



Awel y Môr Offshore Wind Farm

Applicant's Comments on Responses to the Examining Authority's First Written Questions

Deadline 2

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1 Introduction

- 1 At Deadline 1 of the Examination of Awel y Môr Offshore Wind Farm ('AyM'), Interested Parties (IPs) submitted responses to the First Written Questions by the Examining Authority (ExA) where the ExA had requested answers from those IPs.
- 2 Awel y Môr Offshore Wind Farm Ltd ('the Applicant') has taken the opportunity to review each of these responses to questions received from interested parties (IPs). Comments from the Applicant on each of these responses to questions received, where appropriate, are set out in the subsequent sections of this document.

2 The Applicant's comments on responses to Examining Authority's First Written Questions

2.1 General and Cross-Topic Questions

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
0.2	The Applicant, DCC, IoACC, CCBC, GC, FCC, SNP	<p>The Development Plan</p> <p>Please provide full copies of any relevant Development Plan policies (or other documents e.g. management plans, supplementary guidance) that you have referred to in any of your submissions. Should you refer to any additional Development Plan policies at any time in your future submissions (for example in a Local Impact Report) then, if they have not already been provided, please also submit copies of these into the Examination.</p> <p>a) Have there been any relevant updates to the statutory Development Plan since the compilation of the application documents?</p> <p>b) Are local planning authorities content with the Applicant's policy analysis?</p>	<p>The Applicant: The Applicant has provided the following list of Development Plan documents and relevant Development Plan policy documents that have been referred to in the application.</p> <p>The Applicant has undertaken a review and is not aware of any changes to the Development Plan documents or policies listed below.</p> <p><u>Denbighshire Local Development Plan 2006-2021 (adopted 2013)</u></p> <ul style="list-style-type: none"> ▲ Policy RD 1 - Sustainable Development and Good Standard Guidance; ▲ Policy RD 2 – Green Barriers; ▲ Policy RD 5 - The Welsh language and the social and cultural fabric of communities; ▲ Policy BSC 2 - Brownfield Development Priority; ▲ Policy BSC 3 – Securing Infrastructure Contributions from Development; ▲ Policy BSC 5 – Key Strategic Site – Bodelwyddan; ▲ Policy BSC 11 – Recreation and Open Space; ▲ Policy PSE 15 - Safeguarding Minerals; and <p>Policy PSE 13 - Coastal Tourism Protection Zones.</p> <ul style="list-style-type: none"> ▲ Policy VOE 1 – Key Areas of importance; ▲ Policy VOE 2 - Area of Outstanding Natural Beauty and Area of Outstanding Beauty; ▲ Policy VOE 5 – Conservation of Natural Resources; ▲ Policy VOE 6 - Water Management; ▲ Policy VOE 9 - On-shore Wind Energy; ▲ Policy VOE 10 Renewable Energy Technologies; ▲ Objective 8 – Public Open Space; 	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<ul style="list-style-type: none"> ➤ Objective 15 – Tourism; and ➤ Objective 16 – Areas of Protection. <p><u>Denbighshire County Council Draft Preferred Strategy (2019)</u></p> <ul style="list-style-type: none"> ➤ Strategic Objective 3; ➤ Strategic Objective 5; and ➤ Strategic Objective 6 . <p><u>Denbighshire County Council Supplementary Planning Guidance Note: Recreational Public Open Space (2017)</u></p> <p>(Document referred to as a whole).</p> <p><u>The Conwy Local Development Plan (2007 – 2022)</u></p> <ul style="list-style-type: none"> ➤ Spatial Objective 4; ➤ Spatial Objective 11; and ➤ Spatial Objective 13. <p><u>Conwy Preferred Strategy (2019)</u></p> <ul style="list-style-type: none"> ➤ Objective 4; ➤ Objective 5; ➤ Objective 7; and ➤ Objective 10. <p><u>Flintshire Unitary Development Plan 2000-2015 (2011) expired at the end of 2015</u></p> <p>(Document referred to as a whole).</p> <p><u>The Flintshire Deposit Local Development Plan 2015-2030 (Flintshire County Council, 2019) was submitted for examination in October 2020</u></p> <ul style="list-style-type: none"> ➤ Objective 1; ➤ Objective 8; and ➤ Objective 15. <p><u>The Anglesey and Gwynedd Joint Local Development Plan (2011 to 2026)</u></p> <ul style="list-style-type: none"> ➤ Theme 1: Strategic Objective 2; 	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<ul style="list-style-type: none"> ▲ Theme 2: Strategic Objective 6; ▲ Theme 3: Strategic Objective 10; and ▲ Theme 3: Strategic Objective 11. <p><u>Draft Review Report (Anglesey County Council and Gwynedd Council, 2021)</u></p> <p>(Document referred to as a whole).</p> <p><u>Wrexham Unitary Development Plan 1996-2011 (2005)</u></p> <ul style="list-style-type: none"> ▲ Strategic Policy PS12. <p><u>Deposit Wrexham Local Development Plan 2 2013 to 2028 (2018)</u></p> <ul style="list-style-type: none"> ▲ Strategic Objective 2; ▲ Strategic Objective 8; and <p>Strategic Objective 10.</p>	
			<p>CCBC: The Development Plan consists of the Conwy Local Development Plan (adopted 2013) Adopted Local Development Plan (LDP) – Conwy County Borough Council (https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Strategic-Planning-Policy/Adopted-Local-Development-Plan-LDP/Adopted-Local-Development-Plan-LDP.aspx)</p> <p>There have not been any relevant updates to the statutory development plan since the compilation of the application documents.</p> <p>The Council is content with the Applicant's policy analysis of the Conwy LDP included in paragraph 126 of its Planning Statement.</p>	<p>This is noted and welcomed by the Applicant.</p>
			<p>Gwynedd Council:</p> <p>Canllaw Cynllunio Atodol – Safle Treftadaeth y Byd Tirwedd Llechi Gogledd -Orllewin Cymru</p> <p>Cynllun Datblygu Lleol ar y Cyd Gwynedd a Mon (31 Gorffennaf 2017)</p> <p>Polisi PS20 Diogelu a lle bo'n berthnasol wella asedau treftadaeth</p> <p>Polisi AT1 Ardaloedd Cadwraeth, Safleoedd Treftadaeth y Byd A thirweddau, Parciau a Gerddi Hanesyddol Cofrestredig</p>	<p>Provision of the SPG and the Joint LDP to the ExA is noted by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>Copiau o'r polisiau a CCA uchod ynghlwm</p> <p>a) Na</p> <p>b) Ydi</p> <p>Gwynedd Council (translated from Welsh):</p> <p>Supplementary Planning Guidance – Slate Landscape World Heritage Site North West Wales</p> <p>Gwynedd and Anglesey Joint Local Development Plan (31 July 2017)</p> <p>Policy PS20 Preserving and where appropriate enhancing heritage assets</p> <p>Policy AT1 Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens</p> <p>Copies of the above policies and SPG are attached</p> <p>a) No</p> <p>b) Yes</p>	
			DCC: No response given	N/A
			IoACC: No response given	N/A
			FCC: No response given	N/A
			SNP: No response given	N/A
0.3	The Applicant, Any Interested Party	<p>National Policy</p> <p>Are you aware of any updates or changes to UK or Welsh Government Policy or Guidance relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications, if any, for the application?</p>	<p>The Applicant: The Applicant has undertaken a review and is not aware of any changes to UK or Welsh Government Policy or Guidance.</p> <p>NRW - Natural Resources Wales defer to Welsh Government as the appropriate body to comment on policy matters in Wales.</p>	N/A
0.4		<p>Planning applications</p> <p>Please provide an update on any planning applications that have</p>	<p>The Applicant: The Applicant has undertaken a review of planning applications. The following applications were identified within the vicinity of onshore works for AyM, however, the stated timing, scale and location</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
	The Applicant, DCC, CCBC	been submitted, or consents that have been granted, since the Application was submitted that could either affect the Proposed Development or be affected by the Proposed Development and whether these would affect the conclusions reached in the ES (e.g. Rhyl and Prestatyn sea defence schemes).	<p>of the other schemes mean that none require detailed consideration as cumulative sites and so the conclusions reached in the ES remain unchanged.</p> <p>The Applicant notes that the proposals by Elwy Solar Energy for the construction of a solar farm and energy storage hybrid park, together with all associated works, equipment and necessary infrastructure (62W), has been refused by the Welsh Government. The Elwy Solar farm was included in the potential cumulative sites considered within the submitted ES, however, the refusal of this application does not alter the findings of the chapters where it has been considered.</p> <p>Planning Ref: DCC 46/2022/0694</p> <ul style="list-style-type: none"> ▲ 6, The Paddock, St Asaph, DENBIGHSHIRE, LL17 0AQ; ▲ Erection of 8 no. dwellings construction of a new vehicular access and associated works; and ▲ 29/09/2022. <p>Planning Ref: DCC 47/2022/0610</p> <ul style="list-style-type: none"> ▲ The Fifth Wheel, Llwyn Derw, B5429 Waen Gate Roundabout To Pistyll, Rhualt, St Asaph, DENBIGHSHIRE, LL17 0AW; ▲ Installation of Biomass boiler and flue (retrospective application); and ▲ 05/07/2022. <p>Planning Ref: DCC 40/2022/0153</p> <ul style="list-style-type: none"> ▲ Min Y Morfa Farm, Borth Roundabout To Ty Byw Road, Abergele, DENBIGHSHIRE, LL22 9SB; ▲ Erection of 8 industrial units (Use Class B1 and B8) and associated works; and ▲ 27/04/2022. <p>Planning Ref: DCC 43/2022/0327</p> <ul style="list-style-type: none"> ▲ Street Record, Broadway, SIR DDINBYCH; ▲ Installation of 15m high telecommunications monopole and associated equipment; and 	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>▲ 04/04/2022.</p> <p>Planning Ref: DCC 45/2022/0271</p> <p>▲ Street Record, East Parade, DENBIGHSHIRE;</p> <p>▲ Construction of coastal protection scheme, incorporating, new sea wall, repair works and engineering operations including scour protection to existing sea wall. Installing new concrete step revetments. Raising and widening of promenade including new and amended accesses, landscaping and associated works. Ecological mitigation and access works at Barkby Beach; and</p> <p>▲ 31/03/2022.</p>	
			<p>CCBC: There have not been any relevant applications or consents within the area of Conwy County Borough Council.</p>	<p>This is noted by the Applicant.</p>
			<p>DCC: No response given</p>	<p>Whilst DCC has not responded specifically to this question, it has provided a list of projects within their LIR (REP1-056) and the Applicant has undertaken a review of those projects (see Section 2.4 of the Applicant's response to the DCC LIR (Document 2.4 of the Applicant's Deadline 2 submission)).</p> <p>The Applicant confirms that the stated timing, scale and location of a small number of schemes listed within the LIR that are not within Annex 3.1 (APP-042) mean that none require detailed consideration or further assessment as cumulative sites and so the conclusions reached in the ES remain unchanged.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
0.5	DCC	<p>National Park progression</p> <p>Please provide an update on progress and likely timescales for the potential new National Park for the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).</p>	<p>Welsh Government: The designation process will follow an updated process for assessing the case for new landscape designations in Wales within the context of Welsh legislation that has been developed by NRW. This will involve: commissioning an evidence base to assess designation factors (e.g. natural beauty, open air recreational opportunities); identification of candidate areas; and a statutory consultation. This work will take place during the current Senedd term. The current CRDV AONB encompasses three LAs: Denbighshire, Flintshire and Wrexham. To meet the criteria for designation as a NP the boundaries of the current AONB may need to be on a larger footprint. NRW is scoping the area of search which may extend into Gwynedd, Conwy and Powys. The current western boundary of the AONB, therefore, may not be the final recommended western boundary of a new National Park.</p>	This is noted by the Applicant.
			DCC: No response given	N/A
0.9	The Applicant	<p>Carbon Assessment</p> <p>Draft NPS EN-1 section 5.3.4 sets out that all proposals for energy infrastructure projects should include a carbon assessment as part of their ES, along with the type of information which should be included within the assessment. Section 4.2 of draft NPS EN-1 makes reference to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which refer to, amongst other things, climate. In addition, during consultation for the redetermination of the Norfolk Vanguard project, the Secretary of State (SoS) highlighted the desirability of a carbon footprint</p>	<p>The Applicant: The Applicant notes that paragraph 5.3.4 of the Draft NPS EN-1 does not occur in the extant NPS EN-1, and that the timescale for adoption of the draft NPS (or likely amendment to it), is not currently known. However, the Applicant has noted the request from the ExA for a Carbon Assessment and will submit the report at Deadline 4.</p> <p>Welsh Government: We would recommend that the energy infrastructure project should use the following guidance produced by BEIS to assess the carbon impacts of the project, which also follows the main principles from the HMT GreenBook. This link also contains data tables which should be used to quantify carbon, provides emission factors to convert energy use into emissions etc. Note however that the toolkit is currently offline as it is being updated.</p> <p>Green Book supplementary guidance: valuation of energy use and greenhouse gas emissions for appraisal - GOV.UK (www.gov.uk) (https://www.gov.uk/government/publications/valuation-of-energy-use-and-greenhouse-gas-emissions-for-appraisal)</p> <p>If the project requires a business case, then the standard Welsh Government guidance for business cases should be used. However, more recent business case guidance has been published for/by the North Wales</p>	N/A
				The Applicant will consider this guidance when undertaking the Carbon Assessment that will be provided by Deadline 4.

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		<p>and impact assessment that considered embedded carbon and greenhouse gases from the extraction, refinement and manufacture of elements of the project, along with the emissions from the construction (including trenching and excavation of arable land and loss of greenhouse gas absorption capacity from farming, plants and trees), operation, maintenance and decommissioning.</p> <p>Could the Applicant signpost any assessment work of this nature that has been undertaken and does the Applicant intend to provide anything further in this respect? If so, by what deadline will be this be submitted by?</p>	<p>Growth Deal team, which explicitly includes carbon & biodiversity assessments within the different stages which may be of interest.</p> <p>Bwrdd Uchelgais Economaidd - ANW Arup 2022 Carbon and Biodiversity Methodology.pdf - All Documents (sharepoint.com)</p> <p>Whilst we agree that embodied carbon as well as direct lifetime emissions changes from the project should be measured and reported, they should be reported separately. This is because embodied emissions are harder to quantify and are inconsistently measured.</p>	
0.10	The Applicant	<p>Offshore transmission network review</p> <p>a) Has the Applicant considered the Department for Business, Energy and Industrial Strategy (BEIS) / Ofgem Offshore Transmission Network Review? If not, why not?</p> <p>b) If it did, has it influenced the design of the Proposed Development in any way?</p> <p>c) Has the Applicant identified any opportunities for a more co-</p>	<p>The Applicant: The below text answers sub-questions a) to d) in a single response.</p> <p>The Applicant has given careful consideration to the Offshore Transmission Network Review, and the Applicant's position is set out in paragraphs 35-41 of the Grid Connection and Cable Details Statement [APP-296]. The Grid Connection and Cable Details Statement describes the position at the time of drafting.</p> <p>In reviewing recent Secretary of State (SoS) decision letters for other offshore wind farm projects the Applicant considers a number of observations are of relevance. In consenting Norfolk Boreas and Norfolk Vanguard the SoS recognised that the designated version of NPS EN-3 states:</p>	N/A

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		<p>ordinated approach to the design and delivery of the transmission infrastructure of this Proposed Development and other projects in the same region?</p> <p>d) Are any of the Secretary of State's observations on the offshore transmission network review in DCO decision letters relating to other offshore wind farms relevant in this respect?</p>	<p><i>"When considering grid connection issues, the IPC should be mindful of the constraints of the regulatory regime for offshore transmission networks"</i> (paragraph 2.6.36).</p> <p>NPS EN-3 also states:</p> <p><i>"Applicants for consent for offshore wind farms will have to work within the regulatory regime for offshore transmission networks established by Ofgem"</i> (2.6.34).</p> <p>These statements are repeated in the draft revisions to NPS EN-3 (though these statements may be subject to change before designation), which state:</p> <p><i>"Applicants for consent for offshore wind farms will have to work within the regulatory regime for offshore transmission networks established by Ofgem"</i> (2.22.18); and</p> <p><i>"When considering grid connection issues, the Secretary of State should be mindful of the requirements of the regulatory regime for offshore transmission networks"</i> (2.23.1).</p> <p>The transmission infrastructure for Awel y Môr has been developed in accordance with the existing regulatory regime and the Applicant considers it should be assessed on that basis.</p> <p>Since submission of the Project's DCO application the OTNR has been advanced by Ofgem, with publication of the Holistic Network Design (HND) recommendations in June 2022. National Grid Electricity System Operator (NGESO) has confirmed projects in-scope for the HND and Pathway to 2030 are primarily those which were awarded leases in The Crown Estate Leasing Round 4 and those which will receive them in Crown Estate Scotland's ScotWind leasing round. The workstream scope will also include offshore projects within the Celtic Sea and potentially a handful of other offshore projects which are potentially spatially and/or temporally relevant to other in-scope projects for the Pathway to 2030 workstream where it is efficient to consider them as part of the scope of the HND. The recommendations consider 4 generation projects within scope of the HND in the 'North West' region, where AyM is located, and does not include</p>	

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			<p>AyM itself (see p36 in 'The recommended design' section of NationalGridESO's (NGESO) July 2022 Pathway to 2030 report).</p> <p>There is no coordination proposed between projects in the Early Opportunities and Pathway to 2030 workstream, and AyM has not been deemed spatially and/or temporally relevant by NGESO for inclusion within the scope of the HND.</p> <p>Ofgem consulted on both the Early Opportunities workstream (with a focus on anticipatory investment) and the Pathways to 2030 workstream (focusing on the delivery model to achieve the HND) in April and May 2022, respectively. Decisions from Ofgem were expected in Q3 2022 but have been subject to delay. The final policy position for several aspects of both the Early Opportunities and Pathways to 2030 workstreams remain uncertain but the Applicant does not expect any changes to its connection at Bodelwyddan. The existing regulatory regime is based on radial connections and this is the approach that has been taken by the Applicant which has been supported by NGESO and now has been indirectly endorsed by the HND recommendations.</p>	
			<p>Welsh Government: Welsh Government officials are involved in the Offshore Transmission Network Review and have raised the issue that Awel y Môr would fall outside the remits of the review.</p> <p>Although this is considered an early project, the Welsh Government is aware of at least two other projects that will require connection to the GB transmission system in this area. These include the offshore wind farm Mona, which is involved in the OTNR, and the proposed Mares interconnector, which is not included in the current OTNR process. The Welsh Government would wish to see the disruption to communities and the land minimised. Our commitment under the Wellbeing of Future Generations Act requires a long-term approach to decision making. We are aware that Awel y Môr is ahead of the other potential projects, and also that we are facing a climate crisis and need to proceed at pace. However, we need to consider the disruption created in delivering this project has the potential to increase resistance to future works in the area and potentially slow other projects also needed to deliver clean electricity. Therefore, we consider this to be an opportunity to plan ahead to ensure</p>	<p>The Applicant notes the Welsh Government's comments on OTNR, as well as their comments received during the statutory consultation under Section 42 of the Planning Act 2008 (described in APP-026), that 'Awel y Môr falls outside the Offshore Transmission Network Review however the Welsh Government would wish to ensure that any major infrastructure projects in Wales minimise the impacts on local areas.'</p> <p>In addition to undertaking detailed site selection work in</p>

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			<p>future development has the least possible cost and impact. We would therefore encourage RWE to engage proactively in discussions with National Grid Electricity Transmission, EnBW/ BP and the proposers of Mares Connect to ensure a more holistic approach, to minimise the impact of any offshore and onshore grid work.</p>	<p>order to identify the most suitable route and locations for the transmission elements of the Project, balancing environmental impacts with those on communities and land, as well as cost (see Site Selection and Alternatives (APP-044)) as the Applicant set out in the Grid Connection and Cable Details Statement (APP-296), the Applicant reviewed the potential for coordination with other projects but concluded that <i>'Any coordination with prospective Round 4 projects, which are identified for the Pathways to 2030 OTNR workstream, should they secure their AfLs, would require rescoping, redesign and reassessment of AyM and unduly delay the project's development and its ability to contribute to the Government's targets for new offshore wind capacity.'</i> The Applicant would note that none of the Round 4 projects are yet to pass through the Plan-level HRA phase and secure an AfL with the Crown Estate for their projects. This is a necessary step in the projects' development.</p> <p>The Applicant has met with National Grid, Mares</p>

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				interconnector and the Mona project to discuss interactions at the National Grid substation, with a view to understanding how all projects are able to proceed connecting into the National Grid substation. The same parties are due to meet again at the end of November.
0.16	NRW, CCBC, DCC, FCC, GC, IoACC, SNP	<p>Code of Construction Practice (CoCP)</p> <p>The CoCP would be an important part of the mitigation strategy for dealing with and controlling potentially adverse effects from the various construction activities. Do you consider that as drafted it is sufficiently robust and precise and consequently enforceable?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>The final Code of Construction Practice (CoCP) will include robust and precise measures which will manage the potential environmental impacts of the onshore construction of AyM and limit the disturbance from onshore construction activities such as site preparation, material delivery and removal, works activities and site reinstatement as far as is reasonably practicable. The Outline Code of Construction Practice (APP-312; Document 1.49 of the Applicant's Deadline 1 submission), the Outline Construction Method Statement (CMS) (APP-313; Document 1.50 of the Applicant's Deadline 1 submission) and associated environmental management plans (APP-314 to APP-324) submitted with the application sets out the key elements that will be secured in the final CoCP which the Applicant will be required to submit to Denbighshire County Council (DCC) for approval, as relevant planning authority, under R10 of the draft DCO. The scale and complexity of the construction process means that there may be instances where a degree of flexibility in the CoCP is both necessary and appropriate. The proposed monitoring arrangements secured in the CoCP will enable DCC to ensure that relevant measures and commitments can be monitored and enforced.</p>	N/A

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			<p>NRW: Our detailed advice is given in our Written Representations. We advise amendments to specific Outline Management Plans and Outline Method Statements that form part of the Code of Construction Practice (please see sections 3.3.5, 3.5.1, 3.6.2 and 3.6.3. We advise that Requirement 10 is amended to ensure that NRW will be consulted by the discharging authority prior to the approval of the CoCP/ discharge of Requirement 10. Notwithstanding the above advice, we refer you to our comments on the Water Framework Directive (Freshwater) (paragraphs 3.3.1 – 3.3.7) which explain that further information is required to evidence the appropriate watercourse crossing methods (as described in the Outline CMS) at each location.</p>	<p>The Applicant is agreeable to the proposals for the Management Plans and outline Method Statements and has incorporated them within updated versions of the documents provided at Deadline 1 and Deadline 2.</p> <p>The drafting of R10 of the dDCO (see Document 2.14 of the Applicant's Deadline 2 submission) has also been changed to include NRW as a consultee.</p> <p>The Applicant has responded to paragraphs 3.3.1 – 3.3.7 within its response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p>
			<p>CCBC: The CoCP relates to the onshore aspects of the development, and is therefore outside Conwy County Borough. The Council is currently in discussions with the Applicant with a view to seeking mitigation measures for residents within its area arising from offshore construction works.</p>	<p>The Applicant is in ongoing discussion with CCBC to clarify the full results of the Jan 2022 noise monitoring and calculation of the proposed threshold presented in the dDCO. The Applicant will continue to discuss this issue with CCBC environmental health department and hopes that agreement can be reached on appropriate measures to put in place during any night time piling activity.</p>

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			<p>Gwynedd Council: Ydi</p> <p>Gwynedd Council (Translated from Welsh): Yes</p>	This is noted and welcomed by the Applicant.
			DCC: No response given	N/A
			FCC: No response given	N/A
			IoACC: No response given	N/A
			SNP: No response given	N/A
0.19	All Interested Parties	<p>Other Projects and Proposals</p> <p>Are there any other projects that are not documented in the ES that are relevant and need to be considered by the ExA? If so, please identify these projects and the public information source(s) from which you have made your assessment that they are relevant.</p>	<p>NRW: Broadly, we consider the cumulative effects assessment to be comprehensive. Please note our comments in response to question 2.23 and para 2.7.13 of our Written Representation with respect to the marine cumulative effects assessment for disturbance from underwater noise.</p>	This is noted by the Applicant. Responses to the NRW WR in respect of cumulative effects for the underwater noise disturbance assessment have been provided in Document 2.2 of the Applicant's Deadline 2 submission. A clarification note on this matter has also been provided in Document 2.28 of the Applicant's Deadline 2 submission.
			<p>Rhyl Flats Wind Farm Ltd: RFWFL is not aware of other projects which require to be assessed. However, RFWFL would point out that paragraph 2.6.179 of EN-3 requires that "Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect activities for which a licence has been issued by Government, the applicant should undertake an assessment of the potential effect of the proposed development on such existing or permitted infrastructure or activities." Although Chapter 12 of the environmental assessment prepared for the application [APP-058] considers the impacts of the on other marine users and activities - including existing offshore wind farms – this assessment does not extend to assessment of wake loss impacts on RF. Nor does the ES explain why this has been scoped out. There is no material before the examination which assesses the potential impact of the proposed development on the energy yield of RF.</p>	The Applicant has addressed this matter in response to ExQ1.3.27, (REP1-007).

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			<p>North Hoyle Wind Farm Ltd: NHWFL is not aware of other projects which require to be assessed</p>	<p>This is noted by the Applicant.</p>

2.2 Aviation

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
1.2	The Applicant, NATS	Please provide an update on the proposed commercial agreement to mitigate the identified required mitigation of the Great Dun Fell and St Anne's Primary Surveillance Radars.	<p>The Applicant: A draft Radar Mitigation Contract (addressing the mitigation of the Great Dun Fell and St Anne's Primary Surveillance Radars and including proposed wording for an aviation requirement for the dDCO) has been through two rounds of review by the Applicant and NATS. A meeting was held on 12 October 2022 to discuss the outstanding issues. The Applicant expects all matters to be resolved and the contract to be signed in good time during the examination. The Applicant will keep the ExA informed of progress at all relevant deadlines.</p> <p>NATS: A draft Radar Mitigation Contract (addressing the mitigation of the Great Dun Fell and St Anne's Primary Surveillance Radars) has been through two rounds of review by the Applicant and NATS. A meeting was held on 12 October 2022 to discuss the outstanding issues. The Applicant expects all matters to be resolved - and the contract to be signed - in good time during the exam.</p>	<p>N/A</p> <p>This is noted and welcomed by the Applicant.</p>

2.3 Biodiversity, Ecology and Natural Environment

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
2.5	The Applicant, NRW, DCC	<p>General</p> <p>Paragraph 5.3.4 of NPS EN-1 states that the Applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Please can you outline if and how does the application take advantage of opportunities to enhance biodiversity?</p>	<p>The Applicant: The Applicant has taken advantage of the opportunity to enhance biodiversity within the area around the Onshore Substation (OnSS). Proposals to provide biodiversity enhancement have been discussed with Natural Resources Wales (NRW) and Denbighshire County Council (DCC) via Onshore Ecology Expert Topic Group 5 (ETG 5) meetings held in November 2021 (APP-301). The proposals, which were agreed in principle with ETG 5 members, are presented within Section 7.1 and Figure 2 of the Outline Landscape and Ecology Management Plan (oLEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission).</p> <p>The oLEMP sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of AyM.</p> <p>The oLEMP sets out the key elements that will be secured in the final Landscape and Ecology Mitigation Plan (LEMP) which will be agreed with DCC, in consultation with NRW, prior to any construction works commencing.</p> <p>Proposals for biodiversity enhancements include:</p> <ul style="list-style-type: none"> ▲ Creation of five additional ponds/ pools located to the south east of the OnSS and ongoing management of the new ponds plus two existing ponds; ▲ Creation of five reptile/amphibian hibernacula each measuring at least 1m³ and constructed from on site materials including soil, logs, brash and stone; ▲ Creation of twenty reptile/amphibian refugia, each comprising brash piles or log stacks, at least 0.25m³; ▲ Erection of ten bat boxes (additional to those required as compensation for potential roost features (PRFs) to be lost) and ten bird boxes, including two pole mounted barn owl boxes; ▲ Scrub management to promote structurally diverse grassland habitat and benefit reptiles and amphibians; ▲ Creation of 9.8ha of species-rich, lowland meadow Priority Habitat and 6.05ha of diverse neutral grassland, plus management thereafter to ensure its nature conservation interest is maintained; and 	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>▲ Creation of 2.96ha of locally native broadleaved woodland, including locally sourced black poplar <i>Populus nigra</i>.</p> <p>NRW has confirmed (RR-0.15) that it agrees with the proposed principles for mitigation of protected species in the oLEMP (APP-305; Document 1.33 of the Applicant's Deadline 1 submission).</p>	
			<p>NRW: The Applicant should clarify how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation in accordance with the provisions of EN-1. However, NRW notes the following:</p> <p>The Outline LEMP (and the associated DCO Requirement) may secure biodiversity enhancements with respect to Great Crested Newts (GCN). There are important GCN populations within and in the vicinity of the Export Cable Corridor and there is habitat creation as a material component of the scheme that functions to restore FCS and constitutes both enhancement and restoration. Whilst actions are targeted at GCNs there will be ecosystem benefits for a range of species and habitat, we refer you to this report (https://cdn.cyfoethnaturiol.cymru/media/693805/nrw-contract-344-review-of-the-wider-benefits-of-great-crested-newt-conservation-final-july-2021.pdf) for further information on the wider biodiversity and ecosystem benefits of GCN mitigation.</p> <p>Although mitigation has been presented for the offshore marine environment, we are not aware of any particular opportunities presented for enhancement for biodiversity and geological conservation interests.</p>	The Applicant has clarified how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation in accordance with the provisions of EN-1 within the Applicant's response to ExQ1.2.5.
			DCC: No response given	N/A
2.6	The Applicant	General Please can you identify if there is a recognised biodiversity metric tool (such as Natural England current biodiversity metric or similar) to calculate biodiversity net gain (or loss) for the project	<p>The Applicant: In Wales, there is currently no requirement within an ecological impact assessment to quantify losses and gains, e.g. using a metric, and the approach not to use a metric in this case has been agreed with NRW in December 2021 (APP-303).</p> <p>The Welsh Government has recently confirmed its approach to net benefits for biodiversity ('Welsh Government's Approach to Net Benefits for Biodiversity and the DECCA Framework in the Terrestrial Planning System', CIEEM Briefing Paper, September 2022), which aligns with the qualitative approach the</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>and whether you would be able to use it for the project. If no, please explain and describe how biodiversity net gain or loss of the project would be determined.</p>	<p>Applicant's assessment has used. The Welsh Government briefing paper states that:</p> <p>'The net-benefits for biodiversity approach by Welsh Government has the same intent – to deliver an overall improvement in biodiversity - but does not utilise a metric. Instead, it puts the emphasis on proactive consideration of biodiversity and wider ecosystem benefits within a placemaking context early in the design process. The aim is that the planning system will encourage the use of high calibre ecological expertise and early discussions with planning teams to design developments on a case-by-case basis that positively impact ecosystem resilience.'</p> <p>In developing the proposed enhancement measures as set out in Section 7.1 and Figure 2 of the Outline Landscape and Ecology Management Plan (oLEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission), the Applicant has employed ecological specialists to undertake baseline ecology surveys (APP-125 to APP-134), an ecological assessment (APP-066), whilst engaging closely with Natural Resources Wales (NRW) and Denbighshire County Council (DCC) (APP-301 and APP-025) to develop and agree the enhancement proposals.</p> <p>The Applicant considers that biodiversity net gain (net benefits for biodiversity if using Welsh Government terminology) has been achieved through the provision of enhancement measures that provide new benefits for biodiversity in addition to sufficient mitigation (to reduce and/ or eliminate the potential for significant effects) and compensation (to offset residual effects resulting in the loss of, or permanent damage to, ecological features despite mitigation). The Applicant has confirmed with NRW in December 2021 (APP-303) that:</p> <p><i>'the mitigation/compensation/biodiversity enhancement quantum for the application is agreed and therefore meets the relevant Policy requirements'</i>.</p> <p>Given the agreement that has been reached to date with NRW and approach taken by the Welsh Government, the Applicant does not consider a metric-based approach is required to confirm AyM would deliver biodiversity net gain.</p>	
			<p>Welsh Government: No such tool exists for assessments in Wales. We do not have an established policy for the delivery or assessment of marine net gain.</p>	<p>The Applicant notes the comment from Welsh Government on net</p>

