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NP4/13/244

Pont Cyfyng, Capel Curig. LL24 0DU

Proposed Hydro-electric scheme (420KW) comprising extraction structure, 100m by 2m diameter tunnelled pipeline, turbine building, outflow, buried grid connection

Dear Mr Thomas

This objection comes from the Snowdonia based campaign group Save Our Rivers. Save Our Rivers was formed in December 2013 to run the Save The Conwy campaign in response to the Conwy Falls hydroscheme application. Save Our Rivers campaigns on both river conservation and the importance of National Parks both in Wales and across Europe.

The group consists of, amongst others; local residents, members of the fishing community, kayakers and outdoor / adventure tourism operators and employees. There are also ecologists, engineers and a hydrologist. We feel that Save the Conwy represents a good cross section of the population who would be affected by the proposed hydro scheme.

The letter below is the work of many within the group representing the concerns of a large number of people and not the view of a single person.

In carrying out its statutory planning responsibilities, the National Park Authority (NPA) must also have regard to the statutory responsibilities and management role of National Park Authorities as set out in the Environment Act 1995.

These purposes are to:

- Conserve and enhance the natural beauty, wildlife and cultural heritage of the Park.
- Promote opportunities for the understanding and enjoyment of the special qualities of the Park, by the public.

The National Park also has a duty to:

- Seek to foster the social and economic wellbeing of the local communities within the Park area.

We believe the proposed development fails in respect of all 3 principles listed above and therefore object to its construction.

Power produced and benefit to the local area proposed by the scheme.

The proposed development cannot be considered a sustainable use of the landscape. The generation of renewables through small scale hydro schemes and their subsequent impact on the landscape and environment has become inappropriate in the current era of large-scale renewable production. For comparison this scheme would have the installed capacity of 400KW around 1/20th of a modern offshore wind turbine.

<https://www.4coffshore.com/news/Britannia-10MW-Turbine-Project-United-Kingdom-UK83.html>

Designed with the best of intentions, FIT payments were meant to allow domestic and community schemes to produce power for use at location and sell any excess to the grid for an export fee. Unfortunately for most hydro applications this has not been the case. Developers use no power at site and export it all to the grid. Schemes are often downrated: producing less power than would be possible, to maximise profit (as smaller schemes generate bigger payments). This combined with a lack of any form of strategic planning by SNPA has resulted in a proliferation of tiny schemes, producing insignificant amounts of power, using now outmoded generation techniques. In fact, since the adoption of the latest LDP in 2011; 90 new hydro schemes have been permitted (a 10-fold increase on what previously existed within the park) and these contribute less power production than 1 single modern wind turbine

FIT payments have become a burden on consumers, producing the most expensive electricity on the grid, and have achieved no meaningful progress towards reducing CO₂. As a result, they are being cancelled as of April 2019. An unfortunate consequence of this is a sudden rush of new schemes being rushed in by developers trying to cash in before the deadline, rather than any real effort to combat climate change.

The National Parks position on energy project is stated as

3.19

Whilst large-scale energy power generation projects are incompatible with National Park status an assessment of renewable energy in Snowdonia considered that scope might exist to contribute to reduce demand for electricity derived from fossil fuels through efficiency savings and through small-scale renewable energy developments to meet domestic or community needs. These included small-scale hydro, domestic wind turbines, photovoltaics, biomass and landfill gas.

and

Microgeneration and small-scale community renewable energy plant will be supported especially where they make a contribution to improving the quality of life in smaller communities

It is impossible, in the case of the proposed scheme, to claim power produced is to meet community or domestic needs. Snowdonia had a power usage of 116.6 GWh / year for both domestic and commercial users combined. It produces through already installed renewables c299.4 GWh / year;

nearly 3 times demand. Power produced will be sold to the grid for use outside the National Park therefore not meeting the statement in the LDP above.

The lack of benefit to the local area is also marked. In an area dependant on tourism for its economy the potential loss of business due to construction and the degrading of an important natural and recreational site are not balanced by the benefits of the scheme.

This lack of “over-riding public interest for the development” and the ease with which the carbon reduction could be made using other means such as off-shore wind means the development also fails to meet Strategic Policy D (criteria i and ii)

Strategic Policy D: Natural Environment (D)

The natural resources, biodiversity, geodiversity and ‘Special Qualities’ of the Snowdonia National Park will be protected from inappropriate development. Where development is deemed acceptable developers will be expected to ensure that the natural environment is protected and enhanced.

