

## P-04-419 Wind Farm Moratorium – Correspondence from the petitioner to the Chair, 14.11.2013

### Galar ecology volunteer group

14<sup>th</sup>. November 2013

Dear Mr. Powell,

Thank you once again for the opportunity to respond to the information being supplied by the Welsh Assembly Government to our petition.

We have no information to report, from NRW or Mr. John Griffiths, in answer to our last requests. (Your letter 3<sup>rd</sup>. October 2013 Ref. P-04-419).

I would like to thank Mr Carl Sargeant AC/AM Minister for Housing and Regeneration for his response and would make the following points, in respect of his letter:

**Para 2.** Firstly I would consider a consultation which only drew 1,723 responses from the Welsh population, (0.006%), to be inadequate. I would remind you that this petition of 1,332 responses is 77% of the target the minister considers adequate for consultation by the National Government of this country. Our responses were achieved by a few volunteers acting by word of mouth, and door to door. Further, this is with regard to one form of Renewable Energy, where the Welsh Assembly Government considers 12 in its proposals, (see Practise Guidance- Planning Implications of Renewable and Low Carbon Energy).

**Para 3.** LDP's; these can and are subject to WAG approval, when local opinion is out of sync with the WAG the Central Governments opinion takes precedence.

Mr. Sargeant's claim that, "wind farm planning applications are subject to public consultation and the views of the local community are taken into account in the decision making process", is meaningless if that consultation is ignored in favour of WAG targets. The evidence for this was amply demonstrated at the inquiry into Carmarthenshire County Councils refusal of the RES application at Bryn Llywelyn. RES lawyers stated the targets set for SSA G by Mr. J. Griffiths had to be adhered to. Carmarthen County Council conceded this, but claimed that accepting other applications and the possible extension of SSA G could see WAG targets met. At no point between 2004 and the present day, despite increasing targets, has further consultation been undertaken.

The Developer led 'consultation' Mr. Sargeant refers to in the last part of the paragraph is merely a public relations exercise by the developer, and offers no alternative technology as required by both Aarhus and EU directives. At no point has this petition sought to address developer installations over 50MW. WAG approves in principal applications over 50 MW, otherwise they would not be counted in the Ministers demand for SSA totals. These totals, are decided by WAG, and have not been subject to public consultation.

#### **Consultation**

I would show two examples of consultation requirements from EU directives. Both ratified before TAN 8. (Please note TAN 8 is not an EU directive, and the SSA's should have been subject to the checks and balances of EU Directives, in force at the time of TAN 8's inception, and at intervals when substantive changes were made).

1. European Noise Directive 2002/49/EC Article 3V defining those who should be consulted. *'the public' shall mean one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups.*
2. From the Habitats Directive: *To achieve this, the Directive introduces a modern, flexible and inclusive approach to site conservation that puts people at the heart of the process. It recognises that humans are an integral part of nature and that the two work best in partnership with one another. Everyone has a role to play in making Natura 2000 a success –*

*be they public authorities, private landowners and users, developers, conservation NGOs, scientific experts, local communities or individual members of the public..*

## **The Petition.**

In our document **Wind Farm Moratorium Petition** of the 4<sup>th</sup>.April 2013 we asked the Petitions Committee to examine seven points in relation to our petition. Perhaps it would be advantageous at this point to examine where we are in relation to these, and suggest some sort of solution. We are very aware of the Committees time available to consider petitions is valuable; and that this petition has had its fair share of the time available. I have listed the seven points in the table overleaf, and our own suggestions how this can be satisfactorily concluded from the petitioners viewpoint.

