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The Pools Farm

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Applicant: Rhoscrowther Wind Farm Ltd

Address: Land off Refinery Road, Hundleton, Pembrokeshire, SA71 5SJ.

## **Preamble**

### **I WISH TO OBJECT TO THIS APPLICATION.**

I have set out my primary reasons for objection following the order of the chapters in the Environmental Statement, (ES). References to the 2014 ES are from the previous application documents on Pembrokeshire County Council planning webpages. I have referenced various guidance, which I have appended to this representation.

### **1. ES, Introduction**

1.1. ES para 1.17 explains that the applicant is Rhoscrowther Wind Farm Ltd. ES Appx 7.4 is on behalf of Njord Energy Ltd and Appxs 9.2, 9.3 and 11.1 - 11.3 are for Njord Wind Developments Ltd. None of these appendices state they are on behalf of the applicant and the applicant fails to explain why they are using documents that they have not commissioned and whether they have permission to do so.

1.2. The table at 1.25 does not give the reader total confidence that the technical advisors are all qualified professionals as several have no qualifications listed.

### **2. ES, Project Description**

2.1 Chapter 3 sets out the description of the proposal and requests a 50m micro-siting allowance. It appears that this application has had little thought beyond an attempt to overcome the statutory consultees objections to proximity to St Decumans Church and the National Park.

2.2 Clearly marked on figure 1.1, Site Plan, is the 132kv overhead power line running across the north of the site. Minimum fall over distance for the wind turbines is 135m. Using gridreferencefinder.com measuring tool, T1 is approx. 110 m from the power line. T1 is also less than fall over from the substation. The 50m micro-siting allowance puts the power line within fall over of T2. It should be noted there is also a power line to the south of T1 that is also well within fall over distance. There is no evidence that the applicant has consulted Western Power Distribution and I draw your attention to power industry guidance, Separation between Wind Turbines and Overhead Lines, in particular page 3, Introduction and paragraphs 4.1 and 4.2. (My appx A).

2.3 Whether or not it is a material planning matter the applicant has also failed to consider that fall over distance of T3, even with 50m micro-siting, is beyond their land ownership to the south and east.

2.4 It appears that the applicant has also failed to consider the constraints of turbine distance from bat features, in relation to both the current positions and with micro-siting. I discuss this later at Ecology, 4.3.

2.5 At paras 3.6 – 3.8 the applicant states they have decided against local ownership claiming it *“would add a layer of complexity which would mean that the development would be unable to progress.”* They then discuss a community fund knowing full well that any community fund is not a material planning consideration. The lack of any local ownership is contrary to Welsh Government renewable energy policy reiterated in Planning Policy Wales, 11, (PPW) at 5.7.14 and 5.9.24.

2.6 The paras 3.9 – 3.15 give a description of the site and whilst the landfill site is acknowledged there does not appear to have been any effort to consider Best & Most Versatile Land when designing the project; neither is it considered in Chapter 10 or the Planning Statement. Overlaying the site with the latest ALC mapping, [New map | DataMapWales \(gov.wales\)](#) some of the access tracks and T3 are within the BMV grades 2 to 3a. PPW 3.58 and 3.59 discuss the importance of ALC land grades 1 – 3a and Welsh Government Guidance Note v2.1 May 2021 states at 3:  
*“In spatial assessments and development management decisions the grade of land must be known” “Where the Predictive Agricultural Land Classification Map identifies grades 1, 2 or 3a, a survey will be required to determine Grades present and in what proportion.”*  
*“Should any party refuse or neglect to commission a survey, or the survey is not accepted by the Welsh Government, the Predictive Map Grade should be accepted as the best available information.”* (See appx B)

I believe that the applicant should follow the guidance and justify why they believe they should be an exception to policy of protecting BMV land.

### 3. Visual Impact.

3.1 Future Wales, Policy 18 reads,

*Proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria:*

*1. Outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).*

It is stating the obvious to say that the visual impact will be significant and adverse.

3.2 The three wind turbines would be seen as moving elements against, or next to, an already cluttered industrial complex with tall vertical elements. They will be an addition, extending industrial development into a pastoral landscape on the boundary of the National Park. The human eye is drawn to movement and the bigger the blades the more they catch the eye. Below is an extract from the Welsh Minister's refusal, April 2018, for the previous application for five wind turbines that were 35m shorter. Since then, little has changed in the landscape except for the insidious creep of ash dieback resulting in the loss of tall tree cover. This loss cannot be replaced in a hurry.