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			<p>However, applications would be expected to have taken into consideration policies laid out in the Welsh National Marine Plan such as the protection, restoration and / or enhancement of marine ecosystems (as in ENV01) as part of the development. We would have expected the advice from Natural Resources Wales (NRW), as our Statutory Nature Conservation Body, to have been taken into regard as part the application process.</p> <p>The Welsh Government's WNMP Implementation Guidance (https://gov.wales/sites/default/files/publications/2020-06/welsh-national-marine-plan-implementation-guidance.pdf) provides some examples of restoration and enhancement that could be considered and instructs marine plan users to engage with NRW for advice. NRW have developed and published a guidance note, 'GN 059 Principles supporting restoration and enhancement in marine or coastal development proposal' which sets out the approach to advising on inclusion of restoration or enhancement elements in a marine or coastal development proposal' to set out their approach to advising on inclusion of restoration or enhancement elements in a marine or coastal development proposal, as part of their remit to provide advice (statutory and non-statutory) on how developments might affect the Welsh marine environment.</p>	<p>gain and can confirm that its approach to developing the proposed measures for AyM has been agreed with NRW in December 2021 (APP-303) and therefore, there is alignment with Welsh Government on this matter.</p>
2.8	NRW, JNCC, RSPB, NWWT	<p>Offshore – General</p> <p>Are you satisfied that there is no disturbance assessment available to assess other construction activities such as drilling, dredging, vessel activity? If no, please explain your reasons and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>The Applicant notes that ES Chapter 7: Marine Mammals (AS-026) provides an assessment of the impact of disturbance from other construction activities on marine mammals. It is highlighted in (AS-026) paragraph 51 that: <i>“There is currently no guidance on the thresholds to be used to assess disturbance of marine mammals from drilling, dredging or vessel activity. Therefore, this impact assessment provides a qualitative assessment for these impacts. The assessment is based on the limited evidence that is available in the existing literature for that impact pathway and species combination, where available”</i>.</p> <p>Likewise, ES Chapter 7: Marine Mammals (AS-026) provides an assessment of the impact of disturbance from vessels on marine mammals (1.10.8 Disturbance from construction vessels). Disturbance from vessels is assessed as</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>minor adverse for all species except grey seal, for which it is assessed as negligible adverse.</p> <p>NRW: NRW request clarification from the Examining Authority as to what is being asked under this question – it is currently unclear specifically which receptor and impact pathway this relates to.</p> <p>In order to try to assist the ExA, we offer the following response from an ornithological and marine mammals perspective.</p> <p>Marine Ornithology: NRW are satisfied with the assessments for disturbance on marine ornithology, apart from Pen-y-Gogarth SSSI, a site designated for breeding Kittiwake, Guillemot and Razorbill. Kittiwakes can be affected by windfarms through collision mortality, whereas Guillemots and Razorbills can be displaced by wind farms. We advise that assessment is needed to understand the likely effects of Awel-y-Môr on Pen-y-Gogarth SSSI. In addition, Red-Throated Diver and Common Scoter are features of Liverpool Bay SPA, and Common Scoter are included as a priority species in Section 7 of the Environment (Wales) Act 2016. Both species are sensitive to anthropogenic disturbance and displacement. The Applicant has stated that they will produce a vessel traffic management plan, and NRW welcomes this. We agree that this vessel traffic management plan is needed, and that it adopts measures such as (but not limited to) restricting vessel movements to existing navigation routes. This is necessary to avoid or reduce disturbance, and therefore displacement. As requested by the Applicant, we will work with them to produce and implement the plan. Please see further details in section 2.6 of our Written Representations.</p> <p>Marine mammals: NRW are satisfied that there is no quantitative assessment of underwater noise disturbance from other construction activities (drilling, dredging, vessel activity). The Applicant has addressed these qualitatively in the ES. This is because impacts from the activities are thought to be relatively benign. The following is an excerpt from the SNCBs EPS guidance (JNCC/CCW/NE 2010) and is broadly compatible with the reasons for a qualitative assessment in the EIA as described by the applicant:</p> <p>'Drilling: In the UK, no guidelines exist for mitigating the sound from drilling activities since these are thought to be of relatively low concern for cetaceans. However, for large scale drilling operations, particularly in areas where animals</p>	<p>This response is noted by the Applicant and agreements are welcomed. The Applicant has no further comments to make.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>could become chronically exposed, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur, an assessment of the risk of deliberate disturbance should be carried out and consideration given to whether appropriate mitigation is feasible.</p> <p>Dredging: There are no specific good practice guidelines on how to mitigate for the potential impacts to marine EPS during this activity since the risk of injury is considered negligible. However, an assessment of the likelihood of disturbance occurring as a result of the activity should be undertaken by those responsible for dredging in areas where there is a risk that animals could be chronically exposed to the dredging noise, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur.</p> <p>Vessel movements: It is most unlikely that a passing vessel would cause more than trivial disturbance. It is the repeated or chronic exposure to vessel noise that could cause disturbance in the terms of the Regulations.' JNCC/CCW/NE (2010). The protection of marine European Protected Species from injury and disturbance. Guidance for the marine area in England and Wales and the UK offshore marine area. Joint Nature Conservation Committee, Natural England and Countryside Council for Wales. June 2010 Available here. (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850708/Draft_Guidance_on_the_Protection_of_Marine_European_Protected_Species_from_Injury_and_Disturbance.pdf)</p>	
			<p>JNCC: JNCC are satisfied with there being no quantitative assessment of underwater noise disturbance from other construction activities including drilling, dredging and vessel activity. We are content with the qualitative assessment undertaken by the applicant in the ES as potential impacts from these activities are considered to be relatively benign. The applicant's justification is broadly compatible with SNCB guidance (JNCC/CCW/NE 2010), which includes the following:</p> <p>Drilling: In the UK, no guidelines exist for mitigating the sound from drilling activities since these are thought to be of relatively low concern for cetaceans. However, for large scale drilling operations, particularly in areas where animals</p>	<p>This response is noted by the Applicant. The Applicant has no further comments to make.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>could become chronically exposed, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur, an assessment of the risk of deliberate disturbance should be carried out and consideration given to whether appropriate mitigation is feasible.</p> <p>Dredging: There are no specific good practice guidelines on how to mitigate for the potential impacts to marine EPS during this activity since the risk of injury is considered negligible. However, an assessment of the likelihood of disturbance occurring as a result of the activity should be undertaken by those responsible for dredging in areas where there is a risk that animals could be chronically exposed to the dredging noise, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur. See also section 3.3 on aggregate extraction.</p> <p>Vessel movements: It is most unlikely that a passing vessel would cause more than trivial disturbance. It is the repeated or chronic exposure to vessel noise that could cause disturbance in the terms of the Regulations.</p> <p>JNCC/CCW/NE 2010. The protection of marine European Protected Species from injury and disturbance. Guidance for the marine area in England and Wales and the UK offshore marine area. Joint Nature Conservation Committee, Natural England and Countryside Council for Wales. June 2010 Available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850708/Draft_Guidance_on_the_Protection_of_Marine_European_Protected_Species_from_Injurt_and_Disturbance.pdf</p>	
			<p>RSPB: Due to ongoing resource constraints, we reserve the right to respond to this question at a future Deadline.</p>	This is noted by the Applicant.
			<p>NWWT: No response given</p>	N/A
2.9	The Applicant	<p>Offshore – General Please can you describe your approach to the marine environment and marine net gains principles.</p>	<p>The Applicant: The Applicant confirms that it is committed to reducing the environmental impact of the Project wherever possible, an example of this is where the offshore Project boundary has been refined to reduce the impact on the marine environment (the cable route selection process has for example avoided Constable Bank).</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>The Applicant has been actively participating in the recent Marine Net Gain principles consultation and will continue to follow the development of this process. At present the Welsh equivalent of this process 'Net Benefits for Biodiversity' has not been established for the Marine Environment and there is therefore no requirement to include Marine Net Gain as part of the Project application. However, the Applicant will engage positively with the process when the approach has become clearer and stipulated within policy. However, the Applicant is cognisant that there are emerging solutions to ecological engineering for example, cable protection with biodiversity in mind. The Applicant will ensure these options are thoroughly appraised at post-consent (within the CSIP) when the specific cable protection design is to be agreed (see also Condition 20 of the Marine Licence Principles Document (Document 1.24 of the Applicant's Deadline 1 submission)).</p> <p>Welsh Government: We expect all developments in Welsh waters to have regard for the Welsh National Marine Plan including in ENV01 (Resilient marine ecosystems) and ENV02 (Marine Protected Areas). It is further expected that developers will consider opportunities to ensure the protection, restoration and / or enhancement of marine ecosystems (ENV01) in the marine environment as part of their proposal, above and beyond mitigation and/or compensation as deemed necessary. As described for query 2.6 a marine net gain policy in Wales has not been defined to date and principles are as yet to be determined. We are aware of the recent consultation by DEFRA on marine net gain principles. These are, however, not applicable to assessments in Wales.</p>	
2.11	NRW, JNCC, NWWT	<p>Offshore - Baseline data and modelling Are you satisfied with: a) the information contained in table 22, ES Volume 4 [APP-106] with the listed species, mu size and density estimates recommended for use in</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>The modelling locations were agreed as appropriate via the Marine Ecology ETG (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303)).</p> <p>NRW: a) NRW are satisfied with the parameters used.</p>	<p>N/A</p> <p>This is noted and welcomed by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		the quantitative impact assessment; b) the two modelling locations northwest & southeast of the array area represent the locations closest to important marine mammal areas; c) the swimming speeds per mammal assumed in the impact assessment. If no to any of the above points, please explain reasons and provide evidence justification.	<p>b) NRW are satisfied with the parameters used. c) NRW are satisfied with the parameters used.</p> <p>JNCC: a) Yes, we are satisfied with the information provided in Table 22. b) The model locations were chosen based on water depth rather than distance to important marine mammal areas, however we are in agreement with this approach as water depth influences how noise propagates through the water column. c) Yes, we agree with the swim speeds applied in the noise assessment.</p> <p>NWWT: No response given</p>	This is noted and welcomed by the Applicant.
2.13	NRW, JNCC, NWWT	Offshore – Marine Mammal Are you satisfied that as there is no threshold for temporary threshold shift (TTS) onset (that would indicate a biological significant amount of TTS), it is not possible to carry out a quantitative assessment of magnitude or significance of the impact of TTS on marine mammals? [AS-026]. If no, please explain your reason and provide evidence justification.	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>The Applicant highlights that the approach used in the ES follows the advice provided in: Natural England (2022) Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards Phase III: Expectations for data analysis and presentation at examination for offshore wind applications.</p> <p><i>“The Applicant should present the TTS ranges and assess the number of animals that may be exposed to TTS. However, TTS onset thresholds and the biological consequences of TTS are not currently understood (Faulkner et al., 2018), so there is not a requirement to assess the potential significance of this impact.”</i></p> <p>Please note, in their section 42 response, JNCC stated that they were <i>“content for the TTS assessment to be qualitative in nature, on the basis that injury is defined as the onset of PTS, not TTS”</i> (see APP-024 paragraph 302).</p> <p>NRW: NRW are satisfied with the reasoning for exclusion as described by the Applicant. There is no threshold (in terms of numbers of animals) for temporary</p>	N/A
				This is noted and welcomed by the Applicant.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>threshold shift (TTS) onset that would be of biological significance. A large enough dose (in terms of level or time) of underwater noise would eventually cause the shift in hearing sensitivity to become permanent (PTS) but PTS is assessed separately. Given that TTS is inherently temporary in nature, lasting between minutes to a few days, it could not have long term biologically significant population effects.</p> <p>JNCC: We are in agreement with the assessment undertaken, that is, a quantitative assessment of PTS for injury with a qualitative assessment of TTS providing extra context.</p> <p>TTS thresholds are sometimes used to assess ranges within which disturbance could occur, however, assigning magnitude and or significance to this is very difficult as defining disturbance can be subjective and how an individual animal will respond to a disturbing stimuli can vary greatly depending on the importance of the area and the individuals previous experience.</p> <p>NWWT: No response given</p>	This is noted and welcomed by the Applicant.
2.14	NRW, JNCC, NWWT	<p>Offshore – Marine Mammal</p> <p>To assess potential for behaviour disturbance in marine mammals from unexploded ordnance (UXO) detonations the Applicant has presented impact assessment for 26km effective deterrence range (EDR) for high-order detonations; 5km EDR for low-order detonations; and TTS-onset thresholds for high-order detonations in [AS-026]. Are you satisfied with these assessments? If no, please explain the reasons</p>	<p>The Applicant: The potential thresholds for the UXO disturbance assessment are detailed in (APP-108) ES Volume 4, Annex 7.3: Marine Mammal Quantitative Noise Impact Assessment – Assumptions, Limitations and Uncertainties. This includes assessment of the following thresholds: EDR, TTS, Lucke et al (2009), Level B harassment; as well as information on noise propagation models (e.g. Soloway & Dahl 2014).</p> <p>(AS-026) ES Volume 2 Chapter 7 Marine Mammals, Section 7.10.6 “Disturbance from UXO” assesses disturbance using a 26 km EDR (high order), a 5 km EDR (low order) and TTS-onset thresholds.</p> <p>The Applicant notes that NRW and JNCC differ in their opinion on the use of EDRs to assess disturbance, which is why a range of potential disturbance assessment methods were presented in the ES.</p> <p>22/12/2021 - JNCC response to ETG actions: JNCC agreed with the use of EDRs to assess disturbance from UXO clearance.</p> <p>NRW: NRW is satisfied with these assessments. For single high order detonations of unexploded ordnance (UXO), NRW advises the use of a fixed TTS-onset threshold. This is because: (1) the standard methodology for modelling noise</p>	N/A
				This is noted and welcomed by the Applicant. The Applicant also wishes to highlight that whilst UXO

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		and provide evidence justification.	<p>propagation for underwater explosions, Soloway & Dahl (2014), is known to overestimate the impact range due to various simplifying assumptions, (2) a one-off explosion would probably only elicit a startle response and would not cause widespread and prolonged displacement (JNCC 2010), (3) There are currently no fixed thresholds to assess behavioural disturbance from UXO. Thus, using a TTS-onset threshold (which is normally considered the least precautionary option for assessing disturbance) achieves a good balance to avoid overly conservative impact range estimates. For low order detonations, as with high order detonations, there are no fixed thresholds to assess behavioural disturbance from UXO. Low order detonations would also not be expected to elicit TTS in marine mammals except at very close range. Thus, the next best available sufficiently precautionary option, in our opinion, is to apply a 5 km EDR.</p> <p>JNCC: We are satisfied with the assessment undertaken for UXOs given the level of information available at this time; the application of different EDRs represents the preferred and worst-case options, and the additional TTS assessment provides additional context with the combination providing a more robust assessment. We would expect this assessment to be repeated should it be confirmed UXO clearance is required, taking into account the specifics of the devices and method of clearance.</p> <p>NWWT: No response given</p>	<p>detonation has been assessed in the ES, the Applicant is not seeking to licence this activity in its Marine Licence application at this stage. If it is determined post-consent that UXO detonation is required, a separate marine licence application for the activity would be made.</p> <p>As above, this is noted and welcomed by the Applicant.</p> <p>N/A</p>
2.18	NRW	<p>Offshore – Marine Mammals</p> <p>With reference to your Relevant Representation [RR-015] please can you explain with evidence justification:</p> <p>a) What is meant by “<i>area-based assessment should be carried out where the extent of habitat that is insonified to a level that might produce significant disturbance is determined</i>”;</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>These topics were discussed with NRW at the meeting: Awel y Môr Offshore Wind Farm - NRW discussion on Representations (Marine Ecology) on 6 September 2022.</p> <p>Responses to these specific points have been detailed in the Marine Mammal Clarification Note (Document 1.2 of the Applicant's Deadline 1 submission).</p> <p>NRW: Please refer to our Written Representation and specifically section 2.7, paragraphs 2.7.5d i-v and 2.7.6 - 2.7.11</p>	<p>N/A</p> <p>The Applicant has provided response to the Written Representations in Document 2.2 of</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>b) the alternative to the "use of dose/response curves to conduct an area-based assessment to estimate area of harbour porpoise habitat disturbed"; and</p> <p>c) your reasons for "insufficient justification to support a conclusion of no Likely Significant Effect from vessel collision for bottlenose dolphin, grey seal or harbour porpoise features of relevant SACs".</p>		the Applicant's Deadline 2 submission.
2.19	NRW, JNCC, NWWT	<p>Offshore – Marine Mammals</p> <p>Draft Outline Marine Mammal Mitigation Protocol - Paragraph 20 [APP-107] states "Given these levels of uncertainty and over-precaution, and given that this is an evolving field of research, the Project does not consider it necessary to commit to mitigating cumulative PTS-onset at this stage". Please can you respond to this statement and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA. The Applicant refers the ExA to its response to ExQ1.2.17 on this matter.</p> <p>NRW: Please refer to our Written Representations.</p> <p>JNCC: As communicated previously, we do not agree to not mitigating injury ranges predicted using the cumulative PTS onset metric at this stage (also known as the cumulative SEL). JNCC are content the proposed mitigation when using the PTS onset peak SPL metric are appropriate for piling, but we consider this document to be a starting place for discussion. We are content to finalise this post-consent, at which point we will consider any new evidence in conjunction with the final design envelope. We appreciate the uncertainty inherent when estimating both metrics may result in precautionary injury ranges however, they represent current industry best practice, and no suitable alternatives are provided by the applicant. As a result, a precautionary</p>	<p>N/A</p> <p>The Applicant has provided response to the Written Representations in Document 2.2 of the Applicant's Deadline 2 submission.</p> <p>This is noted by the Applicant. At Deadline 1, the Applicant provided a clarification note (REP1-002) which confirmed that cumulative PTS would be mitigated by the MMMP unless guidance and advice at the time suggests it is not appropriate to do so. It is understood that this matter is now agreed and will be confirmed in</p>

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			<p>approach must be adopted. We are particularly concerned about the distances predicted for minke whale, which range between 2.6 and 10km, as low frequency noise produced during piling has the potential to propagate further through the water column. We also highlight this MMMP is not appropriate for UXO clearance and a separate plan will need to be developed should this be required.</p>	<p>the SoCG between the Applicant and JNCC.</p> <p>In relation to UXO, the Applicant notes that the MMMP (APP-107) has been developed specifically for piling, and should UXO detonation be required, this would be the subject of a separate Marine Licence application, which would be expected to have a condition securing a UXO-specific MMMP.</p>
			<p>NWWT: No response given</p>	<p>N/A</p>
2.23	NRW, JNCC, NWWT	<p>Offshore – Marine Mammals Are you satisfied with the list of projects in [AS-026] screened into the marine cumulative effects assessment (CEA) for disturbance from underwater noise? If not, please explain your reasons and provide evidence justification.</p>	<p>NRW: NRW has potential concerns with the CEA. We note that the projects screened into the CEA differ between fish/shellfish and marine mammals for the same impact pathway (underwater noise) and some projects are screened in for assessment in the screening matrices but excluded in the CEA assessment. Several projects are missing from the Marine Mammal CEA although they are included and qualitatively assessed for fish & shellfish. For example, compare Table 45 Volume 2 Chapter 6 [APP-052] - which includes North Wales Tidal Energy Project, Mostyn Lagoon, Morgan & Mona offshore windfarms (also known as EnBw and BP) and Morecome Offshore windfarm (also known as Cobra & Flotation Energy) - with Table 48, 50 & Figure 28 of Volume 2 Chapter 7 [AS-026], which for harbour porpoise, grey seal and bottlenose MMMUs of relevance to Wales (i.e. southwestern Britain) includes only Dublin Array, Erebus and North Hoyle offshore windfarm. Mona and Morgan are screened in for inclusion in the CEA matrices (Volume 1. Annex 3.1 Cumulative Effects Assessment Methodology [APP-042]) for both fish and marine mammals but not included in the CEA assessment in the marine mammal chapter (Volume 2 Chapter 7 [AS-026]). Moreover, Morecombe is screened in for fish but not for marine mammals in the assessment matrices and excluded in the CEA assessment in the marine mammal chapter. It is also unclear to NRW why Morlais tidal project and Valorous Floating offshore windfarm have been screened out of the marine mammal CEA. Other</p>	<p>The Applicant has provided a clarification note (Document 2.28 of the Applicant's Deadline 2 submission) in response to these points.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>projects may also be missing e.g., Greenlink interconnector. It is unclear whether these inconsistencies make a material difference to the conclusions of the CEA without further information. We have alerted the Applicant to these discrepancies and are seeking clarification with them; please see paragraph 2.7.13 of our Written Representation.</p> <p>JNCC: We are content with the list of projects screened into the cumulative effects assessment.</p> <p>NWWT: No response given</p>	<p>This is noted and welcomed by the Applicant.</p> <p>N/A</p>
2.26	NRW, JNCC, NWWT	<p>Offshore – Marine Mammals Are you satisfied with: a) The impact magnitude definitions given in Table 9, [AS-026]; and b) The description/reason in Table 10 Sensitivity/importance of the environment? [AS- 026]. If not, please explain your reasons and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>Agreement on marine mammal sensitivity definitions was reached with NRW and JNCC via the Evidence Plan process (APP-301, APP-302 and APP-303). This was confirmed in the NRW and JNCC responses received Jan 2020 to the PTS sensitivity note submitted (see AS-026, Table 3: Summary of consultation relating to marine mammals).</p> <p>NRW: NRW are satisfied with the definitions of magnitude and sensitivity/importance categories.</p> <p>JNCC: a) Yes, we are satisfied with the magnitude definitions provided in Table 9 b) Yes, we are satisfied with the sensitivity/importance definitions provided in Table 9. We previously questioned how these were applied, as dolphins were initially considered a low sensitivity to PTS, however this was subsequently increased to medium.</p> <p>NWWT: No response given</p>	<p>N/A</p> <p>This is noted and welcomed by the Applicant.</p> <p>This is noted and welcomed by the Applicant.</p> <p>N/A</p>
2.31	The Applicant, NRW	<p>Offshore – Mitigation [AS-026] (Table 3) states that “NRW agreed with the proposed approach to incorporation of ADDs [acoustic deterrent devices]</p>	<p>The Applicant: The Applicant cross refers the ExA to its response to ExQ1.2.1.</p> <p>a) The potential use of ADDs as mitigation will be determined in the final MMMP once updated underwater noise modelling has been undertaken on the final piling parameters. The use of ADDs will be assessed considering the mitigation efficacy for the final mitigation zone but also balancing the potential for disturbance resulting from the use of</p>	<p>N/A</p>

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		<p>into the MMMP". The draft outline Marine Management Mitigation Protocol (MMMP) suggests some uncertainty as to whether an ADD is to be delivered – for example, paragraph 32 states "If an ADD is chosen as part of the suite of mitigation measures set out in the final MMMP...".</p> <p>a) Can the Applicant explain what factors would affect the decision on whether to select an ADD as part of the suite of mitigation measures set out in the final MMMP?</p> <p>b) Can the Applicant and NRW comment on whether it is necessary to secure provision of an ADD through the DCO?</p>	<p>the ADDs. The final mitigation measures will be discussed and agreed with NRW at the time of drafting the final MMMP in the detailed design phase (see Document 1.24 of the Applicant's Deadline 1 submission).</p> <p>b) ADDs are not considered to be required in the DCO as they will be adequately secured via the MMMP, which will be secured as a standard condition of any Marine Licence granted by NRW (see APP-107 and Document 1.24 of the Applicant's Deadline 1 submission).</p> <p>NRW: Please refer to NRW's written representation with regard to mitigation – see section 2.7 Please also see the response to question 2.107 and paragraph 4.1.6 of the written representation.</p> <p>JNCC: b) As previously stated, we do not agree with the approach to only mitigate injury ranges using the SPL metric, and advise that while the draft MMMP provided is a good starting place, it requires further discussion post-consent before being finalised. This will enable any new evidence published in the meantime to be considered and enable the plan to reflect the final design envelope. We are content with the inclusion of ADDs as a maybe in the MMMP at this stage on the assumption the MMMP is agreed with the Regulator and JNCC/NRW-A post-consent. As a minimum, the DCO should secure the requirement for a MMMP to be agreed with the Regulator and JNCC/NRW-A before construction commences however it is up to the Regulator whether ADDs are specifically mentioned. The condition could, for example, describe some of the measures to be considered in the plan which could include ADDs however any condition should enable flexibility, not just to account for new evidence and the final design envelope, but also to allow consideration/inclusion of any new mitigations methods which may be available at the time. We note the applicant does not commit to using noise abatement; this is a shame as it could reduce noise levels from piling in the marine environment and potentially negate the requirement for an ADD, or at least reduce the duration for which it is required to be active. We are however, content to discuss this with the applicant post-consent.</p> <p>We again highlight that this MMMP should be considered for piling only, and that a separate MMMP will be needed should UXO clearance be required. While there will be overlap in the methods applied, the potential injury ranges</p>	<p>The Applicant has provided a response to NRW's WR in Document 2.2 of the Applicant's Deadline 2 submission.</p> <p>This is noted by the Applicant. At Deadline 1, the Applicant provided a clarification note (REP1-002) which confirmed that cumulative PTS would be mitigated by the MMMP unless guidance and advice at the time suggests it is not appropriate to do so. It is understood that this matter is now agreed and will be confirmed in the SoCG between the Applicant and JNCC.</p> <p>In relation to UXO, the Applicant notes that the MMMP (APP-107) has been developed specifically for piling, and should UXO detonation be required, this would be the subject of a separate Marine Licence application, which would be expected to have a condition securing a UXO-specific MMMP.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			could be far larger depending on the device found and the method of clearance therefore a bespoke MMMP will be needed.	
2.37	NRW	<p>Offshore – Monitoring</p> <p>Could NRW comment on the scope of the proposed monitoring during piling procedures, as described in Volume 4: Annex 7.2: Draft Outline Marine Mammal Mitigation Protocol [APP-107]?</p>	<p>The Applicant: The Applicant notes that the monitoring during piling presented in the draft MMMP (APP-107) is in line with that outlined in JNCC (2010) Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise.</p> <p>NRW: Please refer to NRW's written representation with regard to mitigation of cumulative Permanent Threshold Shift (PTS) (sections 2.7.5). The MMMP describes standard procedures for monitoring a 'mitigation' zone as per the industry standard guidelines to reduce injury (PTS) (JNCC 2010). Additionally, Noise Abatement is described in the MMMP, although their use is dependent on their need to mitigate cumulative PTS rather than instantaneous PTS. Necessary mitigation measures and piling monitoring will be regulated under a Marine Licence.</p> <p>JNCC: The methods proposed in the MMMP are broadly in line with guidelines published by JNCC in 2010, with additions included to reflect current methods of mitigation. Visual monitoring is undertaken by a trained marine mammal observer and sometimes supplemented with acoustic monitoring. This is standard procedure for the mitigation described in the MMMP. We highlight however, the aim of this mitigation is to reduce the risk of injury and while it will also reduce disturbance, it is not the main purpose. Should additional data on marine mammal behavioural responses to piling be required, additional monitoring could be considered, for example, deployment of a PAM array to record vocalisations before, during and after the piling activity. While this can help validate assumptions made in the ES regarding disturbance, we consider this level of monitoring outside the remit of injury mitigation.</p>	<p>N/A</p> <p>The Applicant has provided a response to NRW's WR in Document 2.2 of the Applicant's Deadline 2 submission. The Applicant proposes a MMMP to be secured as a condition in any Marine Licence granted (see Condition 35 of the Marine Licence Principles (Document 2.22 of the Applicant's Deadline 2 submission)).</p> <p>This is noted by the Applicant. The Applicant proposes a MMMP to be secured as a condition in any Marine Licence granted (see Condition 35 of the Marine Licence Principles (Document 2.22 of the Applicant's Deadline 2 submission)).</p>
2.38	RSPB	<p>Offshore – Ornithology</p> <p>Are you satisfied with the applicant's approach to Statutory Nature Conservation Bodies Interim</p>	<p>The Applicant: The Applicant undertook the 24 months of aerial digital surveys prior to the update to the Statutory Nature Conservation Bodies Interim Advice on The Treatment of Displacement for Red-Throated Diver (2022). Prior to commencement of the digital aerial surveys, the Applicant consulted with the Offshore Ornithology ETG members (including RSPB) on the most appropriate</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>Advice on The Treatment of Displacement for Red-Throated Diver (2022)? If not, please explain your reasons and provide evidence in justification.</p>	<p>survey buffers to ensure any displacement effects on red-throated diver can be appropriately assessed. As stated within Volume 4, Annex 4.5: Offshore Scoping and Consultation Responses (APP-099), an asymmetric 8 km buffer was agreed with NRW as the relevant SNCB as appropriate for characterisation and assessment for AyM.</p> <p>RSPB: The Applicant's approach, as detailed in our Written Representations, does not consider the conservation objective of "maintaining or restoring the extent and distribution of the habitats of the qualifying features" in the context of the displacement of red-throated diver within the SPA, leading to the redistribution of these birds and a functional reduction of the size of the SPA.</p>	<p>The Applicant's approach as set out in the RIAA (APP-027), considers the likely effects on red throated diver of various phases of the proposed development, in the context of the relevant SPA. In terms of the Liverpool Bay SPA, the conservation objective of maintaining the extent of the supporting habitat for red throated diver within the site is listed in paragraph 349 of the RIAA (APP-027) and considered thereafter. Paragraphs 401 and 402 of the RIAA (APP-027) provide the relevant conclusions in relation to construction/ decommissioning phase activities, and paragraphs 434 and 435 in relation to operation and maintenance phase activities, both of which confirm there will be no long-term habitat loss or change to habitat quality.</p> <p>These conclusions refer to activities affecting a small part of the Liverpool Bay SPA, and confirm that any displacement effects will be temporary and localised and therefore will not lead to a</p>

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				permanent re-distribution of red throated divers within the SPA.
2.39	NRW, JNCC, RSPB, NWWT	<p>Offshore – Ornithology</p> <p>Are you satisfied with the existing baseline data and for a future baseline to be informed by extrapolation of the currently available data by reference to policy and plans, other proposal applications and expert judgement? (Paragraph 40, [APP-050]). If not, please explain your reasons and provide evidence justification.</p>	<p>The Applicant: As detailed in Volume 4, Annex 4.5: Offshore Scoping and Consultation Responses (APP-099), during ETG#1 the Applicant and the Offshore Ornithology ETG discussed and agreed on which data sources are required to inform baseline characterisation for AyM.</p> <p>NRW: NRW are satisfied with the existing site-characterisation. However, a baseline survey may be needed for post-consent monitoring. Please see written representations for specific comments on Red-Throated Diver post consent-validation monitoring (paragraphs 2.6.14 - 2.6.15).</p> <p>JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC, given it is a jointly managed MPA for both JNCC and NRW. We defer to NRW on matters relating to other sites in Welsh waters. Natural England (NE) is authorised to exercise JNCC's functions as a statutory consultee in respect of certain applications for offshore waters adjacent to England (0-200 nm). As such, we defer to NE to input SNCB views regarding nature conservation advice relating to English offshore waters.</p> <p>RSPB: In our Written Representations, we list further details of the survey methodology that we require to be provided in order to have confidence in the baseline survey data.</p>	<p>N/A</p> <p>This is noted by the Applicant. The Applicant expects ornithological monitoring to be secured as a condition of the Marine Licence (see the Marine Licence Principles (Document 2.22 of the Applicant's Deadline 2 submission)).</p> <p>This is noted by the Applicant. It is also noted that Natural England have indicated that they do not wish to take part in the examination for AyM.</p> <p>The Applicant has responded to the WR from RSPB in Document 2.2 of the Applicant's Deadline 2 submission. In summary, the Applicant considers that the survey methodology is robust and in line with that for other recently consented offshore wind farms. Furthermore, the survey methodology was discussed via the Offshore Ornithology ETGs (see Evidence Plan Reports and supporting appendices (APP-301,</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				APP-302 and APP-303, respectively) and agreed as appropriate with the statutory nature conservation bodies (SNCBs), including NRW.
			NWWT: No response given	N/A
2.41	NRW, JNCC, RSPB, NWWT	<p>Offshore – Ornithology</p> <p>Are you satisfied:</p> <p>a) That the site-specific baseline surveys and sample sizes could not be used to accurately calculate site-specific flight heights for the four species selected for CRM, and consequently band 2 and 3 were applied and presented in the report? Paragraph 2.1 [APP-097];</p> <p>b) With the list of migratory birds screened in for modelling migropath and broad front modelling in table 1 in ES Volume 4 [APP-098];</p> <p>c) With the worked example for apportioning gannet collision mortalities to colonies during migration free breeding season (April to August) table 1 [APP-032]; and</p> <p>d) With the potential likely significant effects listed within the Matrixes? ES</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant but has provided the following response which may be useful context for the ExA.</p> <p>a) As detailed in Volume 4, Annex 4.5: Offshore Scoping and Consultation Responses (APP-099), it was agreed between the Offshore Ornithology ETG and the Applicant during ETG#3 that the Jonhston <i>et al.</i>, (2014) would be the most appropriate datasets for informing flight heights.</p> <p>b) The Applicant shared the screening matrix of migrant species scoped in and out for assessment with the Offshore Ornithology ETG for discussion. As detailed in Volume 4, Annex 4.5: Offshore Scoping and Consultation Responses (APP-099), the Applicant included pintail within migratory assessments at the request of NRW. The Applicant also provided a response to JNCC as to why some of the species they queried were screened out, further details of which can be found in Appendix A of Volume 4, Annex 4.4: Migratory Collision Risk Modelling (APP-097).</p> <p>c) The Applicant intends to provide an update to the Ornithology Apportioning Note at the request of JNCC in response to technical feedback via their Marine Licence response to provide the apportionment calculations for review for all offshore ornithology receptors and this will be submitted to the ExA at a subsequent Examination deadline for completeness.</p> <p>d) The potential likely significant effects listed within the screening matrices were consulted on during the consultation process as detailed in Table 1 of Report 5.2: Report to Inform Appropriate Assessment (APP-027).</p>	N/A
			NRW: NRW are satisfied with these approaches.	This is noted and welcomed by the Applicant.
			JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC,	As above, the Applicant notes that Natural England have indicated

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		Report 5.2 [APP-033]. If not, please explain your reasons and provide evidence justification.	<p>given it is a jointly managed MPA for both JNCC and NRW. We defer to NRW on matters relating to other sites in Welsh waters. Natural England (NE) is authorised to exercise JNCC's functions as a statutory consultee in respect of certain applications for offshore waters adjacent to England (0-200 nm). As such, we defer to NE to input SNCB views regarding nature conservation advice relating to English offshore waters.</p> <p>RSPB:</p> <p>a) The RSPB agree that in the absence of a reliable and fully validated method for obtaining flight height data during site-specific surveys that the Johnston et al., height data used for Band Model options 2 and 3 are the most reliable. However we consider that the outputs of Option 2 are, at present, the most reliable.</p> <p>b) The RSPB are content with the species list</p> <p>c) The work example has been shown correctly, however the RSPB would prefer that the full breeding season is used. It is also not clear which model scenario the collision mortalities presented are derived from.</p> <p>d) We disagree with the scoping out of Manx shearwater. Please refer to our Written Representation paragraphs 4.15 to 4.20.</p> <p>NWWT: No response given</p>	<p>that they do not wish to take part in the examination for AyM.</p> <p>This is noted by the Applicant and agreements are welcomed. Please see the Applicant's response to RSPB's WR in Document 2.2 of the Applicant's Deadline 2 submission.</p>
2.65	NRW, DCC, NWWT, Envirowatch, EU, Sustainable Cymru	<p>Onshore – Mitigation</p> <p>Are you satisfied the following provide sufficient mitigation measure details and are adequate for preparing future detailed versions:</p> <p>a) outline Code of Construction practice [APP-312];</p> <p>b) outline Construction Method Statement [APP-313];</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but has provided the following response which may be useful context for the ExA.</p> <p>The Applicant provided draft copies of the outline Code of Construction Practice (CoCP) (APP-312; Document 1.49 of the Applicant's Deadline 1 submission) and Construction Method Statement (CMS) (Document 1.50 of the Applicant's Deadline 1 submission) when undertaking Statutory Consultation between August and October 2021. Feedback was received from both Natural Resources Wales (NRW) and Denbighshire County Council (DCC) regarding the CoCP and associated management plans, which has been incorporated into the submitted versions (for example, within its response to S.42 consultation, DCC requested a Construction Communications Plan that has been included within the application (APP-324)).</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>c) outline Landscape and Ecology Management Plan [APP-305]. If not for any of the above points please explain reasons and provide evidence justification.</p>	<p>Proposals to avoid, reduce, mitigate or compensate for potential impacts on biodiversity resources and measures intended to provide biodiversity enhancements were discussed with NRW and DCC via Onshore Ecology Expert Topic Group 5 (ETG 5) meetings held in November 2021 (APP-301). The proposals were agreed in principle with ETG 5 members and are presented within Section 7.1 of the Outline Landscape and Ecology Mitigation plan (oLEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission).</p> <p>NRW has confirmed (RR-0.15) that it agrees with the conclusions in the ES and the recommendations and proposed principles for mitigation for protected species in the Outline Landscape and Ecology Management Plan (LEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission).</p>	
			<p>NRW: NRW advise as follows:</p> <p>a) With respect to the Outline Code of Construction Practice, NRW is satisfied that sufficient information has been included to inform the detailed version, to be approved as part of DCO Requirement 10.</p> <p>b) With respect to the Outline CMS, as detailed in paragraph 3.3.5 and 3.6.3 of our Written Representations, we advise that amendments are made to the Outline CMS. We would also refer you to our comments on the Water Framework Directive (Onshore works) in paragraphs 3.3.1 – 3.3.7 which explain that further information is required to evidence the appropriate watercourse crossing methods (as described in the Outline CMS) at each location.</p> <p>c) As detailed in paragraphs 3.4.2 and 3.7.3 of our Written Representations, we advise that amendments are made to the Outline LEMP.</p>	<p>a) The Applicant welcomes this confirmation from NRW that the CoCP contains sufficient information</p> <p>b) The CMS has been updated in line with the comments in paragraph 3.6.3. The Applicant has responded to paragraphs 3.3.1 – 3.3.7 within its response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>c) The Applicant is agreeable to NRW's proposals and has incorporated them in the revised oLEMP (Document 2.10 of the Applicant's Deadline 2 submission).</p>
			<p>DCC: No response given</p>	<p>N/A</p>
			<p>NWWT: No response given</p>	<p>N/A</p>

