

Secretary of State for Business, Energy & Industrial Strategy
c/o Mid-Wales Wind Farm Case Manager
Energy Infrastructure Planning Team
Department for Business, Energy & Industrial Strategy
Level 3 Orchard 2
1 Victoria Street
London
SW1H 0ET

1 October 2018

By email only to: beiseip@beis.gov.uk

Dear Sir

ELECTRICITY ACT 1989: RE-DETERMINATION BY THE SECRETARY OF STATE FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY OF THE LLANBRYMAIR & CARNEDD WEN WIND FARM PLANNING APPLICATIONS THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2000 ("The 2000 Regulations") THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 ("The Habitats Regulations")

Introduction

1. CPRE Shropshire is one of the groups making up "The Alliance", which took part in the Mid Wales Windfarms Conjoined Public Inquiry which finished sitting on 30 May 2014.
2. The Secretary of State's subsequent decision dated 7 September 2015, to refuse permission to the Llanbrynmair and Carnedd Wen windfarm planning applications, was quashed on 8 December 2015. These two applications are now subject to a re-determination process to address a Statement of Matters issued on 6 July 2016. Comments on the submissions addressing that Statement of Matters had to be made by 4 October 2016, in response to BEIS's letter dated 20 September 2016.
3. We have now been made aware of BEIS's letter dated 6 September 2018 to NRW. This also drew attention to the fact that RES (for Llanbrynmair) and Innogy (for Carnedd Wen) have now published Further Environmental Information (FEI), effectively in response to letters from BEIS dated 16 February 2018 and 20 June 2018.

Protecting Shropshire for Generations to come

CPRE Shropshire is a registered charity (Reg. No. 218782) and campaigns for a beautiful and living countryside: CPRE is active locally, nationally and internationally. Membership is open to all.

4. The latest date for representations on the FEI to be made to the Secretary of State is 1 October 2018 and this letter therefore sets out our representations. We understand that no single representation is being made in the name of The Alliance, and that other members of its original constituent groups are making separate representations.
5. We assume from the public notice of the FEI that it is in order to submit these representations solely by email to you, and that paper copies are not required by you, nor are we required to submit copies of these representations to RES (for Llanbrynmair) or to Innogy (for Carnedd Wen), but please let us know if that is not the case.

Representations

6. On 16 February 2018 BEIS had asked RES and Innogy for updates on four matters, in order to carry out a Habitats Regulations Assessment (HRA). We confine our representations mainly to the matters concerned with ornithology.

Massing of turbines, construction effects, and forestry

7. Firstly, we refer to Figure 1 below, which has been derived by drawing by hand as accurately as possible, onto a bespoke OS 1:25000 map, the red-line boundaries and the proposed positions of the turbines and roads for the Llanbrynmair and Carnedd Wen proposals. We are not aware that papers for either proposal show this combined effect.
8. This shows the combined massing and intermingling of the 45 Carnedd Wen turbines (the “Carnedd Wen five” are also shown on the map) and the 30 Llanbrynmair turbines. If both windfarms were built out as proposed they would be read in the landscape as a single windfarm, presumably by birds as well as by humans.
9. The precautionary principle suggests that, once built, the presence of such a huge massing of industrial moving structures would be alien to bird species such as hen harrier, merlin and peregrine whose habit is to patrol a wide territory in search of prey.
10. Furthermore, the activity, noise and tearing up of the landscape associated with construction of the two sites, particularly if the construction of the two separate sites overlaps, is likely to cause such birds to avoid the site, and nearby locations, altogether.
11. In that regard, it is to be noted that Llanbrynmair is required to take access to its site via the access to the Carnedd Wen site, which begins at the gateway off the A458 at the northern

edge of its site. The southern edge of the Berwyn SPA is just across the road, less than 100m from that gateway.

12. Even if construction is banned, by condition, from occurring during the breeding season of the protected birds, the disruption to the landscape caused by construction might well be enough to deter birds from visiting the site, or from nesting nearby.
13. The existing forestry at Carnedd Wen is thought to be a barrier to birds, deterring them from visiting the Llanbrynmair site, or from nesting on the Carnedd Wen site. That forestry is due to be felled anyway, regardless of the construction of a windfarm on the site. Although the felling operations, whilst they are happening, might cause avoidance of the site, the subsequent habitat would become attractive again to the protected birds of the Berwyn SPA.

