

REP97LALL]

**(Energy Development)**

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**From:** [REDACTED]  
**Sent:** 04 October 2016 22:54  
**To:** National Infrastructure Consents  
**Subject:** Re-determination of Llanbrynmair and Carnedd Wen windfarm applications - for the attention of the Energy Infrastructure Planning Team  
**Attachments:** 16-10-04 ALL-RED-06 Comments on representations re Statement of Matters.pdf

Dear Sirs

In connection with the re-determination of Llanbrynmair and Carnedd Wen windfarm applications, and further to Giles Scott's letter dated 20 September 2016, I attach the comments of the Alliance on the representations received in response to the Statement of Matters dated 6 July 2016, for your consideration please.

Best wishes

*On behalf of the Alliance*

Tel:

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**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)**

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**The Alliance**

**Comments on representations made in response to  
the Statement of Matters dated 6 July 2016**

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## **Introduction**

1. In response to Giles Scott's letter dated 20 September 2016 the Alliance makes the following comments on representations received by the Secretary of State in response to the Statement of Matters set out in Giles Scott's letter dated 6 July 2016.

### **REP3 [VATT] - Vattenfall**

2. In REP3 [VATT] Vattenfall require that Mynydd Lluest y Graig windfarm should be included in the consideration of the cumulative effects upon Montgomeryshire. They point out that the windfarm proposals of Rhyd Ddu and Mynydd Waun Fawr, which have been superseded by Mynydd Lluest y Graig, were part of the baseline in the Inquiry. They were included in the Table 2 of the Supplementary Environmental Information (SEI): Conjoined Cumulative Landscape & Visual - Graphics & Visualisations December 2013 which was produced by LUC for all the developers at the Inquiry. However, as will be seen from the Conjoined Cumulative Viewpoint 3 Garreg Hir in the same document they do not appear in the Photograph and Cumulative Wireframe. This was of course a serious omission and reinforces the points made in our further representation (ALL-RED-02 – Landscape and Visual, and Peat) that the cumulative position was poorly covered at the Inquiry. Visualisations produced are no longer representative of the position Montgomeryshire faces and the cumulative position therefore requires further evaluation because many aspects have changed.

### **REP1 [RWE] - Carnedd Wen**

3. In REP1 [RWE] Part 1 of 2 (paragraphs 3.5, 3.6, 7.4, 7.5, 7.6 and 9.10 to 9.16) RWE are of the opinion that their habitat restoration scheme will produce considerable benefits that will sufficiently compensate for the disbenefits that the windfarm will produce. Not surprisingly they do

not refer to the evidence that the Alliance produced at the Inquiry (ALL-SSA-B-POE-05) that shows that the risks to the fragile moorland environment are immense. RWE did not question any of that evidence in cross examination. Neither is there any evidence that is demonstrably sound provided either at the Inquiry, or since that time to give the Secretary of State confidence in their assertions. The decision of the previous Secretary of State is derided in terms of its logic and consistency when it is abundantly clear that it is a matter of the weight given to opinion: for example the Inspector considered blocks of forestry to be unattractive and the view of turbines and access tracks to be an improvement<sup>1</sup>; the Secretary of State gave this point of view less weight.

4. We refer to Mr Justice Holgate's judgment dated 13/03/2015<sup>2</sup>. The essence of the St Albans case is that where there is an earlier decision the subsequent decision maker has to explain the reasons leading to their decision and where there is divergence or disagreement with any aspect of the original decision cogent reasons have to be given. That is not limited to good or very good planning reasons as it can relate to a matter of weight to be applied to any or all of the material planning considerations. As is made clear in the previous quashed decision the weight given by the Secretary of State to impact on landscape quality was greater than that afforded by the Inspector and conversely the Inspector gave greater weight to the proposed restoration works than the evidence warranted.
5. The community are totally opposed to the habitat restoration scheme that will not only in no way compensate for the huge landscape loss for a generation caused by the windfarm but will also destroy for all time the ecology and landscape that they cherish and spend their working and leisure time in. Our further representation (ALL-RED-02) drew

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<sup>1</sup> SoS decision letter CWE §§4.11 & 4.12

<sup>2</sup> Statement of Facts Grounds for Judicial Review §§ 26, 72, 93 supplied in REP1 [RWE] part 1.

further attention to these issues as we believe from reading the Inspector's report that he did not fully understand those issues and community concerns and in the Inquiry and site visits appeared to be overly swayed by the opportunity to remove forestry that, as can be seen from his report, he obviously personally finds to be of extreme disbenefit both visually and ecologically.

6. We would request that the Secretary of State seeks further advice as to the risks inherent in such a massive habitat restoration scheme because the Alliance does not believe that proper impartial critique has been applied to this aspect and there is no demonstrably sound evidence that the restoration scheme would work. The local community that the Alliance has represented throughout this process would have to live with the consequences of this scheme and are not convinced that the alleged visual and ecological benefits would be obtained. Wildlife and ecology is critical not only for itself but as fundamental to the wider and global ecosystems, which includes the human race. The Alliance drew attention to the piecemeal approach that suited each of the developers<sup>3</sup> and also to the disproportionate land-take<sup>4</sup>.
7. In paragraph 6.3 RWE refer to the cumulative issues but appear to only believe there are such issues to comment upon with respect to the juxtaposition of Strategic Search Area B with C. Of course there are also the very serious issues of the cumulative effects in SSA B itself which as we have elaborated in our further representations and above require a proper review by the Secretary of State.
8. In paragraph 6.5 RWE believe that the sequential cumulative effect upon the Glyndwr's National Trail is not serious. Our further representations show that this is not the case and that the building of

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<sup>3</sup> ALL 030 §6.1

<sup>4</sup> ALL-S4-POE-06 §§ 2, 3 & diagram

Garreg Lwyd Hill windfarm means that the sequential effect would be catastrophic with Carnedd Wen or Llanbrynmair.