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			Envirowatch EU: No response given	N/A
			Sustainable Cymru: No response given	N/A
2.79	The Applicant, NRW, NWWT, Envirowatch. EU	Onshore – Hedgerow Please can you advise on the recovery time of a hedgerow to ecological function for use per species?	<p>The Applicant: Table 12 of Volume 3, Chapter 5: Biodiversity and Nature Conservation (APP-066) under the section on Habitat Fragmentation states that it is anticipated that the hedgerows will have recovered ecological function for most species within five years. This is likely to be the case for species such as nesting birds or dormice.</p> <p>Species which use the base of hedgerows, such as newts, hedgehogs, etc may start using the base of the hedgerow sooner, once the ground flora has established. However, as per the Outline Landscape and Ecology Management Plan (oLEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission), paragraph 62, it is expected the ground flora around the hedgerow plants may need to be treated with herbicide for up to three years, which would delay the ground flora being available for the terrestrial species (i.e.: newts, hedgehogs etc). Therefore, although the ground flora, base of the hedgerows maybe available for terrestrial species to use sooner than the hedgerow itself for the purposes of the assessment it is assumed it would also only be available after five years.</p> <p>NRW: Hedgerow planting/management has an important role to play in maintaining or restoring the Favourable Conservation Status of protected species (e.g. bats) during the construction and operational phase of the development. These are features of the landscape which, by virtue of their linear and continuous structures that are functionally required for the migration, dispersal and genetic exchange of wild species. The Outline LEMP includes a number of mitigation and compensation measures to ensure that bat commuting/foraging flight lines are maintained throughout construction and site restoration. NRW is satisfied that the Outline LEMP includes appropriate mitigation (with respect to hedgerow planting) to inform the detailed version that will be approved by the discharging authority. With respect to hedgerow restoration as an important ecological resource in its own right, then we would defer to Denbighshire County Council, as the local planning authority, who may be able to advise further on this matter.</p>	N/A
			NWWT: No response given	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			Envirowatch EU: No response given	N/A
2.91	NRW, DCC, RSPB	<p>Onshore – Habitats and Species</p> <p>Are you satisfied with:</p> <p>a) The designated sites listed in Table 5: Designated Sites Scoped out of the Assessment ES Volume 3, Chapter 5 (APP-066);</p> <p>b) The targeted scope of the wintering bird survey and that significant effects on other wintering bird species are unlikely and surveys for other species were not considered necessary (ES Volume 5 – Annex 5.3 [APP-126]); and</p> <p>c) That assessment of noise impact upon ecological receptors is not required for the cable route or OnSS (paragraph 105 of ES Volume 3, Chapter 10 [APP-071]).</p> <p>If not, please explain reasons and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>a) With regard to designated sites, Natural Resources Wales (NRW) provided an advice note provided 24 February 2021 – prepared after receipt of a preliminary ecological appraisal (PEA) report (included as ES Volume 5, Annex 5.1: Preliminary Ecological Appraisal Report (APP-120)), which confirmed specified statutory sites can be scoped out of the assessment [Liverpool Bay SPA, Dee Estuary SPA/SAC/Ramsar/SSSI, Llwyn SAC/SSSI, Elwy Valley Woods SAC/Coedwigoedd Elwy a Meirchion SSSI, Traeth Pensarn SSSI and Graig Fawr SSSI].</p> <p>b) The Applicant has undertaken pre-application consultation with NRW, Denbighshire County Council (DCC), the RSPB and North Wales Wildlife Trust via Onshore Ecology Expert Topic Group 5 (ETG 5) [APP-301], which has included discussion on the scope of the wintering bird survey (WBS). The proposed wintering bird survey areas and methodologies were presented at the 9 September 2020 ETG meeting and in a technical note, circulated to the ETG on 30 September 2020. The survey areas and methodologies presented were subsequently agreed with the ETG. The results of the WBS are provided in ES Volume 5, Annex 5.3: Wintering Bird Survey Report (APP-126).</p> <p>c) The Applicant would like to clarify that reference in Para 105 of ES Volume 3, Chapter 10: Noise and Vibration (APP-071), should make reference to ecological designations rather than ecological receptors. As confirmed in the Applicant's response to ExQ1.2.70, Table 16 of ES Volume 3, Chapter 5: Biodiversity and Nature Conservation (APP-066) identifies potential effects due to noise and vibration for wintering birds at the landfall and River Clwyd has and these have been included in the assessment. This is reflected in the Errata List (Document 1.4 of the Applicant's Deadline 1 submission).</p> <p>NRW: NRW advise as follows:</p> <p>a) With respect to the onshore works, we would agree with the sites scoped</p>	N/A
				a) The Applicant welcomes confirmation from NRW that

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			<p>out in Table 5. We consider the onshore works are unlikely to have any direct or indirect significant effects on designated nature conservation sites. We also consider that the area subject to the onshore works is unlikely to provide supporting habitat that would be important for mobile features of any designated sites (e.g. Dee Estuary SPA/Ramsar or Liverpool Bay SPA). However, we refer you to our Air Quality comments (paragraph 3.8.3 of our Written Representations) where we advise that we could not rule out likely significant effects on designated sites from marine vessel emissions. A Clarification Note has been received (14/10/2022) which NRW will review and advise the Applicant and the Examining Authority accordingly.</p> <p>b) We are satisfied with the scope of the wintering birds survey. As advised above, we consider the onshore works are unlikely to affect supporting habitat of any bird features of designated sites. In relation to Wildlife and Countryside Act 1981 (as amended) Schedule 1 birds (e.g. barn owls), and Birds Directive Annex I species, we are satisfied with the surveys undertaken. We defer to DCC with respect to locally important bird species.</p> <p>c) We are satisfied with the assessments undertaken with respect to noise impacts on protected species (including bats and barn owls) and the mitigation provided in the Outline LEMP.</p>	<p>the onshore works are unlikely to have any direct or indirect significant effects on designated nature conservation sites. The Applicant awaits NRW's review of the marine vessel emissions clarification note that was provided at on the 14/10/2022.</p> <p>b) The Applicant also welcomes confirmation from NRW that it is satisfied with the survey scope for wintering birds.</p> <p>c) The Applicant welcomes confirmation from NRW that it is satisfied with the assessments undertaken with respect to noise impacts on protected species (including bats and barn owls) and the mitigation provided in the oLEMP are satisfactory.</p>
			RSPB: This is not an area covered in our Relevant Representation. We defer to Natural Resources Wales and Denbighshire County Council as to whether they are satisfied with the level of information presented.	N/A
			DCC: No response given	N/A
2.93	The Applicant	Onshore – Habitat and Species Please can you: a) Define the term "heavy standard trees" which appears within different ES	The Applicant: a) This is a term derived from standard tree sizes as set out in British Standard BS 3936-1, Nursery Stock Specification for Trees and Shrubs, and relates to trees with a girth of 12-14 cm at 1m above ground. b) The planting ratio is based on a requirement to reinstate what has been removed, allowing for a potential degree of failure in the long term or	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>chapters as a proposed mitigation measure;</p> <p>b) Explain source of 3:1 planting ratio and how this ratio is secured in the dDCO (Table 5, section 13.3.5 [APP-074]); and</p> <p>c) Explain source/location of locally appropriate native mixture for replanting and timeframe in the MDS to reach sufficient maturity to be utilised as a hedgerow.</p>	<p>realising an enhancement where no failure occurs. It is not based upon any specific guidelines but is considered proportionate to the impacts in this case. This ratio is included in Section 4 of the Outline Landscape and Ecology Management Plan (oLEMP) (APP-305; Document 1.33 of the Applicant's Deadline 1 submission). Full details will be provided in the Final LEMP that will be secured by DCO R13, and prepared in light of pre-construction survey results, in collaboration with key stakeholders.</p> <p>c) The oLEMP (APP-305; Document 1.33 of the Applicant's Deadline 1 submission) commits to using locally appropriate species in all reinstatement and habitat creation proposals. The source of locally appropriate seed and other plant material will be determined closer to the time that reinstatement and habitat creation will take place. Full details will be provided in the final LEMP that will be secured by DCO R13, and prepared in light of pre-construction survey results, detailed design information and collaboration with key stakeholders.</p> <p>As stated in Table 12 of APP-066, a period of 5 years post construction is considered to be the approximate duration for recovery of a hedgerow to ecological function for use by most species.</p> <p>As previously noted at ExQ1.2.79, species which use the base of hedgerows, such as newts, hedgehogs, etc may start using the base of the hedgerow sooner, once the ground flora has established. However, as per the Outline Landscape and Ecology Management Plan (oLEMP) (APP-305) paragraph 62, it is expected the ground flora around the hedgerow plants may need to be treated with herbicide for up to three years, which would delay the ground flora being available for the terrestrial species (i.e. newts, hedgehogs etc.). Therefore, although the ground flora, base of the hedgerows maybe available for terrestrial species to use sooner than the hedgerow itself for the purposes of the assessment it is assumed it would also only be available after five years.</p> <p>Welsh Government: There is a strong presumption against the permanent removal of woodland in Wales, as set out in Woodlands for Wales, Welsh Government's 50yr strategy for woodlands and trees in Wales. There is also an expectation for compensatory planting for trees lost to development, as set out in Planning Policy Wales 11. Individual trees such as hedgerow trees are</p>	<p>The Applicant can confirm that there would be no loss of areas of woodland as a result of AyM. Where it is unavoidable there would be some loss of trees where these occur individually or within</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>distinctive features in the landscape and provide breeding sites, food and shelter for many species.</p> <p>a) There is no definition for “heavy standard trees” within the UK Forestry Standard, the government’s standard for sustainable woodland management. However definitions for this as provided by nurseries outlines these to be defined as being of a minimum of 12cm girth and 350 cm height. These are large in comparison to trees usually used for new planting or restocking schemes. Their use would ensure an immediate landscape impact, although their stability and survival may be limited by having a smaller root stock than might be the case if grown to this height in situ.</p> <p>b) It is not clear at Table 5, section 13.3.5 whether the 41 trees to be lost are hedgerow trees or part of an existing woodland. If part of a hedgerow, it could be assumed that the 3:1 ratio refers to planting 3 new “heavy standard” trees for every hedgerow tree lost, although this ratio is not recognised as a standard stocking rate in forestry terms. If replacing part of an existing woodland, replanting should be undertaken at 2500 plants/ha. This is a recognised standard forestry restocking density and is used in the Welsh Government new woodland creation grant scheme. However for this density, tree plant size would be expected to be far smaller at 20-60cmb) It is not clear at Table 5, section 13.3.5 whether the 41 trees to be lost are hedgerow trees or part of an existing woodland. If part of a hedgerow, it could be assumed that the 3:1 ratio refers to planting 3 new “heavy standard” trees for every hedgerow tree lost, although this ratio is not recognised as a standard stocking rate in forestry terms. If replacing part of an existing woodland, replanting should be undertaken at 2500 plants/ha. This is a recognised standard forestry restocking density and is used in the Welsh Government new woodland creation grant scheme. However for this density, tree plant size would be expected to be far smaller at 20-60cm</p> <p>c) Source – hedge plants should be sourced within the UK as far as possible to avoid risk of pests/disease from imported plants. Species mix should be in keeping with local hedgerows and suited to site conditions. Replacement hedges that mirror existing field patterns would contribute more to the landscape. Not sure what the reference for MDS is. Hedge growth will depend on site conditions, protection from rodents/livestock and management e.g.</p>	<p>hedgerows within the onshore ECC (other than where trenchless crossings would be used).</p> <p>a) The definition provided aligns with that in the Applicant’s response</p> <p>b) The planting ratio applies to hedgerow trees rather than being part of an existing woodland</p> <p>c) The oLEMP (Document 2.10 of the Applicant’s Deadline 2 submission) commits to using locally appropriate species in all reinstatement and habitat creation proposals. Measures for reinstatement of hedgerows will be agreed with DCC through approval of the final LEMP (under DCO R13).</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>weed control. "Utilised as a hedge" will depend on what is expected – landscape feature or livestockproof boundary, and will be affected by management e.g. hedge laying and growth rate.</p> <p>All species selected should be suited to site conditions. New plantings should be maintained for 10 yrs, with weed control to reduce competition and replacement of dead trees. This is a standard maintenance condition that is attached to Welsh Government grant schemes.</p>	
2.97	NRW, JNCC, RSPB, NWWT	<p>RIAA</p> <p>Are you satisfied with:</p> <p>a) Table 57 and no adverse effect on integrity alone and in- combination? (ES Report to Inform Appropriate Assessment [APP-027]);</p> <p>b) Table 6 – summary of the screening conclusions for all receptors (excluding ornithology) (ES RIAA Annex 1 [APP-028]); and</p> <p>c) The minimum air gap of 21.9m referenced in table 1 turbine and array parameters used to inform Collision Risk Models [APP-097].</p> <p>If no to any of the above points, please identify and explain your reasons and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but has provided the following response which may be useful context for the ExA.</p> <p>A) The Applicant has engaged with NRW, JNCC, RSPB and NWWT on HRA matters from an early stage via the Evidence Plan process (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303, respectively). SoCGs with these parties are currently in development to agree the conclusions of the RIAA with respect to AEol.</p> <p>B) The Applicant has engaged with NRW, JNCC, RSPB and NWWT on HRA matters from an early stage via the Evidence Plan process (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303, respectively) and this has included agreement on the screening conclusions for all receptors. The Applicant expects this to be reflected within the SoCGs that are currently in development with these parties.</p> <p>C) As detailed in Volume 4, Annex 4.5: Offshore Scoping and Consultation Responses (APP-099), the Applicant consulted and agreed the approach for collision risk modelling through stakeholder engagement. The Applicant confirms that the value of 21.9 m referenced in Table 1 was a typographical error and should read 21.19. This correction is noted in the Application Errata List (Document 1.4 of the Applicant's Deadline 1 submission).</p> <p>NRW: For ease of interpretation, we have broken the response to this question down per receptor.</p> <p>Benthic:</p> <p>a) we are satisfied;</p> <p>b) we are satisfied;</p>	<p>N/A</p> <p>These responses are noted by the Applicant. The Applicant understands that these matters are all agreed and will be confirmed via the SoCG between the Applicant and NRW.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>c) not relevant to benthic receptors therefore we are not in a position to comment</p> <p>Marine mammals:</p> <p>a) NRW are satisfied that there is no AEOSI to the relevant SACs in Wales with marine mammal features;</p> <p>b) we are satisfied with the conclusions of HRA screening for marine mammal features of SACs in Wales, except for vessel collision. See Written Representation for further information (sections 2.7.6-2.7.10);</p> <p>c) Not relevant to marine mammal receptors (unable to comment)</p> <p>Marine Ornithology:</p> <p>a) NRW are satisfied with the HRA assessments carried out for Welsh SPAs;</p> <p>b) Not asked of ornithology;</p> <p>c) NRW are satisfied with the minimum air gap used to inform Collision Risk models.</p> <p>Fish:</p> <p>a) we are satisfied;</p> <p>b) we are satisfied;</p> <p>c) not relevant to fish receptors therefore we are not in a position to comment</p>	
			<p>JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC. We defer to NRW on matters relating to other sites in Welsh waters.</p> <p>a) Yes we are satisfied with the conclusions in Table 57 in relation to underwater noise from piling. Insufficient information is known at this time on the need to clear UXOs and the potential impacts to this site however we assume this will be assessed at the time and the HRA repeated, should clearance be required. The draft MMMP provided by the applicant, which supports the assumptions in the RIAA, is appropriate for piling but a separate plan will be needed should UXO clearance be required</p> <p>b) We are satisfied with the conclusions in this table.</p>	<p>These responses are noted by the Applicant. The Applicant understands that these matters are all agreed and will be confirmed via the SoCG between the Applicant and JNCC.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>c) We defer to NRW on this question as it related to birds.</p> <p>RSPB:</p> <p>a) We disagree with the assessment of no adverse effect on integrity alone and in- combination for Liverpool Bay SPA and its feature red-throated diver; We also disagree with the assessment for the following Manx Shearwater SPAs:</p> <ul style="list-style-type: none"> • Copeland Islands SPA • Irish Sea Front SPA • Glannau Aberdaron ac Ynys Enlli/Aberdaron Coast and Bardsey Island SPA • Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA <p>We also disagree with the assessment for the following gannet SPAs.</p> <ul style="list-style-type: none"> • Grassholm • Great Saltee Island • Ailsa Craig <p>Furthermore, the Table omits two Manx shearwater SPAs Rum SPA & St Kilda SPA.</p> <p>b) This is not an area covered in our Relevant Representation.</p> <p>c) The RSPB would prefer to see a higher air gap in order to reduce the number of potential collisions. Evidence to support the use of higher air gaps to significantly reduce predicted collision mortality has been presented is Johnston et al., (2014)¹</p> <p>(1 - Johnston, A., Cook, A. S., Wright, L. J., Humphreys, E. M., & Burton, N. H. (2014). Modelling flight heights of marine birds to more accurately assess collision risk with offshore wind turbines. Journal of Applied Ecology, 51(1), 31-41)</p>	<p>The Applicant has responded to RSPB's WR in full in Document 2.2 of the Applicant's Deadline 2 submission. With respect to the red-throated diver feature of the Liverpool Bay SPA it should be noted that the Applicant and NRW are in agreement that an AEol can be ruled out for the Project alone and in-combination following the completion of a vessel management and monitoring plan as detailed in Condition 34 of the Marine Licence Principles (Document 2.22 of the Applicant's Deadline 2 submission).</p>
			<p>NWWT: No response given</p>	<p>N/A</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
2.98	NRW, JNCC, RSPB, NWWT	<p>RIAA</p> <p>Are you satisfied with the potential impacts considered at designations within Table 1.1. If no, please identify the designation(s), explain your reasons, and provide evidence justification (ES Integrity Matrices [APP-034]).</p>	<p>NRW: For ease of interpretation, we have broken the response to this question down per receptor.</p> <p>Benthic: NRW is satisfied</p> <p>Marine mammals: NRW are satisfied with the impacts considered within the integrity matrices for marine mammal features of SACs in Wales, except for the exclusion of vessel collision. Although the potential for LSE from vessel collision exists and should be taken to Appropriate Assessment, the pathways adequately mitigated for using a vessel management plan and codes of conduct and on that basis NRW can be satisfied that there will be no resulting AEOSI. See Written Representation for further information.</p> <p>Marine Ornithology: NRW are satisfied with the approach taken for Welsh SPAs.</p> <p>Fish: we are satisfied.</p> <p>JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC. Yes, we are satisfied with the potential impacts indicated in this table for this site.</p> <p>RSPB: For reasons detailed in our Written Representations, we disagree with the scoping out of collision impacts for Manx Shearwater at the following SPAs:</p> <ul style="list-style-type: none"> ▲ Copeland Islands SPA ▲ Irish Sea Front SPA ▲ Rum SPA ▲ St Kilda SPA ▲ Glannau Aberdaron ac Ynys Enlli/Aberdaron Coast and Bardsey Island SPA ▲ Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA 	<p>This is noted and welcomed by the Applicant. A response to NRW's WR is provided in Document 2.2 of the Applicant's Deadline 2 submission.</p> <p>This is welcomed by the Applicant.</p> <p>The Applicant acknowledges the RSPB's position, however the HRA screening conclusions (which include the screening out of the listed sites for Manx Shearwater) were reached following extensive pre-application stakeholder engagement/ consultation via the Evidence Plan process, specifically the offshore ornithology Expert Topic Group that RSPB were part of and were invited to attend all ETG meetings (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-301)). This includes agreement between the Applicant and the SNCB (NRW).</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			NWWT: No response given	N/A
2.101	NRW	<p>RIAA</p> <p>The Applicant's assessment of LSE on European sites (Table 5 of [APP-027]) includes pintail, teal and ringed plover as features of the Severn Estuary Ramsar site. However, the ExA notes that these features are listed on the relevant Ramsar Information Site as identified for possible future consideration under criterion 6. Natural Resources Wales is requested to confirm if these features should be treated as listed Ramsar features. If so, what is the legal or policy basis for doing so?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant included these on a precautionary basis and treated potential updates to the RAMSAR site in the same manner as SPA extension citation features are treated, which is to include them as if they were already cited features.</p> <p>NRW: NRW advise that these species form part of the assemblage feature of Severn Estuary Ramsar site. They should therefore only be assessed as part of the Ramsar bird assemblage feature and not as individual features.</p>	N/A
2.102	NRW, NS, DAERANI, Isle of Man Government, JNCC	<p>RIAA</p> <p>Please confirm if there are any additional European/Ramsar sites or qualifying features which have not been included in [APP-027].</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>As detailed in Table 1 of Report 5.2: Report to Inform Appropriate Assessment (APP-027), the Applicant undertook consultation with the Offshore Ornithology ETG through expert topic groups prior to drafting of the RIAA to ensure all designated sites and features were appropriately identified. Following consultation, an update was made to the screening assessment in Report 5.2.2 Report to Inform Appropriate Assessment, Annex 2: Habitats Regulations Assessment (HRA) Screening Update (Ornithology) (APP-029) to capture any additional sites and features requested. The Applicant considers that extensive</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			consultation has been had on this matter with multiple opportunities for further sites to be raised.	
			NRW: NRW is not aware of any Welsh European/Ramsar sites or features which have not been included in [APP-027], for which we consider there is a pathway for effects on that site or feature.	This is noted by the Applicant.
			DAERA: MCA (Marine Conservation Advice) welcomes the consideration of the North Channel SAC, Copeland Islands SPA and Rathlin Island SPA. Based on the following screening metrics, MCA agrees that all relevant SACs are considered regarding marine mammals: <ul style="list-style-type: none"> ▲ all SACs within 100km of the project should be screened for Grey seals (<i>Halichoerus grypus</i>) ▲ all SACs within 50km should be screened for Harbour seals (<i>Phoca vitulina</i>) ▲ all SACs within 100km should be screened for Harbour porpoise (<i>Phocoena phocoena</i>) The NIEA's Ornithology Team should be consulted regarding any additional Seabird considerations.	This is noted by the Applicant.
			JNCC: In line with our remit our response relates to sites in offshore Welsh waters only; we defer to NRW on matters relating to sites in Welsh territorial waters. We can confirm harbour porpoise is the only qualifying features of the North Anglesey Marine SAC, and that all appropriate offshore sites have been considered in the RIAA.	This is noted by the Applicant.
			NS: No response given	N/A
			Isle of Man Government: No response given	N/A
2.103	NRW, JNCC, DAERANI	RIAA Please confirm if the assessment in [APP-027] refers to the correct conservation objectives for the European/Ramsar sites under consideration.	The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. As detailed in Table 1 of Report 5.2: Report to Inform Appropriate Assessment (APP-027), the Applicant undertook consultation with SNCBs through expert topic groups prior to drafting of the RIAA to ensure the conservation objectives for all designated sites and features screened in for assessment were appropriately assessed against. Following consultation where applicable updates were made within Section 10.3 of Report 5.2: Report to Inform	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>Appropriate Assessment (APP-027) and Report 5.2.2 Report to Inform Appropriate Assessment, Annex 2: Habitats Regulations Assessment (HRA) Screening Update (Ornithology)(APP-029).</p> <p>NRW: NRW is not aware of any errors to the Conservation Objectives of Welsh European/Ramsar sites in [APP-027]. Nonetheless, we note the following:</p> <p>Benthic: NRW confirms that the assessment refers to the correct conservation objectives for the European/Ramsar sites under consideration.</p> <p>Marine Ornithology: NRW agrees that the assessment refers to the correct conservation objectives for the SPAs and Ramsar sites under consideration.</p> <p>Marine Mammals: The correct conservation objective has been used for harbour porpoise sites around Wales. For grey seal and bottlenose dolphin features of SACs around Wales - where the conservation objectives for these species are the same for Pembrokeshire Marine, Cardigan Bay and Pen Llyn a'r Sarnau SACs - the Applicant has assessed disturbance from underwater noise against the Range conservation objective i.e. "The species population within the site is such that the natural range of the population is not being reduced or likely to be reduced for the foreseeable future": see Table 14 and 15 in APP-027. The Supporting habitat conservation objective could be additionally listed as a relevant CO, since this specifically raises disturbance: "Disturbance by human activity is below levels that suppress reproductive success, physiological health, or long-term behaviour". Nevertheless, NRW are satisfied that the assessment would result in the same conclusions whichever CO is used in the assessment. In our Written Representation, we have requested that the Applicant clarify the extent of the MMMU area disturbed from construction activities is presented, in order to enable NRW to assess the effect on functionally linked habitat against the Supporting Habitat conservation objective.</p> <p>Fish: NRW confirms that the assessment refers to the correct conservation objectives for the European/Ramsar sites under consideration.</p> <p>DAERA: MCA (Marine Conservation Advice) finds the conservation objectives to be correct for Rathlin Island SPA and Copeland Island SPA. However, MCA advises for the North Channel SAC conservation objectives all of the following information is included:</p>	<p style="background-color: #cccccc; height: 20px; margin-bottom: 10px;"></p> <p>Agreement with the assessment conclusions is noted and welcomed by the Applicant.</p> <p>The Applicant acknowledges that this conservation objective was not described in the RIAA (APP-027). However, the overall assessment</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>'To ensure that the integrity of the site is maintained and that it makes an appropriate contribution to maintaining Favourable Conservation Status (FCS) for harbour porpoise in UK waters.</p> <p>In the context of natural change, this will be achieved by ensuring that:</p> <ol style="list-style-type: none"> 1. Harbour porpoise is a viable component of the site; 2. There is no significant disturbance of the species; and 3. The condition of supporting habitats and processes, and the availability of prey is maintained.' (North Channel MPA JNCC)' 	<p>conclusion remains valid since due to the distance between AyM and the site, the intermittent nature of the activities and the short duration of the potential effect pathway.</p>
2.104	NRW	<p>RIAA</p> <p>In the assessment of potential adverse effects on the integrity of Liverpool Bay SPA, [APP-027] refers to the conservation objectives contained in the Regulation 35(3) Advice agreed by Natural Resources Wales (NRW) and Natural England (NE), despite the lack of reference in these objectives to several of the qualifying features (common tern, little tern and common scoter). Could NRW confirm if this approach is appropriate and how the Secretary of State can consider the implications for the conservation objectives of the SPA if the conservation</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>Since the publication of the Regulation 35(3) Advice, the additional features noted have been added to the Liverpool Bay SPA as detailed in a supplementary advice note in 2016 which contains a link to the main conservation objectives with an updated list all species. Therefore, the reference to the Regulation 35(3) advice remains valid and the Applicant can confirm that these additional qualifying features are considered in the RIAA.</p> <p>NRW: NRW advised the applicant on which Conservation Objectives to use for Liverpool Bay SPA and are satisfied with the approach. For Red Throated Diver and Common Scoter, we advised the Applicant to use the old Conservation objectives. Due to the project location and the species recorded in surveys, we were satisfied that no other features of Liverpool Bay SPA would be affected. NRW and Natural England are currently in the process of updating conservation advice for Liverpool Bay</p>	<p>This is noted by the Applicant.</p> <p>N/A</p> <p>This is noted by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		objectives do not cover the full range of qualifying features?		
2.107	The Applicant, NRW	<p>RIAA</p> <p>The Examining Authority notes that the Applicant has relied on mitigation measures to avoid harm to the integrity of European/Ramsar sites in the marine environment. However, these mitigation measures, including the Marine Mammal Mitigation Protocol and the Project Environmental Management Plan are not secured through the draft DCO but instead rely on suitable conditions being attached to the Marine Licences for the Proposed Development.</p> <p>The Applicant is requested to explain, with references to case law if appropriate, why the SoS should have confidence that such an approach would comply with the requirements of the Habitats Regulations.</p> <p>Do NRW agree with this approach to securing mitigation? If so, a</p>	<p>The Applicant: The Applicant draws the ExA's attention to paragraph 4.10.3 of NPS EN-1 which states:</p> <p><i>"In considering an application for development consent, the IPC should focus on whether the development itself is an acceptable use of the land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The IPC should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them."</i></p> <p>The Applicant considers that securing offshore mitigation measures through the marine licences accords with this policy and will be in compliance with the requirements of the Habitats Regulations if the SoS grants the DCO without such mitigation measures being duplicated in the DCO.</p> <p>Advice Note Ten on Habitats Regulations Assessments states that an applicant must consider ways to mitigate any potential for adverse effects on the integrity of a European site and that the mitigation measures relied upon must be adequately secured <i>"through the DCO or other means"</i> (para 3.19). PINS policy therefore envisages that mitigation measures in relation to HRA could be secured through alternative means to the DCO.</p> <p>This is supported by the position taken for the Morlais Demonstration Zone applications for a Transport and Works Act Order (TWAo) and deemed planning permission. For this project the Welsh Government were the competent authority for the TWAo and NRW were the competent authority for the marine licence. The Inspector's Report suggests that marine licence conditions were a relevant consideration for the Welsh Ministers in determining the TWAo application. Paragraph 798 of the Report states:</p> <p><i>"My report does not offer a view on the potential appropriateness of the suggested Marine Licence conditions. However, the potential scope, nature and effectiveness of the mitigation either within the suggested conditions, or</i></p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>justification should be provided, with reference to any relevant case law, as to why this approach is appropriate.</p>	<p><i>that would be provided by other Marine Licence conditions, is set out to inform the Welsh Ministers' consideration of this TWA application."</i></p> <p>There is also case law in relation to Town and Country Planning Act 1990 where it was held that, in a multi-stage process, provided there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision-maker is able to conclude that a development will satisfy the requirements of the Habitats Regulations (<i>The Queen on the Application of Devon Wildlife Trust v Teignbridge District Council v Rocklands Development Partnership</i> [2015] EWHC 2159 (Admin) [85] applying <i>Feeney v Secretary of State for Transport</i> [2013] EWHC 1238 (Admin)). In <i>Devon Wildlife Trust</i>, an outline planning permission could be granted on the basis that the development could not begin until reserved matters applications were approved which would mean that there was no possibility of the objectives of the Habitats Directive being compromised by the outline decision.</p> <p>The Applicant considers that these cases support the position that the SoS can grant the DCO in compliance with the Habitats Regulations if he is satisfied that the mitigation can be achieved in practice by being secured as a condition of the marine licence. The SoS can be satisfied that the offshore aspects of the project cannot commence until marine licences are secured which would include necessary conditions relating to HRA mitigation measures.</p> <p>NRW: The ExA is referred to Section 4 of the written representations which explain that the ML regime is distinct and separate to the DCO regime. Accordingly, NRW MLT is not in a position to provide substantive comment on this issue. It should also be noted, with reference to paragraph 4.1.6 of the written representation, that it should be assumed by the Examining Authority that NRW's MLT regulatory functions will be competently and properly undertaken in accordance with any and all relevant legislation, policy and guidance.</p>	<p>This is noted by the Applicant.</p>

2.4 Compulsory Acquisition (CA) and Temporary Possession (TP)

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
The Book of Reference (BoR), Statement of Reasons (SoR), Land Plans, diligent enquiry and updates				
3.5	Affected Persons, Interested Parties	Are any Affected Persons or Interested Parties aware of any inaccuracies in [AS-020a], [APP-021] or [AS-005]? If so, please set out what these are and provide the correct details.	NRW: NRW has no comments to make with respect to this question.	N/A
Statutory Undertakers				
3.24	The Applicant, Statutory Undertakers (including SP Energy Networks on behalf of SP Manweb, National Grid Electricity Transmission Plc and Diamond Transmission Corporation)	[AS-020a] includes several Statutory Undertakers with interests in land and equipment that would be affected by CA / TP. The Applicant: a) Provide a progress report on negotiations with each of the Statutory Undertakers listed in [AS-020a], with an estimate of the timescale for securing agreement with them; b) Indicate whether there are any envisaged impediments to the securing of such agreements; and c) State whether any additional Statutory Undertakers have been identified since the submission of [AS-020a] with the application. Statutory Undertakers: Where Statutory Undertakers	The Applicant: SP Energy Networks (SPEN) a) negotiations are progressing well and both parties have verbally agreed that Protective Provisions are hopefully going to be agreed by Deadline 2. b) no impediments to the securing of Protective Provisions are envisaged at this time. National Grid a) negotiations are progressing well and agreement is anticipated, hopefully in early 2023. b) it is not anticipated that there are any impediments to securing the Protective Provisions. An update on negotiations with statutory undertakers with a land interest in the Book of Reference (including SPEN and National Grid) has been included in the Update on Negotiation with Landowners, Occupiers and Statutory Undertakers and Other Utilities (Appendix C to this document). c) There are no statutory undertakers identified that have not already been included.	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>[[RR-013], [RR-014] and [RR-017]] have concerns regarding the current drafting of the Protective Provision within [AS-014], either provide copies of preferred wording or if you have provided it, signpost where it can be found and explain why you do not consider the wording as currently drafted to be appropriate.</p>	<p>National Grid: The current form of protective provisions included in the Order deviates from NGET's standard form protective provisions. As such, NGET and Applicant are in the process of negotiating the protective provisions and will provide an update to the Examination in due course. NGET have provided a copy of NGET's standard form protective provisions as part of this response.</p> <p>SPEN: Protective Provisions</p> <p>SP Energy Networks and the applicant have worked together to produce the revised PPs in relation to SP Energy Networks specific requirements as attached. These should be included in the latest DCO to be submitted at Deadline 1. Once this has been published and can be reviewed, SP Energy Networks can then agree a position with the applicant.</p> <p>Method Statement</p> <p>SP Energy Networks is pleased to see a revised version of the Outline Construction Method Statement and understands this is also being submitted by the applicant for Deadline 1. Likewise, once this has been published and can be reviewed, SP Energy Networks can then agree a position with the applicant.</p> <p>Outstanding matters</p> <p>SPEN has identified a need for the applicant to address the following:</p> <ul style="list-style-type: none"> - to show on suitable plans where direct and indirect impacts from the new development on SPEN network will arise - to identify land parcels where SP Energy Networks has existing land rights that will be interfered with and replacement rights retain SPEN's existing rights and do not in any way disadvantage SPEN from keeping installed its required apparatus Further engagement with the applicant in due course on the above is welcomed with a view to agreeing a statement of common ground. 	<p>This is noted by the Applicant and further liaison is ongoing to form an agreement.</p> <hr/> <p>This is noted by the Applicant and further liaison is ongoing to form an agreement.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			I would like to reserve SPEN's position in making further submissions and attending any future hearings depending on the progress made on resolving the above matters with the applicant.	
3.26	The Applicant, Statutory Undertakers (including EirGrid, North Hoyle Wind Farm (NHWF) Limited and Rhyl Flats Wind Farm (RWF) Limited)	<p>Several Statutory Undertakers with offshore land and equipment interests (not included the BoR) have submitted a RR ([RR-018], [RR-019] and [RR-020]).</p> <p>The Applicant:</p> <p>a) Provide a progress report on negotiations with each of these Statutory Undertakers, with an estimate of the timescale for securing agreement with them;</p> <p>b) Indicate whether there are any envisaged impediments to the securing of such agreements; and</p> <p>c) State whether any additional Statutory Undertakers with offshore interests have been identified since the submission of the application.</p> <p>Statutory Undertakers:</p> <p>Where Statutory Undertakers [RR-018, RR-019 and RR-020] have concerns regarding the current drafting of the Protective Provision within [AS-014], either provide copies of preferred wording or if you have provided it, signpost where it can be found</p>	<p>The Applicant:</p> <p>a) The Applicant is in discussions with Eirgrid, North Hoyle Wind Farm (NHWF) Limited and Rhyl Flats Wind Farm (RWF) Limited with regards securing agreements to protect their land and equipment interests. In summary:</p> <ul style="list-style-type: none"> ➤ Eirgrid was provided with a draft cable crossing and proximity agreement in June 2022 and is yet to formally respond. However, correspondence indicates that agreement can be reached in good time before the close of Examination. Protective provisions are not required; ➤ NHWF Limited was provided with a draft cable crossing agreement in August 2022 and has recently provided comments which the Applicant has in turn responded to. Protective provisions are not required. Further detail is provided in answer to ExQ1.3.27b, below; and ➤ RWF Limited was provided with draft protective provisions in September 2022 and has recently provided comments which the Applicant has in turn responded to. Further detail is provided in answer to ExQ1.3.27a, below. <p>b) The Applicant expects to reach agreement on all matters relating to cable crossing/proximity agreements and protective provisions in good time before the close of Examination.</p> <p>c) No other Statutory Undertakers with offshore interests have been identified since submission of the application. However, the Applicant has been in discussion with Gwynt y Môr OFTO since inception in relation to a proposed offshore cable crossing. A draft cable crossing agreement was provided in June 2022 and correspondence indicates that agreement can be reached in good time before the close of Examination.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		and explain why you do not consider the wording as currently drafted to be appropriate.	<p>Rhyl Flats Wind Farm Ltd: The Applicant has provided draft protective provisions for the benefit of RFWFL. RFWFL's proposed revisals to the protective provisions are attached as Appendix 1 and have been submitted to the Applicant. The key required changes are:-</p> <p>a) A mechanism is required for RF to approve the details of how works are to be carried out (including timing) out as well as details of the works themselves. This is necessary to ensure that the works are carried out in accordance with good practice and that the method and timing of the works do not prejudice the operation of RFWFL or any works which may be planned to RFWFL.</p> <p>b) The protective provisions need to make provision for RF to have representatives present when the work is carried out to ensure that work is carried out in accordance with the approved details.</p> <p>c) Provision is required for the Applicant to reimburse the reasonable expenses incurred by RFWFL as a result of the works carried out by the Applicant. The principle of this point is established in the draft produced by the Applicant but further detail is required.</p> <p>d) An indemnity is required in relation to any damage or loss caused to the RFWFL as a result of the Applicant's works, including where there is any interruption or reduction in any electricity generated by RF. The Applicant has included such wording in the DCO for various onshore electricity undertakers and similar provision is required in relation to RFWFL</p> <p>e) there is currently a dispute between the parties on wake loss. RFWFL is seeking further discussion with the Applicant to establish whether this is a matter which is capable of being resolved between the parties. Provision for wake loss has therefore not currently been made in the draft protective provisions. However, in the event that satisfactory progress is not made then RFWFL would intent to provide additional protective provision to address wake loss at Deadline 2.</p>	This is noted by the Applicant and active discussions between the parties are ongoing to reach an agreement. The Applicant has also responded to these points in response to RFWFL's written representation REP1-088-4.2 to REP-088-4.3 (Document 2.2 of the Applicant's Deadline 2 submissions).
			<p>North Hoyle Wind Farm Ltd:</p> <p>The Applicant has provided a draft cable crossing agreement which is under discussion with the NHWFL. NHWFL has proposed revisals to</p>	This is noted by the Applicant and active discussions between the parties are ongoing to reach an agreement.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>the agreement. Although it is hoped that agreement will be reached during the examination, this is dependent in particular on (first) acceptable mechanisms being agreed for the approval and implementation of works so that these do not adversely impact on the existing North Hoyle wind farm or any planned works at the wind farm; and (two) suitable provision being included to ensure that NHWFL is indemnified from loss caused by works carried out in terms of the DCO which is not necessarily limited to the cable crossing works.</p> <p>The latter point is currently at issue. The Applicant has proposed an indemnity but this is limited to the cable installation works. NHWFL is concerned on the basis of previous experience that works elsewhere in the scheme could lead to temporary loss of their export connection and a consequent interruption to the service which they provide. It is noted that protective provisions for other electricity undertakers provide an indemnity for loss caused by interruption to service provision. A similar indemnity is required for any such impacts caused to NHWFL.</p> <p>The Applicant has sought to distinguish between undertakers which require protective provisions and undertakers for which an agreement is required to cross infrastructure. NHWFL does not accept this distinction. Whether provisions are included on the face of the Order or in an agreement, they still exist to ensure that the Applicant's works are carried out in a way which does not impact on an undertaker's existing infrastructure. They are therefore both forms of protective provision.</p> <p>As the provisions being negotiated here are currently in the form of an agreement, it is not considered appropriate to submit the draft terms at Deadline 1. The parties will keep the ExA updated on progress. In the event that it is not possible to reach agreement then it may be necessary to reframe the text as protective provisions to be included in Schedule 9 to the draft Order.</p>	<p>The Applicant has also responded to these points in response to NHWFL's written representation REP1-085 (Document 2.2 of the Applicant's Deadline 2 submissions).</p>