31. The Inspector acknowledges whilst the presence of the refinery close to the appeal site is a significant factor in terms of the baseline situation against which the proposal must be assessed, she does not find it a convincing reason for the proposed wind farm. The Inspector is of the view the visual and spatial character of the proposal is very different from the refinery and the characteristics of the turbines together with their number, position and spread across the landscape would result in a substantial and distinct new development. From many of the vantage points the Inspector considers the development would appear not as a consolidation of the refinery but as a separate entity, considerably extending and spreading the built form into and across the adjacent countryside (IR243).

33. The evidence leads the Inspector to conclude the proposed development would have a significant and adverse visual effect on the character and appearance of the landscape of the PCNP. In particular she considers this would be seen and experienced from areas to the south and west of the site and notably from the elevated routes along the B4320 to Angle and the B4319 between Castlemartin and Freshwater West as well as from Angle Point and Angle Bay together with significant lengths of the PCNT. The Inspector is of the opinion in these locations receptors would have a greater awareness and appreciation of the landscape and consequently be more sensitive to change whatever their mode of transport or purpose of their journey, to the detriment of their visual amenity (IR245).

36. On this particular main issue, I have no reason to disagree with the Inspector's conclusion on the impact of the proposed development on landscape character and visual amenity.

#### 4. Ecology

4.1 The ecological assessment of the proposed site is deeply worrying. Despite a claim at ES 1.24 that ADAS were the expert technical advisors for ecology there is zero evidence that any ecological “expertise” has gone into this topic for this application. The applicant submitted a rehashed version of the ES 2014 ecology chapter for the pre-application ES 2020, which included downplaying the site’s ecological connections and proximity to designated sites. Further to pre-application consultation advice from NRW the 2020 ecology submission has been edited, making unsubstantiated claims about further survey effort. The applicant has continued to cite superseded guidance. One would expect a professional ecologist to be up to date with policy and industry guidance and to know that it is standard practice to submit supporting data for any survey work, even if that survey effort resulted in no evidence of a particular species. The lack of corroborating evidence is all the more puzzling as ADAS were also the consultants for the 2014 application and that ES appended supporting evidence, for example, figures for vantage point surveys and an appendix of static bat detector survey results.

For clarity I list below the author’s obvious errors with guidance:

7.34 *Scottish Natural Heritage (SNH), (2014). Recommended bird survey methods to inform impact assessment of onshore wind farms. Superseded by 2017 edition*

7.34 *Natural England, (2012). Bats and onshore wind turbines: Interim guidance. Natural England Technical Information Note TIN051. Second Edition Superseded by 2019 guidance below*

7.34 *Scottish Natural Heritage, Natural England, Natural Resources Wales, Renewable UK, Scottish Power Renewables, Ecotricity Ltd, the University of Exeter and the Bat Conservation Trust (BCT) January 2019 Bats and Onshore Wind Turbines: Survey, Assessment and Mitigation updated August 2021*

4.2. Previous survey was undertaken in 2011/2012. Best practice is that ecological survey is valid for a maximum of 3 years so it is odd that ADAS did not recommend new survey to cover all ecological interest. Instead NRW have had to request further survey. Below I list my concerns about survey effort.

7.47 *The following formal ecological field surveys were carried out to update and inform the ecological impact assessment:*

- i. Updated Phase 1 Habitat survey completed in summer 2020;*
- ii. Updated National Vegetation Classification (NVC) survey completed in summer 2020;*

The habitat survey figures 7.2 and 7.3 are the same as in 2014, as are the accompanying Target Notes. It appears that nothing has changed in the 8 years since the previous habitat

surveys, including that the surveyor chose exactly the same target notes and omitted TN7 both times.

*iii. Updated Breeding Bird Survey completed in spring and summer 2020 with further surveys in spring and summer 2021;*

There is **no evidence** of survey in 2021, with figure 7.4 the same as in 2020. There is no discussion of only one yellowhammer nesting on site two years running, and in the same place.

*iv. Updated Vantage Point surveys for birds completed in spring, summer and autumn (i.e. breeding season VPs) 2021;*

NRW requested VP surveys on 10/2/2021. There is **no evidence** as required by SNH guidance, page 22, eg, figures of viewsheds, figures of flight paths in relation to turbine positions, field survey sheets.

*v. Updated Bat survey, completed in spring, summer and autumn 2020, with further surveys in spring, summer and autumn 2021;*

Bats are European Protected Species but there is **no supporting data** as required by Bats and Onshore Wind Turbines 2019, 6.1, and NRW advice 10/2/2021.

