



# The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Alex Herbert  
Onshore Consents Manager  
RWE

Your Ref:

Our Ref: EN010112

By email

Date: 18 May 2022

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Dear Mr Herbert,

## **Planning Act 2008 (as amended) – Section 51**

### **Application by Awel y Môr Offshore Wind Farm Limited for an Order Granting Development Consent for the Awel y Môr Offshore Wind Farm**

#### **Advice following issue of decision to accept the application for examination**

On 18 May 2022 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's (the Inspectorate) acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

#### **Minor errors and omissions**

There are minor errors and omissions, as detailed in Box 30 of the acceptance checklist.

## Plans

A general review of all plans for clarity should be undertaken. There are a number of instances within the submitted plans where this would be useful. For example:

- Woodland areas could be usefully coloured/shaded – an alternative shading for Ancient Woodlands would be useful.
- In the Book of Reference (BoR), sheet numbers where plots are located are not included and Plot 10 is not obvious in the onshore Land Plans.
- It would be helpful for the sheet numbering of plans to reflect the numbering of areas identified on the relevant Key Plans and to ensure the extents shown on Key Plans reflect the extents of the relevant plans sheet, particularly area '1'.
- Plans should be checked to ensure that plot label arrows point to the inside of plots, as opposed to the boundary lines. The crossing of plot label lines should be avoided.
- It would be helpful for there to be consistency between the description of yellow, blue and pink plots on the onshore Land Plans legend and the description in Table 1 of the BoR.
- On Sheet 1 of 10 of the onshore Land Plans there is an unnumbered plot to the east of Plot 12 and on Sheet 2 of 10 Plot 78 is not labelled on the inset. Insets on all sheets require review to ensure they are clear, legible, have all plots labelled and reflect the correct inset extents.
- Ensure all plots are shown clearly on the plans. For example, Plot 113 on Sheet 3 of 10 of the onshore Land Plans is not discernible.
- In the Works Plans, 'Work No 23' should be labelled on Sheets 9 and 11.
- The legend in the Street Works and Access Plan refers to Schedule 4 instead of Schedule 3 of the dDCO.
- Footpath names on the Temporary Stopping Up of Public Rights of Way Plans could be enlarged.
- It would be useful to annotate heritage assets on the Historic Environment Plan, and this Plan and the Location Plan are both referenced '2.1'.
- A list/table in any subsequent plans to identify any revisions would be useful.

## Environmental Statement (ES)

The ES as currently drafted provides brief information about the expertise of the companies responsible for compiling the relevant chapters of the ES. However, given the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, consideration should be given to updating the ES to provide the necessary information in relation to the key individual experts involved in each ES topic.

There are a number of other instances within the ES where clarification would be useful. For example:

- Volume 2 Chapter 10 (Seascape, Landscape and Visual Impact Assessment) - paragraph 3 references to figures and visualisations appear incorrect. It would be helpful to highlight all reported significance of effect conclusions in the text of the chapter for ease of reading.
- Volume 2 Chapter 15 (Offshore conclusions) - incorrect column headings in Table 3 Ornithology.

- Volume 3 Chapter 2 (Landscape and Visual Impact Assessment) - the location of some of the receptors mentioned in Table 11 are unclear (e.g. Plas Lorna). It would be helpful to have a plan showing the location of these receptors.
- Volume 3 Chapter 3 (Socio-economics) - the figures in Table 12 do not appear to add up.
- Volume 3 Chapter 11 (Air Quality) - Table 4 refers twice to a 'NVMP'. Should this instead refer to an 'AQMP'?

## Report to Inform Appropriate Assessment

The Report to Inform the Appropriate Assessment Annex 3 refers to Figure 40 but this does not appear to have been included in the document. The Applicant is requested to provide a revised version of Annex 3 which includes this figure.

## Draft Development Consent Order (dDCO)

There appears to be a number of inconsistencies within the dDCO, including;

- Article 3(2) - this refers to 'MLW' but MLW is not defined in Article 2.
- Article 11(1) – the correct name of the plan is the 'temporary stopping up of public rights of way plan'.
- Article 40(1)(i) & (j) – the document name is inconsistent with the name of the document submitted.
- Schedule 1 – this states that 'Work Nos. 1, 1A, 2, 2A and 3 are to be constructed seaward of MHWS within the area delineated by the co-ordinates shown on the order limits plan and listed in the Table 1 below...'. However, the 'order limits plan' is not defined in Article 2 and it appears that these co-ordinates are shown in the document entitled 'Location Plan' (2.1), which is also not defined in Article 2.
- Schedule 3 – points BI and BJ shown on the last page of the street works and access plan have been omitted.
- Schedule 4, columns 1 and 2 – inconsistencies between the information in these columns and the information shown on the temporary stopping up of public rights of way plan, and the naming of the plan is the 'temporary stopping up of public rights of way plan'.
- Schedule 5, column 1 – References to AC-Q do not appear on the street works and access plans. 'AC-Q1' and 'AC-Q2' appear on the plans but are omitted from Schedule 5. It would also be helpful to identify the relevant sheet numbers.

In addition to the above, the Applicant should undertake a general review of the dDCO for consistency, grammar and punctuation.

## Visualisations

It would be helpful for the Applicant to provide the Inspectorate with a full set of hard-copy visualisations at the correct viewing size relating to: a) the Seascape, Landscape and Visual Impact Assessment; and b) the Landscape and Visual Impact Assessment, to assist the Examining Authority, when appointed, during any site visits.

## Missing documents / information

There appears to be some instances where information referred to within the application documents has not been provided, including the following:

- 'Appendix 1' and 'Appendix 2' which are referred to within the Funding Statement (doc 4.2).
- '5.8.6 2021/2022 Ground Conditions' and '5.11.1 Construction Dust Assessment Methodology' which are referred to in Table 1 of Volume 1 Chapter 1: Introduction (doc 6.1.1). '5.11.2 Annex 11.2 Technical Note – Electromagnetic Frequencies' is referred to in the same table. However, there is no apparent document with this reference.
- Volume 5, Annex 5.8: Breeding Bird Survey Report (BBSR) (doc 6.5.5.8) refers to a confidential 'Appendix 04'. This does not appear to have been provided. In addition, Figures 3.1 and 3.2 have been provided as part of the BBSR rather than as part of a confidential 'Appendix 04' as suggested.
- The Applicant's section 55 checklist refers to an 'Onshore Archaeological Trial Trenching Evaluation Report (interim) 8.15'. This document does not appear to have been provided and nor does it appear to be referred to elsewhere.

### **Submission of updated documents**

It would be helpful and assist the examination process if any information, clarification documents or amendments made to the application documents are submitted to the Inspectorate as soon as possible to assist those who may benefit from their publication whilst preparing Relevant Representations.

Please pay close attention to the advice set out in the letter and act on it accordingly. This will contribute to a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the top of this letter.

Yours sincerely,

*Jake Stephens*

**Case Manager**

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