2.5 Construction

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
4.8	The Applicant	<p>Onshore Substation (OnSS) Please provide an explanatory note and earthworks phasing drawings for the construction of the OnSS. Please include:</p> <p>a) location of topsoil and subsoil mounds; and b) drainage features such as ponds.</p>	<p>The Applicant: Details about the construction of the OnSS has been provided in (APP-062) the Onshore Project Description. This sets out the parameters of the MDS, the sequence of construction and likely duration of works. The final location of construction elements such as soil stockpiles is a matter for the Principal Contractor and will not be established until detailed design stage once the type of substation under construction is known.</p> <p>The management of soils stockpiles will be controlled via the Soil Management Plan (APP-316; Document 1.37 of the Applicant's Deadline 1 submission) which is agreed under R10 of the DCO and will require the prior approval of Denbighshire County Council (DCC) as the relevant planning authority.</p> <p>The Outline Landscape Ecology Management Plan (APP-305; Document 1.33 of the Applicant's Deadline 1 submission) sets out the proposed drainage at the OnSS in Figure 2. The figure outlines existing ponds, SuDS ponds to be created and ponds created for GCN habitat.</p>	N/A
			<p>Welsh Government: A detailed ALC survey (according to the 'Revised Guidelines and Criteria for Grading the Quality of Agricultural Land ' – MAFF 1988 - http://publications.naturalengland.org.uk/file/5526580165083136) and Physical Characteristics Report is required for the site to confirm if the development area is BMV agricultural land, the proportion of grades identified and the soil resources available. This is essential baseline information to inform (and be able to condition against) the soil management strategy, soil stripping, storage, reinstatement and aftercare scheme for the development. This is to ensure different soils are identified, stripped, stored, and reinstated in the correct sequence, to the same quality as far as practicable, and minimize potential for loss of function and/or BMV agricultural land resource.</p>	<p>The Applicant does not consider it necessary to undertake an ALC survey pre-consent as the assessment undertaken to date uses the Predictive Agricultural Land Classification and Post 1988 Agricultural Land Classification (Wales) Surveys which have been used to identify that any proposed route for the onshore ECC is very likely to interact with BMV land. The estimated degree of interaction is set out in in table 7 of ES Volume 3, Chapter 6: Ground Conditions and land Use (APP-067). Areas of BMV land are also shown within the Applicant's Deadline 1 response to ExA Questions (Appendix L – Response to</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>ExQ1.9.1– Predictive Agricultural Land Classification and Appendix M – Response to ExQ1.9.1–Agricultural Land Classification (Wales) Surveys)).</p> <p>The Agricultural Land Classification (Wales) Surveys show there have been extensive surveys undertaken to the south and east of Rhyl, to the north west of Bodelwyddan and around St Asaph Business Park. The ALC determined by these surveys is reflected in the Predictive ALC data.</p> <p>It is the position of the Applicant that all agricultural land affected by onshore ECC construction must be returned to its previous condition/land quality post-construction (regardless of whether it is BMV quality or lower quality). Mitigation against the impacts identified by the Welsh Government in its response to ExQ1.4.8 will be achieved through pre-condition survey and appropriate soil management, informed by that survey, for all agricultural land (irrespective of whether it is BMV or not).</p> <p>The updated oSMP (APP-316) provided by the Applicant at Deadline 1 (REP1-038) commits the Applicant to undertake pre-construction soil condition surveys and intrusive soil survey trial pits to fully identify and describe the physical characteristics (topsoil/subsoil layer depths, soil texture, structure, stone content, drainage characteristics) of the existing soil profiles and the depths and properties of topsoil</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>and subsoil horizons. This will be undertaken by specialist soil surveyors (professional members of the British Society of Soil Science) according to best practice (typically one intrusive investigation per 100 m for linear routes or 1 per hectare elsewhere). In advance of construction works commencing, a final SMP will be developed with a soils specialist based on the results of the pre-construction condition soil survey. This will include details of the methods of working, proposed site machinery and tillage equipment, materials and Health & Safety requirements. It will cover site-specific guidance on:</p> <ul style="list-style-type: none"> ▲ Restrictions on land access or activities over winter and following wet weather (based on soil/land type); ▲ Measures to prevent erosion and runoff (including identification of high-risk areas); ▲ Topsoil/subsoil stripping depths and separation; ▲ Proposed working methods for temporary and permanent repair to field drainage systems and identification of construction related drainage issues; and ▲ Identification and mitigation of any (minor) compaction resulting from construction. <p>Notwithstanding the Applicant's position with regards the appropriate information used to inform the assessment, consideration of BMV land, and detailed</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>mitigation proposals which will be informed by further survey in advance of construction commencing, it is also relevant to note that the site selection process considered the potential for BMV grades of agricultural land. As identified within Table 12 of the Site Selection Chapter of the ES (APP-044), agricultural land was identified in all 14 substation zones brought forward for consideration at the longlisting stage of site selection. The widespread nature of agricultural land was therefore balanced alongside all other technical and environmental considerations as listed in the ES Chapter and accompanying annexes such as Annex 4.2 "SSA shortlisting outcomes report" (APP-046). Section 5.4 of Annex 4.2 captures the primary discriminating factors which informed the substation zone locations, such as landscape and visual effects, noise, engineering, and traffic and transport. These were considered discriminating factors as there was a material difference in the risks associated with the above factors at each of the different substation zones. For example, substation zones 10, 11, 13 and 14 were all listed as having significant traffic and transport constraints, whilst substation zones 1 and 5 were not; all six substation zones however were identified as having agricultural land present. Similarly, substation zones 1, 10, and 11 were all noted as having potential significant effects associated with landscape and visual</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>receptors, whilst agricultural land was present in all three. Considering engineering constraints, substation zones 1 and 14 were considered to have engineering risks associated with them such as overhead lines and underlying geological issues, agricultural land was present at both.</p> <p>In this context substation zones 1, 10, 11, 13 and 14 were considered less favorable as potential substation zone locations due to a number of discriminating constraints, and whilst agricultural land and land quality were key considerations throughout the site selection process (as evidenced in the ES chapter and accompanying annexes) it did not emerge as a primary discriminating factor due to its widespread presence. Substation zone 5 emerged as the more favorable option when considering all constraints in combination and would have still emerged as the preferred option should agricultural land have not been taken into account due to the balance of other discriminating constraints. The site selection process which led to substation zone 5 being brought forward as the preferred option for the purposes of the application would not therefore have resulted in a different outcome had the WG's suggested surveys been undertaken, as the factors listed above would still have emerged as the primary discriminating factors.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
4.22	NRW	<p>Hazardous Waste and Emergency Incident Processes</p> <p>Are you satisfied with the content of the outline Site Waste Management Plan (oSWMP) [APP- 317] and outline Pollution Prevention and Emergency Incident Response Plan (oPPEIRP) [APP- 317] with specific regard to the proposed hazardous waste and emergency incident processes? If not, please explain your reasons.</p>	<p>NRW: NRW is satisfied with the content of the Outline SWMP and Outline PPEIRP with respect to hazardous waste and emergency incident processes.</p>	<p>The Applicant welcomes this confirmation from NRW that the content of the oSWMP and oPPEIRP is sufficient.</p>

2.6 Draft Development Consent Order (dDCO)

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
6.24	The Applicant, NATS	R3 – Given concerns over lighting provisions, could a separate subsection be added to this requirement stating that such lights will be operated at the lowest permissible lighting intensity level?	<p>The Applicant: The Applicant has added a new subsection of R3 has been included in the dDCO (see Document 1.8 of the Applicant's Deadline 1 submission) to specify that light will be operated at the lowest permissible lighting intensity level.</p>	N/A
			<p>NATS: The Applicant has added a new subsection of R3 has been included in the dDCO submitted at Deadline 1 to specify that light will be operated at the lowest permissible lighting intensity level. NATS has no comment to make in relation to aviation lighting as this does not affect its operations. Accordingly NATS invites the Applicant to invite the Ministry of Defence and other aviation stakeholders to comment.</p>	The Applicant has consulted with the Ministry of Defence and Defence Infrastructure Organisation, as set out in the Consultation Report (APP-024).
6.43	NATS, The Applicant	Is a requirement necessary to ensure that no wind turbine generator operates prior to the agreed resolution of a scheme to protect Great Dun Fell and St Anne's Primary Surveillance Radars?	<p>The Applicant: The Applicant is in active discussion with NATS and a legal agreement is being progressed (see answer to ExQ1.1.2). As NATS notes in its representation (RR-025) we are not aware of any in principle reason that agreement will not be concluded during the exam. That draft agreement includes requirement wording which will be added to the dDCO in the terms agreed once that agreement is finalised.</p>	N/A
			<p>NATS: Yes, once a legal agreement is finalised, NATS will support installation of all the foundation and turbine structures. However, a requirement is necessary to prevent the installation of the turbine blades as this can only be undertaken once the radar mitigation has been implemented. The Applicant is in active discussion with NATS and a legal agreement is being progressed (see answer to Q1.2). As NATS notes in its representation (RR-025) we are not aware of any in principle reason that agreement will not be concluded during the exam. That draft agreement includes requirement wording which will be added to the dDCO in the terms agreed once that agreement is finalised.</p>	The Applicant agrees that the requirement (as set out in the draft agreement) will be added to the dDCO once the exact wording has been finalised. This is expected to be completed soon.

2.7 Flood Risk and Water Quality

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
7.2	NRW	<p>Western Wales River Basin Management Plan</p> <p>Please provide a copy of the updated Western Wales River Basin Management Plan 2021-2027 as detailed in your relevant representation [RR-015].</p>	<p>NRW: The updated Western Wales River Basin Management Plan 2021-2027 was published on 18th July 2022 and is available here: Western Wales RBMP 2021_2027 Summary (cyfoethnaturiol.cymru) (https://cdn.cyfoethnaturiol.cymru/media/695227/western-wales-rbmp-2021_2027-summary.pdf)</p>	This is noted by the Applicant.
7.3	NRW	<p>Inter-relationships</p> <p>Further to your relevant representation [RR-015], please provide an explanation of which inter-relationships between marine water and sediment quality and other receptors you consider have been overlooked, in addition to elevated bacterial counts and human health.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant has discussed the relevant representations with NRW and is awaiting an update on this point, and whether a response is required. Nevertheless, it was agreed with NRW that while added explanation of inter-relationships between marine water and sediment quality and other receptors could be presented, these are unlikely to result in a material change to the overall assessment.</p>	N/A
			<p>NRW: Please refer to our Written Representations – paragraph 2.2.5</p>	The Applicant has provided a response to NRW's WR in Document 2.2 of the Applicant's Deadline 2 submission.
7.9	NRW	<p>Marine Water and Sediment Quality</p> <p>Please clarify the comments made in your relevant representation [RR-015] regarding the need for further information and reporting against Cefas Action Levels. What additional information is required beyond the information</p>	<p>The Applicant: The Applicant has discussed this point with NRW and provided a clarification note to NRW (including revised tables comparing PAH concentrations in sediment samples against the respective Cefas Action Levels) which is included as Document 1.15 of the Applicant's Deadline 1 submission. The Cefas Action Levels provide context to sediment quality in England and Wales, although the threshold for PAHs is relatively crude. Therefore, reference was provided to Canadian Guidelines for PAHs, as suggested in NRW's Scoping Opinion, albeit recognising that reference to the respective Cefas Action Levels was not included as well (hence provided in the clarification note outlined above). Nevertheless, it has been agreed with NRW that</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		presented [APP-049], Tables 10 and 12?	contaminant concentrations were low in sediment samples analysed and there is no dispute on the conclusions of the assessment. It is understood that this matter is now agreed and is expected to be resolved via the SoCG with NRW.	
			NRW: The contaminants presented in the ES are only a subset of those included in the CEFAS action level list of contaminants. Please also see our Written Representation paragraph 2.2.2 which outlines the clarifications presented by the Applicant.	The Applicant has responded to NRW's WR in Document 2.2 of the Applicant's Deadline 2 submission. It is understood that following the provision of the Marine Water and Sediment Quality Clarification note (REP1-015), this matter is now agreed.
7.31	NRW, DCC	<p>Outline Code of Construction Practice</p> <p>Are you satisfied that the measures contained within [APP-312] and associated outline environmental plans would be sufficient to effectively control the below during construction:</p> <p>a) Turbid run-off into rivers; b) Accidental spillages; and c) Run-off from HDD</p> <p>If not, please expand on your reasoning and detail additional required mitigation.</p>	<p>NRW: NRW advises as follows:</p> <p>a) We refer you to paragraphs 3.3.5, 3.6.2 and 3.6.3 of our Written Representations which advise amendments to the Outline CMS and Outline PPEIRP. However, we would also refer to our comments on the Water Framework Directive (Freshwater) (paragraphs 3.3.1 – 3.3.7) which explain that further information is required to evidence the appropriate watercourse crossing methods (as described in the Outline CMS) at each location. As explained, depending on the ground conditions and the nature of the watercourse at a particular crossing point, the use of an inappropriate crossing technique may cause turbid run-off into rivers</p> <p>b) We refer you to paragraph 3.6.2 of our Written Representations which advises amendments to the Outline PPEIRP. Subject to the inclusion of these amendments, and on the basis that a final PPEIRP will be approved by the discharging authority, we would be satisfied that the risk of accidental spillages will be appropriately controlled.</p> <p>c) We are satisfied that the risks can be managed based on the Outline PPEIRP, and that the final version will be approved by the discharging authority.</p>	The Applicant is agreeable to these proposals to the PPEIRP and has incorporated them in the oPPEIRP (Document 2.37 of the Applicant's Deadline 2 submission) and welcomes NRW's comment that it is satisfied that the risks can be managed based on the oPPEIRP, and that the final version will be approved by the discharging authority.
			DCC: No response given	N/A

2.8 Historic Environment

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
8.3	Cadw, Gwynedd Archaeological Planning Services, DCC	Offshore Archaeology Please confirm whether you are satisfied with the approach to offshore archaeology as outlined within [APP-057] and whether you have been consulted (or would expect to be) on the draft offshore Written Scheme of Investigation (WSI).	<p>The Applicant: The Applicant notes that the Outline Offshore WSI (APP-304) has been consulted upon via statutory consultation under Section 42 as well as via the Archaeology and Cultural Heritage ETG (see the Evidence Plan and its supporting appendices (APP-301, APP-302 and APP-303, respectively).</p> <p>GAPS: With reference to Ex1.8.3, Offshore Archaeology for this scheme falls outside GAPS' remit. We are therefore not commenting on the proposed methodology and do not expect to be consulted on the WSI. We would however expect that the Senior Investigator (Maritime) at the Royal Commission on the Ancient and Historical Monuments of Wales will be consulted on all matters relating to Offshore Archaeology.</p> <p>Welsh Government: Cadw have consulted the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) on this issue and their Senior Investigator (Maritime) who has specialist knowledge on offshore archaeology has confirmed that the approach outlined within [APP-057] is appropriate. Cadw are therefore satisfied with this approach. Cadw has not, so far, been directly consulted on the draft offshore Written Scheme of Investigation (WSI). The section 4.4 of the draft WSI [APP-304] states that the relevant archaeological curator who will need to approve the WSI and the associated method statements will be the RCAHMW. As noted above the RCAHMW have the geographical remit and specialist knowledge to perform this function and therefore they should be confirmed by the Examining Authority as the archaeological curator for the offshore archaeological investigations.</p>	<p>N/A</p> <p>This is noted by the Applicant.</p> <p>Cadw's agreement with the approach is noted and welcomed by the Applicant.</p> <p>The Applicant wishes to highlight that Cadw and RCAHMW have both been directly consulted with in terms of the offshore WSI. The draft offshore WSI was included in draft form as part of the PEIR which was consulted on as part of the statutory consultation under section 42 of the Planning Act. A consultation response was received from Cadw (see the Consultation report and its appendices (APP-024, APP-025 and APP-026)). The outline offshore WSI was also included as part of the DCO Application (APP-304), and the Marine Licence application submitted to NRW, who subsequently led a consultation with technical consultees on its content, including with RCAHMW.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			DCC: No response given	N/A

2.9 Land Use

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
9.1	The Applicant	<p>Best and Most Versatile Land NPS EN1 (paragraph 5.1.080) states "Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1,2 and 3a of the Agricultural Land Classification and preferably use land in areas of poorer quality (grades 3b, 4 and 5)." Please explain how the test in paragraph 5.10.8 of NPS EN-1 is satisfied in respect of the Proposed Development?</p>	<p>The Applicant: The Applicant has provided a plan, (see Appendix L – Response to ExQ1.9.1– Predictive Agricultural Land Classification), which shows the Predictive Agricultural Land Classification (ALC) alongside the onshore ECC and ONSS route sections and Order Limits to provide additional context for the Onshore ECC routing. Best and most versatile (BMV) agricultural land is defined in Planning Policy Wales as ALC Grades 1, 2 and 3a.</p> <p>The Applicant has also provided a further plan showing Post 1988 Agricultural Land Classification (Wales) Surveys that have been undertaken (see Appendix M – Response to ExQ1.9.1–Agricultural Land Classification (Wales) Surveys). Appendix M shows there have been extensive surveys undertaken to the south and east of Rhyl, to the north west of Bodelwyddan and around St Asaph Business Park. The ALC determined by these surveys is reflected in the Predictive ALC data (Appendix L).</p> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (APP-316; Document 1.37 of the Applicant's Deadline 1 submission) during both construction works and the reinstatement of the cable corridor following cable installation. The onshore cable corridor and associated works are not expected to have any significant impact on agricultural use given the pre-condition soil survey and soil management plan. The restoration to agricultural use of onshore cable connections for offshore windfarms within this area is demonstrated through the successful restoration of the Burbo Bank Extension and Gwynt y Môr cable corridors.</p> <p>The Applicant considered BMV though consideration of ALC grades within the appraisal of 'Land use' when undertaking its BRAG analysis of long-list and short-list options for the onshore ECC and OnSS (see section 4.11 of ES Volume 1, Chapter 4: Site</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>Selection and Alternatives (APP-044). The BRAG Analysis included consideration of a number of other environmental and engineering constraints and noting that much of the land to the south east of Rhyl, and to the north and west of St Asaph Business Park is classed as BMV and therefore the ability to avoid use of BMV land is limited.</p> <p>The routing of the onshore ECC gave consideration to a number of environmental and engineering factors in deriving the route between landfall and substation. The predictive ALC map provided in Appendix L demonstrates, it is not feasible or practical that the route could be diverted to avoid BMV land in this area.</p> <p>The onshore ECC avoids all ALC Grade 1 land (albeit there is an operational access within Grade 1, however, this comprises use of an existing track within the Grade 1 area).</p> <p>The onshore ECC interacts with Grade 2 land around Bryn Cwnin Farm, where the ECC passes through the gap between Rhyl and Rhuddlan and also on the south western bank of the River Clwyd.</p> <p>At Bryn Cwnin the ALC grade 2 land extends eastwards to ALC Grade 1 land so avoiding interaction with ALC grade 2 is unavoidable. There are also areas of ancient woodland, residential properties, watercourses and ponds known to contain great crested newt in this area that a more southerly route would interact with. It is not possible to avoid the area of Grade 2 ALC located between Rhyl and Rhuddlan due to development to the north and south, and at the River Clwyd the onshore ECC cables will be installed using trenchless techniques and so pass beneath the area of ALC Grade 2 land.</p> <p>The Onshore ECC passes through ALC Grade 3a land as it approaches, and then runs southward from, Dyserth Road. This area of Grade 3a ALC extends from Rhyl to Prestatyn and so is unavoidable (noting the Burbo Bank Extension onshore cable runs through this area). To the south east of Rhyl, the Onshore ECC does not avoid Grade 3a land as it is constrained by ancient</p>	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>woodland to the east and candidate sites that are promoted in the emerging DCC Local Plan to the west. The next significant area of Grade 3a occurs as the onshore ECC passes to the east of Fferm and then as the onshore ECC runs southwards from Etw'r area. In this area the routing is constrained by Nant y Faenol road and Grade 1 ALC land to the east, and greater interaction with Bodelwyddan Key Strategic Site to the west. To the south of the A55 the Grade 3a extends to the east and west of St Asaph Business Park and is unavoidable. The OnSS is located in this area of Grade 3a land, however, locating the OnSS to the south (and outside of the Grade 3a land), would bring it much nearer to residential properties on Glascoed Road (with Nosie and visual impact considerations), as well as moving it away from the visual screening afforded by woodland at Coed y Gors when considering Bodelwyddan Castle and Historic Park and Garden.</p> <p>Measures to reduce the impact of construction works upon agricultural land are included in the Outline Code of Construction Practice (outline CoCP) (APP-312; Document 1.49 of the Applicant's Deadline 1 submission) which includes an outline Soil Management Plan (SMP) (APP-316; Document 1.37 of the Applicant's Deadline 1 submission).</p> <p>The outline SMP provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore works. The outline SMP includes a commitment to undertaken pre-construction soil condition surveys and intrusive soil survey trial pits to identify and describe the physical and nutrient characteristics of the existing soil profiles and the depths and properties of topsoil and subsoil horizons.</p> <p>The Final SMP will be developed based on the results of the pre-construction condition soil survey and include details of the methods of working, proposed site machinery and tillage equipment, materials and Health & Safety requirements. The SMP</p>	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>will also set out storage arrangements to minimise damage to disturbed soils and measures to avoid mixing of stored soils. The final SMP will set out the reinstatement measures to return the working area to pre-existing condition as far as reasonably practical in line with Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra 2009). Approval of a final COCP and the final SMP are secured via DCO Requirement 10</p> <p>Whilst there is predicted to be a temporary impact upon agricultural land during the construction phase of the onshore cable works, the reinstatement of land above the buried cable will allow agricultural cultivation to re-commence once the cable has been installed. Field drainage will be reinstated and the indicative minimum burial depth (from ground surface to the top of the cable ducting), will allow cultivation of land. Reinstatement in accordance with details approved by DCC is secured under DCO R17</p> <p>The Applicant acknowledges that, based upon the predictive ALC mapping, there is potential for permanent loss of ALC Grade 3a land as a result of the OnSS which has a footprint of up to 5Ha (based on an AIS substation design). The predictive ALC data show that the OnSS access track, covering approximately 0.38 ha would be located within ALC Grade 3b.</p> <p>The potential impacts upon soil resource are considered within the ES for both the cable corridor and OnSS during construction and operation and are predicted to be not significant for both.</p>	
			<p>Welsh Government: Planning Policy Wales (PPW11) paragraph 3.58 and 3.59 outlines national policy towards conserving Wales' Best and Most Versatile (BMV) agricultural land. Further guidance is provided in Technical Advice Note (TAN) 6 (https://gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities), including the consultation arrangements with the Welsh Government included at Annex B. The Department has produced the Predictive ALC Map for Wales</p>	<p>The Applicant refers to the response provided to ExQ1.9.1 at Deadline 1 which sets out how the Predictive ALC and Post 1988 Agricultural Land Classification (Wales) Surveys datasets have been considered and how impacts upon BMV has been minimized.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>(https://datamap.gov.wales/layers/inspire-wg:wg_predictive_alc2) (2019) and associated Guidance Note (https://gov.wales/agricultural-land-classification-predictive-map-guidance) on the use of the predictive map including a flow chart of when to commission ALC surveys. The Department has also made publicly available any previous validated ALC field survey data we hold – these are available via Data Map Wales (https://datamap.gov.wales/layers/inspire-wg:Post_1988_ALC_Wales_Surveys) and reports can be requested via LQAS@gov.wales mailbox. There are extensive previous ALC field surveys in the area of the proposed cable route, confirming areas of BMV agricultural land (Grade 2 and Subgrade 3a). It does not appear to be the case that the applicant has considered these in their assessment of route options. The applicants have used the Predictive ALC map to provide land quality information – however, no field survey work has been undertaken (as is required in our published Guidance Note https://gov.wales/agricultural-land-classification-predictive-map-guidance – see flow chart on p.2) or previous survey data checked. The grades and spatial distribution of ALC grades determined by a survey is key to inform policy application relating to BMV agricultural land (PPW 3.58 and 3.58) – how considerable weight has been applied to protect BMV land form development, application of the sequential test and demonstrating overriding need. It is therefore unclear how BMV policy has been applied robustly in this application and spatial choices, when the ALC grades and distribution of grades have not been confirmed. The Department would be available to validate any ALC field survey commissioned by the applicant.</p>	<p>As noted by the Welsh Government, the Post 1988 Agricultural Land Classification (Wales) Surveys show there have been extensive surveys undertaken to the south and east of Rhyl, to the north west of Bodelwyddan and around St Asaph Business Park. The ALC determined by these surveys is reflected in the Predictive ALC data and the Applicant considers this represents sufficient information to inform the EIA with permanent loss of up to 5Ha of land predicted to be BMV associated with the OnSS.</p> <p>The onshore cable corridor and associated works are not expected to have any significant impact on agricultural use given the pre-condition soil survey and soil management plan. The restoration to agricultural use of onshore cable connections for offshore windfarms within this area is demonstrated through the successful restoration of the Burbo Bank Extension and Gwynt y Môr cable corridors.</p>
9.3	DMPC	<p>Effect on Agricultural Enterprises In respect of relevant representations made on behalf of your clients ([RR-038] to [RR-041]), please provide additional</p>	<p>DMPC on behalf of Mr G & Mrs ME Hughes:</p> <p>a)In this instance,as the subject area proposed to be affected is limited to the proportion of the entire agricultural unit ,the principal issue of significance to our client in respect of viability ,in this instance, applies to the concern that the affected part of the</p>	<p>The oSMP proposes that Soil Condition Surveys will be undertaken by specialist soil surveyors (professional members of the British Society of Soil Science) according to best practice, to inform the final SMP to</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>detail relating to the following concerns:</p> <p>a) Viability of the existing agricultural enterprise(s); and</p> <p>b) Proposed mitigation measures, including reinstatement methods</p> <p>Please annotate on a map area(s) of holding to be affected and percentage of the holding this represents.</p>	<p>agricultural parcel will be subjected to lasting disturbance regardless of how well the reinstatement is undertaken (and that the provisions for statutory compensation will not fully recompense the ensuing loss of productive capacity). As it is heavy land it is considered imperative that topsoil, subsoil and the boulder clay are all kept separate within our client's land and are reinstated in sequence (of boulder clay followed by sub soil and then top soil). Also, that topsoil is removed, and a suitable membrane installed before any use takes place for 'compound' and haul road purposes. From the previous experience of our client with utility schemes there have been instances when the soil structure has been severely damaged. This is considered largely to have resulted from lack of care and understanding of the need to prevent the mixture, not only of the topsoil but, also of the sub soil and boulder clay to mitigate adverse impact of natural drainage and water table enabling natural organisms to survive and provide the environment for grass and other crops to thrive.</p> <p>b.i. It is understood from the Category 4 Publication of the 'book of reference' that 'mitigation measures are commitments made by the project to reduce and/or eliminate the potential for significant effects to arise as a result of the project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects'. Accordingly, the detail referred to in item 1 above is considered applicable, and significant, in this respect .</p> <p>ii) Regarding reinstatement, in addition to the detail referred to in item 1 above, it is important that the topsoil is duly protected from contamination (including measures carried out in respect of routine weed control) and reinstated in sequence of builder clay, subsoil followed by topsoil together with surface stones removed . Then subsoiling will be considered necessary with the aim of addressing compaction (for the benefit of natural drainage) and the land cultivated (together with lime applied - if a soil analysis deems appropriate) and seeded (with a grass seed mixture</p>	<p>agree methods for protection of soils during construction. The final SMP will include measures to prevent mixing of topsoil and subsoil and also for reinstatement. This will enable reinstatement to be undertaken and for the soils to be returned to arable cultivation. The soil condition surveys and discussions with the landowner will assist in determining the extent of reinstatement measures and soil treatments required</p> <p>Discussion regarding depth of necessary infrastructure and cables are ongoing and it is likely a minimum burial depth of 0.9 m could be adopted in this location</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>approved in advance by our client) and relevant compound fertilizer applied with the affected land being protected by temporary livestock (cattle & sheep) proof fencing until the new sward is duly established .Furthermore , laying infrastructure (such as cables) at a depth of 0.75m below ground level will limit the ability to effectively subsoil and/or</p> <p>mole-plough , when needed to address ompaction ,as appropriate . Such apparatus should therefore be installed at a minimum of 0.9 m below surface level (to accord with, what is regarded as 'established standard practice with such schemes ') to mitigate impact on productive capacity .</p>	
			<p>DMPC on behalf of The Estate of the Late Mr Wynford Davies : In respect of the Examining Authority's written questions and request for information (ExQ1), given it is our clients decision not to submit written representations in respect of the existing proposed scheme, no comments will be issued ,in this instance, in response to Question 9.3 of the attachment.</p>	<p>This is noted by the Applicant.</p>
			<p>DMPC on behalf of Mr AEM Owen: In respect of the Examining Authority's written questions and request for information (ExQ1), given it is our clients decision not to submit written representations in respect of the existing proposed scheme, no comments will be issued ,in this instance, in response to Question 9.3 of the attachment.</p>	<p>This is noted by the Applicant.</p>
			<p>DMPC on behalf of Mr JB & Mrs E Evans:</p> <p>a.Faenol Bropor farm extends to 149.5 acres or thereabouts .The proposed scheme will have an inevitable devastating impact on the viability of the agricultural unit and accordingly the associated livestock enterprise, given it is proposed that in excess of 54% (up to 83.01 acres /33.59ha) of 'prime' agricultural land is to be acquired to locate a substation (together with 'mitigation/ bio diversity enhancement ') and a further 6% (9.55 Acres/3.86 ha) is earmarked for 'temporary occupation and use' (potentially ,it is currently anticipated ,up to 2030) in respect</p>	<p>Biodiversity Net Gain (BNG) of at least 10% applies to England only, and in any event is typically applied by most Planning Authorities in an additive fashion, i.e. mitigation/compensation for European Protected Species legal compliance does not count toward BNG. The 10% figure is not considered relevant in the case of AyM.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>of the intended cable corridor and outfall pipe (in aggregate extending to over 60% of the farm). The farm business will no longer be able to sustain two households and the aspirations for the subsequent generation to succeed will, undoubtedly, be significantly hampered . The total owned 'property' applicable to Faenol Brodor is shown for identification purposes only edged in red on the accompanying 'option plan'. The extent proposed to be acquired is tinted red (Plot Nos 416 & 417 on the appended DCO land plan extract) , with the area earmarked for temporary occupation and use, being Plots 402 & 405 to 415 , shown in blue thereon .</p> <p>b.i. It is understood from the Category 4 Publication of the 'book of reference' that 'mitigation measures are commitments made by the project to reduce and/or eliminate the potential for significant effects to arise as a result of the project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects'. Given that the land required for the permanent substation is understood to be 12.36 acres (5.00 ha) ,and bio diversity net gain of 10% is perceived to be the 'norm' (whilst effective screening of the proposed development is regarded as imperative), it is considered that the total area of land allocated for acquisition is excessive (bearing in mind that a significant proportion of the subject area is classified as Grade 3a and therefore biodiversity enhancements disproportionately compete with effective land needed for food production).Moreover whilst item 8 (Schedule 2) of the Draft DCO is noted there is concern that information on location and type of permanent screening from Faenol Brodor homestead against adverse visual impact as well as noise and light pollution (during construction and post development) together with vibration management (during scheme operations) is principally regarded as somewhat non-specific . Requests to arrange a site meeting and for further comprehensive information in order to duly to address associated concerns (and for inclusion of coniferous</p>	<p>The proposed area for mitigation, compensation and enhancement around the OnSS is considered to be of an appropriate size noting the following:</p> <ul style="list-style-type: none"> ▲ The area provides compensation for permanent loss of foraging habitat for Great Crested Newts as a result of development of the OnSS (up to 5 ha), and access road to the OnSS. This is required so that the proposals would not be detrimental to the favourable conservation status of this protected species. There is a well recorded population at St Asaph Business Park. GCN is protected through its inclusion in Schedule 5 of the Wildlife and Countryside Act and in Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended), it is also a S7 species. Glascoed Nature Reserve at the extreme southwest of the business park includes numerous breeding ponds and is managed for the benefit of the species. Mitigation for GCN has been and remains an integral part of the development of the business park;