Berwyn SPA and the combined windfarm sites

14. Secondly we refer to Figure 2 below. This shows just how close the Berwyn SPA area is to the "red line" boundaries for the two windfarms. It is also worth noting that Snowdonia National Park is also very close to the combined site, coming within about 50 metres in places.
15. The BSG Ecology letter dated 28 March 2018 for RES/Llanbrynmair states that the Berwyn SPA is approximately 5.3 km north of the Llanbrynmair site. The distance is actually slightly less than that (about 4.6 km); the distance quoted in the letter appears to be from the furthest north turbine position. However, as noted above, the Carnedd Wen site, and the access point for both sites, are directly across the A458 road from the Berwyn SPA, which is less than 100m away.
16. The site, and the access point where all construction traffic would enter, are therefore very much in range from the Berwyn SPA.
17. The BSG Ecology letter dated 28 March 2018 for RES/Llanbrynmair records a hen harrier nest site inside the Berwyn SPA only just over 2km from the Carnedd Wen site. Surely a nest that close would be threatened by the proposed developments? The Carnedd Wen update report dated 23 March 2018 now records that *"hen harriers no longer breed within the Carnedd Wen application area, or within a 2km buffer zone around the site. This is likely*

to be due to the maturation of the forestry plantation, since hen harriers favour breeding sites within stands of up to five years”.

18. Foraging ranges greater than this distance are recorded in the literature for merlin, red kite, peregrine and hen harrier. Foraging ranges during the breeding season are relatively restricted because the parent bird will fly no further than necessary to catch prey to take back to the nest. If prey availability decreases raptors might be forced into a wider range. But outside the breeding season, when birds are not tied to the location of a nest site, foraging ranges tend to be larger.

Status of protected birds within the Berwyn SPA

19. The *Llanbrynmair and Carnedd Wen Bird Survey Report 2016-2017* (at paragraph 4.2) records that the Berwyn SPA was classified based on a GB breeding population 5 year mean from 1991-1995, which we are advised would have come from the British Trust for Ornithology (BTO) Bird Atlas 1991-95. The proportions of the GB breeding population present in the Berwyn SPA were stated at:

- Hen harrier at least 2.2% 14 pairs
- Merlin at least 1.1% 14 pairs
- Peregrine at least 1.5% 8 pairs

20. The *Llanbrynmair and Carnedd Wen Bird Survey Report 2016-2017* (at paragraph 4.4) also records that the Berwyn SSSI citation states:

*“Berwyn is the most important upland in Wales for breeding birds. It supports a wide range of species including internationally significant numbers of hen harrier, merlin, peregrine and red kite, as well as significant proportions of the Welsh populations of other species including short-eared owl *Asio flammeus*, golden plover, red grouse *Lagopus lagopus* and black grouse *Tetrao tetrix*.”*

21. A more recent edition of the BTO Bird Atlas is now available, for 2007-2011. However, the BTO website has a note about Population Estimates stating the following:

“Unlike previous Britain & Ireland atlases we have not devised and published a new set of population estimates in Bird Atlas 2007–11. To some extent this is a recognition of the fact that Atlas data would form only part of any new estimates, with data from other surveys (e.g. Breeding Bird Survey, Countryside Bird Survey, Wetland Birds Survey, Irish Wetland Birds Survey) and schemes being at least as important.

Furthermore, there are now separate mechanisms by which population estimates are produced in Britain and Ireland, with new figures being derived in Ireland as the Atlas went to press.

In the United Kingdom the Avian Population Estimates Panel produces a collation of British and UK population estimates”.

