



**Campaign for the Protection of Rural
Wales
Brecon and Radnor Branch
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20 January 2019

Dear Holly-Ann Hobbs,

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

Application for discharge of condition 41 from P/2014/0672 (APP/T6850/A/17/3176128):EcMonitoring Plan

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

The Interdependent Ecological reports

The cut and paste compilation of all the ecological reports hinders proper assessment and understanding and will result in no transparency or clarity about what the Developer has undertaken to provide. NRW and PCC and the public need to be absolutely clear with respect to:

- methodology and timing of surveys for establishing ecological baselines
- methodology and timing of surveys for monitoring during construction and operation stages
- areas surveyed for each of these stages
- how the results can be incorporated into protective mitigation measures
- what quantitative results would trigger mitigation
- how the impacts of mitigation will be incorporated into the monitoring schemes
- details of mitigation measures and habitat enhancement measures proposed to off-set the impacts of the project

THE PRINCIPLE ECOLOGICAL CONDITIONS AND DOCUMENTS SUBMITTED

Problems with discharge of Ecological Conditions

- The construction of T5 is almost complete and none of these pre-commencement conditions have been discharged.
- Revised application documents have been submitted for Condition 21 and Condition 38 & 39 but other application documents have not been revised to reflect these changes and are therefore contradictory.
- There is no revised CEMP for Phase 2 of construction available yet (20.1.19)
- There are no certain plans for access to the site for construction of T1,2,3,4,6,&7 yet.

- Access is bound to involve construction for transport across the Common which has not been covered in pre-construction surveys.
- Applications are heavily copied and pasted from each other and from Bryn Blaen applications which results difficulty in understanding the structure of each report, irrelevant references and numerous contradictions and gaps.
- Authors, qualifications and dates are not supplied in many cases.
- The information is not tailored to the requirements of the condition and is a very partial response in many cases.

Documents submitted (19.1.20)

Condition 21	18_1003_DIS-CONSTRUCTION_ENVIRONMENTAL_MANAGEMENT_PLAN-120403.Pub.23.11.18
	18_1003_DIS-REVISED_CONSTRUCTION_ENVIRONMENTAL_MANAGEMENT_PLAN-126421.Pub.14.12.18
	<i>“3.4 This CEMP contains all of the necessary information in relation to Phase 1”</i>
	18_1003_DIS-APPEMDIX_A_-_PLAN_OF_PHASE_ONE_WORKS__ZPOM_-128310. Pub 20.12.18 New
	18_1003_DIS-APPEMDIX_1_-_PLAN_OF_PHASE_ONE_WORKS__OVERVIEW_-128309 Pub 20.12.18 New
	18_1003_DIS-CONSTRUCTION_ENVIRONMENTAL_MANAGEMENT_PLAN_-_PHASE_ONE-128291. Pub 20.12.18 New
Condition 38	18_1015_DIS-4. PROTECTED_SPECIES_PROTECTION_PLAN-120600. Pub 23/11/18
	18_1015_DIS-REVISED_SPECIES_PROTECTION_PLAN-126471 Pub 13.12.18 New
	18_0995_DIS-BAT_PROTECTION_PLAN-120071 Pub. 22.11.18
Condition 39	18_0995_DIS-BAT_PROTECTION_PLAN-120071 Pub. 22.11.18
Condition 40	18_1008_DIS-HABITAT_MANAGEMENT_AND_ENHANCEMENT_PLAN-120475. Pub23.11.18
Condition 41	18_1009_DIS-ECOLOGICAL_MONITORING_PLAN-120512. Pub 23.11.18

The applications to discharge ecological conditions should be revised so that all are updated to refer entirely to Hendy (not Bryn Blaen) and to reflect the most up-to date Developer Undertakings in the revised PSPP.

Discharge of any of these Conditions should await the revised CEMP for Phase 2 and a plan, with application for planning permission if required, for construction of access to the site.

The Developer’s hurry to commission T5 is no excuse for not following proper planning procedure.

PS.

The filing on the Powys website does not help but this is not the responsibility of the Developer.