9. In 6.4 RWE believe that the windfarm would not lead to a 400kV transmission system. Again our evidence at the Inquiry which is called up in our further representations (ALL-RED-02, paragraphs 32 - 36) refutes that position.

## **REP2 [RES] - Llanbrynmair**

10. RES state inaccurately that Powys County Council's 'opinion' is that the landscape impact of Llanbrynmair is acceptable. On the contrary, at their meetings on 25 September 2012 the full Council and the Cabinet on determination of the wind farm considered the landscape and visual impact to be completely unacceptable especially given the proximity of the Llanerfyl Mosaic Farmlands Character Landscape with its small fields, hedgerows and woodland trees and impact on the Nant yr Eira valley. LANDMAP considers the Llanerfyl Mosaic Farmlands to be of 'outstanding scenic value'. This is far from the 'rugged' landscape alluded to in the Inspector's report. When very large structures are placed on an upland peneplain it is not merely the land on which the structure stands that requires consideration but views and settings from many angles both proximate and more distant.
11. Furthermore the democratically elected Council voted unanimously in April 2012 that there should be no further windfarm development in Powys until the TAN8 guidance note was reviewed (as intended by its authors after a maximum of 7 years because of the rapid changes in the industry).
12. All the direct quotations from the Inspector's report clearly demonstrate the Inspector's prejudicial view regarding commercial forestry. The same point pertains to Carnedd Wen as we outline above. This view is not that of many local residents, as evidenced at the Inquiry, or those

of visitors or walkers on Glyndwr's Way. Visit Wales visitor research demonstrated that there is considerably more antipathy amongst visitors to rural Wales to windfarms than to 'geometric' forests, especially where there is more than one windfarm in a view. The same point is made in our comments on REP1 [RWE] above. Even the Inspector considers the site to be 'rugged, remote and tranquil'<sup>5</sup> but fails to observe that the direct consequence of turbine installation would be total loss of the quality of visual and auditory tranquility. They would also do much to remove the sense of remoteness as the landscape will appear industrialised and overwhelmingly dominated by development. It is procedurally flawed to make judgements based on personal preference or to fail to place in the balance loss of the overriding sense of tranquility and remoteness.

#### **REP52 [SUPPORTER]**

13. Whilst acknowledging that the opinions expressed within REP52 [SUPPORTER] are genuinely held they cannot be substantiated by any actual analysis of the employment data for Powys or by studies of constructed windfarms in rural Wales, neither do they represent a majority view.
  
14. Tourism is actually the largest provider of GDP to Powys (12% as opposed to 11% for agriculture and forestry). Tourism is a growing sector increasing by 9% in Powys in 2014 and is largely reliant on the spectacular, unspoilt landscapes and long uninterrupted vistas and the outdoor pursuits of walking, cycling and horse riding that enable visitors to fully appreciate the tranquility and beauty of our uplands. The Glyndwr's Way National Trail, one of only two National Trails wholly in Wales, and bridleways across the Llanbrynmair Moors are particularly important. Many farms have diversified into tourism.

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<sup>5</sup> IR § 385



15. Montgomeryshire is an area of full employment in economic terms (less than 1.3% unemployed) and, outside of agriculture and tourism, is typified by highly entrepreneurial small businesses rather than by major employers. A number are world leaders in their fields. If an area is to benefit economically from windfarms there must be local supply chains and spare capacity for short term intensive employment. With little spare capacity in the workforce, full order books and few large enterprises in a position to take on these short term contracts there can be little gain to the economy. We have experienced recent windfarm and road construction projects with transport and construction companies coming from outside Powys. They may employ some local workers on a temporary basis but these tend to be for non-specialist, unskilled, low paid work only.

16. Once a windfarm is built it is universally acknowledged that it is a very labour light industry and engineers tend to monitor remotely and service across the UK so are again unlikely to be local employees.

17. As presented to the Inquiry, studies (such as Cardiff Business School Munday et al 2011<sup>6</sup>) demonstrate that existing windfarms in rural areas have led to a small fall in employment due to losses of tourism. With respect to Carnedd Wen and Llanbryn-mair in particular there may be a short term surge in felling activity but with the removal of forests there will be a long term loss in forestry jobs, and of course, the impact on the main employment of tourism will be severe, not just for inland Mid Wales, but also for the coastal attractions that require Mid Wales roads and services to facilitate a welcoming start to holidays and other visits.

18. For a detailed rehearsal of all these arguments and references to academic research and official data please see the document submitted and presented to the CPI (ALL-S4-POE-04).

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<sup>6</sup> ALL-S4-POE-04 §6.6

19. It is also inaccurate to state that a very small minority of Montgomeryshire residents oppose these developments. Supporters had the same opportunity to make representations to the CPI as objectors but the Inquiry document list records 996 objectors and only 51 supporters; and in appearances at the three public open events far more objectors spoke than did supporters. In addition a petition of over 7,000 names was delivered to the Inspector on the opening day of the Inquiry (a petition of in excess of 21,000 signatures was taken to the Senedd in 2012). It is thus difficult to accept an unsubstantiated figure of 5% objecting. We would also draw the attention of the Secretary of State to the independently scrutinised community surveys carried out across north and eastern Montgomeryshire, and north Shropshire, with between 70 and 99% (average 89%) opposition to wind farms expressed in all returns<sup>7</sup>.

Submitted on behalf of the Alliance

4 October 2016

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<sup>7</sup> see ALL-SSAB-POE-04 Community surveys