22. A link is given on the BTO website to access the latest APEP report, but that gives population estimates only for the whole of the country. It would be instructive to get more up-to-date information than for 1991-95 (over twenty years ago) for the current breeding populations of the Berwyn SPA relative to the GB populations.
23. Populations of many protected birds have been in decline, in some cases dramatically so, and it seems likely that industrial-scale development near breeding areas would threaten such species even more.
24. The applicants' reports seem to be mainly concerned with direct mortality risk from collision with the turbines. Other effects, such as habitat disruption, the effect of a mass of rotating blades, the disruption, noise and sheer brutality to the land of the construction phase, and the “barrier” effect of a separation between viable habitats, might also have a serious negative impact on breeding populations of nearby protected species.
25. Although the *Llanbrynmair and Carnedd Wen Bird Survey Report 2016-2017* is dated 27th July 2018, it covers observations from only April 2016 to March 2017 for hen harrier, i.e. for only the 2016 breeding season. There have been two subsequent breeding seasons since then.
26. In endangered species the loss of any bird from direct effect of collision, or from the deterrence from breeding of the presence of a windfarm and its collateral effects, might be critical in the local survival of that species, whether or not it is part of a wider meta-population.

Other species

27. Although the current consultation is concentrating on the protected bird species of the Berwyn SPA, populations of other bird species are in serious decline. Curlew is one of them. Figure 8 of the *Llanbrynmair and Carnedd Wen Bird Survey Report 2016-2017* shows a

concentration of curlew along the eastern side of the Llanbrynmair site. This population would inevitably be threatened by the activity of, and presence of, a huge windfarm.

Local democracy

28. Your own BEIS webpage for this consultation (at <https://www.gov.uk/guidance/consents-and-planning-applications-for-national-energy-infrastructure-projects> , under Electricity Development Consents) states that:

"It is the government's intention to implement its manifesto commitment to give local people greater say in determining applications to build onshore wind farms in their local areas".

29. During the Mid Wales Windfarms Conjoined Public Inquiry which finished sitting on 30 May 2014 evidence was presented to the Inquiry by The Alliance (ALL-SSAB-POE-04 and ALL-S4-POE-03) that showed that local people were very much against both the building of windfarms in Mid Wales, and the inevitable presence of their consequent proposed grid connections through Montgomeryshire and North Shropshire.

Grid connection

30. At the time of the Mid Wales Windfarms Conjoined Public Inquiry which finished sitting on 30 May 2014, National Grid were still actively engaged in furthering their Mid Wales Connection Project, which was *"all about connecting proposed wind farms in Powys to the national electricity network in Shropshire"*. However, since the Secretary of State's subsequent decision dated 7 September 2015, and while decisions and discussions are ongoing, National Grid have suspended their work on the project.
31. At the same time, Scottish Power Energy Networks had a parallel project to connect Mid Wales windfarms to the sub-station Hub of the National Grid Mid Wales Connection Project.
32. The construction of the windfarms, the SPEN connection and the NG connection were all necessary before electricity from the windfarms in Mid Wales could be useable by consumers, via the main line national grid network near Lower Frankton between Oswestry and Ellesmere in North Shropshire. It is therefore one indivisible overall project. In the cases of Carnedd Wen and Llanbrynmair that would have meant transmission lines of some 60km in length to get power to the national grid.

33. The Mid Wales Windfarms Conjoined Public Inquiry which finished sitting on 30 May 2014 raised doubt as to whether these Mid Wales Connection projects would go ahead, and alternative methods and routes were considered. At this distance in time it is possible that some new preference for grid connections for the two proposed windfarms has emerged. Although it seems unlikely, from the previous considerations, that any route would pass through the Berwyn SPA, it would certainly pass through the area of the Llanbrynmair site where curlew have been observed to be active.
34. The effects of any grid connection on ornithology should therefore be re-visited.

National significance

35. The proposed Llanbrynmair and Carnedd Wen windfarms were estimated by the Alliance to contribute only 0.07% and 0.12% respectively of the UK's final electricity consumption (ALL-SSAB-POE-02) and only 0.2% and 0.32% respectively of the electricity component (110 TWh) of the EU Renewables Directive (2009) target for 2020 (ALL-RED-05, part of REP21[Alliance]).
36. By contrast, the breeding population of hen harrier in the Berwyn SPA was estimated to be at least 2.2% of the GB breeding population (see paragraph 19).