<b>Petition Points &amp; Requests</b>	<b>Progress</b>
<b>1. Matters of Health &amp; Safety in Construction and Design of Wind Turbines.</b>	We have made little progress, in that the Minister for Housing and Regeneration considered all our requests to be without merit. I feel that the petitions process has gone about as far as it can go on this matter. However there is one outstanding point we would ask the Committee to address. <b>This is point A below.</b>
<b>2.Matters of planning and placement of turbines in rural landscapes. 3. Matters where turbines are given precedence over other EU and WAG regulation and directives.</b>	These two points were the most important to those who signed the petition. The planning and placement of wind turbines is not only a decision for the developer, it is a matter for an EIA, EU landscape regulation, The Habitats Directive and EU Soundscape regulation. At the heart of all EU environmental directives is consultation with the public. <b>This refers to Point B below.</b>
<b>4.Matters where TAN 8 Guidelines need to become regulatory limits.</b> <b>5.Disclosure on imperatives placed on County Councils by WAG to accept applications. The efficacy of applications within the National Energy Policy, and a clear indication of what that National Energy Policy is</b>	In SSA G we have a TAN 8 Final Report 2005, which we understood to be the guidelines on which applications within SSA G would be judged. We went through a pointless exercise on the Application for Brechfa Forest East discovering that all of the twelve turbines failed to meet the final report criteria. We now discover that Mr. Griffith's targets are more important and outweigh Arup.  These two points (opposite) sought to have WAG adopt a more open and honest approach from the start, and to have a clear distinction between WAG and the developer, and a clear indication what the future National Energy Policy is, and how it will be structured. <b>Our suggested way forward on these points is C below.</b>
<b>6. Tourism</b>	<b>Our suggested way forward on is D below</b>
<b>7 Community Benefits</b>	<b>Our suggested way forward is E below</b>

Point A. If the Minister feels that the quality of the product being installed in Wales should be decided by the Developer, a party with only a financial interest in outcomes, then there is never going to be a meeting of minds. However, one point is of overriding interest to our farming communities. All turbines are insured by the developer against damage and loss, this includes turbine fire. What is not clear is if the developer insures to compensate adjacent farmland from PCB and other noxious chemical deposits contamination from fires, bio security failures allowing the introduction of damaging species during installation, (e.g Japanese Knot weed), and at what level such compensation is set. If there is no imperative or rule, should farmers adjacent to wind farms be obliged to take out separate insurance? This is particularly pertinent on single turbine installations, which in the recent past have suffered far higher incident rates than major wind farms.

Point B. The public should be made aware of all EU directives, and local LDP conditions appertaining to wind farms at the planning stage. We are well aware that a Minister can seek subsidiarity on directives in the interest of WAG ambitions, but such subsidiarity should be clearly indicated. Similarly, LDP's would have more credibility if they were in the gift of the County Councils and WAG ministers exercised the WAG imperative on a case by case basis, clearly indicated to the public. We would like the petitions committee to ask the WAG for clearer planning guidance on all wind turbine installations, and all EIA's to have the list of pertinent EU directives and whether NRW is seeking subsidiarity and upon what grounds. We would also ask the Petitions Committee to ascertain from NRW the position regarding the full implementation of 2002/49/EC for areas of open country, and more specifically their noise mapping plans, which to have any credence, should precede wind farm installations. I have tried as a private individual to obtain this information prior to our petition, this petition has also asked this question, and we have received no reply.

Point Ca. We would ask the Petitions Committee to ask the Welsh Government to set a clear set of guidelines for TAN 8, in a similar way that Arup did for the final reports on the SSA's in 2005. If a developer feels that his application has to breach these guidelines, then he should seek NRW's permission for the breach, and NRW's reasons should be clearly set out in the EIA.

Point Cb. The WAG planning directive **Practise Guidance-Planning Implications of Renewable and Low Carbon Energy** lists 12 on shore renewable energy disciplines. In practice, however, only wind energy has a target and target date, in effect this is a Wind Energy Document. Any CO2 emissions saved by wind energy are aggregated into world emissions, where the following disciplines are recognised by the IPCC as having a direct effect on local climate, as well as potentially reducing CO2 emissions far faster than a single technology. The disciplines are:

Ground, water and air source heat pumps: Geothermal : Fuel cells : Combined heat and power (CHP) and combined cooling heat and power (CCHP) : District heating : Waste heat.

