



Department
of Energy &
Climate Change

6 July 2016

To all interested parties, affected persons and other parties

Dear Sir/Madam,

ELECTRICITY ACT 1989 & TOWN AND COUNTRY PLANNING ACT 1990

**THE ELECTRICITY GENERATING STATIONS AND OVERHEAD LINES
(INQUIRIES PROCEDURE) (ENGLAND AND WALES) RULES 2007**

**RE-DETERMINATION OF THE APPLICATION BY RES UK & IRELAND LIMITED
("RES") DATED 27 MARCH 2009 FOR CONSENT TO CONSTRUCT AND
OPERATE A 100 MW WIND TURBINE GENERATING STATION IN POWYS, MID-
WALES ("LLANBRYNMAIR")**

**RE-DETERMINATION OF THE APPLICATION BY RWE NPOWER RENEWABLES
LIMITED ("RWE") DATED 11 DECEMBER 2008 FOR CONSENT TO
CONSTRUCT AND OPERATE A 130-250MW WIND TURBINE GENERATING
STATION IN POWYS, MID-WALES ("CARNEDD WEN")**

Statement of matters with respect to which further representations are invited

Following legal challenges by the Applicants, RES and RWE, and the subsequent quashing of the Secretary of State's decisions of 7 September 2015 to refuse the applications for planning consent under section 36 of the Electricity Act 1989 for the proposed Llanbrynmair and Carnedd Wen wind turbine generating stations in Powys, Mid-Wales ("the proposed Developments"), the Secretary of State must now re-determine the applications.

I am therefore writing in accordance with Rule 23(1)(a) of the Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007 ("the Inquiry Rules")¹, to set out to you, as an interested party to the above applications, the matters in relation to which the Secretary of State for Energy and Climate Change considers an opportunity to make representations should be given for the purposes of re-determination of the applications. The Secretary of State will

¹ Available at

http://webarchive.nationalarchives.gov.uk/20090608144944/opsi.gov.uk/si/si2007/pdf/uksi_20070841_en.pdf

take into account of the information already available², but would welcome any additional representations on the following matters:

1. *the individual landscape and visual impact of the proposed Llanbrynmair Development;*
2. *the individual landscape and visual impact of the proposed Carnedd Wen Development;*
3. *the combined landscape and visual impact of both the proposed Llanbrynmair and Carnedd Wen Developments;*
4. *the cumulative impact of the proposed Llanbrynmair Development with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for (excluding the proposed Carnedd Wen Development);*
5. *the cumulative impact of the proposed Carnedd Wen Development with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for (excluding the proposed Llanbrynmair Development);*
6. *the combined cumulative impact of the proposed Llanbrynmair and Carnedd Wen Developments with other wind farms in the Powys area which have already been granted planning permission or where planning permission has been applied for;*
7. *the extent to which proposed ecological mitigation, restoration or remediation measures and removal of individual wind turbines (including, as applicable, the “Carnedd Wen five” turbines R23,R26, R28, R29 and R30 referred to in the Inspector’s Report dated 8 November 2014) would offset any adverse landscape and visual impacts (whether individual, combined or cumulative) of the proposed Developments;*
8. *the adequacy of the environmental information produced in support of the applications for the Developments and whether further or updated environmental information is now necessary; and*
9. *any other matters arising since 7 September 2015 which interested parties consider are material to the Secretary of State’s re-determination of the applications.*

² Documentation provided during the public inquiry process is available to view at <http://bankssolutions.co.uk/powys/> .

The decision documentation on the Mid-Wales applications, including the Inspector’s Report, is available at <https://itportal.decc.gov.uk/EIP/pages/projects/MidWalesPI.htm> but please note that as the decisions in respect of the proposed Developments have been quashed, the decision letters relating to Llanbrynmair and Carnedd Wen have no relevance to the Secretary of State’s re-determination of the applications.

Making Representations

Anyone who wishes to make representations to the Secretary of State on these matters should do so either in hard copy or by e-mail **by no later than 29 July 2016**. Kindly direct any representations to:

Energy Infrastructure Planning Team,
Department of Energy and Climate Change,
Area C 4th Floor,
3 Whitehall Place,
London SW1A 2AW

In making representations on the above matters, it is important that interested parties make clear which wind farm application they relate to (i.e. Llanbrynmair, Carnedd Wen or both).

e-mail: deccnic@decc.gsi.gov.uk

In accordance with Rule 23(1)(b) of the Inquiry Rules, interested parties may also make further representations asking for the re-opening of public inquiry that closed on 30 May 2014. Interested parties should therefore also make clear in their representations if they wish the public inquiry to be re-opened and in respect of which wind farm application (that is Llanbrynmair, Carnedd Wen or both) and include any supporting reasons.

In such circumstances, Rule 23(1)(c) of the Inquiry Rules allows the Secretary of State, as she thinks fit, to cause the public inquiry that closed on 30 May 2014 to be re-opened (whether by the same or different lead inspector).

Interested parties should also indicate in their representations if they wish to receive Welsh language versions of the Secretary of State's subsequent decisions on the applications.

All representations received during the re-determination process will be made available for inspection on the GOV website (<https://www.gov.uk/guidance/consents-and-planning-applications-for-national-energy-infrastructure-projects>).

A further opportunity to comment on the representations received and other relevant information will be given to interested parties before the Secretary of State either: i) re-determines the applications on the basis of the written representations and information received; or ii) decides to re-open the public inquiry.

Yours faithfully,

Giles Scott

Giles Scott
Head of National Infrastructure Consents and Coal Liabilities