed wind farm schemes in mid Wales that are envisaged to connect at Cefn Coch far exceed this threshold. However, contrary to fears expressed by local residents at the inquiry, the advanced stage reached in the consultation process for the MWCP does not mean that it is inevitable that it will proceed. The SSA B schemes before the inquiry would not, of themselves, trigger a need for a 400kV solution. However, if all three SSA C schemes were to proceed and the necessary additional line were to be routed to Cefn Coch, either development in SSA B would be restricted, or the likelihood of a need for large, visually intrusive high voltage network infrastructure and associated sub station would be substantially increased."

7. Although following the line, in the John Griffiths letter of July 2011², that the Welsh Government effectively thinks that the hub and 400kV line proposed under the NGMWEC are not appropriate, the Inspector has not excluded its possibility altogether. But neither has he identified any alternative definite particular scheme that might actually be promoted by the applicants to make use of the electricity produced by their proposed generating stations (other than the NGMWEC project).

8. In the Brechfa Forest West and Clocaenog Forest decisions the SoS effectively ruled that there was no obvious reason why a grid connection might not be approved. This was in reliance on the second sentence of EN-1 paragraph 4.9.3, the whole of which we reproduce below:

“If this option is pursued, the applicant(s) accept the implicit risks involved in doing so, and must ensure they provide sufficient information to comply with the EIA Directive including the indirect, secondary and cumulative effects, which will encompass information on grid connections. The IPC must be satisfied that there are no obvious reasons why the necessary approvals for the other element are likely to be refused. The fact that the IPC has decided to consent one project should not in any way fetter its subsequent decisions on any related projects.”

9. We submit that that approach is inappropriate for this re-determination because:

- i) It remains the case that the applicants must provide “sufficient information to comply with the EIA Directive”, which they have not done.
- ii) There are at least two obvious reasons why approvals may not be given for any particular application yet to be made by either applicant for any extant offer of a grid connection from a licensed network operator.

² Inquiry document CD/COM/020

Firstly, the Inspector has identified difficulties with the NGMWEC. Furthermore the strength of public opinion against that project, and the reasons for that strength of opinion, make it by no means certain that the NGMWEC project would gain consent were an application for it to be made.

Secondly, it is by no means certain that any application for any 132kV line would succeed. The one application for such a line within the CPI (the Llandinam 132kV line) has been refused by the SoS (and no Judicial Review proceedings against that decision were entered by the applicant).

10. National Grid has suspended its work on the NGMWEC project as a result of the SoS's decisions on the CPI as published on 7 September 2015. The NG website³ currently makes the following statement:

"In September 2015 DECC (Department of Energy and Climate Change) announced the outcome of the inquiry into five proposed wind farms in Mid Wales – four of them would have used our proposed connection. DECC refused planning consent for all four and we understand that some of these are appealing the decision.

There are also other wind farms looking to connect in Mid Wales. We are working with SP Manweb to take a look at all of the proposed wind generation in Mid Wales and the work that is needed to deliver the energy from the wind farms to homes and businesses.

While decisions and discussions are ongoing, we've suspended our work on the project. We realise people will want to know as soon as possible exactly what this means for the Mid Wales Connection project and we'll update local people as quickly as we can once we know the implications on our proposals.

If it's established National Grid's connection is not needed, we would not progress with our plans."

³ <http://www2.nationalgrid.com/UK/in-your-area/Projects/Mid-Wales/>

11. From this it is crystal clear that the NGMWEC project and the windfarms in the CPI (and others) are one inextricably linked project, otherwise NG would still be actively continuing with the project. It has been stated that the CPI windfarms that were party to the Scottish Power Mid Wales Connection Project (and therefore also to the NGMWEC project) accounted for 65% of the contracted generation⁴, the remaining 35% being accounted for by other windfarm projects.
12. As already stated, it is the SoS's own policy that in such circumstances the applicants *must ensure they provide sufficient information to comply with the EIA Directive including the indirect, secondary and cumulative effects, which will encompass information on grid connections.* They have not adequately done so.
13. It is worth pointing out that any grid connection (whether the NGMWEC project or any 132kV connection) is solely to take the electricity from the wind farm(s) - nothing else. There is no current proposal to strengthen the distribution network as envisaged in Annex C to TAN 8⁵ - there would be a flow of electricity from mid Wales into England, and no flow of electricity into mid Wales.

Matters 1 to 6

14. With reference to the above background points, the assessment of landscape and visual impacts (LAVI) should include the LAVI of the grid connection to be used to export the electricity generated. This applies to the individual LAVI of both windfarms (matters 1 and 2), to their combined LAVI (matter 3), to the cumulative LAVI of each together with other windfarms in the Powys area (matters 4 and 5), and to the combined cumulative LAVI of both together, with other windfarms in the Powys area (matter 6).
15. The Llanbrynmair and Carnedd Wen applications have failed to include any LAVI assessment of any grid connections within their applications, for any

⁴ Inspector's Report, paragraph 471, and its Annex 6, paragraph 128

⁵ TAN 8 Annex C paragraph 2.13

extant offer they may have for a grid connection from a licensed network operator. The applications should therefore be refused.

Matter 8

16. With reference to the above background points, we consider that neither applicant has provided adequate environmental information about the grid connection they will be using. The applications should therefore be refused.

Matter 9

17. The written Statement (HCWS42) made by the Secretary of State for Communities and Local Government (Greg Clark) on 18 June 2015 set out *"new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications"*.
18. Local people made their opinions known during the CPI. There was the petition presented to the Inspector on the opening day of the Inquiry. And there were the Community and Parish Council Wind Farm and Pylon Line Surveys of Residents. The results of the latter were given as an Appendix to document ALL-SSAB-POE-04 produced for Session 2. They showed overwhelming local opposition to the applications and to their resultant grid connection infrastructure. This opposition was from all Communities and Parishes along the proposed NGMWEC project route, as well as from those directly affected by the proposed windfarms. The proposals therefore clearly do not have *"the backing of the affected local community"*.
19. We acknowledge that the giving of powers *"so that local people have the final say on wind farm applications"* was effected on 18 June 2015 (i.e. before the stated date of 7 September 2015 in Matter 9). We recognize that the implementation of the above italicized headline statement was effected via Local Authorities. But we believe that the thrust of this Government statement that *"local people have the final say on wind farm applications"* should be given weight. It was a planning consideration to which the Inspector could not give due weight in the planning balance when completing

his report dated 8 December 2014, some six months earlier. But it is a consideration that appears not to have been taken into account in drawing up the SoS's decision letters dated 7 September 2015.

Other matters

20. We do not wish the CPI to be re-opened for either application.

21. We do not wish to receive any Welsh language versions of the SoS's subsequent decisions on the applications.

Conclusions

22. The following conclusions arise from the foregoing:

- i) The windfarms and their grid connections are inextricably linked. As such they are one combined project. Their environmental effects must be assessed together, in accordance with the SoS's policy in the first sentence of paragraph 4.9.3 of EN-1.
- ii) In the present case it is not appropriate to sidestep this imperative (as was done in the Brechfa Forest West and Clocaenog Forest decisions) by saying that "*there are no obvious reasons why the necessary approvals for the [grid connection] are likely to be refused*". Here, there are clear reasons why an application for a grid connection might be refused.
- iii) The applications in question have failed adequately to assess "*the indirect, secondary and cumulative effects*" of their schemes as required by policy.
- iv) Public opinion of the affected communities is heavily against both the windfarms and their potential grid connection.

23. The applications should therefore be refused.

Submitted on behalf of Shropshire North Against Pylons (SNAP)

29 July 2016