We ask the Petitions Committee to ask the WAG to provide targets and target dates for the above technologies, and to clearly indicate where the funding and budgets will come from. We would like this information to be made available in respect of Wind energy as well, so the public are fully aware of the potential costs to their family budgets.

Point Cc. The public inquiries in Carmarthen and Welshpool, (still current) are restricted to considering impacts over the next 25 years, (as though this is a time limited programme, with an end scenario). Developers only consider this time, EIA's are the same. Yet both the Secretary of State for Energy and WAG talk about wind energy being **Future Energy Security**. Clearly future means more than 25 years, or does it? At the Powys Inquiry it is often made plain that on some topics, (Landscape for example), that the advice would be different, if we considered an ongoing programme, rather than a time limited one. The first consideration is that the turbine is no longer infrastructure, but is now a consumable. To keep the SSA's operating in a rolling programme GALAR did a table top calculation exercise, which took decommissioning and recommissioning into account, and the Load Factor of 30% it was calculated after the initial installations it would require 105 x 2.4MW installations per year, over the next 100 years to maintain the 30% target (of course 100 years would be no more an end date, than 25 years is now, we chose it as being the possible lifespan of children born today). We also considered some infrastructure alterations, (road improvements, SSA's having permanent crane facilities, building material availability), this reduced the figure to 98 x 2.4MW installations per year, but the true figure is in the gift of NRW working

with DECC and calculating the infrastructure changes possible to speed de/recommissioning, and of course the ongoing costs. This information is available on the Nuclear programme, recently announced. **We would ask the petitions committee to ask NRW to estimate turbine numbers to maintain the SSA's at a 30% load factor over a realistic time period, inclusive of impacts on infrastructure, environment, biodiversity, disposal of unrecyclable parts etc.**

Point D. Several studies have been produced which look at the acceptance of turbine to the visitor/tourist. (These are two defined groups, those who have a set destination, and those who move from place to place). Most tourism reports on wind farm impacts do not differentiate, because reports are aimed at proving no impact. In fact, the effects on Spanish tourism of building work in resort areas are germane to the soon to be realised Welsh experience. Spain suffered not from the resultant architecture, but the fact that building continued while tourists/visitors were trying to enjoy rest and relaxation in the area they had chosen. The effect on Spain was so severe that they had to change their preferred visitor profile, and reduce drastically the fiscal expectation per visitor in areas common to the existing Welsh model, and change it to high consumerism of their new visitor profile. Current studies on Windfarm impact hark to the days when the programme is complete, and if the predictions by GALAR in Cc above are correct, that scenario will never be achieved. **We ask the Petitions Committee to request a report from WAG Tourism to examine the build time of turbines, on the areas local to the SSA's. Further that they should advise established hotels and guest facilities of methods to reduce the impact over the next seven years, in all the areas of Wales affected.**

Point D While Mr. Sargeant has said he is examining community benefits with the Developers, this is totally unsatisfactory if any significant increase, which does not impact on the fuel poor of Wales, is to be obtained. If wind farms are to be recognised as **future energy security** then the impact on communities in and around the SSA's and other wind turbine installations will need a far greater recompense per megawatt than the present £5,000 per installed MW suggested. As we originally said new money from the windfall profits of the landlords, and central taxation, (or indeed now WAG has tax raising powers from them.) The Central Government Minister for Energy and the Prime Minister have said money for renewable energy should be at least part funded from central coffers. On this we repeat our original request. **We ask the Petitions Committee to ask the WAG to appoint a cross party committee to examine Community Benefits with respect to Wind Farms and report to the WAG their recommendations in achieving realistic payment for the imposition of life changing industrial structures on rural communities.**

Yours Sincerely

James Shepherd Foster

Technical Advisor GALAR

# GALAR

## **Attention of the Petitions Committee**

**14 November 2013**

**To William Powell AM. Chair**

Dear Sir,

Ref. Wind Farm Moratorium Petition P-04-419

Our section of GALAR examines tourist matters in relation to Wales and we would like to put forward the following comments in respect of the impact on tourism which wind farms may have.