Proposals should not adversely affect the National Park’s biodiversity resources including designated sites from an international through to a local level, as well as wider biodiversity resources e.g. habitats and species outside designated sites.

Development proposals which are likely to adversely affect the integrity of European designated sites (either alone or in combination with other plans of projects) will not be permitted unless the requirements of the Conservation of Habitats and Species Regulations 2010 have been fulfilled and hence the following criteria can be met:

- i. There is no alternative solution.
- ii. There are imperative reasons of over-riding public interest for the development

Impact on Ancient Woodland

The arboricultural report lists 87 trees in the vicinity of the development, 31 are listed to be felled, over a third. Some of these trees are suffering from Ash die back, but many are not (because they aren’t Ash trees), in any case Ash die back would not have the impact of removing all the trees in a single event.

Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.

Ecological impact

The ecological impact of the “depleted reach” on the bryophyte assemblages and other flora and fauna of this section is not to be underestimated. The ecological survey presented by the developer states:

The river at the time of the survey was in full spate and it was considered too dangerous to undertake a full in-stream survey. Therefore, the survey was confined to the immediate right bank of the river only where it was accessible. One must bear in mind also that only a very small proportion of this large river will be abstracted so it is considered that any potential impact on the in stream ecology is likely to be extremely modest.

However, the abstraction regime applied for is 70% over Q95 up to a maximum of 4.2 Cumecs (which will be reached at around Q22. The abstraction is for most of the river to be abstracted for most of the time. The ecological report is therefore both inadequate and based on an incorrect premise.

SNPA must ensure that adequate assessment of possible biodiversity impacts have been made. The poor quality of the developer’s ecological assessment makes this impossible

The S6 duty requires that public authorities must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems.

Environment (Wales) Act 2016 Section 6 – Biodiversity and resilience of ecosystems duty

Visual impact of the development

Visual impact of the development falls into 2 main areas:

1. Impact of the built structures into a wild and dramatic section of waterfalls. The presence of the 2m by 15m intake grill, turbine house, metering house and tunnel / pipeline will be considerable. All will be visible from the A5, a viewpoint lay-by and by the popular footpaths both to Moel Siabod and along the right bank of the Afon Llugwy. Consideration of the visual impact in terms of artist impressions or photomontages are entirely absent from the application.
2. Impact of the abstraction on the visual and aural amenity of the falls. The abstraction regime applied for would see nearly 70% of the water being diverted around the falls in all but the lowest 5% of flows and the highest 20%. There is no visual assessment of this in the planning application, but it will certainly be considerable.

This acts against the 2 core purposes of the national park:

To conserve and enhance the natural beauty, wildlife and cultural heritage; and

To promote opportunities for the understanding and enjoyment of the special qualities of the (National) Park by the public.

Inadequacy of the application to assess the impact of construction

There are multiple inadequacies in the application with regards the using of the A5, historic bridge and unclassified road as the main routes of access for the construction. These include but are not limited to; no information as to how the footpaths to both Moel Siabod and along the Afon Llugwy (directly impacted by the development) will be affected, a lack of swept path analysis of roads for the delivery and construction vehicles required, no detailed plans of new gateways/access points required and no arboricultural report of any trees that may be required to be removed or cut back to facilitate access along the unclassified road. Many of these points are raised in the response by Welsh Highways.

One further concern is the description in the CMS of the use of a front-loading dumper for transportation of excavated material. The construction will require the dumper to operate around 2 popular rights of way and a row of houses close to the unclassified road. Front loading dumpers have been responsible for 6 deaths in the last 6-month period in the UK and there is no indication in the CMS of how health and safety concerns regarding this will be dealt with.

Summary

I am sure the SNPA will make the correct decision and refuse permission for the obviously unsuitable and poorly presented development. One must consider why such a poor-quality application has been submitted. Recent planning decisions, such as the initial recommendation for approval of the Conwy Falls HEP, the permissions in retrospect for the appalling Afon Las HEP or the granting of permission for yet another barrier to migrating Salmon on the Afon Colwyn may be a contributor. With lax permitting and lax oversight of hydro developments with no consequences for breach of planning conditions it is no surprise that developers feel Snowdonia has become somewhat of a free for all when it comes to hydro development.

Yours Sincerely

Dan Yates

Director Save Our Rivers