For instance, because we realised that Powys may begin to discharge Pre-commencement conditions applied for in November, we have responded to the application to discharge Condition 39. Now we find that the revised PSPP filed under Condition 38, and still under consultation, also contains material for Condition 39 and supersedes the Application we have responded to. This has been largely a waste of time.

The revised PSPP does not refer to Condition 40 or Condition 41 although it is also relevant to these.

Condition 41

No development shall commence until an Ecological Monitoring Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP will need to include details of monitoring of Ecological features through construction, operation and decommissioning of the development, the monitoring will also need to be linked to appropriate contingency plans and identify when results would trigger implementation of relevant contingency measures identified in the CEMP. The EMP shall also include the monitoring arrangements for the Habitat Management Plan (HMP) and Protected Species Protection Plan (PSPP).

MONITORING REQUIREMENTS

The condition asks for monitoring through **construction, operation and decommissioning**.

The arrangement is defective for protecting Bats. Bats, Starlings and Raptors are the most likely casualties of Hendy Wind Farm.

The access arrangements were not included in the pre-construction monitoring described in the ES. Phase 1 is almost complete and trees and hedgerows which were not subject to pre-construction survey have been removed.

STARLINGS

There is no information identifying what quantitative or qualitative results would trigger mitigation arrangements either during or after construction and no indication of what these would be.

BATS

The ES classifies the site as of moderate value for bats but the principle records were for high-risk species.

Conclusion 2 of the "Exeter study" quoted in the PSPP (*Undertanding the risk to EPS(bats)at Onshore Wind Turbine Sites to inform Risk Management*) says "*The species identified as being of at highest risk of collision are common pipistrelle, soprano pipistrelle and noctule bats*"

Conclusion 2 of the "Exeter study" says "*Turbines with larger blade lengths pose an increased risk to bats, and this is a stronger predator than the height of the nacelle*"

Construction is throughout 2019 and coincides with the pre-construction surveys for bats. The pre-construction survey results "*will be provided at the end of 2019*" (Revised PSPP report p10) whereas the Commissioning of turbines 1,2,3,4,6 & 7 is 16.10.19 to 28.11.19 and "*grid energisation*" is on 16.10.19 (Construction Timetable). There is accordingly **no construction monitoring possible for bats** and none is described.

Without a pre-construction base-line, the post-construction monitoring cannot be evaluated.

Conclusion 9 of the "Exeter study" says "*acoustic recordings made at the ground and nacelle gave different estimates of the relative abundance of species on site, with ground-level recordings underestimating the abundance of soprano pipistrelle and noctule bats within the "at risk" zone of the turbine rotor sweep*"

Although the construction of T5 without discharge of pre-commencement conditions cannot be justified, this turbine is close to a block of woodland. Its construction 9 months in advance of erection of the remaining turbines does provide a unique opportunity to explore the underestimation of populations referred to in Conclusion 9. This would be useful information for the interpretation of operating stage survey results and could better inform the need for curtailment.

Without a pre-construction base-line, there can be no triggering of relevant contingency measures identified in the CEMP and, at this date (20.1.19) there is no CEMP submitted for development after the completion of Phase 1.

Parts of the post-construction bat activity and bat mortality monitoring in this report are copied from a submission to discharge conditions relating to bats at Bryn Blaen and are therefore invalid for Hendy Wind Farm. For example: *Post Construction Monitoring: Bat Activity Monitoring* (p4) mentions Bryn Blaen T6.

Cut and paste has interfered with the coherence of this document. For example: *Monitoring Procedure to Record Bat Mortality at Wind Turbines* (p4) says “mortality data should be collected for the period specified below...”, where no period is specified below.

RAPTORS

Raptors are not mentioned.

Conclusions

This condition cannot be discharged.

- **The CEMP for Phase 2 has not been published**
- **Neither the HMP nor Ecological Monitoring Plan have been updated to reflect the revised PSPP.**
- **There is no baseline for bat activity to allow monitoring during construction**
- **Raptors are not mentioned.**

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

NB We are copying in NRW and Radnorshire Wildlife Trust because Powys have told us that they will not put our objection on the planning Website

Sincerely

Jonathon Colchester

Chairman of CPRW Brecon & Radnor Branch