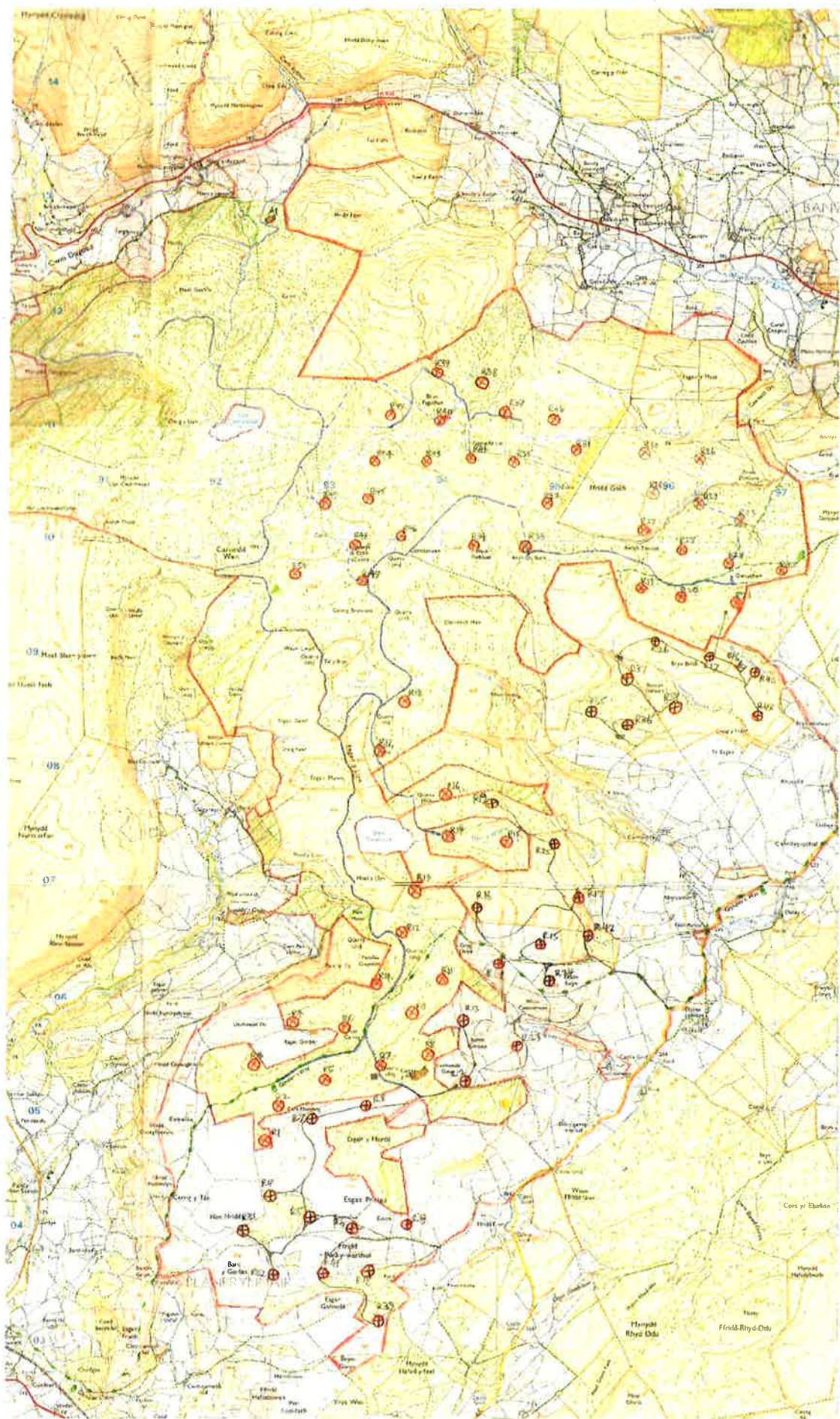
Conclusion

37. From the foregoing, our conclusion is that, on balance, the risk to protected bird species is greater than the benefit of producing electricity that the UK will gain from the windfarms.
38. As was stated in the Alliance's second round submission for the re-determination (ALL-RED-06 (REP-91 [ALL]) "*wildlife and ecology is critical not only for itself but as fundamental to the wider and global ecosystems, which includes the human race*". It is absurd to believe that building windfarms will help to save the planet from global warming when the building of them will so disrupt precious habitats that protected wildlife and habitats are put at considerable risk.

