

**Your reference:** EN010112

**Date:** 20 April 2022

**Our reference:**

**Mark Legerton**



20 April 2022

The Planning Inspectorate  
National Infrastructure Directorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Sirs,

**Planning Act 2008**

**Awel y Môr Offshore Wind Farm Limited**

**The proposed Awel y Môr Offshore Wind Farm Order**

**PINS Reference: EN010112**

Awel y Môr Offshore Wind Farm Limited (the Applicant) encloses an application for an Order granting development consent (the Application) pursuant to section 37 of the Planning Act 2008 (the 2008 Act).

**1. SUBJECT OF THE APPLICATION**

- 1.1. The Application is for development consent to construct and operate the proposed Awel y Môr Offshore Wind Farm (the Project) located off the coast of North Wales. The Project comprises up to 50 wind turbine generators and associated onshore and offshore infrastructure. The Project will be located within Welsh inshore waters and within the County of Denbighshire.
- 1.2. The Project is a proposed sister project to the operational Gwynt y Môr Offshore Wind Farm. At its closest point the Project's array area will be located approximately 10.5 km off the North Wales coast. The offshore export cable corridor will be approximately 21 km in length and the onshore export cable corridor will be approximately 12 km in length.

**Awel y Môr Offshore Wind Farm Limited**

Windmill Hill Business Park · Whitehill Way · Swindon · Wiltshire · SN5 6PB

**Registered Office:**

Awel y Môr Offshore Wind Farm Limited Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, SN5 6PB

Registered in England & Wales, Company Number 12270928

- 1.3. Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(3B) of the 2008 Act. As the Project will have an overall capacity greater than 350 megawatts (MW) and is located in Welsh inshore waters, it is an NSIP for the purposes of the 2008 Act. It is for this reason that the Project falls within the remit of the Secretary of State.

## **2. DOCUMENTATION ENCLOSED AND APPLICATION FEE**

- 2.1. We have transferred the following documents to the Planning Inspectorate:
  - a) The completed and signed application form;
  - b) The Environmental Statement (ES); and
  - c) Each of the other documents listed in the Guide to the Application (application ref: 1.4).
- 2.2. As agreed with the Planning Inspectorate, the Applicant will only send the documents electronically which will include redactions and confidential documents. The confidential documents will be marked as 'confidential' in the Guide to the Application (application ref: 1.4).
- 2.3. A fee in the sum of £7,488 has already been submitted to the account of the Planning Inspectorate, using PINS reference EN010112.

## **3. APPLICATION FORMALITIES**

- 3.1. The Application is made in the form required by section 37(3) of the 2008 Act. The Application documentation complies with the overall requirements of section 37 and the requirements set out in:
  - a) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
  - b) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
  - c) Guidance published by the former Department for Communities and Local Government (DCLG); and
  - d) The Planning Inspectorate's Advice Note 6 (version 10) on the preparation and submission of application documentation (September 2021).
- 3.2. The Applicant confirms that the Planning Inspectorate will be able to publish the Application (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage following acceptance.

## **4. DESCRIPTION OF THE PROJECT**

- 4.1. The Application seeks consent for the development outlined in paragraph 1.1 above and described in full in Schedule 1 to the draft Development Consent Order (draft Order) (application ref: 3.1) and in the ES including the Onshore Project Description chapter (application ref: 6.3.1) and the Offshore Project Description chapter (application ref: 6.2.1).
- 4.2. The development, which is the subject of the Application, also contains associated development under section 115 of the 2008 Act, including the infrastructure necessary to connect the Project to the National Grid. Further explanation on the approach to associated development is contained within the Explanatory Memorandum (application ref: 3.2).

- 4.3. The proposed DCO will, among other things, authorise:
- a) The construction and operation of up to 50 offshore wind turbine generators and their foundations;
  - b) The construction of up to two offshore substation platforms and their foundations;
  - c) The construction of one meteorological mast and its foundation;
  - d) The construction of a network of subsea electrical cables connecting the wind turbine generators;
  - e) Inter-link cables connecting the Project to the Gwynt y Môr Offshore Wind farm;
  - f) The installation of up to two subsea export cable circuits to transmit the electricity generated by the wind turbine generators to shore. The Project's offshore export cable corridor extends south-eastwards from the array area to the proposed landfall east of Rhyl;
  - g) The construction of up to two transition joint bays at landfall connecting the offshore cables to the onshore cables; and
  - h) The installation of up to two underground onshore export cable circuits connecting to the proposed onshore substation to the west of St Asaph Business Park to allow the power to be transferred to the National Grid via the existing National Grid Bodelwyddan substation.