*vi. Updated Otter survey completed in summer 2020;*

European Protected Species but **no supporting evidence**.

*vii. Updated Badger survey completed in 2020; and (sic)*

Although PEDW have a confidential figure 7.6 this is freely available elsewhere on the internet. Figure 7.6 does not correspond with the number of setts quoted in the text. Is the number in figure 7.6 correct and the text is just sloppy copy /paste?

The above list omits water vole survey despite 7.104 stating one was made in Autumn 2020, but again there is **no supporting evidence**.

On 10/2/2021 NRW requested a wintering bird survey and so it would be impossible to have undertaken one before this submission, nevertheless 7.81 makes claims about a wintering bird survey.

4.3 ES 7.131 reads: *“The wind farm design has also sought to avoid collision risk impacts on bats by ensuring each turbine position is greater than 50m from the nearest boundary feature (i.e., boundaries that could be used as flight lines for bats).”* This is inexcusable ignorance of longstanding current guidance. Any “expert advisor” dealing with bats would know that it is **50m from blade tip to a bat feature**. Bats and Onshore Wind Turbines 2019, 7.1.2 explains this and includes the formula necessary to calculate the distance from a bat

feature. Based on the wind turbine dimensions there needs to be almost 79m from a 2m high hedge and a greater distance from any trees. Based on gridreferencefinder.com measuring tool T1 is less than the required distance from the trees on the corner of Cheveralton farmyard and the 50m micro-siting brings it too close to the other adjacent hedgerows. T3 is too close to the hedgerows to the south and east. It will be impossible to microsite in these directions.

4.4 At 7.176 the applicant pays lip service to biodiversity gain whilst actually trying to kick any commitment down the road. This is a multimillion pounds proposal with a land take of 10.53 ha, (ES 1.3) and yet the half an offer is a paltry 75m extra hedgerow, and a totally unenforceable idea about arable crops. Has the tenant farmer been consulted? No evidence. And where does the applicant intend to plant the 175m replacement hedgerow? No evidence. Will the replacement hedgerow be a safe distance from wind turbines for bats and birds? No evidence. I would have expected an "expert advisor" to prepare a habitat management plan that is well thought through based on the "recent" survey effort. The Welsh Government has declared a biodiversity emergency and the planning system is expected to help address the crisis. This attempt at box ticking can hardly be considered to comply with Future Wales policy 18.5.

4.5 Appx 7.4 is the HRA by RSK ADAS Ltd for Njord Energy Ltd. The author and the approver do not list any professional expertise and there is no quality control. Despite the front cover of the HRA being dated September 2021 the logos in the bottom lefthand corner are out of date by approx. eighteen months. Furthermore, why does ADAS make a report for Njord Energy Ltd then have a plan attached to the HRA drawn for Rhoscrowther Wind Farm Ltd and signed off by someone other than the author or approver? The report does not say it is for the applicant. This is all very amateur and none of it gives one any confidence in the report.

4.6 Again I would expect a "professional expert" to know that an HRA requires a full list of the cited primary and secondary species for the designations. In this HRA just bats and chough are listed. It also seems that ADAS is unaware of the Future Wales HRA and as a result has under reported the number of SPA sites. NRW's consultation response pre dates the Future Wales HRA and so did not request these extra SPA.

4.7 The Future Wales HRA is over complex in its mapping and is not the easiest to follow for DNS wind farms outside of pre assessed areas but at 1.5 it discusses the reasoning for the buffer zones it sets. It uses 20 km for SPA with raptors, wildfowl & waders etc. and 40 km for those SPA with chough. Also at 1.5, I would like to draw attention to the section on functionally linked land. I also refer you to Table 7, page 58 - 60 Policy 17. On reading the cited text it seems that the Rhoscrowther HRA fails to consider several SPAs and certainly dismisses the potential for the site to be functionally linked land.

## **5 Conclusion**

5.1 Having read the documents submitted for this application it seems that the applicant has failed to address design constraints and failed, dismally, to take account of local biodiversity, especially protected species. There is no shortage of DNS projects in the pipeline and there is a resurgence in offshore interest. This is a small project in the wrong place and I very much hope that the planning balance comes to the same conclusion.

### **Appendices:**

A. ENA, Separation between Wind Turbines and Overhead Lines

B. Welsh Government, Predictive ALC Map, Guidance Note 2.1

C. SNH, Recommended bird survey methods to inform impact assessment of onshore wind farms 2017

D Bats and Onshore Wind Turbines: survey, assessment and mitigation January 2019

E Future Wales, HRA