Yours sincerely

Planning representative
On behalf of CPRE Shropshire Branch

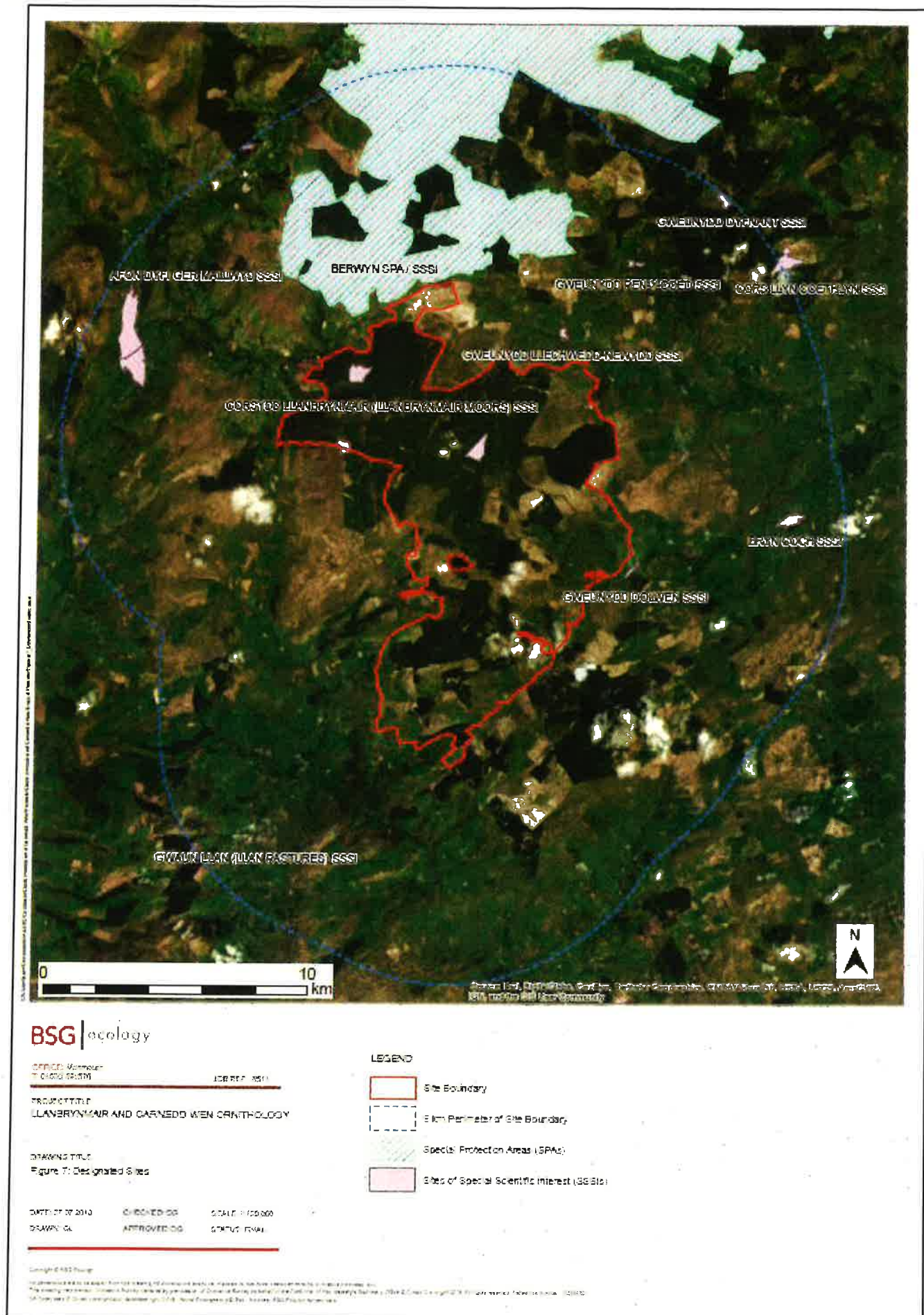
Figure 1: Carnedd Wen (45) and Llanbrynmair (30) proposed turbine locations



Derived from the 1:25000 Ordnance Survey map

- ⊗ Approximate proposed position of Carnedd Wen turbines (⊗ the “Carnedd Wen five”)
- ⊕ Approximate proposed position of Llanbrynmair turbines

Figure 2: Carnedd Wen and Llanbrynmair site boundary in relation to Berwyn SPA



This is Figure 7 : Designated Sites, from BSG Ecology's Llanbrynmair and Carnedd Wen Bird Survey Report 2016/17