## **5. CONSENT FLEXIBILITY**

- 5.1. The draft Order provides for flexibility in relation to the generating station and its associated development. The Applicant has given careful consideration to the guidance in the National Policy Statements and the Planning Inspectorate's Advice Note 9: "Rochdale Envelope". In the Applicant's view, the inclusion of the flexibility provided for in the draft Order is fundamental to whether or not the draft Order is fit for purpose, and therefore whether or not the Project will proceed.
- 5.2. The Environmental Impact Assessment (EIA) which has been carried out in support of the Application has considered the flexibility which is sought in the draft Order. This matter is addressed in the ES and in all cases the parameters referred to in the draft Order have been adopted in the ES.
- 5.3. Further explanation on the Applicant's approach to the Rochdale Envelope is contained within the EIA Methodology chapter of the ES (application ref: 6.1.3).

## **6. DRAFT DEVELOPMENT CONSENT ORDER**

- 6.1. The draft Order has been the subject of consultation with various interested parties including the Planning Inspectorate, the host authority (Denbighshire County Council), Natural Resources Wales and Cadw. Where possible or appropriate, the Applicant has taken comments into account in the documents submitted. However, the Applicant expects to have further discussions to refine some aspects of the detail of the draft Order after acceptance, as has taken place with other accepted NSIP applications.

## **7. COMPULSORY PURCHASE**

- 7.1. The Applicant is seeking authority within the draft Order to acquire compulsorily land and interests and other related powers to support the delivery of the Project, details of which can be found in the Statement of Reasons (application ref: 4.1) and the Book of Reference (application ref: 4.3).

Adequacy of funding for compensation is dealt with in the Funding Statement (application ref: 4.2).

- 7.2. Sections 127 and 132 of the 2008 Act apply. Details of the extent of the proposed works affecting land held by a statutory undertaker or special category land can be found in the Statement of Reasons (application ref: 4.1).

## **8. HABITATS REGULATIONS**

- 8.1. The Application documents include a Report to Inform an Appropriate Assessment as required by regulation 5(2)(g) of the AFFF Regulations. This identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Project is likely to have an adverse effect on the integrity of any European site.
- 8.2. It concludes that the Project, together with mitigation and monitoring as proposed, is not expected to have an adverse effect on the integrity of any site. The Report to Inform an Appropriate Assessment (application ref: 5.2) has been discussed in detail with Natural Resources Wales as part of the Evidence Plan process. In preparing the report, the Applicant has been mindful throughout of the Planning Inspectorate's Advice Note 10: "Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects".

## **9. OTHER CONSENTS**

- 9.1. The application form (application ref: 1.3) sets out brief details of the various consents not forming part of the draft Order which the Applicant will be seeking in relation to the Project. This includes marine licences for marine activities required from Natural Resources Wales under the Marine and Coastal Access Act 2009. Further information on these consents, and the disapplication of certain legislation, is contained within the Other Consents and Licences document (application ref: 5.4).

## **10. PRE-APPLICATION CONSULTATION**

- 10.1. The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by DCLG and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate, as required by section 50 of the 2008 Act.
- 10.2. As required by section 37(3)(c) of the 2008 Act, the Application is accompanied by a Consultation Report (application ref: 5.1), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the 2008 Act. The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report and these have informed the evolution of the Application and the Project overall.

## **11. OTHER MATTERS**

- 11.1. Under Regulation 6(b)(i) of the AFFF Regulations, an applicant is required to provide details of the proposed cable route and the method of installation for any cable. This information can be found in the Cable Statement (application ref: 7.1) and in the Works Plans (application ref: 2.5).
- 11.2. Under Regulation 6(b)(ii) of the AFFF Regulations, an applicant is required to provide a statement in respect of Safety Zones. This information can be found in the Safety Zone Statement (application ref: 7.2).

11.3. Under regulation 5(2)(l) of the APFP Regulations an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under regulation 5(2)(m) in relation to certain historic sites and features. The plans are attached as separate documents (application ref: 2.8 and 2.9) but the assessments are provided in the Environmental Statement and not as stand-alone documents.

11.4. The Applicant is required to submit a draft Order in both a word version and PDF, together with a SI template validation report for the draft Order at submission. The SI template validation report is attached.

We look forward to hearing from you in relation to the formal acceptance of the Application. If we can be of any assistance in that regard, please do not hesitate to contact Alex Herbert (Offshore Consents Manager) on [alex.herbert@rwe.com](mailto:alex.herbert@rwe.com) or 07384 807478.

Yours faithfully,



**Mark Legerton**

Director

Awel y Môr Offshore Wind Farm Limited