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>species as part of the proposed woodland mixture-so as to enhance screening during the winter) are not being accommodated .</p> <p>ii) Regarding reinstatement it is vital that topsoil and subsoil together with any boulder clay are kept separate and are not removed from our clients land .In addition it is important that the top soil is duly protected from contamination (including measures carried out in respect of routine weed control) and reinstated in sequence of builder clay, subsoil followed by top soil together with surface stones removed . Then subsoiling will be considered necessary with the aim of addressing compaction (for the benefit of natural drainage) and the land cultivated (together with lime applied -if a soil analysis deems appropriate) and seeded (with a grass seed mixture approved in advance by our client) and relevant compound fertilizer applied with the affected land being protected by temporary livestock (cattle & sheep) proof fencing until the new sward is duly established. As regards to damaging the viability of retained land (being all the property excluding that tinted red on the accompanying 'option plan') , laying infrastructure (such as cables) at a depth of 0.75m below ground level will limit the ability to effectively subsoil and/or mole-plough ,when needed to address compaction. Such apparatus should therefore be installed at a minimum of 0.9 m below surface level (to accord with, what is regarded as 'established standard practice with such schemes') to mitigate impact on productive capacity. Also, in the event of any land being severed it will be fundamental for any retained portion to remain suitable for modern agricultural use in respect of field size and alignment, with the provision for water and appropriate access together with boundaries duly reinstated to our clients reasonable satisfaction. Moreover, for completeness, whilst not ideal , it would be considered beneficial for our client to retain ownership of the proposed severed field to the west of points D to E (as indicated on the appended Option land) in order to maintain a watercourse on the basis that suitable access and provision of</p>	<ul style="list-style-type: none"> ▲ In line with the principles set out in the oLEMP (Document 2.10 of the Applicant's Deadline 2 submission), the Permanent loss of hedgerows at the OnSS, which may be used by sheltering GCN, will be compensated via creation of new broadleaved woodland and species rich hedgerows comprising locally appropriate species. These will be located so as to link or buffer existing woodlands, scrub and hedgerows; ▲ There is a need for compensation for loss of bat roosts as a result of the OnSS. compensation measures for confirmed roost loss would be within the Core Sustenance Zone of the species concerned; ▲ There is a requirement to provide landscape planting around the substation as visual mitigation for surrounding receptors; ▲ The provision of permanent landscape and ecological mitigation in the same location reduces the overall long-term land-take of the project; and ▲ The Mitigation proposals are considered satisfactory by DCC and NRW. <p>The oSMP proposes that Soil Condition Surveys are completed to inform the final SMP to agree methods for protection of soils during construction. The final SMP will include measures to prevent mixing of topsoil and subsoil and also for reinstatement of soils. This will enable reinstatement to be undertaken and for</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			right of way is available via the existing trackway (if acquired) from A-B & B to C.	<p>the soils to be returned to arable cultivation. The soil condition surveys and discussions with the landowner will assist in determining the extent of reinstatement measures and soil treatments, water access and boundary treatments required.</p> <p>Discussion regarding depth of necessary infrastructure and cables are ongoing and it is likely a minimum burial depth of 0.9m could be adopted in this location</p> <p>The comments around retaining ownership of the severed field, access and a right of way are noted and the Applicant will accommodate these requests as far as possible.</p>
9.4	Rostons	<p>Effect on Agricultural Enterprises In respect of relevant representations made on behalf of your clients ([RR-042] to [RR-051]), please provide additional detail relating to the following concerns:</p> <p>a) Food production and security, and</p> <p>b) Proposed mitigation measures, including reinstatement methods.</p> <p>Please annotate on a map area(s) of holding to be affected and percentage of the holding this represents.</p>	<p>Rostons on behalf of Mr R & Mrs H Proffitt: In response to the Examining Authority's first written questions in Section 9.4 Effect on Agriculture Enterprises. It is an accepted principle that large scale excavations including the separation and replacement of topsoil from sub soil, has a significant impact upon the productive capacity and yield potentials of agricultural land following the reinstatement of the lands post works, even in ideal weather conditions. When conditions are less favourable, particularly during periods of extremely wet weather as we are now prone to suffer. Then the use of heavy plant and construction equipment across agricultural land during the works and during its reinstatement, will cause long-lasting or in the worst case irreparable damage to the soil structure, particularly if the sub soil becomes mixed with the topsoil. These principles apply to all agricultural land affected by the route. However, in the land at Fferm in particular, this damage could be mitigated by ensuring that the cable is direct drilled along the entire length of this land</p>	<p>The oSMP proposes that Soil Condition Surveys are completed to inform the final SMP to agree methods for protection of soils during construction. The final SMP will include measures to prevent mixing of topsoil and subsoil and also for reinstatement of soils. This will enable reinstatement to be undertaken and for the soils to be returned to arable cultivation. The soil condition surveys and discussions with the landowner will assist in determining the extent of reinstatement measures and soil treatments, water access and boundary treatments required.</p> <p>The Applicant appreciates that the landowners have expressed a preference for HDD installation of the cable in this</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			rather than by open cut trench which would significantly reduce the affected areas.	<p>location. HDD (or other trenchless techniques) are an effective means of crossing obstacles along the cable route, including main roads, railways, deep waterways and some environmentally sensitive features. However, they are inappropriate for open agricultural land. Relative to open cut, trenchless techniques are inherently more technically challenging and time consuming. As a result, they are more expensive whilst adding complexity to the design and schedule of the scheme. In sections of the route where trenchless techniques are appropriate, the length of the bore is generally minimised as far as possible. A longer bore such as would be needed to avoid any open trenching in this location would increase the volume of drilling fluid (and hence the environmental risk), increase the size of the drilling rig required (and hence noise levels) and also increase the likelihood that 24-hour operations are required (and hence causing greater disturbance).</p> <p>In addition, joint bays can only be located in open cut sections of the cable route. Export cables are supplied in standardised lengths and joint bays must be evenly spaced along the cable route to prevent significant wastage, this also constrains the use of trenchless techniques.</p> <p>It should also be noted that any use of trenchless techniques does not remove</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>the requirement for a haul road as vehicular access to the adjacent sections of the cable installation are still required. Hence the construction impacts (such as topsoil stripping, haul road installation, haul road traffic, removal and reinstatement) are present regardless of whether open cut or trenchless techniques are applied.</p> <p>The Applicant needs to comply with the requirements of section 9 of the Electricity Act 1989 (i.e. to develop and maintain an efficient, co-ordinated and economical system of electricity distribution and transmission)</p> <p>This land parcel does not contain environmental or technical constraints that require the use of trenchless techniques and therefore it is the Applicant's view that the additional cost, engineering risk and scheduling risks associated with a long trenchless crossing are not warranted.</p> <p>The Applicant considers that appropriate mitigation has been provided that will allow for the area to be restored effectively, whilst ensuring that the requirements of Section 9 of the Electricity Act are met.</p>
9.8	The Applicant	<p>Grade 3a and 3b Soil Resources In respect of the proposed OnSS, the permanent loss of Grade 3a soil resource is stated as 0.38ha (paragraph 137 of [APP-067]). In terms of landfall infrastructure,</p>	<p>The Applicant: The Applicant notes that the permanent loss of agricultural land from the OnSS footprint would be 5 ha (based on an AIS substation type). The predictive Agricultural Land Classification (ALC), dataset shows the OnSS to fall within Grade 3a and the proposed access to the OnSS falls within Grade B ALC land.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS																																	
		<p>the loss of soil resource is stated to be 20 square metres (paragraph 140 of [APP-067]). In both instances, it is stated that the losses are small in comparison to the remaining available Grade 3a and Grade 3b soil resources. Please confirm the overall amount of Grade 3a and 3b soil resources within the region.</p>	<p>The Applicant has calculated the area of ALC grade land within 1000 m of the two locations within the following 2 tables to provide a local context and also the area of ALC grade land within Denbighshire to provide a regional context.</p> <p>This shows that at a local level, the OnSS footprint (up to 5 ha) represents loss 2.16% of the Grade 3a that is within 1000m of OnSS. At a regional level, the OnSS footprint represents a loss of and 0.038% of the Grade 3a land within in Denbighshire</p> <p>The Applicant has also provided an additional plan showing the Draft Order limits overlaid onto the Agricultural Land Classification to provide additional context.</p> <p>TJB – would be located within Grade 3b</p> <table border="1" data-bbox="1130 915 2089 1507"> <thead> <tr> <th>ALC GRADE</th> <th>HECTARES WITHIN 1000M</th> <th>HECTARES WITHIN DENBIGHSHIRE</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td>683</td></tr> <tr><td>2</td><td></td><td>6,785</td></tr> <tr><td>3a</td><td>70.859137</td><td>13,128</td></tr> <tr><td>3b</td><td>132.499333</td><td>21,648</td></tr> <tr><td>4</td><td></td><td>13,877</td></tr> <tr><td>5</td><td></td><td>12,426</td></tr> <tr><td>Urban</td><td>87.572893</td><td>2,385</td></tr> <tr><td>Other</td><td>2</td><td>12,917</td></tr> </tbody> </table> <p>OnSS - 5 Ha of Grade 3a is 2.16% of Grade 3a within 1000m of OnSS and 0.038% of Grade 3a land in Denbighshire</p> <table border="1" data-bbox="1130 1682 2089 1852"> <thead> <tr> <th>ALC GRADE</th> <th>HECTARES WITHIN 1000M</th> <th>HECTARES WITHIN DENBIGHSHIRE</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td>683</td></tr> </tbody> </table>	ALC GRADE	HECTARES WITHIN 1000M	HECTARES WITHIN DENBIGHSHIRE	1		683	2		6,785	3a	70.859137	13,128	3b	132.499333	21,648	4		13,877	5		12,426	Urban	87.572893	2,385	Other	2	12,917	ALC GRADE	HECTARES WITHIN 1000M	HECTARES WITHIN DENBIGHSHIRE	1		683	
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			2	8,553	6,785	
			3a	231.61	13,128	
			3b	115,927	21,648	
			4		13,877	
			5		12,426	
			Urban	31,45894	2,385	
			Other	21,520193	12,917	
			<p>Welsh Government: The department has published statistics (https://gov.wales/agricultural-land-quality-statistics-planning-authorities-2020) on the Predictive distribution of ALC grades in Wales. As noted in our published Guidance Note, where BMV agricultural land is a matter for consideration, a ALC survey will need to be undertaken to confirm the BMV status of the land as well as area and distribution of grades. In our response to 9.1 (84), it is noted that ALC field surveys have not been undertaken (nor previous survey data checked) to confirm the area and distribution of BMV agricultural land impacted by the development and the application of PPW paragraph 3.58 and 3.59. Therefore, the Department is unclear how figures on area of Subgrade 3a and 3b have been obtained and to their accuracy.</p>			

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				SMP. The restoration to agricultural use of onshore cable connections for offshore windfarms within this area is demonstrated through the successful restoration of the Burbo Bank Extension and Gwynt y Môr cable corridors.
9.9	CBBC, DCC, NRW	<p>Outline Code of Construction Practice (oCoCP) and Soil Resources</p> <p>Are you satisfied with the approach and content of the oCoCP [APP-312] and associated appendices (e.g. the outline Soil Management Plan (oSMP) [APP-316]) in respect of the management of potential effects on soil resources? If not, please detail additional methods and/or mitigation measures considered necessary within the oSMP. In addition, please confirm whether you are satisfied that soils would be suitable for the required end use and the appropriateness of the proposed soil restoration methods.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant provided draft versions of the oCoCP (APP-312; Document 1.49 of the Applicant's Deadline 1 submission) and oSMP (APP-316; Document 1.37 of the Applicant's Deadline 1 submission) alongside the PEIR when undertaking Statutory Consultation. In response, DCC and NRW provided feedback on the CoCP and associated plans that has been incorporated within the submitted documents, however, no feedback was provided on the oSMP. As no issues or disagreements were raised during this process, the Applicant considered that two Local Authorities and NRW to be content with the approach and content of the oSMP (Document 1.37 of the Applicant's Deadline 1 submission).</p> <p>NRW: With respect to soil resources, NRW is satisfied with the approach and content of the Outline CoCP and the associated Outline Soil Management Plan.</p> <p>CCBC: These matters relate to areas outside Conwy County Borough. The Council does not wish to comment on the adequacy of these measures.</p> <p>Welsh Government: The department has concerns regarding the oSMP. A detailed ALC survey (according to the 'Revised Guidelines and Criteria for Grading the Quality of Agricultural Land' – MAFF 1988) and Physical Characteristics Report is required for the site to confirm if the development area is BMV</p>	<p>N/A</p> <p>The Applicant welcomes confirmation from NRW that it is satisfied with the approach and content of the oCoCP and the associated oSMP.</p> <p>N/A</p> <p>The updated oSMP (APP-316) was provided by the Applicant at Deadline 1 (REP1-038) which contains additional information on the soil condition survey that would be undertaken to inform the</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>agricultural land, the proportion of grades identified and the soil resources available. This is essential baseline information to inform (and be able to condition against) the soil management plan, soil stripping, storage, reinstatement and aftercare scheme for the development. This is to ensure different soils are identified, stripped, stored, and reinstated in the correct sequence, to the same quality as far as practicable, and minimise potential for loss of function and/or BMV agricultural land resource. The oSMP is broad and presents gaps in details in how the proposals will actually minimise damage to the soils. The main risks to be considered and addressed would be:</p> <p>a. Soil compaction from trafficking and handling (relevant at all project stages) – this has the potential to introduce or exacerbate a wetness limitation and thus affect ALC grade;</p> <p>b. Mixing of topsoil and subsoil resources during soil handling operations – this has the potential to reduce the thickness of topsoil (and associated nutrients) available for crop growth;</p> <p>c. Mixing of soil materials with different characteristics (for example mixing heavy and lighter textured soil materials) – this has the potential to result in wetter soils which are more prone to waterlogging and structural degradation which could affect the ALC grade;</p> <p>d. Contamination of soil materials with aggregate used to construct the access routes, etc.</p>	<p>final details for how soil would be managed in order to return all agricultural land back to its current condition.</p> <p>It is the position of The Applicant that all agricultural land affected by onshore ECC construction will be returned to its previous condition/land quality post-construction (regardless of whether it is BMV quality or lower quality).</p> <p>The Applicant will undertake pre-construction soil condition surveys and intrusive soil survey trial pits to fully identify and describe the physical characteristics (topsoil/subsoil layer depths, soil texture, structure, stone content, drainage characteristics) of the existing soil profiles. This will be undertaken by specialist soil surveyors (professional members of the British Society of Soil Science) according to best practice.</p> <p>The survey work will include the identification of the physical characteristics of profiles at agreed intervals. Trial pits will also be examined at appropriate locations to provide information on soil structure.</p> <p>The survey will provide information on the following soil physical characteristics:</p> <ul style="list-style-type: none"> ▲ Soil horizon depths for topsoil and subsoil horizons; ▲ Soil textures of all horizons; ▲ Soil colour;

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<ul style="list-style-type: none"> ▲ Stone contents, estimated from augering, confirmed by soil pit excavation/ and or sample analysis; ▲ Soil wetness indicators; ▲ Identification of slowly permeable layers; and ▲ Identification of impenetrable rock layers. <p>In advance of construction works commencing, a Final SMP will be developed based on the results of the pre-construction condition soil survey and include details of the methods of working, proposed site machinery and tillage equipment, materials and Health & Safety requirements.</p> <p>The final SMP will also set out storage arrangements to minimise damage to disturbed soils and measures to avoid mixing of stored soils. The final SMP will set out the reinstatement measures to return the working area to pre-existing condition as far as reasonably practical in line with Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra 2009).</p> <p>The proposed condition survey represents a more detailed investigation than the ALC survey suggested by Welsh Government. For example waterlogging caused by damaged land drains would not affect the ALC grading, but would have a major effect on use of the land. Likewise, artificially thinner topsoil, mixing</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>topsoil and subsoil, or surface compaction would not affect land grade. The post consent soil survey could easily also include ALC grading, however what is proposed is a methodology which ensures all land goes back exactly as it was found.</p> <p>Approval of the final SMP by DCC is secured as part of the Code of Construction practice via DCO R10.</p>
9.10	CBBC, DCC, NRW	<p>Outline Code of Construction Practice (oCoCP) and Ground Conditions</p> <p>Are you satisfied with the approach and content of the oCoCP [APP-312] and associated appendices (e.g. the Outline Pollution Prevention and Emergency Incident Response Plan (oPPEIRP) [APP-318]) in respect of the management of potential effects on ground conditions? If not, please detail additional methods and/or mitigation measures considered necessary within the oPPEIRP.</p>	<p>DCC: No response given</p> <p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant provided draft versions of the oCoCP (APP-312) and oSMP (APP-316) alongside the PEIR when undertaking Statutory Consultation. In response, DCC and NRW provided feedback on the CoCP and some of the associated plans that has been incorporated within the submitted documents.</p> <p>DCC and CCBC did not provide feedback on the oPPEIRP (APP-318). As no issues or disagreements were raised during this process, the Applicant considers two Local Authorities to be content with the approach and content.</p> <p>NRW provided S.42 feedback on the oPPEIRP to confirm that the document detailed all the generic guidance for mitigation actions and pollution prevention measures associated with (ground) water issues. NRW therefore accepted its use for this development.</p> <p>NRW has provided additional feedback within its Relevant Representation that minor amendments to the Outline Pollution Prevention and Emergency Incident Response Plan (APP-318) be made in order to ensure that the final version of the plan is based on a more robust Outline version (e.g. confirmation that no discharge of contaminated water occurs (including</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			contamination with sediments) without the relevant exemption or Permit, not refueling within 10m of a watercourse rather than the 5m stated). The Applicant has discussed this with NRW and is happy to review such feedback when it is provided (anticipated to be within NRW's Written Representation).	
			NRW: We refer you to paragraph 3.6.2 of our Written Representations which advises amendments to the Outline PPEIRP.	The Applicant is agreeable to these proposals and has incorporated them in the oPPEIRP (APP-318; Document 2.37 of the Applicant's Deadline 2 submission)
			CCBC: These matters relate to areas outside Conwy County Borough. The Council does not wish to comment on the adequacy of these measures.	N/A
			Welsh Government: The Department has concerns regarding appropriate ground conditions during the constructing and reinstatement of soils. The oSMP has no information on the timing of operations (time of year), ground conditions (when suitable / unsuitable and how this is assessed), soil types on site and their vulnerability to damage (e.g. wet heavy textured soils and compaction risks). As noted previously, and ALC and Soil Physical Characteristics report is required as a baseline to inform the oSMP and understand the soils (types, volumes and distribution) and potential risks to soils on site. This is also to ensure different soil types and volumes are stripped, stored and placed appropriately. The qualifications, responsibilities and authority of the agricultural liaison agent proposed is not confirmed. Will the agent have the overall authority to stop works on site if ground conditions are not suitable and there are risks to soils?	Although the timing of operations has not been determined pre-consent, this would be established post-consent during detailed design. The final scheme design and construction methodology will be informed by a number of pre-commencement surveys, including ecological surveys, arboricultural surveys and a soil condition survey (as set out in the oSMP). The condition survey will constitute the ALC and Soil Physical Characteristics report proposed by the Welsh Government and will inform the final SMP that will be approved by DCC in advance of construction works commencing. The final SMP will include appropriate measures to prevent mixing of soil types and set out how soils will be stripped, stored and placed appropriately. The SMP will also set out the suitable/unsuitable

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				ground conditions that would allow/prevent soil handling to take place. The qualifications, responsibilities and authority of the agricultural liaison agent will be confirmed via the final SMP as will confirmation that the agent would have the overall authority to stop works on site if ground conditions are not suitable and there are risks to soils.
			DCC: No response given	N/A
9.11	The Applicant	<p>Soil Storage</p> <p>The oSMP confirms that soils shall be categorised based on their origin, and stockpiles/stored accordingly (paragraph 23 of [APP-316]). What documentation and physical control measures will be put in place to prevent accidental mixing? How will these be secured?</p>	<p>The Applicant: The Final SMP will be developed based on the results of a pre-construction condition survey, which will specify the detail of the existing soil characteristics and the depths and properties of topsoil and subsoil horizons. The final SMP will include details of the methods of working, proposed site machinery and tillage equipment, materials and Health & Safety requirements.</p> <p>As part of the SMP, soils will be segregated into stockpiles of no more than 5,000m³ based on their origin and type (e.g., topsoil, subsoil and Made Ground). Each stockpile will be labelled with appropriate signage and a unique identifier.</p> <p>If export of excess topsoil and subsoil associated with the OnSS is proposed following detailed design, material will be tested in accordance with the appropriate British Standard guidance (e.g. BS 3882:2015 and BS8601:2013) to assess the quality of the soils and determine if they meet the required standards for re-use. Copies of any laboratory certificates, if obtained will also be held on record within the site file.</p> <p>Best practice measures will be set out and approved in the final SMP and implemented to prevent accidental mixing during all phases of soil handling, and this will include the following measures:</p> <p>a) Use of a soil resource plan, informed by the condition survey showing soil units to be stripped with information provided</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>to operatives to distinguish types and layers, and ranges of thickness</p> <p>b) Determination of stripping depths to allow segregation of topsoil and subsoil</p> <p>c) Use of clear signage to identify the content of stockpiles.</p> <p>The following measures will be used to protect stored soils:</p> <p>d) No trafficking of vehicles/plant or storage of materials to take place outside designated working areas. Heavy plant and vehicles to be restricted to specific routes;</p> <p>e) No trafficking of vehicles or plant on stockpiled or reinstated soils (topsoil or subsoil);</p> <p>f) Stripping areas are to be protected from in flow of water and ponding. Wet areas will be drained in advance of stripping;</p> <p>g) Where practicable, soils will only be moved when they are in a dry and friable condition, based on field assessment of the soils' wetness in relation to its lower plastic limit;</p> <p>h) No mixing of topsoil with subsoil, or of soil with other materials.</p> <p>i) Spraying and dust suppression measures will be used if required.</p> <p>Details of the soil management works will be recorded as part of the daily record/site diary, and these records will be checked on a weekly basis for compliance with the SMP, and these details recorded.</p> <p>The additional details above have been added to an updated version of the outline SMP (Document 1.37 of the Applicant's Deadline 1 submission) that has been provided at Deadline 1 and will be secured through approval of the final SMP under DCO R10.</p>	
			<p>Welsh Government: As noted previously, and ALC and soils physical characteristics report is required to inform the types,</p>	<p>The Applicant made a number of updates to the oSMP that was provided at</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>volumes, and distribution of soils on site. This is essential for informing stripping (soil types and horizon depths) and appropriate storage bunds. The location, soil type and volume of each bund will need to be provided as well as management and audits of soil stored. Soil storage bunds need to be of sufficient size for the separate storage of different soil types without being excessively high bunds – maximum of 3m for topsoil and 5m for subsoil. The working plans need to take account of the area required for soil storage based on soil resources report estimates and bund height / slope constraints. This is particularly important on a site where it is limited by size and working area.</p>	<p>Deadline 1 (REP1-038), that it hopes would address the issues raised by the Welsh Government. This includes proposals to prevent mixing of soils and soil storage. The Applicant would welcome further discussions with WG on the detail to be included in the oSMP.</p>
9.13	The Applicant	<p>Soil Management Will stored soils be tested for plasticity? If so, please detail the proposed methodology. If no testing is proposed, please explain your reasons.</p>	<p>The Applicant: The plasticity of the stored soils will be assessed at regular intervals (at least on test per 1000m³ of soil) in the field using a Soil Consistency Test comprising two stages:</p> <ul style="list-style-type: none"> ▲ Step A - Attempt to roll a soil sample into a ball by hand; and ▲ Step B - Attempt to roll ball into a 3mm diameter thread by hand. <p>If it is not possible to roll the soil into a ball or a 3mm diameter thread the soil will be determined to be below the plastic limit.</p> <p>The most appropriate methodology for handling and storage of the soils will then be determined and agreed via the final SMP based on the plasticity and the moisture content of the soils.</p> <p>Most inappropriate handling can be prevented by a detailed soils assessment combined with a set of construction rules which control timings of machinery handling in relation to winter wet (field capacity) periods and heavy rain at other times of year.</p> <p>The additional details above have been added to an updated version of the outline SMP (APP-316) that has been provided at Deadline 1 (Document 1.37 of the Applicant's Deadline 1 submission).</p> <p>Welsh Government: The testing of soil plasticity needs to consider handling of soils within stockpiles and in situ. The risks of working with or trafficking over plastic soils will be present at all stages of the works, from initial site fencing and soil stripping soil</p>	<p>N/A</p> <p>The Applicant made a number of updates to the oSMP that was provided at Deadline 1 (REP1-038), that it hopes would address the issues raised by the Welsh</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>reconditioning/reinstatement. It is also not clear who will have responsibility for assessing soil plasticity or the supervision, monitoring and auditing of activities affecting the soils – would this be the agricultural liaison agent proposed? It is absolutely imperative that all such activities are supervised, monitored and audited by individuals with the appropriate qualifications and experience.</p>	<p>Government. This includes proposals for testing of soil plasticity.</p>
9.14	The Applicant	<p>Soil Management How will the transmission of information contained within the final SMP be disseminated on site? Is the use of 'toolbox' talks envisaged? If so, how will this be secured?</p>	<p>The Applicant: All site operatives who will be involved in the excavation or movement of soils will be briefed on the final SMP as part of the initial site induction process, and each site operative will sign copies of the appropriate method statements held within the site register to confirm acknowledgement of this information.</p> <p>This information will be refreshed throughout the project as part of the daily toolbox talks, and key works relating the SMP will be recorded in the daily record/site diary maintained by the site manager (e.g. material movements/stockpiling, soil sampling/testing, etc.).</p> <p>Communication and understanding of the information relating to the SMP will be assessed as part of weekly review and regular site audits.</p> <p>The additional details above have been added to an updated version of the outline SMP (APP-316) that has been provided at Deadline 1 that will be secured through approval of the final SMP under DCO R10.</p> <p>Welsh Government: As above, it is absolutely imperative that transmission of information from the SMP is effectively handed over to contractors. Also is it highly important that on-site activities are supervised, monitored and audited by individuals with the appropriate qualifications, experience and authority. The role, responsibilities and authority of the agricultural liaison agent need clarifying.</p>	<p>N/A</p> <p>The Applicant made a number of updates to the oSMP that, that it hopes would address the issues raised by the Welsh Government. Section 4.3 of the outline SMP sets out that site operatives will be briefed on the Final SMP alongside a commitment to regular auditing of the communication and understanding of the information relating to the SMP.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				This includes proposals for supervision, monitoring and auditing of works affecting soils and the roles and responsibilities of the agricultural liaison agent and/or soils specialist.
9.15	The Applicant	<p>Soil Restoration Methods</p> <p>How will the suitability of soil stockpiles for restoration be assessed? Please confirm whether the final SMP will include a restoration methodology?</p>	<p>The Applicant: The final SMP will include an appropriate restoration methodology based on the results of the site investigation and soil resource survey reports.</p> <p>The main objectives for the reinstatement of the land will be to restore it to its pre-development quality as far as is reasonably practicable, as determined by the information obtained during the pre-construction soils survey and to leave the topsoil of any agricultural land in a loose and friable and workable condition to its whole depth. Land will be reinstated as soon as reasonably practical after completion of the construction works.</p> <p>For works along the onshore ECC material will be re-used on site and replaced in its original location and correct depositional sequence in accordance with the SMP and the soil resource survey reports.</p> <p>For the OnSS, any material sent offsite for re-use or appropriate soil treatment/disposal will be minimised where possible.</p> <p>The additional details above have been added to an updated version of the outline SMP (APP-316) that has been provided at Deadline 1 (Document 1.37 of the Applicant's Deadline 1 submission).</p> <p>Welsh Government: An ALC and soil resources survey and report are essential to establish the baseline for restoration target. These should be undertaken and used to the inform the restoration methodology. The methodology should be included as part of the final SMP.</p>	N/A
9.17		<p>Decommissioning</p> <p>The oSMP [APP-316] does not</p>	<p>The Applicant: Details surrounding the decommissioning phase are yet to be fully clarified, such as whether onshore ducts to</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
	The Applicant	refer to the decommissioning phase. Please confirm why this isn't necessary and whether consideration of this phase this will be included in the final SMP? If not, please explain your reasons.	<p>remain <i>in situ</i> with only the cable removed. In addition, it is also recognised that policy, legislation and local sensitivities will evolve.</p> <p>The scope for a decommissioning phase soil management plan would be determined through development of the written scheme of decommissioning that is required under DCO R22. A decommissioning phase soil management plan would be provided as part of the decommissioning phases CoCP (DCO R22 (2)).</p> <p>The additional details above have been added to an updated version of the outline SMP (APP-316) that has been provided at Deadline 1 (Document 1.37 of the Applicant's Deadline 1 submission).</p> <p>Welsh Government: It is expected that details of the decommissioning phase are provided in the final SMP. An ALC and soil resources survey and report are essential to establish the baseline for restoration target and to condition against. These should be undertaken and used to the inform decommissioning methodology, target restoration and site aftercare.</p>	<p>[Redacted]</p> <p>The Applicant made a number of updates to the oSMP that it hopes would address the issues raised by the Welsh Government. The decommissioning methodology would be finalised nearer to the end of the lifetime of AyM, to be in line with current guidance, policy and legislation. Any such methodology would include soil protection and reinstatement measures and would be agreed with the relevant authorities and statutory consultees. The DCO includes a requirement to submit a written scheme of decommissioning 6 months before decommissioning starts.</p>

2.10 Landscape and Visual

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
10.1	DCC, NRW	<p>Assessment</p> <p>Please confirm whether you are satisfied with:</p> <p>a) the ECC and OnSS study areas; and</p> <p>b) the OnSS viewpoint locations selected, as identified within ES Chapter 2: Landscape and Visual Impact Assessment (LVIA) [AS-029].</p> <p>If not, please explain the reasons for this.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant has engaged with NRW and DCC to discuss the scope of the LVIA throughout the pre-application phase through EIA Scoping, Statutory Consultation (via the PEIR), and through the Evidence Plan process via ETG 7.</p> <p>a) In accordance with the Methodology set out in ES Chapter 2: LVIA (AS-029), the study area is based on knowledge of similar projects, an understanding of the character of the local landscape and scale of the construction and development of the onshore components of AyM, including the proposed height of the substation infrastructure. The study area for the onshore ECC and landfall extends to a 1 km buffer around the onshore ECC (widening at landfall and trenchless crossings). The study area of the OnSS extends to a 5km radius around the OnSS. Together, these form the onshore LVIA study area. The onshore LVIA study area is intended to define the area within which there is potential for significant landscape or visual effect which is considered very unlikely to occur towards the edges of the onshore LVIA study area. This correlates with the findings of the LVIA which found no potential for significant visual effects at distant visual receptors e.g. demonstrated at Viewpoint 8 – Rhuddlan and Viewpoint 9 – Y Foel. LUC were appointed to advise the North Wales Local Planning Authorities and the LUC review dated 21/09/21 states that <i>'The LVIA study area extends to a 1km buffer around the landfall and ECC, and a 5km radius around the OnSS Zone. The extent of this area is considered to be sufficient to capture all potentially significant effects.'</i></p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>b) Eight LVIA viewpoints were agreed under the auspices of the EIA Evidence Plan and its Appendices (APP-301, 302, 303). However, an additional viewpoint, within the Clwydian Range and Dee Valley AONB was added in response to s42 feedback from NRW resulting in 9 viewpoints assessed in ES Chapter 2: LVIA (AS-029). No additional viewpoint locations were requested by DCC directly, however, LUC suggested that alternative viewpoint locations be included from St Asaph and Bodelwyddan Park as part of the S42 feedback.</p> <p>St Asaph – Viewpoint 7, was agreed as having the least restricted view from an elevated position within St Asaph that has theoretical visibility. It is acknowledged that there may be views from properties in close vicinity to viewpoint 7, however, the preliminary assessment in Table 12 of the LVIA considers that there is no potential for significant effects from St Asaph due to distance and intervening landscape elements (hedges, woodlands and trees), which combine to limit visibility from of the OnSS, see Figure 2.24, Viewpoint 7: St Asaph (APP-187).</p> <p>Bodelwyddan Park – Viewpoint 6, is located at the most elevated position within the publicly accessible area of the Bodelwyddan Park RHPG and therefore represents a worst-case view from this area in relation to representative visual effect, see Figure 2.23, Viewpoint 6: Bodelwyddan Castle (APP-186).</p>	
			<p>NRW: NRW is satisfied with a) the study areas and b) the viewpoint locations where they relate to the Clwydian Range and Dee Valley AONB.</p>	<p>This is noted and welcomed by the Applicant.</p>
			<p>LUC:</p> <p>a) The ECC and OnSS study areas are sufficient to capture all the potentially significant effects of the proposed development.</p> <p>b) The viewpoints are an appropriate and representative selection. The Applicant has considered alternatives and added new viewpoints to the DCO where necessary.</p>	<p>This agreement is noted and welcomed by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
10.2	DCC, NRW	<p>Assessment</p> <p>Please confirm whether you are in agreement with:</p> <p>a) the Applicant's LVIA methodology; and</p> <p>b) its assessment of effects in respect of landscape features, landscape character and visual amenity.</p> <p>If not, please explain the reasons for this.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant has engaged with NRW and DCC to discuss the scope of the LVIA throughout the pre-application phase through EIA Scoping, Statutory Consultation (via the PEIR), and through the Evidence Plan process via ETG 7.</p> <p>The LVIA Methodology was discussed at ETG meeting held on 10/12/19 including study area, baseline and viewpoints to be agreed. This is as set out in the Evidence Plan. And its Appendices (APP-301, APP-302 and APP-303). The appointment of an independent consultancy to advise the local authorities on LVIA and SLIVA matters was also discussed.</p> <p>LUC were subsequently appointed to advise the North Wales Local Planning Authorities. The LUC review dated 21/09/21 states that <i>'The SLVIA and LVIA have been carried out by experienced practitioners using a robust methodology based on established good practice. The scope of both assessments appears sufficient to capture all potentially significant effects. There is a clear record of consultation that indicates agreement with stakeholders on key points of the scope and approach.'</i></p> <p>NRW: NRW is in agreement with the Applicant's</p> <p>a) LVIA methodology</p> <p>b) assessment of effects.</p> <p>LUC:</p> <p>a) The Applicant's LVIA methodology is grounded in good practice and fit for purpose. LUC query the approach to 'moderate' (see 10.3).</p> <p>b) LUC's review of the LVIA assessment has not identified any areas of substantive disagreement.</p>	<p>N/A</p> <p>This agreement is noted and welcomed by the Applicant.</p> <p>This is noted and welcomed by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
10.3	DCC, NRW, The Applicant	<p>Assessment The LVIA methodology provides for moderate adverse effects to be classified as either 'significant' or 'not significant' based on professional judgement.</p> <p>DCC / NRW – Please confirm you are satisfied with this approach?</p> <p>The Applicant - Please further justify the instances where moderate adverse effects are considered 'not significant' in Tables 8, 10, 13 and 14, as the precise reasons for this are not clear to the ExA.</p>	<p>The Applicant: In accordance with the Methodology set out in ES, Volume 3, Chapter 2: LVIA (AS-029) and the paragraphs set out on pages 21 and 22 of GLVIA 3 professional judgement is used in the assessment of whether effects are significant or not significant. Professional judgement has determined that Moderate effects can be found to be Significant or Not Significant. The following receptors with Moderate effects are listed below along with justification for the judgement of these being assessed as not significant effects.</p> <p>Construction Effects</p> <ul style="list-style-type: none"> ➤ Bodelwyddan Park RHPG (Moderate and Not Significant) – Whilst the sensitivity of this receptor is assessed as Medium-High the magnitude of change is considered to be Medium-Low due to existing screening from within the RHPG and other built development context in the view. Effects are localised to the south-east area of the RHPG. For these reasons it is considered a significant effect would not occur. ➤ Chester to Holyhead Railway Line (Moderate and Not Significant) – Sensitivity is assessed as Medium for this receptor, the magnitude of change is also assessed as Medium and is not considered to be significant due to the localised nature of the effect, which would also only be experienced for a very short duration. ➤ Bryn-y-wal Farm (Moderate and Not Significant) – This receptor is assessed as having a Medium-High sensitivity and Medium-Low magnitude of change. The magnitude of change is considered to be moderated by the landscape elements at the edges of the neighbouring and intervening field reducing potential visibility of the construction activity. For these reasons it is also considered that a significant effect would not occur. 	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>▲ Cwybr Fawr (Moderate and Not Significant) – Both sensitivity and magnitude of change are assessed as Medium for this receptor. Views of the construction activity would only be possible from the side of the house or garden area and the principal view from the property to the east would be unaffected. For these reasons it is considered that a significant effect would not occur.</p> <p>Operational Effects</p> <p>▲ Bodelwyddan Park RHPG (Moderate and Not Significant year 1) – Whilst the sensitivity of this receptor is assessed as Medium-High the magnitude of change is considered to remain Medium-Low in year 1 following completion of construction. The effect of the OnSS in year 1 would be moderated due to existing screening from within the RHPG and other built development context in the view. Effects are localised to the south-east area of the RHPG. For these reasons it is considered a significant effect would not occur.</p> <p>▲ A1. Eastern Lowlands, Cefn Meiriadog Vale Slopes (Moderate and Significant year 1, Moderate and Not Significant year 15) – The sensitivity of this receptor is considered to be Medium and the magnitude of change is assessed as Medium-High at year 1. Effects are localised to the areas immediately surrounding the OnSS and OnSS construction compound, given the direct nature of the character effect it is considered that the Moderate effect experienced in year 1 is significant. In year 15 it is considered that the reduction in magnitude of change to Medium, as a result of planting mitigation, would also result in a Not Significant Moderate effect.</p>	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p> ▲ Viewpoint 5, Minor Rd. Groesffordd (Moderate and Significant year 1, Moderate and Not Significant year 15, for residential receptors) – The sensitivity of residential receptors at this viewpoint is assessed as Medium-High and the magnitude of change is assessed as Medium at year 1. Whilst there is some intervening tree cover in the direction of the OnSS the built elements would be visible through these trees in a key view from this settled ridge. Whilst the cessation of construction activities would slightly reduce the magnitude of change, the landscape reinstatement would not have any visual mitigation potential in year 1. For these reasons it is considered that a significant effect would still be present in year 1 following completion of construction. In year 15 it is considered that the reduction in magnitude of change to Medium-Low, as a result of planting mitigation, would also result in a Not Significant Moderate effect. </p> <p> For completeness, The Applicant has also provided the following receptors with Moderate effects are listed below along with justification for the judgement of significant effects. </p> <p> Construction Effects </p> <p> ▲ Taller hedgerows and hedgerow trees found along the onshore ECC (Moderate and Significant) – The magnitude of change is assessed as Medium for this element due to the degree of loss across several field boundaries as noted in the LVIA and it is considered that when combined with the Medium-High sensitivity that a significant effect would occur. </p> <p> ▲ ProW to the south of Rhyl between the B5119 and A547, including the North Wales Path (Moderate and Significant) – The magnitude of change is assessed as Medium for this receptor due to the localised nature of construction activities within TCCs or HDD compounds in close proximity to ProWs noted in the LVIA and it is considered that when combined with the Medium-High sensitivity that a significant effect would occur. </p>	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<ul style="list-style-type: none"> ➤ Waen Meredydd (Moderate and Significant) – The sensitivity of this receptor is assessed as Medium however the magnitude of change is assessed as Medium-High due to the widening area of construction activity and large TCC which would span across 3 separate fields to the west of the National Grid Substation. For these reasons it is considered that a significant effect would occur. ➤ Viewpoint 3 Glascoed Rd (Moderate and Significant, for road users) – The sensitivity of road users at this viewpoint is assessed as Medium-Low however the magnitude of change is assessed as High during construction due to the levels of construction activity visible along the road towards the onshore ECC and access and also the construction of the OnSS. For these reasons it is considered that a significant effect would occur. ➤ Viewpoint 5 Minor Rd, Groesffordd (Moderate and Significant, for residential receptors) – The sensitivity of residential receptors at this viewpoint is assessed as Medium-High and the magnitude of change is assessed as Medium during construction. Whilst there is some intervening tree cover in the direction of the OnSS the construction activities would nevertheless be visible in key views from this settled ridge. For these reasons it is considered that a significant effect would occur. <p>Operational Effects</p> <ul style="list-style-type: none"> ➤ Viewpoint 1, Bridlepath nr Faenol Bropor (Moderate and Significant, year 15) – Sensitivity is assessed as Medium for this viewpoint. Whilst the magnitude of change is considered to change from High to Medium-High between year 1 and year 15 as a result of the proposed mitigation planting, the close proximity and higher elevation of the OnSS platform when seen in this view impinge on the potential screening effect of mitigation planting to be more fully realised. For these reasons it is considered that whilst dropping to a Moderate degree, that a significant effect would still be present in year 15. 	

