



**Campaign for the Protection of Rural
Wales
Brecon and Radnor Branch
Upper Noyadd, Clyro, HR3 5JS
01497 820814**

13th January 2019

Dear Holly-Ann Hobbs

HENDY WIND FARM: Land Off A44 SW Of Llandegley Llandrindod Wells Powys

Application for discharge of condition 14 from P/2014/0672 (APP/T6850/A/17/3176128): Design details of substation.

CPRW Brecon & Radnor Branch reserves the right to make further representations in response to this application.

Phasing of development: It has emerged from documents submitted for discharge of condition 21 that the developer is treating this development as consisting of two phases, Phase One being the installation of Turbine 5 and the remaining construction work making up Phase Two. Phase One construction has failed to adhere to approved plans and the developer is in breach of Condition 2. Once Phase One is complete, it is not clear whether the developer intends to revert to approved plans and works as described in the ES for the remainder of the development or not. All new development options that are raised by the developer or all those for which he has previously received planning permission must be treated as possible elements in this development and must be fully taken into account before conditions can be discharged.

Condition 14: *No development shall commence until detailed design of the layout, external treatment, design, materials, and orientation and screening of the on-site substation have been submitted to and approved in writing by the Local Planning Authority. The substation shall be constructed in accordance with the approved details.*

To discharge this condition the developer has submitted one plan which is "Indicative Layout of 66kv Single Circuit Connection (overhead)", dated 2011, amended 2012. The application form states all details are in the submitted plan and CEMP "that has been submitted separately to discharge condition 21". The developer cannot refer one to details in another application in order to discharge Condition 14, besides, the CEMP, which is now apparently superseded, contains only three entirely vague paragraphs on the substation.

The substation will affect the setting of SAMs and visual amenity from PROWs and Open Access but there is no information or plans submitted for:

- **External treatment,**
- **Design**
- **Materials**
- **Orientation**
- **Screening**

The annotation on the submitted plan reads: "3 This drawing indicates one potential substation configuration using an assumed line entry route and road access configuration. Whilst a good general guide to WPD requirements, project specific criteria may necessitate a revised substation configuration. **The plan is therefore "indicative" not "detailed design of the layout" as required by the condition.**

The developer seems to be confused about the grid connection details because on 16/11/2018 he submitted a plan that is a layout for an overhead line whereas in meeting notes supplied to BRB CPRW by PCC he states on 18/12/2018 cabling will be underground. It is likely that different cabling schemes require different layouts and will require consideration of the intervening SSSI.

We also note that the annotation on the plan states: “7 *Appearance/construction of combined customer switchroom/metering room/WPD control room building to be agreed with WPD. As a minimum, the building should be designed to comply with WPD specification document ‘performance specification for WPD control room’*” The developer must therefore agree the substation design with both WPD and PCC before the condition can be discharged.

Other annotation on the submitted plan reads: “6 *The access road from the nearest public highway to the site is to be designed to the following criteria,*

-hard surface designed to withstand axle load of 11.0 tonnes

- minimum road width of 4.5m

- minimum internal bend radius 6m

With respect to two the measurement criteria above, please note that at the Inspector’s Public Inquiry (March 2018) into this application, **Ms Hawkins clearly stated that the existing track is over 4 metres in width**, indicating that the proposed modifications to this track (necessary to allow access for construction vehicles by this route onto the wind farm site) would be no more than an upgrade and would have no material impact on the appearance of the track in the landscape, or the experience of recreational users of the common/open access land.

Our own submitted information in rebuttal of this point stated:

“This is simply not correct. I have presented to the Inquiry aerial photos from Google Earth from which it can be seen that both tracks, the northern track and the BOAT, are fairly consistent in width. From my Appendices L and M it is clear both tracks are single vehicle width. I have also taken representative measurements at several points on the northern track as follows: approximately 50m along the track from the gate at Larch Grove track width is 2.8m, and approximately 70m from the corner of the track, coming southwards down the western side of the common, track width is 2.6m. These can, of course, be verified. There will be places where the track is a bit wider, and others where it is somewhat narrower, but it is incorrect to characterise the proposed works as resurfacing or dismiss the visual impact of works to this track.”

We append photographs to support this evidence.

The WPD access road requirements WILL need common land permission. The developer cannot maintain the pretence that he does not need the necessary permission because in 2014 he applied to the Planning Inspectorate under s38 Commons Act for works along the northern track to include increasing the track width to 4.5m. Before his current “upgrade” and heavy use of the northern track it was much less than 3m and this evidence was submitted to the PI in our Commons POE. He also applied for s16 common land permission for upgrades to the BOAT to include widening.

The haul road to the quarry, for which there is no detail in the ES, will also have to be “upgraded” to 4.5m at least as far as the substation.

BRB CPRW would like to point out that the proposed grid connection route submitted as part of the ES aligns with the position of T2 not the substation in its current location. We wish to be assured that the substation will be in the position as permitted.

The application to discharge condition 14 is not fit for purpose and implies that it is highly likely the developer will continue to construct in an unlawful manner.

Conclusions:

PCC should not discharge condition 14, 18/0982/DIS, until:

- the substation design is agreed with WPD,

- common land permission is obtained,
- written confirmation from the developer that the substation will be in the position permitted
- all the other missing information is submitted

This response has been compiled by members of the CPRW Brecon & Radnor Branch Committee.

Sincerely

Jonathon Colchester

Chairman of CPRW Brecon & Radnor Branch



12.01.19

Northern track, already widened through extra stone and construction use marked up in blue just beyond corner for further widening prior to AIL transport.



12.01.19

Damage from construction vehicles to bend in track around NW periphery of Common Land.



13.21 12-Jan-2019



Above:
12.01.19
Looking from track to
Northern entrance,
showing change from
photo below.

Left:
Before construction
started. Looking from
Northern entrance gate
along track.