The first point we wish you to consider is that Wales has two types of holidaymaker, the visitor and the tourist. Visitors typically go to a destination, holidaying and visiting places close to their destination. Tourists move around Wales, either by coach, their own motor transport, or bicycle.

Visitors tend to be faithful to their area of choice and record the best returns figures, often holidaying in the same area year on year.

Tourists tend towards one off visits, and returns are much more sporadic. However, there are key group numbers, mainly among cyclists, caravaners, and motor homes who do record a high number of returns.

We haven't the skill sets or manpower within the group to undertake accurate and verifiable opinion polls, so our conclusions regarding wind farms have been obtained from tourists/visitors and people operating holiday accommodation at the moment.

Visitors who have chosen destinations which do not have the prospect of wind farms, are the group least likely to have negative feelings towards wind farms. Conversely visitors who regularly use an area which is threatened by wind development, have the most positive feelings against wind farms siting both construction and landscape change as being the reason for not revisiting an area. It was unclear whether they would move to another non threatened destination within Wales, or seek other areas of the country.

Coach tourists have itineraries usually planned around National Parks and resort destinations, and are more disturbed by pylons than wind farms. However, caravaners and motor home tourists all reported high degrees of opposition mainly on construction traffic, but many on despoliation of landscape.

Cyclists were the most negative of all groups, the cyclists using mountain bike trails are particularly opposed, especially in areas where trails are likely to be closed for extensive periods of time. Most of these cyclists do not believe the trails will be reopened. Touring cyclists, are more generally affected by the

prospect of construction traffic on the quiet single track roads, which many site as their reason for visiting Wales. They usually are a cross between a visitor and a tourist, in that they move around the country by train or motor vehicles with bike carriers. They generally site areas like Cornwall and Devon as being destinations ruined by wind farms, and recently the publicity on wind farm impact on electricity bills has increased opposition in all groups.

### **Areas of Measurable Tranquillity**

Our Technical advice team has recognised a new "blue flag" type area depiction in the countryside, promised by an EU Directive, (The European Noise Directive), which should be available in the near future. Our 'in house' News Sheet comments on it as follows:

Once we have full acceptance of 2002/49/EC it will provide noise mapping of the open country where all industrial noise, is pollution, to a degree. The European Noise Directive seeks to protect areas where natural noise is good, and to seek **Areas of Measurable Tranquillity** within member states, to be similar to the blue flag beaches of our coastal areas. This is especially important to Wales's tourist industry, especially as medical professionals increasingly equate noise stress to cardio vascular health issues. There is a vast degree of acoustic difference between an "**Area of Measurable Tranquillity**" and an Industrial area within an agglomeration, but the key to all noise control is basic noise measurement, or base levels. This is why it is important that the open country around wind farms is mapped prior to the installation or operation, to provide that base level.

All our members who run Holiday Accommodation, and some others we questioned were positive in favour of areas of measurable tranquillity, and considered it would be a real boost to tourism.

We feel that an honest appraisal of visitors/tourists is required taking into account construction times as well as visual impact. We recently downloaded a tourist document presented as evidence to the Bryn Llywelyn enquiry in Carmarthen. It reported that tourism would likely be positively affected by wind farms, but closer scrutiny reveals there was no assessment of the build period, there was no distinction between tourists and visitors, and one table showed a 99% approval of wind turbines. (Neither Stalin, Hitler, or Saddam Husain achieved that level of approval), this has caused us to doubt much of the evidence produced by Government or certainly, the developers.

Yours faithfully,

Sylvia Maskelyne

GALAR Tourism