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>▲ Viewpoint 3, Glascoed Rd (Moderate and Significant year 1, for road users) – The sensitivity of road users at this viewpoint is assessed as Medium-Low however the magnitude of change is assessed as Medium-High at year 1. Whilst the cessation of construction activities would slightly reduce the magnitude of change, the landscape reinstatement along the road would not have any visual mitigation potential in year 1. For these reasons it is considered that a significant effect would still be present in year 1 following completion of construction.</p>	
			<p>NRW: NRW agrees with the LVIA method which provides for moderate adverse effects to be classified as either 'significant' or 'not significant' based on professional judgement. There are a number of cases where our professional judgement classifies moderate effects as significant.</p>	<p>NRW's agreement of the methodological approach to moderate adverse effects is noted and welcomed by the Applicant.</p> <p>With regard to disagreement in relation to the significance of effects the Applicants responses are set out in Section 2.7 of the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p>
			<p>LUC: LUC find this approach unhelpful. It can result in apparently similar (moderate) effects on two receptors, one of which is significant and one of which is not. The reasons for this are not always clear to the reader, particularly if they are not familiar with the standard approach to LVIA. In our view a clear distinction between significant and non-significant effects enhances the clarity and accessibility of the assessment.</p>	<p>The Applicant has set out its response to this in its Comments on Land Use Consultants' review of SLVIA Documents at Section 2.2 and Section 2.3 (Document 2.6 of the Applicant's Deadline 2 submission).</p>
10.4	DCC	<p>Assessment</p> <p>The photograph taken from Viewpoint (VP) 6 (Bodelwyddan Castle) [APP-186] shows summer views towards the OnSS site. Are you satisfied this is sufficient for the purposes of the assessment?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. As set out in ES Volume 3, Chapter 2: LVIA (AS-029), parts of the timeframe over which the LVIA has been undertaken has coincided with the restrictions put in place to reduce transmission of the COVID-19 virus. Access to the Bodelwyddan Park Registered Historic Park and Garden (RHPG) was not possible during this period as both the Castle Hotel and Bodelwyddan</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>Castle were closed. The previously publicly accessible parts of Bodelwyddan Castle and terrace was for sale and access to these areas restricted. As a result, the photography site work undertaken when trees not in leaf was not possible from within Bodelwyddan Park. Access to Viewpoint 6 located on the grass terrace within the grounds of Bodelwyddan Castle was permitted through the Castle Hotel in May 2021, which is why the trees are in leaf in this photograph, see Figure 2.23, Viewpoint 6: Bodelwyddan Castle (APP-186). Given the density of the intervening woodlands in this view, it is considered that the visualisation still represents the potential visual effect including the screening effect of intervening woodland from the publicly accessible part of the RHPG.</p> <p>LUC: LUC has not undertaken site work and we are therefore not familiar with the Bodelwyddan landscape. However, from looking at mapping and aerial photography the trees in the viewpoint photograph appear to be part of substantive woodlands along the east boundary of the park. It seems unlikely that winter photography would offer any open views to the OnSS site.</p>	
10.16	DCC, NRW	<p>Clwydian Range and Dee Valley Area of Outstanding Natural Beauty</p> <p>VP 9 [APP-189] is located within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). Are you satisfied that:</p> <p>a) the OnSS would give rise to no significant effects from this viewpoint (and the AONB as a whole); and</p> <p>b) that this would also be the case should the AONB change</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>a) As described within Table 12 of Chapter 2: LVIA (AS-029), it is considered that there is no potential for significant effects from the AONB or viewpoint 9 due to distance and intervening landscape elements such as woodlands, trees and St Asaph Business Park, which combine to limit visibility of the Onshore ECC and OnSS. This viewpoint was selected by NRW to best represent the effects on the AONB and it is considered that similar limited visibility would occur along the length of the elevated Clwydian Range.</p> <p>NRW intimated in RR-015-3.1.8 that it considers effects on the AONB are unlikely to be significant but adverse. LUC has undertaken a review (LUC March 2022) of the LVIA</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		to National Park status (albeit boundaries might differ)?	<p>(provided within the PEIR) and confirmed that the reasons provided within the PEIR for scoping out further consideration of the Clwydian Range and Dee AONB are considered appropriate.</p> <p>b) In relation to the status of the AONB the assessment at this viewpoint, and within Table 12 of Chapter 2: LVIA (AS-029), is based on the current baseline. A new National Park, including the boundary of such an area, for the Clwydian Range and Dee Valley Area is not a designation and therefore does not form part of the baseline of the LVIA.</p> <p>Notwithstanding the uncertainty of a National Park status, both the AONB and the National Park are nationally significant landscape designations that would be considered to be of high value and would have similar susceptibility and therefore sensitivity judgements when considering the onshore ECC and OnSS. Taking this into account, it is considered that a similar conclusion would be reached in relation to no potential for significant effects from a National Park as was concluded in the LVIA for the AONB. See also Figure 2.26, Viewpoint 9: Y Foel (AA-189).</p> <p>NRW: NRW advises as follows:</p> <p>a) We agree that the OnSS would not give rise to significant effects from this viewpoint (and the AONB as a whole). However, there will be we adverse effects which should nevertheless be minimised, and the materials and colours of the proposed buildings and infrastructure should be designed to minimise visual impacts. We refer you to paragraph 3.1.29 of our Written Representations.</p> <p>b) We agree that this would also be the case should the AONB change to National Park - including the advice regarding minimising adverse effects.</p>	<p>a) This agreement is noted and welcomed by the Applicant.</p> <p>The detailed design of the substation will be undertaken following consent and in order to discharge the DCO Requirements. The draft DCO has been revised at Deadline 2 (Document 2.16 of the Applicant's Deadline 2 submission) which now includes consultation with NRW on R6.</p> <p>See Applicant's response to 3.1.29 in the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission) which</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				confirms that NRW has been added as a consultee in relation to the discharge of R6 and R8.
			<p>LUC:</p> <p>a) From our review, LUC are satisfied that there would be no significant effects on views at VP9, or more generally on the AONB.</p> <p>b) The LVIA makes clear that the effects are judged to be non-significant due to the low magnitude of change. Should the AONB be designated as a National Park the sensitivity would not change substantively, so no additional significant effects would be anticipated.</p>	This agreement is noted and welcomed by the Applicant.
10.20	DCC	<p>Woodland Planting</p> <p>Are you satisfied with the suggested growth rates of woodland planting (7-10m over 15 years) as set out in [AS-029] and the 8.5 metres height (as an average) of woodland planting shown on the Year 15 photomontages?</p>	<p>The Applicant: The Applicant considers the proposed woodland planting would result in effective screening for the OnSS site. Whilst the specific growth rates will depend on site conditions and species specified in the detailed planting proposals, it is considered that woodland planting would be sufficiently fast growing to provide the 7-10m growth from planted heights in 15 years as described in Chapter 2: LVIA (AS-029). LUC has undertaken a review (LUC March 2022) of the LVIA (that was provided within the PEIR) and concluded that 'It is recognised that the design of the OnSS is at a relatively early stage and that this limits the extent to which mitigation proposals can be developed. Some clarification of this section will be required for the ES, but the planting principles set out are sound and appear capable of being developed into an effective mitigation scheme.' The screening potential of the woodland planting in relation to the OnSS structures will also depend on the detailed design and layout of the OnSS in relation to the areas of proposed planting and the detailed planting proposals for the OnSS site.</p> <p>LUC: It is very difficult to accurately predict the growth rates for woodland planting. The stated growth rates appear to be</p>	N/A
				The Applicant notes that LUC consider the growth rates to be reasonable.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			reasonable estimates. We note the Year 15 montages show mitigation planting in full leaf, in the context of a winter view.	The Applicant notes LUC's comments on the visualisations depicting the proposed trees in full leaf alongside the trees that are bare of leaf in the photographs. The Applicant has responded separately to the ExA on this matter (ExQ1.10.6) (REP1-007). LUC acknowledges in REP1-091 that LUC 'accept the difficulties of accurately depicting planting in this type of illustration.'
10.26	DCC	<p>Woodland Species Selection</p> <p>Please confirm you are satisfied with the suggested woodland species selection as set out in paragraph 168 of [AS-029]? If not, please provide reasoning.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The proposed woodland species selection has been shared with DCC via the Landscape and Ecological Design Principles Plan (LEDPP), which was a precursor to the outline LEMP, and provided within the PEIR. The LEDPP proposed:</p> <p><i>'a mix of faster growing 'nurse' species and slower growing 'core' species. Nurse species, such as alder, birch, and pine would grow quicker so that after 15 years they would be approximately 7-10m in height. They would provide shelter to bring on core species, such as oak, beech and horse chestnut.'</i></p> <p>Feedback was received from NRW in its response to S.42 consultation that suggested horse chestnut, beech and pine were omitted and black poplar is included. This change has been incorporated in (APP-305) and (AS-029). DCC did not provide any feedback on the proposed woodland species selection.</p> <p>LUC: LUC has not undertaken site work, so we are not familiar with prevalent woodland species in the area. The species selection appears to be appropriate. The final species list should be subject to DCC approval as part of the DCO Requirements.</p>	<p>N/A</p> <p>The final species list will be agreed with the discharging authority and NRW as part of the process to discharge the DCO conditions as set out in R8 of the DCO.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
10.36	DCC, NRW	<p>Cumulative Assessment</p> <p>Are you satisfied with the list of developments for cumulative assessment purposes as shown in Table 15 of ES Chapter 2 [AS-029] and with the conclusions that no significant cumulative landscape and visual effects would arise?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>With regard to the list of development considered for cumulative effects assessment (CEA) methodology, the CEA is the subject of detailed discussion between the Applicant, NRW, DCC and various statutory and non-statutory authorities and stakeholders. This consultation has been captured under the auspices of the Evidence Plan process, via focused Expert Topic Groups (ETGs), as well as technical consultation working groups. The CEA methodology and draft list of sites was provided within the PEIR and feedback was received from DCC. DCC provided a comprehensive list of potential cumulative sites in Oct 21 that have been considered along with an updated search of DCC's planning website to collate cumulative list considered by the ES (See Section 3 of ES Volume 1, Annex 3.1: Cumulative Effects Assessment Methodology (APP-042)).</p> <p>A draft of the LVIA was also provided within the PEIR, with subsequent feedback provided by DCC and NRW. DCC provide an LUC report presenting the findings of a review LUC undertook of the LVIA that was presented in the PEIR. Regarding cumulative assessment, LUC confirmed that there are no future cumulative development scenarios that require detailed assessment in a Cumulative Landscape and Visual Assessment (CLVIA) within the PEIR. The ES has undertaken the assessment on the same basis as the PEIR and so it is anticipated this position would not change. NRW did not comment on the CEA methodology or cumulative assessment in the LVIA chapter in its S42 feedback.</p> <p>NRW: NRW is satisfied with the list of developments considered and is satisfied that there would not be significant cumulative landscape and visual effects on the Clwydian Range and Dee Valley AONB.</p>	<p>N/A</p> <p>This is noted and welcomed by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			LUC: LUC has not checked the list of cumulative developments. On the basis of the list provided, the findings of the cumulative LVIA appear reasonable.	This agreement is noted and welcomed by the Applicant.
10.37	DCC, NRW, The Applicant	<p>Cumulative Assessment</p> <p>DCC / NRW - [AS-029] sets out that the cumulative assessment excludes the consideration of the necessary extension to the National Grid substation on the basis of insufficient detail known of it at the time of the assessment. However, it goes on to suggest that the effects of the extension would be localised and would therefore be unlikely to lead to a significant cumulative effect. Are you in agreement with this?</p> <p>The Applicant - Has there been any progression in respect of the National Grid substation extension which might assist with a more detailed consideration of cumulative effects?</p>	<p>The Applicant: The Applicant continues to engage with National Grid Electricity Transmission to understand any progress they are making with the design of the extension to the National Grid Substation. The Applicant understands that a planning application is due to be made by National Grid to Denbighshire County Council by the end of Q1 2023. The Applicant therefore has insufficient information on which to provide a more detailed consideration of cumulative effects. The Applicant also understands that National Grid intend to undertake a cumulative assessment as part of their planning application for the National Grid substation extension.</p> <p>NRW: NRW agrees that it is unlikely to lead to significant cumulative effects on the Clwydian Range and Dee Valley AONB.</p> <p>LUC: We note that the LVIA identifies this potential for a localised, but not significant, cumulative effect (para 192). It goes on to state that there is insufficient information on which to base a meaningful cumulative assessment. This position appears to be reasonable.</p>	<p>N/A</p> <p>This agreement is noted and welcomed by the Applicant.</p> <p>This agreement is noted and welcomed by the Applicant.</p>

2.11 Marine and Coastal Physical Processes

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
11.5	The Applicant, NRW	<p>Assessment of Change to Pathways</p> <p>Paragraph 43 of ES Volume 2, Chapter 2 [APP-048] confirms that the assessment of potential change to pathways will not, at this stage, be accompanied by a conclusion regarding the significance of effects.</p> <p>Applicant – Please confirm why it isn't necessary to include significance of effect conclusions in respect of this matter? Are they to be provided at a later date?</p> <p>NRW – Do you consider such conclusions necessary?</p>	<p>The Applicant: The Applicant clarifies that a 'potential change to pathways' relates to quantifiable changes to relevant environmental parameters (e.g. an increase in suspended sediment concentration or a modification to the wave regime), but which is not itself a sensitive coastal process receptor. An assessment of the significance of effect to these pathways is not possible in these cases as there is no meaningful way in which each pathway can be assigned a sensitivity rating.</p> <p>However, the impact of such changes to other sensitive receptors if and where identified is considered in other Chapters (as listed and cross-referenced in the Assessment of significance for each 'pathway' type assessment). Since the assessment of change description is still relevant to other Chapters, it is included in the Marine Geology, Oceanography and Physical Processes chapter of the ES (APP-048) for completeness.</p> <p>NRW: NRW considers that this question relates to Physical Processes, and as such advises the following. It is not necessary to reach a conclusion regarding significance if the impact being assessed is a physical process pathway (for example: suspended sediment concentration plumes and seabed levels associated with redeposition) and will not have any impact to the baseline physical processes. Assessing significance for a physical processes pathway has been signposted to the relevant receptor which the impact pathway is affecting, and appropriately addressed in the relevant receptor chapters. This approach was made clear in paragraph 19, Table 3 and paragraph 72 [APP-048].</p>	<p>N/A</p> <p>This is noted and welcomed by the Applicant. This is in line with the approach taken by the Applicant as described by the Applicant's response to ExQ1.11.5 above.</p>

2.12 Marine – Commercial Fisheries, Shipping and Navigation

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
12.12	MCA, Trinity House, UK Chamber of Shipping	<p>Shipping and Navigation – General</p> <p>Are you satisfied with the ES volume 2, chapter 9 [APP-055] and:</p> <p>a) that the maximum design scenario for safety zones of 500 metres around structures during construction, 50 metres around structures which are installed but awaiting further works or commissioning, and 500 metres from structures undergoing major maintenance works are not significant to impede your activities;</p> <p>b) that the maximum design scenario minimum spacing of 830 metres between structures is not significant to not impede your activities;</p> <p>c) that all main routes (17 in number) have been identified and are as shown on Figure 6;</p> <p>d) that the proposed development does not interfere with the use of recognised sea lanes essential to international navigation; and</p> <p>e) that any negative impacts on non-international navigation sea lanes are as low as reasonably practicable;</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>a) The Applicant notes that the safety zones listed are industry standard.</p> <p>b) The Applicant notes that this spacing was discussed at the Hazard Workshop (see consultation section of the Shipping and Navigation Chapter (APP-055), with the indication being it was suitable to facilitate internal transit, with no concerns raised.</p> <p>c) Noted that these routes were presented at the Hazard Workshop and attendees indicated they reflected traffic in the area.</p> <p>d) Setback from the TSS that aligns with GyM has been maintained. Deviations of routes were assessed within the NRA and were observed to be minor, noting that the site was amended post PEIR to the benefit of shipping and navigation (i.e., deviations decreased).</p> <p>e) Deviations of routes were assessed within the NRA (APP-111) and were observed to be minor, noting that the site was amended post PEIR to the benefit of shipping and navigation (i.e., deviations decreased).</p>	N/A
			<p>Trinity House: Trinity House are content with ES volume 2, chapter 9 [APP-055]</p> <p>a) Trinity House are satisfied that the safety zones considered during the construction and maintenance phases will not impede any aids to navigation.</p> <p>b) Trinity House are satisfied with the minimum design spacing.</p> <p>c) Trinity House are unaware of any other “main route” in the area.</p>	This is noted by the Applicant.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>If you have any issues on the above, please explain your reasons and provide evidence justification.</p>	<p>d) Trinity House would expect that the final layout of the turbines complies with MCA guidance and is sufficiently far from the traffic separation scheme as to not interfere with the shipping lane</p> <p>e) Trinity House are unable to comment on any commercial impact created by vessels having to route around the windfarm. During all phases of the project, aids to navigation will need to be provided in order to reduce the risk posed to marine traffic in the area.</p> <p>MCA:</p> <p>a) MCA would support the maximum design scenario for safety zones of 500 metres around structures during construction, 50 metres around structures which are installed but awaiting further works or commissioning, and 500 metres from structures undergoing major maintenance works and confirms this is in line with common industry practice.</p> <p>b) MCA is satisfied with the minimum spacing of 830m between structures and this has been discussed with the applicant for agreement of the layout principles.</p> <p>c) MCA is satisfied that all main routes applicable to the project have been identified in Figure 6.</p> <p>d) MCA is content that the proposed project does not interfere with recognized sea lanes essential to international navigation.</p> <p>e) MCA is content that proposed risk controls in APP-055 and Table 19.1 in APP-111 (Navigation Risk Assessment) are accepted as appropriate for reducing risks to as low as reasonably practicable (ALARP). This applies to all shipping routes in the area and is not limited to recognised sea lanes essential to non-international navigation. It is expected that all appropriate risk controls for construction and operation phases will be captured in the marine licence conditions and that there will be consultation with the MCA and other</p>	<p>This is noted by the Applicant.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			navigation stakeholders, as appropriate, for the post-consent plans.	
			Chamber of Shipping: No response given	N/A

2.13 Marine – Natural

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
13.4	JNCC	<p>Benthic Ecology</p> <p>Please confirm or otherwise if you are content with the content and conclusions of [APP-051].</p>	<p>JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC. We defer to NRW on all other matters relating to benthic ecology in Welsh inshore waters for this project. Natural England (NE) is authorised to exercise JNCC's functions as a statutory consultee in respect of certain applications for offshore waters adjacent to England (0-200 nm). As such, we defer to NE to input SNCB views regarding nature conservation advice relating to English offshore waters.</p>	<p>This is noted by the Applicant. The Applicant also notes that Natural England have indicated that they do not wish to take part in the examination for AyM.</p>
13.7	JNCC	<p>Fish and Shellfish Ecology</p> <p>Please confirm or otherwise if you are content with the content and conclusions of ES Volume 2 Chapter 6, Fish and Shellfish Ecology [APP-052].</p>	<p>JNCC: As per our relevant representation JNCCs key area of interest is the potential impact of the Awel y Môr development on North Anglesey SAC. We defer to NRW on all other matters in Welsh waters for this project. Natural England (NE) is authorised to exercise JNCC's functions as a statutory consultee in respect of certain applications for offshore waters adjacent to England (0-200 nm). As such, we defer to NE to input SNCB views regarding nature conservation advice relating to English offshore waters.</p>	<p>This is noted by the Applicant. The Applicant also notes that Natural England have indicated that they do not wish to take part in the examination for AyM.</p>
13.12	NRW, JNCC, RSPB, NWWT	<p>Offshore – General</p> <p>Are you satisfied that there is no disturbance assessment available to assess other construction activities such as drilling, dredging, vessel activity? If no, please explain your reasons and provide evidence justification.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant notes that ES Chapter 7: Marine Mammals (AS-026) provides an assessment of the impact of disturbance from other construction activities on marine mammals. It is highlighted in (AS-026) para 51 that: <i>"There is currently no guidance on the thresholds to be used to assess disturbance of marine mammals from drilling, dredging or vessel activity. Therefore, this impact assessment provides a qualitative assessment for these impacts. The assessment is based on the limited evidence that is available in the existing literature for that impact pathway and species combination, where available."</i></p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			Likewise, ES Chapter 7: Marine Mammals (AS-026) provides an assessment of the impact of disturbance from vessels on marine mammals (1.10.8 Disturbance from construction vessels).	
			NRW: This is a repetition of question 2.8 above – please refer to the response above.	N/A
			<p>JNCC: JNCC are satisfied with there being no quantitative assessment of underwater noise disturbance from other construction activities including drilling, dredging and vessel activity. We are content with the qualitative assessment undertaken by the applicant in the ES as potential impacts from these activities are considered to be relatively benign. The applicant's justification is broadly compatible with SNCB guidance (JNCC/CCW/NE 2010), which includes the following:</p> <p>Drilling: In the UK, no guidelines exist for mitigating the sound from drilling activities since these are thought to be of relatively low concern for cetaceans. However, for large scale drilling operations, particularly in areas where animals could become chronically exposed, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur, an assessment of the risk of deliberate disturbance should be carried out and consideration given to whether appropriate mitigation is feasible.</p> <p>Dredging: There are no specific good practice guidelines on how to mitigate for the potential impacts to marine EPS during this activity since the risk of injury is considered negligible. However, an assessment of the likelihood of disturbance occurring as a result of the activity should be undertaken by those responsible for dredging in areas where there is a risk that animals could be chronically exposed to the dredging noise, e.g. areas where small populations of coastal bottlenose dolphins or Risso's dolphins occur. See also section 3.3 on aggregate extraction.</p> <p>Vessel movements: It is most unlikely that a passing vessel would cause more than trivial disturbance. It is the repeated or chronic</p>	This response is noted by the Applicant and agreements are welcomed. The Applicant has no further comments to make.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>exposure to vessel noise that could cause disturbance in the terms of the Regulations.</p> <p>JNCC/CCW/NE 2010. The protection of marine European Protected Species from injury and disturbance. Guidance for the marine area in England and Wales and the UK offshore marine area. Joint Nature Conservation Committee, Natural England and Countryside Council for Wales. June 2010 Available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850708/Draft_Guidance_on_the_Protection_of_Marine_European_Protected_Species_from_Injury_and_Disturbance.pdf</p>	
			RSPB: See response to Qu 2.8.	N/A
			NWWT: No response given	N/A

2.14 Public Health and Nuisance

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
14.2	DCC, CCBC	<p>Assessment</p> <p>Are you satisfied with the assessment of operational noise from the turbines and its conclusion in Section 10.5.2 of ES Volume 3 Chapter 10: Noise and Vibration [APP-071]?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant presented the methodology for the operational noise assessment of the turbines to DCC and CCBC at an ETG meeting on the 31 March 2021 (APP-302). In addition, a draft version of the noise and vibration assessment was provided within the PEIR as part of Statutory Consultation with no feedback specific to operation noise from turbines provided by consultees.</p> <p>As no issues or disagreements were raised during this process, the Applicant considered that DCC and CCBC to be content with the approach used.</p> <p>The Applicant has undertaken the assessment in conjunction with the Danish regulations, as the noise predictions for operational offshore wind turbines falls outside the scope of the IoA GPG due to the large separation distances across reflective surfaces resulting in cylindrical spreading.</p> <p>The operational noise assessment is based upon the noise specification of the GE Haliade-X wind turbine as the exact model of turbine to be used at the site will be the result of a future tendering process and therefore an indicative candidate turbine was used.</p> <p>The results of the assessment have shown that the predicted noise emission levels from both the smaller and larger turbines would be below the absolute lower fixed limits set by ETSU-R-97 of 35 dB L_{A90} at the closest receptor to the development.</p>	N/A
			<p>CCBC: The Council does not raise concerns with regard to these matters.</p>	This is noted by the Applicant.
			<p>DCC: No response given</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
14.9	CCBC, DCC	<p>Assessment and Controls</p> <p>Are you satisfied with the assessment of noise from offshore construction provided in [APP-071] and the provisions to monitor and control it in Requirement 4 of the dDCO [AS-014]?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant considered the noise from worst-case pin piling operations when they are being undertaken at their closest approach to the nearest Noise Sensitive Receptors (NSR's) to the seafront and inland.</p> <p>The Applicant then compared predicted noise levels from the piling operations against the construction noise threshold limits, which were determined during periods of inclement weather and when weather conditions were suitable/neutral.</p> <p>The results of the assessment showed that there was a moderate level of effect at the NSR's located inland when piling operations were being undertaken at night during periods of neutral weather.</p> <p>The Applicant then provided a number of mitigation measures and recommendations which included reference to a suitable DCO requirement which would specify noise limits at the nearest NSR's during neutral weather conditions.</p> <p>The Applicant provided draft copies of the assessment within the PIER provided at Statutory Consultation, in response to which CCBC requested that additional noise monitoring be undertaken. This was discussed with CCBC and carried out in January 2022.</p> <p>With regards to requirement 4 contained in the DCO this provides a noise limit of 50dB(A) $L_{eq,T}$ for offshore construction works during onshore weather conditions at a specified location. The DCO requirements also stated that to determine compliance with this limit associated noise monitoring needs to be undertaken.</p> <p>The noise limit within DCO Requirement 4 has been derived by Applicant in conjunction with the measured baseline ambient sound levels (during neutral weather conditions) and the relevant guidance contained in BS5228:2009+A1:2014.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>The Applicant has continued discussion with CCBC to clarify the full results of the Jan 2022 noise monitoring and calculation of the proposed threshold presented in the dDCO. The Applicant will continue to discuss this issue with CCBC environmental health department and hopes that agreement can be reached on appropriate measures to put in place during any night time piling activity.</p>	
			<p>CCBC: The Council considers that the limit proposed in Requirement 4 could result in a detriment to residential amenity. The Council is currently in discussions with the Applicant with a view to seeking agreement on an alternative to Requirement 4.</p>	<p>With regards to R4 contained in the dDCO this provides a noise limit of 50dB(A) $L_{eq,T}$ for offshore construction works during onshore weather conditions at a specified location. The dDCO requirements also state that, to determine compliance with this limit, associated noise monitoring needs to be undertaken.</p> <p>The noise limit within DCO R4 has been derived by the Applicant in conjunction with the measured baseline ambient sound levels (during neutral weather conditions) and the relevant guidance contained in BS5228:2009+A1:2014.</p> <p>The Applicant is in ongoing discussion with CCBC to clarify the full results of the Jan 2022 noise monitoring and calculation of the proposed threshold presented in the dDCO. The Applicant will continue to discuss this issue with CCBC environmental health department and hopes that agreement can be reached on appropriate measures to put in place during any night time piling activity.</p>
			<p>DCC: No response given</p>	<p>N/A</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
14.12	DCC, NRW	<p>Assessment</p> <p>Are you satisfied:</p> <p>a) That a project specific air quality monitoring survey has not been carried out?</p> <p>b) With the approach adopted for the consideration of cumulative construction dust impacts in Section 11.13 of ES Volume 3 Chapter 11: Air Quality [AS -030]?</p> <p>c) That all relevant receptors have been identified?</p> <p>d) With the Applicant's assessment of road traffic effects and that there is no proposal to use dispersion modelling to quantify the resultant impact on critical loads and/ or critical levels?</p> <p>e) With the assessment of construction dust impacts on ecological sites?</p> <p>f) That the screening of traffic trips is in accordance with current guidelines and legal judgements? And</p> <p>g) With the assessment of the potential health impacts from PM10 of NRMM in Section 11.10.1 of ES Volume 3 Chapter 11: Air Quality [AS-030]?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>Throughout the course of completing the EIA, consultation with statutory consultees was undertaken by the Applicant at a number of stages to agree upon the extent and scope of the air quality assessment. This comprised:</p> <ul style="list-style-type: none"> ▲ Submission of a Scoping Report to seek a Scoping Opinion; ▲ AyM Evidence Plan (Human Environment Expert Topic Group (ETG-5)) process, comprising discussions with NRW and DCC; and ▲ Statutory Consultation (Section 42) that was accompanied by a PEIR that included a draft air quality chapter setting out the methodology, baseline data and assessment conclusions. <p>As part of the Human Environment ETG, a PEIR Method Statement (SLR, 2021) was issued to NRW and DCC on 23rd June 2021 to provide an update on the proposed approach and assessment methodology for the PEIR Air Quality chapter. Specific questions were provided by the Applicant within the PEIR Method Statement (SLR, 2021) in order to seek agreement on assessment matters. NRW provided a formal response to the questions raised and agreed with the proposed methodology (NRW, 2021).</p> <p>Consultation comments provided by DCC and NRW throughout the course of the pre-application stage are summarised within the ES Volume 3, Chapter 3.11: Air Quality (AS-030). Table 4 of Volume 3, Chapter 3.11 provides a summary of consultation comments received to date relating to Air Quality, and associated responses.</p> <p>The approach to the air quality is in line with established best practice for appraising the onshore elements of offshore wind farms across the UK and is consistent with approaches adopted for assessment submitted and approved by DCC in support of other development.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>NRW: With regards to air quality, NRW's advice relates to potential impacts on designated sites (SSSI, SAC, SPA, Ramsar). NRW can advise to each part of the question as follows:</p> <p>a) In view of the screening undertaken, NRW is satisfied that air quality monitoring survey is not required to inform an assessment of impacts on designated sites.</p> <p>b) We consider that 400m would be an appropriate screening distance for assessment of dust impacts. We are satisfied that there are no designated sites that support features that would be sensitive to dust impacts, within 400m of the Order Limits.</p> <p>c) As highlighted in paragraph 3.8.3 of our Written Representations, an assessment of any air quality impacts arising from marine vessel emissions is required. This pathway, and any potential impacts on any designated ecological sites, will need to be assessed. A Clarification Note has been received (14/10/2022), however, NRW has not been able to review it in the limited time available ahead of Deadline 1. NRW reserves its position on the satisfaction of the note to address our concerns until we have been able to review the Note, at which point we will advise the Applicant and the Examining Authority further.</p> <p>d) As detailed in paragraph 3.8.1 of our Written Representations, we are satisfied that construction/operational onshore traffic is unlikely to have significant effects on any designated nature conservation site (SSSI, SAC, SPA and Ramsar site). This is because any increases in onshore traffic, above the threshold that requires assessment as defined by the Design Manual for Roads and Bridges, would be more than 200m from any designated sites. NRW would therefore not expect dispersion modelling to inform an assessment on designated sites.</p> <p>e) Please see our response to b).</p> <p>f) We are satisfied that the screening undertaken for construction/operational traffic is appropriate</p> <p>g) NRW has no comments to make with respect to assessment of health impacts and defer to DCC on this matter.</p>	<p>The Applicant notes the points of confirmation from NRW and awaits NRW's comments on the marine vessel emissions note provided at Deadline 1 (REP1-020).</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			DCC: No response given.	N/A

2.15 Seascape, Landscape and Visual

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
17.1	DCC, IoACC, CCBC, GC, FCC, SNP, NRW	<p>Assessment</p> <p>Please confirm whether you are satisfied with:</p> <p>a) the study area;</p> <p>b) the Zone of Theoretical Visibility;</p> <p>c) the viewpoint locations selected; and</p> <p>d) the extent of assessment of these viewpoints, as identified within ES Chapter 10: Seascape, Landscape and Visual Impact Assessment (SLVIA) [AS-027].</p> <p>If not, please explain the reasons for this.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>a) The 50km radius study area was agreed through the scoping process at ID 4.10.2 of the Scoping Opinion (APP-295).</p> <p>b) The Zone of Theoretical Visibility (ZTV) has been prepared for the agreed study area.</p> <p>c) The viewpoint locations were agreed through Expert Topic Group (ETG) meetings in advance of the Section 42 consultation. Following the receipt of consultation responses further viewpoints were added and submitted in the ES. This process is set out in the Evidence Plan and its Appendices (APP-301, 302, 303).</p> <p>d) The extent of the assessment of the viewpoints was agreed through expert topic group meetings in advance of the Section 42 consultation. Following the receipt of consultation responses further assessment was included in the ES. This process is set out in the Evidence Plan and its Appendices (APP-301, 302, 303).</p>	N/A
			<p>NRW: NRW is satisfied with a) study area, b) ZTV, c) viewpoint locations, d) extent of assessment of viewpoints (assuming this part of the question relates to the level of assessment undertaken for each viewpoint.)</p>	This is noted and welcomed by the Applicant.
			<p>CCBC:</p> <p>a) The Council confirms that it is satisfied with the extent of the study area;</p> <p>b) The Council confirms that it is satisfied with the extent of the Zone of Theoretical Visibility;</p>	This is noted and welcomed by the Applicant.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>c) The Council confirms that the additional viewpoints provided to illustrate views from the A55 (nos. 63, 64 and 65) reflect preapplication discussions between the Council and the applicant;</p> <p>d) The Council confirms that it is in agreement with the Applicant's SLVIA, subject to the comments included in the document titled 'Awel y Môr Offshore Wind Farm Examination Review of the SLVIA Documents' prepared by LUC</p>	
			<p>Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC</p> <p>Gwynedd Council (translated from Welsh): See Local Authority Group Response North Wales and LUC Report</p>	<p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.</p>
			<p>LUC: Based on LUC's review of the SLVIA:</p> <p>a) we consider the study area to be sufficient</p> <p>b) we consider the ZTV to be an accurate depiction of theoretical visibility</p> <p>c) the viewpoint locations are appropriate, sufficient in number and agreed with consultees</p> <p>d) the SLVIA includes sufficient assessment of viewpoints to illustrate the pattern of likely significant effects</p>	<p>This is noted and welcomed by the Applicant.</p>
17.2	DCC, IoACC, CCBC GC, FCC, SNP, NRW	<p>Assessment</p> <p>Please confirm whether you are satisfied with:</p> <p>a) the Applicant's SLVIA methodology; and</p> <p>b) its assessment of effects on seascape character, landscape character and visual amenity.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Scoping Opinion (APP-295) includes information on the degree to which the methodology was agreed at that stage in the process. Further agreement of aspects of the methodology is set out the Evidence Plan and its Appendices (APP-301, 302, 303), which records the consultation process.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		If not, please explain the reasons for this.	<p>Land Use Consultants carried out a review of the SLVIA (and LVIA) on behalf of the North Wales Local Planning Authorities. They note at paragraph 2.3 that 'Offshore SLVIA. 'The methodology for the offshore SLVIA is set out in Volume 4, Annex 10.1 of the PEIR. The approach is clearly set out, and grounded in the principles of GLVIA3, the industry standard guidance on the topic. The components that inform each stage of the assessment, leading to judgements of sensitivity, magnitude and impact significance, are appropriately explained. Definitions are provided for the levels of magnitude of change. Table 4 presents a significance matrix, though it is noted this is used as a guide only. Section 1.2.9 notes that duration and reversibility of the development do not inform magnitude of change, as GLVIA3 recommends, but rather provide context to the findings of significance. While this diverges from GLVIA3 guidance, in practice this approach is quite common, and is unlikely to affect the findings of the SLVIA.'</p> <p>NRW: NRW can advise as follows:</p> <p>a) We are satisfied with the SLVIA methodology. b) We are not satisfied with the assessment of effects and refer you to our Written Representations (section 3.1)</p> <p>CCBC: The Council confirms that it is in agreement with the Applicant's SLVIA, subject to the comments included in the document titled 'Awel y Môr Offshore Wind Farm Examination Review of the SLVIA Documents' prepared by LUC, and also subject to further consideration in respect of the impact on the character and quality of the Great Orme Heritage Coast. Since the impacts on Viewpoints 13 and 15 and on Section L of the Wales Coast Path are recorded as being moderate-major, the Council suggests that the impact on the character and quality of</p>	<p>a) NRW's agreement to the SLVIA methodology is noted and welcomed by the Applicant.</p> <p>b) The Applicant has set out its responses to NRW where it disagrees with the assessment of effects in REP1-080 Section 3 of the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>The Applicant notes that CCBC confirms its agreement with the SLVIA subject to the provisos stated.</p> <p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>the Great Orme Heritage Coast should similarly be recorded as moderate-major (rather than moderate), since the views from extensive areas of the Heritage Coast designation would be similar to those from the selected viewpoints and Section L of the Wales Coast Path, and the appreciation of those views is critical to the character and quality of the Heritage Coast.</p>	<p>Applicant's Deadline 2 submission, respectively.</p> <p>In relation to CCBCs comments on the Great Orme Heritage Coast reference should be made to REP1-055.4.12 and REP1-055-4.1.ii of the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p>
			<p>Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC</p> <p>Gwynedd Council (Translated from Welsh): See Local Authority Group Response North Wales and LUC Report</p>	<p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.</p>
			<p>LUC: Based on LUC's review of the SLVIA:</p> <p>a) The Applicant's LVIA methodology is grounded in good practice and fit for purpose. LUC query the approach to 'moderate' (see 17.3) and the detailed approach to assessing effects on settlements, but these are not matters of material disagreement.</p> <p>b) LUC's review of the LVIA assessment has not identified any areas of substantive disagreement.</p>	<p>a) The Applicant welcomes LUC's comments on the SLVIA methodology and has responded to comments on the approaches to 'moderate' and effects on settlements in Comments on Land Use Consultants' Review of SLVIA Documents (Document 2.6 of the Applicant's Deadline 2 submission).</p> <p>b) The Applicant welcomes LUC's comment that it has not identified any substantive areas of disagreement.</p>
17.3	DCC, IoACC, CCBC, GC FCC, SNP, NRW	<p>Assessment</p> <p>The SLVIA methodology provides for moderate adverse effects to be classified as either 'significant' or 'not significant' based on professional judgement.</p> <p>DCC/IoACC/CCBC/GC/FCC/SNP</p>	<p>The Applicant: In accordance with the Methodology set out in Annex 10.1: SLVIA Methodology (APP-112) Professional judgement has determined that the Moderate effects on VP 22, 36, 44, 66 and 67, the settlement of Llanddona, a section of the WCP Section H – Lavan Sands, SNP LCA 01 – Northern Uplands, LCA C9 and SNP Special Quality Diverse Landscapes are non-significant.</p> <p>This assessment finding generally relates to the fact that the Development would be seen within a context that includes</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>/NRW - Please confirm you are satisfied with this approach?</p> <p>The Applicant - Please further justify the instances where moderate adverse effects are considered 'not significant' as the precise reasons for this are not clear to the ExA.</p>	<p>development characteristics as part of the intervening and surrounding seascape, landscape and views.</p> <p>The assessments of these receptors and viewpoints all lie on the lower levels of Moderate effects that result from Medium-High sensitivity combined with a Medium-Low magnitude or Medium-Low sensitivity combined with a Medium-High magnitude.</p> <p>NRW: NRW is satisfied with the approach in SLVIA that provides for moderate adverse effects to be classified as either 'significant' or 'not significant' based on professional judgement</p> <p>CCBC: The Council agrees with the comments in the document titled 'Awel y Môr Offshore Wind Farm Examination Review of the SLVIA Documents' prepared by LUC in respect of this matter.</p> <p>Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC</p> <p>Gwynedd Council (Translated from Welsh): See Local Authority Group Response North Wales and LUC Report</p> <p>LUC: LUC find this approach unhelpful. It can result in apparently similar (moderate) effects on two receptors, one of which is significant and one of which is not. The reasons for this are not always clear to the reader, particularly if they are not familiar with the standard approach to SLVIA. In our view a clear distinction between significant and non-significant effects enhances the clarity and accessibility of the assessment.</p>	<p>This is noted and welcomed by the Applicant.</p> <p>The Applicant has provided a detailed response to the LUC Report in Document 2.6 of the Applicant's Deadline 2 submission.</p> <p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.</p> <p>The Applicant has responded to comments on its approach to 'moderate' effects in its Document entitled Comments on Land Use Consultants' Review of SLVIA Documents.</p>
17.5	SNP, NRW	<p>Assessment</p> <p>SNP [RR-006] and NRW [RR-015] raise concerns around under-reporting of significant effects. Please identify specifically where</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant has engaged with NRW through post DCO application consultation in order to review and understand</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		your concerns lie, with supporting reasons for this.	<p>aspects of NRW (RR-015). It is understood that NRW will provide further feedback at Deadline 1.</p> <p>NRW: Our detailed comments regarding an under-estimation of some effects are set out in Annex B. However, the ES identifies numerous significant adverse effects which we are in agreement with. We do not consider that the areas of disagreement affect our overall conclusion and that, based solely on the conclusions in the ES, we consider the proposal would have substantial landscape effects on the Isle of Anglesey AONB and Snowdonia NP.</p> <p>SNP: This is a long standing concern from the point of view of the National Park, further strengthened by the findings of the LUC in their review of the SLVIA and LVIA. Full information can be found in the report itself, and the joint LPA response however some key points include;</p> <ul style="list-style-type: none"> • In terms of landscape character, the LUC disagreed with the finding of nonsignificant effects on LCA 01 Northern Uplands at PEIR. The ES records moderate (non-significant) effects across the LCA. We consider this should have been classed as significant within the northern part of the LCA, though we accept non-significant effects over the more inland and upland parts of the LCA. We disagree that 'visibility of existing development' within the northern parts of the LCA will reduce the impact, since the proposed development is of a different scale and form to existing development, and would introduce a new characteristic rather than adding to an existing one. • The PEIR found significant effects at four of these, while we queried the finding of non-significant at VP36 Tal-y-Fan. Effects on the closer viewpoints 12 and 40 are recorded as major- moderate 	<p>The Applicant has responded to NRW's comments regarding under-estimation of some effects in REP1-080 in Section 3 of the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>In relation to NRW's overall conclusion reference should be made to the Applicant's response to REP1-080_3.1.1 in the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>in the ES, with the more distant viewpoints 10 and 38 being moderate. A moderate-minor and non-significant effect is recorded at VP34 Snowdon Summit. The assessment for VP36 Tal-y-Fan is stated to be moderate but not significant. We suggest that, although close to the borderline, this should be identified as significant. We note that effects at VP38 Foel-fras are moderate (significant), on a very similar but more distant view. We highlight an inconsistency in the sensitivity assessment for VP36 that may account for this.</p> <p>Overall however the LUC do conclude that "The remaining areas of disagreement set out above are points of detail and do not represent substantive differences in terms of the likely level of effects. We consider that the SLVIA and LVIA make clear the overall extent of likely significant effects"</p>	
17.6	SNP	<p>Assessment SNP's RR [RR-006] makes reference to visual impacts from specific points within the National Park, such as from Carnedd Llywelyn and the Carneddau as a whole. Noting that VP 10 [APP- 239] is from Carnedd Llywelyn and VP 38 [APP-267] is from Foel Fras:</p> <p>a) is SNP satisfied that these viewpoints are representative of this part of the National Park (ie the Carneddau);</p> <p>b) does SNP agree with the Applicant's assessment that residual effects from these viewpoints would be moderate adverse and significant; and</p> <p>c) does SNP agree with the</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>SNP was party to the agreement of the viewpoints during the expert topic group meetings. Foel Fras was suggested by NRW as being representative of the area in addition to Carnedd Llywelyn. This process is set out in the Evidence Plan and its Appendices (APP-301, 302, 303).</p> <p>SNP:</p> <p>a) Yes</p> <p>b) Agree that these viewpoints in particular would be moderate (significant). As per the findings of the LUC review however we believe that Tal y Fan should also be significant</p> <p>c) In terms of the area/LCA as a whole, yes. Specific viewpoints (ie Carnedd Llywelyn) within the LCA would be 'significant' however (as the authors note).</p>	<p>N/A</p> <p>a) The Applicant welcomes SNP's agreement that the viewpoints are representative of the Carneddau area of the National Park.</p> <p>b) The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively. These responses include</p>

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		Applicant's assessment that residual effects on the SNP Landscape Character Area (LCA) 02: Carneddau Range would be minor-moderate adverse and not significant?		specific reference to the Tal y Fan viewpoint. c) The Applicant welcomes SNP's agreement that the effects on LCA 02 Carneddau Range would be non-significant.
17.7	SNP, NRW, GC (if relevant), CCBC (if relevant)	<p>Assessment</p> <p>Please confirm:</p> <p>a) whether you agree that the relevant special qualities of the National Park are limited to 'Diverse landscapes' and 'Tranquillity and solitude – Peaceful areas' as defined in the Cynllun Eryri The Snowdonia National Park Partnership Plan 2020 (SNPPP);</p> <p>b) the status of the SNPPP, noting [AS-027] indicates it is currently draft and under consultation; and</p> <p>c) whether you agree with the Applicant's assessment of effects in respect of these special qualities (Table 10) and its overall conclusion that any harm would not be to such a degree as to affect the integrity and inherent natural beauty of the National Park (paragraph 806).</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>a) In their responses to the Section 42 consultation set out in the Evidence Plan and its Appendices (APP-301, 302, 303) NRW and September 2021 SLVIA LUC Review (Draft) on behalf of North Wales Local Planning Authorities agreed that the Special Qualities requiring detailed assessment were: Diverse Landscapes and Tranquillity & Solitude – Peaceful Areas.</p> <p>b) Reference is wrongly made in the ES (AS-027) to the SNPPP being at consultation draft stage. Cynllun Eryri (The Snowdonia National Park Partnership Plan, 2020) was adopted in 2020. Reference is made to the adopted version in the assessments contained in the ES at (AS-027).</p> <p>c) In its response to the Section 42 consultation set out in the Evidence Plan and its Appendices (APP-301, 302, 303) NRW agreed that the likely effects on the Special Qualities Diverse Landscapes and Tranquillity & Solitude – Peaceful Areas would be non-significant.</p> <p>NRW: NRW advise as follows:</p> <p>a) We agree that the relevant Special Qualities (requiring detailed assessment) are 'Diverse Landscapes' and 'Tranquillity & SolitudePeaceful areas' as defined in the Snowdonia National Park Partnership Plan. However we also consider that scenic views are a characteristic of Snowdonia's landscapes, as set out in the Plan and consider the effects adverse with respect to scenic</p>	N/A
				a) The Applicant welcomes NRW's agreement with the relevant Special Qualities. Reference should be made to the Applicant's response to REP1-080-6.1.40 in the Applicant's Response to Written Representations (Document 2.2 of

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>views and with respect to relative tranquillity.</p> <p>b) We agree that the Plan is currently in draft and under consultation;</p> <p>c) We agree that the effects on Special Qualities would be non-significant but consider the effects adverse and adverse on scenic views. We do not agree with the Applicant's conclusion and consider that there would be harm to the natural beauty of the National Park through significant adverse effects on landscape character and visual amenity, as set out in our Written Representations.</p>	<p>the Applicant's Deadline 2 submission) in relation to scenic views.</p> <p>b) The Applicant notes that during an SLVIA Evidence Plan meeting on 01 October 2020 (see Evidence Plan Report Appendices Part 1 (APP-302), an action was taken by SNP to confirm the status of the SNP Partnership Plan. On 06 October 2020, the Applicant was contacted by SNP following up on this action, confirming the plan to be adopted, rather than in draft status as suggested by NRW.</p> <p>c) Reference should be made to the Applicant's response to REP1-080-3.1.1 in the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p>
			<p>Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC</p> <p>Gwynedd Council (Translated from Welsh): See Local Authority Group Response North Wales and LUC Report</p>	<p>The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.</p>
			<p>LUC: LUC agree with the findings of the SLVIA in relation to the special qualities of the National Park.</p>	<p>This is noted and welcomed by the Applicant.</p>
17.8	NRW	<p>Assessment [AS-027] reports no significant effects on landscape character areas within the National Park, including for SNP LCA 01: Northern Uplands and SNP LCA 02: Carneddau Range. It also reports no significant effects on</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>In its response to the Section 42 consultation set out in the Evidence Plan and its Appendices (APP-301, 302, 303) NRW agreed that the likely effects on the Diverse Landscapes and Tranquillity & Solitude – Peaceful Areas. Special Qualities of SNP would be non-significant.</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>the identified special qualities of the National Park. NRW [RR-015] (paragraphs 3.1.2 and 3.1.5) appears to suggest otherwise. Please explain your reasons for this.</p>	<p>The Applicant notes that the Development assessed in the ES has reduced in scale from that assessed in the PEIR.</p> <p>NRW: NRW considers that there would be significant adverse effects on LCA1 as explained in our detailed comments in Annex B. We agree that there would be non-significant effects on LCA2 and on the two Special Qualities, but adverse effects on scenic views.</p>	<p>In relation to LCA 01 reference should be made to REP1-080-Annex B - 6.1.23 of the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>The Applicant welcomes NRW's agreement that the effects on the two SNP Special Qualities and LCA 02 would be non-significant.</p> <p>Reference should be made to the Applicant's response to REP1-080-6.1.40 in the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission) in relation to scenic views.</p>
17.9	NRW, National Trust, The Applicant	<p>Assessment</p> <p>NRW and National Trust - NRW [RR-015] and National Trust [RR-029] suggest that enhancement of designated landscapes should be considered. Please explain what is meant by this and how you envisage this might be achieved?</p> <p>The Applicant - Is this something that you have considered or are willing to consider?</p>	<p>The Applicant: The Applicant is considering the potential for enhancement of designated landscapes and initiated discussions through ETG consultation process prior to the DCO Application being submitted. This is as set out in the Evidence Plan and its Appendices (APP-301, 302, 303).</p> <p>The Applicant is undertaking further engagement with NRW and relevant Local Authorities post-application to understand their positions on this issue.</p> <p>NRW: NRW advise that opportunities for enhancement of the designated landscapes should be considered in accordance with WNMP SOC_06 in line with principles set out in paragraph 3.1.28 of our Written Rep. NRW is advising the Applicant, in conjunction with the Local Planning Authorities, on the development of an appropriate enhancement scheme and the type of measures that could be considered. We consider an enhancement</p>	<p>N/A</p> <p>The Applicant is engaging with relevant interested parties, including NRW, to understand the basis for and structure of a possible landscape enhancement scheme.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>package may need to be secured under a Section 106 agreement.</p> <p>National Trust: 2.1 National Trust (NT) consider there is potential for a Section 106 Agreement to bring forward a scheme for off-site landscaping associated with the Awel y Môr (AyM) submission. 2.2 This was an issue raised by NT during the pre-application consultation, and as part of the Landscape Seascape Expert Topic Group. 2.3 A scheme could bring forward off-site mitigation associated with long distance views into the offshore array. A scheme could also bring forward compensation and enhancement of designated landscapes, associated with identified visual effects within the submission. The scheme could encompass all land or identified areas within the Ynys Mon AONB, Snowdonia National Park, identified Registered Park and Gardens and also the Heritage Coast at Great Orme. 2.4 The project might follow the strategic aims of the National Grid Landscape Enhancement Initiative (link via REDACTED) Given the remaining timescale for AyM DCO consideration, a fixed capital figure might be established within a similar enhancement initiative based around the defined Study Area of AyM and limited to landscape enhancement works within the identified designated landscapes. 2.5 A generic enhancement fund might take the form of that brought forward in draft for the Wylfa Newydd DCO Section 106 Agreement. An environmental enhancement fund was identified with a capital value, identified potential projects and a decision-making mechanism. Schedule 11 of the draft DCO provides the detail on the generic enhancement fund brought forward for the Wylfa DCO (link via https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010007/EN010007-003043-29%20Horizon%20Nuclear%20Power%20-%20Draft%20DCO%20s.106%20Agreement%20(Rv%203.0).pdf) 2.6 Reference might usefully be made with the recently established Section 106 Agreement for Sizewell C, and a Landscape Fund</p>	<p>The Applicant is engaging with relevant interested parties to understand the basis for and structure of a possible landscape enhancement scheme.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>bringing forward enhancement projects within the designated AONB, but also extending to identified areas outside the AONB. Sections 2.1.1 to 2.1.4 of the approach to a Landscape Fund might be useful context to a AyM landscape enhancement fund. Details on this via Appendix H Summary Note Natural Environment https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010012/EN010012-002576-SZC_Bk8_8.4JAd_Planning_Statement_Appx_8.4J_Addendum_Update_on_Section_106_Agreement.pdf#:~:text=Section%20106%20Agreement%20Update%29%20is%20to%20provide%20further,subject%20of%20the%20Development%20Consent%20Order%20%28DCO%29%20Application.2.7 The scale and significance of works brought forward by AyM, alongside the identified landscape/visual effects, and visitor sensitivity are such that a landscapebased Section 106 Agreement should form part of the decision.</p> <p>2.8 The three examples listed above provide sufficient detail that might enable an appropriate scheme to be brought forward for AyM.</p>	
17.11	NRW, IoACC	<p>Assessment</p> <p>Do you agree that the relevant special qualities of the Ynys Môn (Anglesey) Area of Outstanding Natural Beauty (AONB) include 'Expansive views'; 'Peace and tranquillity'; and 'Islands around Anglesey' as reported in [AS-027]? Following on from this, do you agree with the conclusions in Table 7 relating to these and the overall conclusion in paragraph 562 that harm would not occur to such a</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>In its response to the Section 42 consultation set out in the Evidence Plan and its Appendices (APP-301, 302, 303) NRW agreed that the Special Qualities requiring detailed assessment were: Expansive views, Peace & Tranquility, Islands around Anglesey.</p> <p>NRW: NRW agrees with the three relevant Special Qualities of the AONB set out in the ES and the findings of the ES that there would be significant adverse effects on these three qualities. We do not agree with the overall conclusion in paragraph 562 and consider that there would be harm to the natural beauty of the AONB through significant adverse effects on landscape character, visual</p>	<p>N/A</p> <p>NRW's agreement regarding the effects on the three Special Qualities is noted and welcomed by the Applicant.</p> <p>See Applicant's response to REP1-080 3.1.1 in the Applicant's Response to Written</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		degree that it would affect the overall integrity of the Ynys Môn (Anglesey) AONB or its inherent natural beauty? Please provide reasons if there is any disagreement.	amenity and special qualities, as set out in our Written Representations. LUC: LUC agree with the findings of the SLVIA in relation to the special qualities of the AONB.	Representations (Document 2.2 of the Applicant's Deadline 2 submission). This is noted and welcomed by the Applicant.
17.12	DCC, FCC, NRW	Assessment Do you agree that the relevant special qualities of the Clwydian Range and Dee Valley AONB include 'Tranquillity'; and 'Remoteness and Wildness' as reported in [AS-027]? Following on from this, do you agree with the conclusions in Table 13 relating to these? Please provide reasons if there is any disagreement.	The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. In their responses to the Section 42 consultation set out in the Evidence Plan and its Appendices (APP-301, 302, 303) NRW and September 2021 SLVIA LUC Review (Draft) on behalf of North Wales Local Planning Authorities agreed that the Special Qualities requiring detailed assessment were: Landscape Character and Quality – Tranquillity and Landscape Character and Quality – Remoteness & Wildness. NRW: We agree with the relevant Special Qualities and that the likely effects on these Special Qualities would be non-significant. However, we consider that there would be adverse effects, through an intensification of wind farm development within views from the AONB and an erosion of the special qualities as set out in our Written Representations. LUC: LUC agree with the findings of the SLVIA in relation to the special qualities of the AONB.	N/A The Applicant notes and welcomes NRW's agreement relating to non-significant effect on the Special Qualities. The SLVIA (AS-027) assesses the effects on the Clwydian Range AONB from paragraph 1331 and finds the effects to be non-significant but adverse. This is noted and welcomed by the Applicant.
17.18	DCC, IoACC, CCBC, GC FCC, SNP, NRW	Assessment Do you agree that MDS A and MDS B would have similar effects in seascape, landscape and visual terms, as indicated in paragraph 138 of [AS-027]?	The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. NRW noted in its Relevant Representation (RR-015) that 'These concerns relate to all Maximum Design Scenarios (MDS) i.e. those relating to MDS of the smaller number of Wind Turbine Generators	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			(WTGs) and the MDS relating to the larger number of WTGs as detailed in the offshore project descriptions (APP-047).	
			NRW: NRW agrees that MDS A and MDS B would have similar effects in SLVIA terms.	This is noted by the Applicant.
			CCBC: Agreed	This agreement is noted and welcomed by the Applicant.
			Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC Gwynedd Council (Translated from Welsh): See Local Authority Group Response North Wales and LUC Report	The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the Applicant's Deadline 2 submission, respectively.
			LUC: Based on our review LUC agree that this is the case.	This is noted and welcomed by the Applicant.
17.30	DCC, IoACC, CCBC, GC FCC, SNP, NRW	Cumulative and Inter-Relationship Assessments Are you satisfied with the assessment of cumulative and inter-relationship effects in sections 10.13 and 10.14 of [AS-027]?	NRW: Please see our Written Representations (paragraphs 3.1.14 – 3.1.19) and our response to question 0.19 above. CCBC: The Council raised concerns in response to the Section 42 consultation that the PEIR did not assess the cumulative impacts of AYM with future on-shore windfarms, in particular those within Preassessed Areas for Wind Energy (PAWE) in Future Wales. Paragraph 1499 of the ES states that it has been determined that policy areas such as this are considered to have Tier 3 level of certainty within the Planning Inspectorate Advice Note Seventeen and as such, no assessment is included within this Chapter. The Council acknowledges the practical difficulties of undertaking such an assessment, but wishes to bring to the Examiners attention the potential for significant cumulative effects. Gwynedd Council: Gweler Ymateb Grŵp Awdurdodau Lleol Gogledd Cymru ac Adroddiad LUC Gwynedd Council (Translated from Welsh): See Local Authority Group Response North Wales and LUC Report	The Applicant has provided a response to NRW's WR in Document 2.2 of the Applicant's Deadline 2 submission. See Applicant's response to REP1-055-4.1.iv in the Applicant's Response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission). The Applicant has provided detailed responses to the North Wales Local Authority joint response and the LUC Report in Documents 2.2 and 2.6 of the

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				Applicant's Deadline 2 submission, respectively.
			LUC: Based on LUC's review we consider the approach and conclusions to the assessment of cumulative and interrelationship effects to be reasonable.	This is noted and welcomed by the Applicant.

2.16 Socio-Economic

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18.2	CCBC, DCC, FCC, GC, IoACC, SNP	Future Wales – The National Plan (FWNP)2040 Are you satisfied that the design of the Proposed Development contributes to the objectives of FWNP in respect of sustaining and developing a vibrant economy and improving the health and well-being of communities? If not, please explain your reasons.	The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. The Applicant has summarised in the response to ExQ1.18.1 how it considers AyM will contribute to the social, economic, environmental, and cultural well-being goals of WCFGW Act 2015 which are also applicable to the same objectives from FWNP 2040.	N/A
			CCBC: There is uncertainty around the impact the proposed development will have on tourism. Tourism is a priority sector for Conwy, estimated to be worth £887.62million to the local economy. In order to ensure we sustain and develop a vibrant economy then we need to ensure that the tourism sector in Conwy continues to thrive. If the proposed development negatively impacts the tourism sector, then this would have a detrimental effect on our economy. It would also impact the health and well-being of our local community, as a large proportion of jobs in the area are supported by tourism.	The available evidence suggests that there is a relatively small risk that the Proposed Development could have a negative impact on the local tourism sector (which needs to be balanced against the possibility of it having a positive impact in terms of attracting visitors).
			Gwynedd Council: Bodlon Gwynedd Council (Translated from Welsh): Satisfied	This is noted and welcomed by the Applicant.
18.3	CCBC, DCC, FCC, GC, IoACC, SNP	Planning Policy Wales 11 (PPW-11) Are you satisfied that the design of the Proposed Development contributes to the objectives of PPW-11 in respect of improving the social, economic, and cultural wellbeing of North Wales? If not, please explain your reasons.	The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. The Applicant has summarised in the response to ExQ1.18.1 how it considers AyM will contribute to the social, economic, environmental, and cultural well-being goals of WCFGW Act 2015 which are also applicable to the same objectives from PPW-11.	N/A
			CCBC: The Council has concerns that the cumulative effects with other offshore wind farms (including existing offshore wind farms) would increase the dominance and saturation of wind farms as a	The Applicant notes that visitors attracted by high landscape value may be concerned that the development of Awel y Môr would add to existing offshore wind

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>seascape and landscape feature industrialising the area with potential impacts on tourism.</p>	<p>farm development, however this only relates to a very specific group of visitors. Also, the evidence upon which this conclusion is drawn relates to opinion surveys conducted before development (or general population surveys not related to specific wind farm developments), whilst the available post-development evidence does not point to a decrease in overall visitor numbers and economic value.</p> <p>It is the Applicant's understanding that the concerns for potential negative impacts related to the scale of the development refers to evidence relating to onshore wind farms and similar evidence does not exist for offshore wind farms.</p> <p>It is the Applicant's view that the available evidence suggests that there is a small risk that the Proposed Development could have a negative impact on the local tourism sector. Even if this risk was realised the scale of impact would be limited to a minor impact in the context of the local tourism economy.</p>
		<p>Technical Advice Note (TAN) 23: Economic Development Are you satisfied that the design of the Proposed Development contributes to the objectives of</p>	<p>Gwynedd Council: Bodlon Gwynedd Council (Translated from Welsh): Satisfied</p> <p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. The Applicant has summarised in the response to ExQ1.18.1 relating to 'A Prosperous Wales' how it considers AyM will</p>	<p>This is noted and welcomed by the Applicant.</p>
18.4	CCBC, DCC, FCC, GC, IoACC, SNP			N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		<p>TAN 23 in respect of the generation of wealth, jobs, and income? If not, please explain your reasons.</p>	<p>contribute to the objectives of TAN 23 in respect of the generation of wealth, jobs, and income.</p> <p>CCBC: We note that the proposed development is due to generate 150 FTE jobs. However, there is uncertainty around whether any of these will be awarded locally and they could instead be awarded to non-North Wales workers. This would cause an increased demand for accommodation which could subsequently result in a displacement of visitors. It would be preferential to focus more emphasis on working with local authorities and colleges to ensure at least a portion of these jobs are awarded locally. The Council has just launched a 10 Year Regeneration Plan for Llandudno and the plan acknowledges that there are emerging sectors in North Wales predominantly in the energy sector which will provide a range of lower skilled, skilled and specialist roles, and this could create future local employment opportunities in Llandudno.</p>	<p>It is the installation and commissioning activity related to AyM that is estimated to have the potential to support 150 FTE jobs per annum (of which 120 FTE jobs would be associated with offshore infrastructure installation and commissioning activities and 30 FTE jobs would be associated with onshore infrastructure installation and commissioning activities) – activities more associated with a transient workforce. Given the highly specialised nature of these tasks, it is anticipated a small proportion of these jobs will be awarded to North Wales workers. Given the fairly small number of workers from outside of North Wales, demand for additional housing needs was scoped out of the assessment.</p> <p>The potential annual employment impacts generated by construction activity are set out in Table 25 of the Environmental Statement – Volume 3 - Chapter 3 – Socio-Economics (APP-064) and the potential annual employment impacts supported during operations are set out in Table 29 of the same document.</p> <p>The Applicant is currently engaging with relevant stakeholders and other bodies on the content of the outline Skills and Employment Strategy and will submit the</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>Gwynedd Council: Bodlon</p> <p>Gwynedd Council (Translated from Welsh): Satisfied</p> <p>Welsh Government: The percentages identified in tables included in Environmental Statement Report Volume 3, (May 2022), table 12 specifically, seem disappointingly low and it is hoped that RWE will continue to work with WG to improve on these percentages for North Wales and Wales. The work RWE are carrying out in North Wales is encouraging. Ensuring a local port is used for the construction as well as the Operation and Maintenance will be key to the success of the project in the view of Welsh Government, including the work to be completed on supply chains and skills. The Welsh Government is happy to support RWE to maximise these opportunities for the local economy and it would be useful to clarify the actions required to ensure the good intentions included in the evidence are carried out.</p>	<p>outline strategy into the DCO examination once suitably advanced.</p> <p>This is noted and welcomed by the Applicant.</p> <p>The Socioeconomic assessment (AS-034) uses conservative assumptions and the %s are influenced by the existing baseline environment. This approach is taken so as not to risk overstating the positive impacts. In reality there may be opportunity to exceed the sourcing assumptions set out in the assessment. Specially there is an opportunity for the Applicant to work with stakeholders, including the Welsh Government (such as through the development of the CfD Supply Chain Plan) to maximise opportunities to achieve higher levels of local sourcing. In part the levels of sourcing presented are influenced by the fact that much of the offshore infrastructure is manufactured in Europe and the fact the North Wales economy is relatively small.</p>
18.8	Carl Davies	<p>Commercial Operations</p> <p>Please provide more detail in respect of your concern raised in your relevant representation [RR-060] on the effect that the Proposed Development would have on your commercial operations.</p>	<p>Carl Davies: The impacts that I expect will occur are as I explained at the hearing. From the moment that piling of the foundations takes place I predict that commercial fish and shellfish catches will fall over a wide area extending well beyond the windfarm footprint. This view is based on my experience, and those of my colleagues during the installation of the Gwynt y Môr, Rhyl Flats, North Hoyle, Burbo Bank and Burbo Bank extensions over the past 15 years. This area covered by this impact is likely to exceed the loss of access to the windfarm area and cable corridor, during the construction phase by a large amount. Finfish species are directly affected by pile driving either fleeing or not feeding and our</p>	<p>The Applicant considers that a robust assessment has been undertaken that addresses the potential effects of AyM on fish and shellfish ecology (APP-052), commercial fisheries (APP-054) and recreational fishing (APP-058). Disturbance effects due to underwater noise during construction are acknowledged by the Applicant in these assessments but are considered to be temporary and reversible in nature. There are mitigation</p>

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			<p>shellfish catches will be affected by displacement effects (then increased competition with other fishermen) due directly to construction within the array and cable corridor and increased steaming times due to exclusion zones. Once the foundations are installed I expect that over a period of several years there will be a gradual recovery for some species, but perhaps not for others. For my lobster fishing business I hope that the lost opportunities during the construction phase may be offset by new fishing opportunities on the scour protection installed around some of the turbine bases. However my experience from Gwynt y Mor has been that the benefits of the windfarm's presence are marginal and take time to occur. I have raised these issues at many meetings, and feel that they have been largely dismissed. I understand that I have limited data to back up my concerns – this is because I am busy trying to earn a living from the sea. This was a full time job even before attending meetings and responding to consultations about windfarms became a necessary task. In response to my concerns I know the developer has presented information about noise studies that claim to show that fish and shellfish are not affected by piling noise over the area that my colleagues and I have seen; and also sampling work that claims to show that there has been no effect of windfarms on fish or shellfish populations. Although I have stated many times that there are holes in their data, I don't have evidence of my own to prove these beyond doubt. Germany has specific legislation governing maximum levels of noise from piling, levels which the PIER states will occur 16 miles away from source. Bubble curtains are used to mitigate noise yet in the UK there is no such legislation when I asked RWE representatives in a meeting.</p>	<p>measures in place via the Fisheries Liaison and Co-Existence Plan (FLCEP) (REP1-033) that contain mechanisms to compensate fishermen for demonstrable losses during construction.</p> <p>The Applicant has engaged comprehensively with the local fishing community in development of its application, as described in the Commercial Fisheries Consultation Record (APP-110) and considers that due regard has been had to all matters raised.</p> <p>Regarding enhancement scour protection for lobster (and other species), the Applicant is open to opportunities to effect positive changes where appropriate. The Applicant is cognisant that there are emerging solutions to ecological engineering for cable and scour protection with biodiversity in mind and will continue to engage with stakeholders to ensure these options are thoroughly appraised post-consent as the design is finalised, provided NRW as the regulator would be supportive of this approach. The Commercial Fisheries chapter of the ES (APP-054) cites a study of effects of OWF construction and operation at Westermost Rough on local lobster fishing grounds. Since publication of the AyM ES, a more recent version of the paper has been published (Roach et. al., 2022). Both studies observe that increased catch rates and proportion of</p>

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				<p>larger lobsters observed following wind farm construction could be attributed to temporary closure of the wind farm area during construction. During the operational phase of the wind farm, monitoring data indicates no long-term effect of the wind farm on lobster catch rates or size distribution. It is expected that potting activity will resume in AyM and that catch rates will, most likely, initially be higher than for comparable grounds outside the array area, before returning to similar baseline levels.</p> <p>In relation to underwater noise mitigation, the Applicant notes that noise abatement measures (including the deployment of bubble curtains) are included within the suite of potential mitigation options that may be applied via the MMMP (APP-107) to mitigate against injurious effects on marine mammals. Whilst these measures are designed with marine mammals in mind, they have benefits for all noise-sensitive species.</p>
18.11	The Applicant	<p>Skills and Employment Strategy [RR-004] suggests that the dDCO is lacking a suitably worded requirement in respect of the approval of a 'Skills and Employment Strategy' and that it is best practice to prepare and submit an outline of such a plan.</p>	<p>The Applicant: As noted in Issue Specific Hearing 1 on the dDCO (Document 1.6 of the Applicant's Deadline 1 submission) the Applicant will include a Requirement in the dDCO securing a Skills and Employment Strategy. The updated dDCO submitted at Deadline 1 (Document 1.8 of the Applicant's Deadline 1 submission (Draft DCO (Clean))) includes a new Requirement securing a Skills and Employment Strategy, to be approved by the relevant LPA (DCC) in accordance with the outline Skills and Employment Strategy.</p>	N/A

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		Please explain your position in this respect.	<p>The Applicant is currently engaging with relevant IPs and other bodies on the content of the outline Skills and Employment Strategy and will submit the outline strategy into the DCO examination once suitably advanced.</p> <p>Welsh Government: RWE have engaged with Welsh Government in relation to skills and employment and we are keen to continue discussions and co-ordinate work across the fixed offshore wind sector with the other opportunities off the North Wales coast, as well as the Irish Sea projects, and with other renewable and low carbon sectors in North Wales. The links to the Welsh language opportunities in relation to skills are also key to such projects, ensuring the skills recognise the opportunities for Welsh through the training and education opportunities. It would therefore be useful to work collaboratively across sectors to ensure we have the people with the skills in the region for all the projects coming forward. Welsh Government is happy to provide officials to support for such activities.</p>	
18.12	CCBC, DCC, FCC, GC, IoACC, SNP	<p>Community Linguistic Statement</p> <p>Are you satisfied with the content of the Community Linguistic Statement [APP-325] and the conclusion that the Proposed Development would not result in negative impacts on the linguistic, social character and locality? Additionally, are you content that the Proposed Development would not impede the ability to achieve the relevant national and local Welsh language policy objectives? If not, please explain your position in this respect.</p>	<p>CCBC: Agreed</p> <p>Gwynedd Council: Bodlon</p> <p>Gwynedd Council (Translated from Welsh): Satisfied</p> <p>Welsh Government: Community Linguistic Statement (https://awelymor.cymru/wp-content/uploads/8.16_AyM_WCLS_VFinal.pdf) The Community Linguistic Statement provides assurances that the Awel y Môr development will not impede the ability to achieve the relevant 'local and national Welsh language objectives'. These objectives are more than the use of the language visually within signs, documentation and websites. There is a need for clear understanding how this significant infrastructure development could impact on demographic changes, eg. educational needs, job opportunities for local people and housing needs as well as the long-term sustainability of the relevant communities, which</p>	<p>This agreement is noted and welcomed by the Applicant.</p> <p>This agreement is noted and welcomed by the Applicant.</p> <p>The Applicant welcomes the Welsh Government's observations on the Community Linguistic Statement (CLS). The Applicant notes WG's suggestion that a more detailed impact assessment could be undertaken to see what mitigation measures will be in place, what opportunities will be made available, and what socio-economic impacts may be realised if employment is sought from outside the area.</p>

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			<p>includes supporting the Welsh language as a living community language. The strong links with Coleg Llandrillo, in skills development and apprenticeships is welcomed. But again, there is a need for a better projection within the CLS of how many local opportunities will be made available and what socio-economic impacts if employment is sought from outside the area. [AS-034] refers to 210 additional FTE jobs being created to support offshore construction. Is it possible to have a clearer indication of how many jobs will be created locally and how many jobs will sought from outside the area / north Wales region? This could have a significant impact on the Welsh language, community services and local job opportunities and the local economy. In our view this should be addressed within the CLS. It would be beneficial to see what mitigation measures will be in place it also strengthens the case of the need for a full impact assessment. It is evident that the percentage of Welsh speakers is lower in the Rhyl and Prestatyn wards compared to more rural and Welsh-speaking heartlands of Denbighshire. But the linguistic significance of Rhyl and Prestatyn wards should not be compromised. Within these two wards there are 6,190 Welsh speakers and this figure accounts to 28% of all Welsh speakers within the county of Denbighshire. Therefore, more consideration should be taken to the needs and interest of the Welsh language within the development. It is not clear from the CLS if the consultations actively engaged with Welsh-speakers and specifically with community-based organisations that support and promote the use of the Welsh language. This Development is a Large Scale Infrastructure Project and in line with TAN 20 (Windfall Site) and Denbighshire LDP a Language Impact Assessment is necessary. Although the CLS states that there is no negative impact on the Welsh language it is felt that the CLS does not provide sufficient consideration to the linguistic nature and interest within the relevant area. A full Impact Assessment would provide more detail of the impacts on inward migration, local services and any mitigation measures that could be put in place to support the language. We accept that the</p>	<p>The Applicant considers, as noted within the CLS (APP-325), the CLS to be compliant with the relevant guidance (notably Denbighshire's Supplementary Planning Guidance – Planning and the Welsh language note, Appendix 3) which ensures compatibility with the broader Denbighshire LDP policies with regards the Welsh language. The Applicant considers a CLS to be a proportionate approach for an infrastructure project with potential long term community impacts, albeit impacts which are not considered significant with regards the number of FTE jobs when placed in the context of the broader population. 210 additional FTE jobs represents an increase of 0.5% to the overall number of employed individuals in Denbighshire, or 0.2% when considered in the context of the broader population of Denbighshire. Whilst the maximum predicted employment associated with the project is considered to represent a net socio-economic positive, any assessment, and/or mitigation should be proportionate to the scale of the impact. It is also relevant to note that whilst the offshore aspects of the project comprise a significant infrastructure project, the onshore aspects (and associated employment) are such that a CLS is considered to be the appropriate and proportionate approach, and in line with the information provided for other comparable offshore energy projects such</p>

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			<p>decision on the requirements of an IA is a matter for Denbighshire Planning Authority. But there should be consideration to the Welsh language within any community benefits proposal.</p>	<p>as the Morlais Tidal Energy project and the Erebus offshore floating wind project, the former of which similarly ensures compliance with a Welsh language policy which includes commitments for the supply chain.</p> <p>The Applicant also notes the WG's observations with regards the number of Welsh speakers within the wards of Rhyl and Prestatyn. Prestatyn and Rhyl are noted within the CLS as the wards with some of the lowest percentage of Welsh speakers in Denbighshire through reference to the SPG and the Denbighshire Welsh Language Strategy. With regards the Welsh Language Strategy it is relevant to note that the proposed project is seeking to support several of the stated Visions through adoption of appropriate and proportionate measures. The proposed measures include signage, which will ensure a greater use of the Welsh language, in line with Theme Three (community) and the LDP vision to ensure the Welsh language and culture is maintained and protected, and implementation and compliance with the Welsh language policies which will be required of all contractors and the supply chain.</p> <p>Notwithstanding the proposed mitigation and the need for proportionality in the context of the long term and onshore aspects of the proposed development,</p>

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				the Applicant will consider the Welsh language when consulting on the draft Skills & Employment Strategy.
18.13	The Applicant	<p>Community Linguistic Statement</p> <p>Paragraph 57 of [APP-325] confirms that all non-technical visual elements of the Proposed Development will be produced in either Welsh or bilingually in Welsh and English. Please confirm how this will be secured? Additionally, contractors and all supply chain companies will need to comply with RWE's Welsh Language Policy. Please provide a copy of this policy.</p>	<p>The Applicant: The Awel y Môr Welsh Language Policy is available from the Awel y Môr project website.</p> <p>Welsh Government: The Awel y Môr will ensure that all visual signage will be bilingual. This is welcomed and is in line with TAN 20 and Denbighshire LDP and SG. In a development of this scale there should also be more consideration of how the development supports the local and national strategies to support the use of the Welsh language. Other than providing bilingual signage, it would be beneficial to learn what actions will be taken to support the language within the relevant coastal communities of Denbighshire.</p>	<p>N/A</p> <p>The Applicant considers it relevant to note that it will be referencing the seven Well-Being Goals of the <i>Well-being of Future Generations (Wales) Act 2015</i> within the proposed Skills & Employment Strategy, and to align these goals to the Skills and Employment Strategy where feasible. The goals include <i>A Wales of Vibrant Culture and Thriving Welsh Language</i>.</p> <p>Beyond this commitment the Applicant can confirm that the CLS (APP-325) provides commitments to ensure not only bilingual signage, but to ensure that contractors and all supply chain companies will comply with The Project's Welsh Language Policy.</p> <p>The Applicant notes WG's reference to the Community Benefit Fund in response to ExQ1.18.12. The Applicant would not wish to pre-judge the focus of the Community Benefit Fund, which should be driven by feedback from the community and will be informed by ongoing consultation.</p>
18.16	The Applicant	<p>Construction Employment</p> <p>Paragraph 219 of [AS-034] states that the Proposed Development has the potential to support 150 FTE jobs per annum, which</p>	<p>The Applicant: Table 25 of (AS-034) shows the total number of jobs supported by the development and construction of the onshore and offshore infrastructure in North Wales and Wales in each of the port location scenarios. This includes all of the jobs associated with each stage of the development of the wind farm, including</p>	N/A

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		<p>relates to the 'No Local Port Scenario'. It is further confirmed that the figure of 150 FTE jobs is likely to consist of 30 jobs relating to onshore installation and commissioning, with the remaining 120 involved in offshore construction.</p> <p>Please provide a similar breakdown of job types for the 'Local Port Scenario' FTE figures.</p>	<p>design, manufacturing, installation and commissioning. It relates only to jobs accessed by people from Wales and North Wales and does not include jobs accessed by people from the rest of the UK and other parts of the world.</p> <p>Paragraph 219 is concerned with the potential impact of development on healthcare services. In order to do this the assessment needs to estimate:</p> <ol style="list-style-type: none"> 1. The total number of jobs where activities will be physically located in North Wales (influenced by the selection of the construction port), and 2. The share of these jobs which are accessed by people from outside North Wales (including the rest of Wales, the rest of the UK and the rest of the world) who would need to move to the area, albeit temporarily. It therefore should not be confused with Table 25 which relates only to employment in North Wales and Wales. <p>To address the first point, the assessment focuses only on the jobs associated with onshore and offshore installation and commissioning and excludes other activities which do not need to take place close to the construction port or offshore and onshore infrastructure (e.g., design, development and manufacture). It is estimated that this stage of construction will support 360 FTE jobs in total. Of these, 30 jobs are related to onshore installation and commissioning and 330 jobs are related to offshore construction. This is the same in the local port scenario and the non-local port scenario. The only difference between these scenarios relates to where these jobs are physically located and who accesses them.</p> <p>In the local port scenario there would be more activity physically located in North Wales, which would result in a higher influx of construction workers in to the area and therefore greater demand for healthcare services. In the 'No Local Port Scenario', most activities would take place outside North Wales and there would be a minimal influx of workers into the area. The main activity that</p>	

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			<p>would take place in North Wales in this scenario would be installation and commissioning of onshore infrastructure (30 jobs).</p> <p>The opening sentence in paragraph 219 can be clarified as it currently states that installation and commissioning activity will support 150 FTE jobs per annum in the local port scenario. These only relate to jobs which are expected to be taken by UK residents. If those jobs taken by non-UK workers are also included, the total number of jobs is 360. Based on the modelling assumptions for the local port scenario, around 15 of these jobs are expected to be taken by North Wales residents, c. 30 would be taken by residents from other parts of Wales, 105 by residents from the rest of the UK (outside Wales), and the remaining 210 by people from outside the UK.</p> <p>Paragraph 224 of AS-034 states that the assessment considers the impact of 360 workers on healthcare provision. This was an error as 15 of these workers are expected to already live in North Wales and would not generate additional demand for healthcare. Therefore the assessment should consider the impact of 345 workers. This does not alter the findings as this would still result in a non-significant effect.</p> <p>Additional demand for healthcare services could come from any of those workers who are not currently living in North Wales. However it is expected that most workers from other parts of Wales and the UK would be unlikely to require GP services unless they moved to North Wales for a long period of time. Most are only likely to stay in the area for a short period of time and would continue to be registered with their GP at their home address. Similarly, not all of the non-UK based workers would wish to, or need to, register with a GP on a temporary basis. Many will not be based in the local area long enough to merit registering with a North Wales GP, while others will simply choose not to even if they are based here for longer spells.</p>	

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			<p>These corrections have been highlighted in the Application Errata List (Document 1.4 of the Applicant's Deadline 1 submission).</p> <p>Welsh Government: The Welsh Government looks to work with the potential project developers in north Wales and the ports to ensure the ports are in a strong position to maximise local contents. Missing the opportunity in North Wales will lead to a far smaller economic benefit to the north Wales region.</p> <p>The Regional Economic Framework recognises the importance of the ports in North Wales (para 3.2).</p> <p>North Wales regional economic framework (gov.wales) (https://gov.wales/sites/default/files/publications/2021-12/north-wales-regional-economic-framework.pdf)</p> <p>As mentioned in the pre-application consultation response by Welsh Government, linking this opportunity with other projects in North Wales would be useful especially other projects which RWE are bringing forward which could also include onshore wind, this seems to be missing from Environmental Statement Report (Volume 3, Chapter 3, Socio Economics, May 2022).</p>	<p>The Applicant has, and will continue, to engage with Welsh Government to explore opportunities and communicate our project requirements for port development in North Wales, with the intention that local ports can play a role in the construction and operation of the Project.</p> <p>The Applicant will continue to review opportunities that may exist to work with other projects both within the RWE portfolio and across the wider industry. However, in line with the requirements of the EIA Regulations, the ES has focused on assessing only the Project that this DCO application is for, and is therefore focused on Awel y Môr, rather than any other projects, whether offshore or onshore wind. Applications for other projects are subject to separate applications and therefore, separate EIAs as appropriate.</p> <p>In addition, the project is aware that both port development and supply chain and manufacturing expansion is an industry-wide challenge at present – i.e. one that cannot be solved by the Awel y Môr project alone. We are dedicated to progressing our work and discussions as a project in order to secure the right local port for the project. However, the broader industry challenges and the investment that the growth of these assets currently</p>

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				requires cannot be seen in the context of a single project's DCO.
18.20	The Applicant	<p>Healthcare Services</p> <p>Paragraph 224 of [AS-034] states that the Applicant will provide healthcare services. Please confirm:</p> <p>a) What healthcare services are to be provided by the Applicant?</p> <p>b) Will the services only be available to non-UK-based workers?</p> <p>c) How will such services be secured?</p>	<p>The Applicant: The reference in Paragraph 224 highlights that 'it is anticipated that any non-UK-based workers required to support offshore installation works will have access to healthcare services provided by the Applicant'. As such, the provision of healthcare services is not secured by the planning process and the provision of healthcare by the Applicant is not relied upon by the assessment (i.e. the predicted effect would remain not significant whether healthcare is provided or not). The types of healthcare referenced by the chapter include First Aid, Health and Safety Officer, Occupational Health Services and welfare support that represent legislative and voluntary workplace requirements.</p> <p>Welsh Government: The applicant would need to provide for onsite and response to emergency situations and incident response. Services as above should be available for all workforce.</p>	<p>N/A</p> <p>The Applicant will ensure that appropriate emergency response protocols are put in place, and agreed with local emergency services including the Welsh Ambulance Service Trust (WAST).</p> <p>The healthcare services described in the Applicant's response to ExQ1.18.20 will be available to the whole workforce.</p>
18.21	The Applicant	<p>Healthcare Services</p> <p>Paragraph 223 of [AS-034] refers to the possibility of the capacity of the Proposed Development being greater than 576MW. One implication of an increase in capacity may be that if the workforce increases, the level of additional patients for GP services could result in the number of registered patients exceeding the recommended</p>	<p>The Applicant: For the purposes of the assessment the assumption is that AyM will have an overall indicative generation capacity of 576 MW, in order to enable the estimation of the number of non-UK workers that may move into the area on a temporary basis and hence may generate potential additional demand for health services.</p> <p>The PEIR assessment was based on a higher capacity assumption of 1,100 MW. This estimated that 690 additional (i.e. non-North Wales) employees would be required during the onshore and offshore installation and commissioning works and would therefore temporarily move to North Wales. If all of these workers registered with a GP (which is highly unlikely for the reasons given in the</p>	<p>N/A</p>

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		<p>benchmark of 1,800 patients per GP. Please explain what other effects an increase in capacity above 576MW would have on the outcome of the socio-economic assessments.</p>	<p>response to 18.16), this would generate demand for around 0.4 additional FTE GPs. Therefore, even with a considerably higher capacity than 576 MW, the magnitude of effect was assessed as negligible and not significant.</p> <p>The other aspect of the socio-economic assessment suggests that a higher capacity may affect wealth creation and employment. Generally, the higher the capacity, the greater retained expenditure and hence more GVA and jobs retained within North Wales and the rest of Wales.</p>	
			<p>Welsh Government: The proposed workforce numbers would not have a material impact on the provision and delivery of health and care services in the region.</p> <p>Potential concentration of the workforce around a particular GP practice would need to be considered in the light of the current patient to GP ratio in some areas of N. Wales.</p>	<p>As noted in the initial applicant response to ExQ1.18.22, workers from outside North Wales that move to the area during the construction stage could choose to live within a large area defined by a travel to work area of up to 60 minutes, and this will ultimately depend on the availability of suitable accommodation. There may be some concentration of these workers in the vicinity of a local construction port which means demand for healthcare services could be higher in some parts of North Wales than others. Although it should be noted again that many will not register with a GP or require healthcare services during their stay.</p> <p>It is not possible to assess how capacity in GP practices (as measured by the number of patients per FTE GP) varies in different parts of North Wales. There is data available on the number of patients per GP practice. However, the lowest level of geographical disaggregation for publicly available data on FTE GPs by GP practice for Wales is for Local Health Boards which</p>

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				<p>for AyM is Betsi Cadwaladr University Health Board (BCUHB). This covers the whole North Wales region including the Anglesey, Gwynedd, Conwy, Denbighshire, Flintshire and Wrexham Council areas. The approach taken in the socio-economics chapter is therefore the best available given the availability of relevant data.</p>
18.22	The Applicant	<p>Healthcare Services Paragraph 98 of [AS-034] states that the in respect of the demand for healthcare services the assessment is based on the wider North Wales area but that the impact has the potential to be concentrated locally, around areas of construction or port activity. As a decision hasn't yet been reached in respect of the port, how does the assessment reflect the possible geographical variation in the labour catchment area?</p>	<p>The Applicant: As stated in paragraph 222 of APP-064, workers from outside North Wales that move to the area during the construction stage could choose to live within a large area defined by a travel to work area of up to 60 minutes, and this will ultimately depend on the availability of suitable accommodation. There may be concentrations around the construction port which means demand for healthcare services could be higher in some parts of North Wales than others. Although it should be noted again that many will not register with a GP or require healthcare services during their stay.</p> <p>It is not possible to assess how capacity in GP practices (as measured by the number of patients per FTE GP) varies in different parts of North Wales. There is data available on the number of patients per GP practice. However, the lowest level of geographical disaggregation for publicly available data on FTE GPs by GP practice for Wales is for Local Health Boards <u>which</u> for AyM is Betsi Cadwaladr University Health Board (BCUHB). This covers the whole North Wales region including the Anglesey, Gwynedd, Conwy, Denbighshire, Flintshire and Wrexham Council areas. The approach taken in the socio-economics chapter is therefore the best available given the availability of relevant data.</p> <p>Welsh Government: The proposed workforce numbers would not have a material impact on the provision and delivery of health and care services in the region.</p>	<p>N/A</p> <p>As noted in the Applicant's response to ExQ1.18.20, the provision of healthcare services is not secured by the planning</p>

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			<p>Potential concentration of the workforce around a particular GP practice would need to be considered in the light of the current patient to GP ratio in some areas of N. Wales.</p> <p>Consideration may need to be given to Emergency services response in the area with regards to health and safety incidents and the timeliness of response by WAST.</p>	<p>process and the provision of healthcare by the Applicant is not relied upon by the assessment (i.e. the predicted effect on healthcare would remain not significant whether healthcare is provided or not).</p> <p>In reference to emergency services the evidence suggests that site accidents have reduced over time, as shown in HSE's annual construction statistics which show a long term downwards trend in construction related injuries (HSE, 2021). Given the scale of the workforce and therefore the potential for health and safety incidents, the potential to impact significantly on emergency services is very unlikely.</p>
18.26	The Applicant	<p>Supply Chain Strategy</p> <p>Is there a commitment to a proportion of contracts to be provided through local suppliers? If so, how would this be secured, monitored and delivered?</p>	<p>The Applicant: A proportion of contracts to be provided through local suppliers is not a mitigation within the Socioeconomics assessment (AS-034), or elsewhere in the ES, and therefore does not need to be secured in the DCO.</p> <p>However, since an early stage of the project, the Applicant has already been proactively undertaking activities to include and maximise the use of local suppliers wherever possible and is fully aware and supportive of the benefits of local content. In addition, the Applicant is an active founding member of The Offshore Energy Alliance (OEA) - a supply chain cluster organisation set up as part of the Offshore Wind Sector Deal that acts as a champion for local business development in North Wales and the North West of England. The cluster facilitates engagement between offshore wind developers and suppliers, highlighting opportunities in a timely way and therefore helping to maximise local benefits.</p> <p>Following receipt of a DCO and Marine Licence (requirements for entering a Contract for Difference (CfD) Allocation Round (AR)), the Applicant intends to apply for a CfD. Whilst all the rules</p>	N/A

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			<p>governing ARs after AR4 (2022) are yet to be published, it is anticipated that the Project will be required to submit a Supply Chain Plan (SCP) in order to be eligible to apply for a CfD (this has been the case for previous ARs and is the case for AR5 in 2023). The range and quality of commitments within the SCP across the categories of Green (Business) Growth, Innovation, Skills & Infrastructure will be assessed and approved by the UK Government via the Secretary of State and will include requirements for monitoring and reporting on progress regarding implementing commitments. Amongst a number of other criteria, within the category of 'Green Growth', it is expected the Applicant will be incentivised to maximise local content.</p> <p>The Applicant would have significant concern about a proportion of local content being secured through the DCO. It would likely duplicate requirements under the SCP and would pre-empt the work currently underway to assess the ability of the local supply chain to assist in delivery of the Project. The Applicant is currently engaged in discussions with the offshore wind supply chain, but those discussions, and therefore the Applicant's understanding of the local supply chain's role, will evolve as the Project's detailed design progresses and as the supply chain itself evolves.</p>	
			<p>Welsh Government: This element is key to the success of this project in North Wales. Welsh Government recognises the project could be a catalyst to secure long-lasting legacy benefits for North Wales and indeed Wales and key to securing such a legacy will be coordinated action and strategic approaches by both the public and private sectors, ensuring that the mitigation measures ensure and protect the Welsh public purse from additional costs.</p> <p>Welsh Government believes it can support RWE as well as all other proposed significant development across the north Wales region to ensure that the benefits are maximised as a package. It is also clear that a coordinated and strategic approach must also be adopted in respect of mitigating risks.</p>	<p>As confirmed by Welsh Government in its Deadline 1 submission (REP1-097), an engagement framework is in place to facilitate discussions between the Applicant and Welsh Government. The framework is intended to cover aspects of the project both within the consents process and outside the consents process. One of the key areas of discussion is how to develop the supply chain in order to promote local benefits from Awel y Môr. The Applicant will continue to engage with Welsh Government and partner</p>

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			<p>The percentages identified in tables included in Environmental Statement Report Volume 3, (May 2022), table 12 specifically, seem disappointingly low and it is hope that RWE will continue to work with WG to improve on this percentages for North Wales and Wales.</p>	<p>agencies on this matter, both directly, at an industry level and via forums such as the Offshore Energy Alliance throughout the development of the project. In addition to project-related efforts, Industry and Alliance platforms enables RWE/ Awel y Môr to explore and potentially collaborate with others, to secure even larger potential benefit for North Wales)</p> <p>The Socioeconomic assessment (AS-034) uses conservative assumptions and the %s are influenced by the existing baseline environment. This approach is taken as not to risk overstating the positive impacts. In reality there may be opportunity to exceed the sourcing assumptions set out in the assessment. Specifically there is an opportunity for the Applicant to work with stakeholders, including the Welsh Government (such as through the development of the CfD Supply Chain Plan) to maximise opportunities to achieve higher levels of local sourcing. In part the levels of sourcing presented are influenced by the fact that much of the offshore infrastructure is manufactured in Europe and the fact the North Wales economy is relatively small.</p>
18.27	CCBC, DCC, FCC, GC, IoACC, SNP	<p>Mitigation Measures</p> <p>Are you satisfied with the proposed embedded and applied mitigation measures in respect of socio-economic</p>	<p>CCBC: The Council would welcome the inclusion of a Requirement to provide a Skills and Employability Plan. In addition, the Council would be willing to enter into discussions with the Applicant for the provision of a tourism fund to ensure that the tourism industry is in a favourable position to attract new visitors to replace any displaced visitors. As previously mentioned, the</p>	<p>The Applicant has included a Requirement in the dDCO securing a Skills and Employment Strategy (REP1-008).</p> <p>The Applicant met with a number of stakeholders through October to discuss drafting the outline Strategy, and is</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
		effects of the Proposed Development?	<p>majority of tourists to the area are aged 45+. This is evidenced in both the May 2020 and April 2021 visitor surveys. There is evidence to suggest that this age group are less accepting of wind farm developments. Whilst it was noted in Chapter 4, Volume 3 of the ES that there is opportunity for these visitors to be displaced by younger visitors, there is no evidence to support this.</p> <p>Gwynedd Council: Bodlon</p> <p>Gwynedd Council (Translated from Welsh): Satisfied</p>	<p>meeting CCBC in November to discuss also. The Applicant will continue meeting stakeholders in order to inform a draft of the outline plan which will be discussed with the relevant stakeholders before submitting it into the DCO examination.</p> <p>This is noted and welcomed by the Applicant.</p>

2.17 Tourism and Recreation

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
19.2	CCBC, DCC, FCC, GC, IoACC, SNP	<p>Planning Policy Wales 11 (PPW-11)</p> <p>Are you satisfied that the design of the Proposed Development contributes to the objectives of PPW-11 in respect of improving the cultural wellbeing of North Wales? If not, please explain your reasons.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant has summarised in the response to ExQ1.18.1 relating to 'A Wales of Vibrant Culture and Thriving Welsh' how it considers AyM will contribute to the objectives of PPW 11 in respect of the cultural wellbeing of North Wales.</p> <p>CCBC: The Council considers that the proposed development would detract from the character and appearance of the Llandudno Town Centre and Seafront Conservation Area and on the setting of listed buildings. In addition, it has concerns that any reduction in tourism numbers / expenditure could impact on the frequency and standard of works to maintain the built fabric.</p> <p>Gwynedd Council: Bodlon</p> <p>Gwynedd Council (Translated from Welsh): Satisfied</p>	<p>N/A</p> <p>This is noted and the Applicant has responded to the detailed points raised by CCBC within its response to Written Representations (Document 2.2 of the Applicant's Deadline 2 submission).</p> <p>This is noted and welcomed by the Applicant.</p>
19.6	Rostons	<p>Recreation Effects</p> <p>In respect of relevant representations made on behalf of your clients ([RR-044] to [RR-051]), please provide additional detail regarding concerns relating to the Proposed Development and horse riding during the construction phase.</p>	<p>Rostons on behalf of Mr R & Mrs H Proffitt: In response to 19.6 The impact on recreation at the property, the Proffitt family include Helen and Richard, their daughters and 4 grandchildren currently aged between 7 months and 10 years keep and ride the family's 5 horses and 2 ponies at the property, the principal grazing and exercise paddocks are indicated on the attached plan in Appendices 1 & 2 which is directly affected by the cable route. Furthermore, there is to be a construction compound located off Bodelwyddan Road by the entrance of the property, less than 100m from the paddock used for the families riding lessons, as this paddock is smaller than the others and adjacent to the farm yard, as well as far from the road and disturbance, making it suitable for the children's riding lessons, as well. Disturbances associated with large construction works, such as loud, sudden noises, flashing lights moving vehicles from this site could lead to the horses being</p>	<p>The Applicant understands the concerns that the family have regarding construction disturbance in this location. The project team will work with the family and their agent to ensure that the mitigation and management procedures proposed can take into account the concerns that the family have raised. The Applicant has provided an outline Noise and Vibration Management Plan (oNVMP) (Document 2.20 of the Applicant's Deadline 2 submission) that describes suitable measures and management procedures to control and limit noise and vibration levels.</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>spooked and injuring the rider, irrespective of them being a child or adult.</p> <p>During construction works these horse related activities will not be able to take place particularly with the young children. This impact could be mitigated by direct drilling the length of the route across the property rather than its intended construction to be via open cut trench.</p> <p>We would welcome an in-person site visit from the examining committee, they can see first hand the impact that this will have on the family.</p>	<p>To minimise the effects of construction noise in this location temporary noise barriers may be required at appropriate locations. The barriers would be located to ensure that an enhanced level of noise attenuation is provided to the most sensitive points. In the case of nearby equestrian use, the acoustic barriers could be designed to also afford a degree of visual screening from the construction works area.</p> <p>As noted in the oCoCP (Document 2.43 of the Applicant's Deadline 2 submission), the type of fencing will be selected to suit the location and purpose and will be agreed with DCC the Proffitt family and their agent.</p> <p>A Final and more detailed NVMP will be developed following detailed design and will include proposals for acoustic screens and other measures to reduce construction noise. The Final NVMP would need to be approved by DCC before construction commences, as secured by DCO R10.</p> <p>The Applicant appreciates that the landowners have expressed a preference for HDD installation of the cable in this location. HDD (or other trenchless techniques) are an effective means of crossing obstacles along the cable route, including main roads, railways, deep waterways and some environmentally sensitive features. However, they are</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>inappropriate for open agricultural land. Relative to open cut, trenchless techniques are inherently more technically challenging and time consuming. As a result, they are more expensive whilst adding complexity to the design and schedule of the scheme. In sections of the route where trenchless techniques are appropriate, the length of the bore is generally minimised as far as possible. A longer bore such as would be needed to avoid any open trenching in this location would increase the volume of drilling fluid (and hence the environmental risk), increase the size of the drilling rig required (and hence noise levels) and also increase the likelihood that 24-hour operations are required (and hence causing greater disturbance).</p> <p>In addition, joint bays can only be located in open cut sections of the cable route. Export cables are supplied in standardised lengths and joint bays must be evenly spaced along the cable route to prevent significant wastage, this also constrains the use of trenchless techniques.</p> <p>It should also be noted that any use of trenchless techniques does not remove the requirement for a haul road as vehicular access to the adjacent sections of the cable installation are still required. Hence the construction impacts (such as topsoil stripping, haul road installation, haul road traffic, removal and reinstatement)</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>are present regardless whether open cut or trenchless techniques are applied.</p> <p>The Applicant needs to comply with the requirements of Section 9 of the Electricity Act 1989 (i.e. to develop and maintain an efficient, co-ordinated and economical system of electricity distribution and transmission)</p> <p>This land parcel does not contain environmental or technical constraints that require the use of trenchless techniques and therefore it is the Applicant's view that the additional cost, engineering risk and scheduling risks associated with a long trenchless crossing are not warranted.</p> <p>The Applicant considers that appropriate mitigation has been provided that will allow for the area to be restored effectively, whilst ensuring that the requirements of Section 9 of the Electricity Act 1989 are met.</p>
19.10	CCBC, DCC	<p>Outline Public Access Management Plan (oPAMP) Are you satisfied with the approach and content of the oPAMP [APP-320]? If not, please details what additional measures are required to supplement the oPAMP.</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant provided draft versions of the oCoCP (APP-312; Document 1.49 of the Applicant's Deadline 1 submission) and oPAMP (APP-320) alongside the PEIR when undertaking Statutory Consultation. In response, DCC provided feedback on the oCoCP that has been incorporated within the submitted documents, however, no feedback was provided specifically on the oPAMP. In addition, the Applicant has discussed the proposals within the PAMP with DCC who have provided feedback relating to specific PROW that the Applicant is currently reviewing and hopes to</p>	N/A

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			provide an updated copy of the PAMP at Document 1.35 of the Applicant's Deadline 1 submission.	
			CCBC: Not a matter for CCBC.	N/A
			DCC: No response given	N/A
19.18	Isle of Man Government (Territorial Sea Committee), Carl Davies	Charter Angling Are you satisfied the issues raised during consultation have been captured in table 2-2 in the Charter Angling Baseline Report [APP-118]? If not, please explain reasons and provide evidence justification.	Carl Davies: The issues that were raised in the consultation are listed in Table 2-2 (they are largely a very good record of what was said by myself and colleagues and credit must be given to Poseidon for that report however the responses in the EA are not satisfactory. To give examples Underwater noise – the issue raised is reported correctly, but the responses sweep it under a carpet of words and cross-references. The simple fact is that the impact of underwater noise on charter angling is much more significant and felt further away from the noise source than all the studies suggest. The impact on my business is not just about disturbance to fish – it is about loss of confidence in my clients that they will catch any fish. Charter angling trips are a leisure activity, and people simply won't come if they don't think that they are going to have a good day out. From the moment that piling starts, bookings will cease. In Chapter 12.11 para 139 recreational anglers are described as 'low vulnerability'. This is simply not the case and all the representations from charter skippers from all along the North Wales and North West England coast have simply been ignored, there is no other way to describe this complete dismissal of representations from individuals, many of which have been working across the North Wales coast for 30-40 years. (Also para 141 states that "compensation strategy only if significant impacts on fleets are realised during various construction phases" but by this time it will be too late, we are all fully aware of what is going to happen. Vibration – as above – the evidence of our eyes and those of our clients is that even post-construction the windfarms have some kind of effect (whether due to vibration, electro-magnetic fields, or some other effect) on fishing in the area. We might be wrong	The Applicant recognises and welcomes the considered feedback from Mr Davies. The Applicant considers that it has undertaken thorough engagement with the local fishing community in development of its application, as described in the Commercial Fisheries Consultation Record (APP-110) and considers that due regard has been had to all matters raised. The Applicant has undertaken a robust assessment of underwater noise impacts to fish within the Fish and Shellfish Ecology chapter of the ES (APP-052) in which no significant effects are predicted to occur. It is noted that NRW is in agreement with the scope, methodology and conclusions of the fish and shellfish ecology with regard to the assessment of underwater noise impacts. The Applicant does not dispute that there would be an impact from underwater noise, but considers that the assessment has been based on empirical evidence, including underwater noise models, and has followed the EIA due process, and has not identified any likely significant effects. Disturbance effects due to underwater noise during construction are

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>about the mechanism, but that is not the point – we have seen the effect.</p> <p>Traffic Separation – we saw a similar “don’t blame us, it’s the MCA” response to the same issue for Gwynt y Mor. This is not, to be honest, a response that reflects well on the developer. The simple fact is that if Gwynt y Mor hadn’t been built, there would have been no TSS, and now that Awel y Môr is proposed it is likely to be extended. It’s wrong to blame the MCA for this, and it will impact our businesses. It would reflect better on the operator if they were to shoulder the responsibility for this.</p> <p>Running costs and survival of businesses – see the comments above. It may be the case that operations can in principle continue within the windfarm area, but that is no use to us if catches are adversely affected and our clients have lost faith in the area.</p> <p>A key point that has been omitted here is one that I raised during the public consultation meeting with the operator and their consultants last year. They had made the point that the effect of the windfarm on the water column and seabed disturbance through disruption of tidal flows was equivalent to that of a big storm (I forget now if this was a one in ten year storm, it was something like that). The point that I made was that a one in ten year storm happens once every ten years. The tide comes in and out twice a day. So the effect of the windfarm on the seabed and water column is to make an occasional dramatic event into a regular twice-daily routine. In the “other marine users and activities chapter” page 66 reference is made to Tub Gurnard in the McCarthy papers a and b 2018 yet only one paper is cited and this references grey gurnard which is not the species that we specifically recorded a decline in during windfarm construction, notably Gwynt y Mor. Reference is then made to an inshore fishery for Gurnard increasing in recent years which again is simply not true. Trawling activity (for finfish) on the North Wales coast has been at its lowest level over the last 10 years for decades and is</p>	<p>acknowledged but are considered to be temporary and reversible in nature. There are also mitigation measures in place via the Fisheries Liaison and Co-Existence Plan (FLCEP) (REP1-033) that contains mechanisms to compensate fishermen (including charter anglers) for demonstrable losses.</p> <p>Effects on physical processes, including tidal currents, have been assessed in the Physical Processes chapter of the ES (APP-048) and no significant effects are predicted. As a point of clarification, disruption to tidal currents due to the presence of infrastructure has been modelled and assessed to result in a ± 0.01 m/s change in current speed and a 1° change in current direction. The change is very small in absolute and relative terms, is within the range of natural variability and would not be measurable in practice. It is noted that NRW is in agreement with the scope, methodology and outcomes of the physical processes assessment.</p> <p>The gurnard fishery is considered in both the other marine users and commercial fisheries chapters of the ES (APP-058 and APP-054, respectively). The charter angling baseline report (Figure 3-7 of APP-118) considers that commercial gurnard landings in the Irish Sea are minimal and highlights that it is possible that any decline in angling catch could be attributable to an increase in</p>

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			<p>now confined to occasional Belgian and English beamers trawling outside the 12 mile limit for short periods in the mid Irish Sea. They target Dover sole. Increased landings of Gurnard, in the Irish Sea, over the last few years is more likely to be attributed to a recording anomaly, as in the promotion of Gurnard as a good eating fish by celebrity chefs over recent years, so it is sold legitimately on the market for a reasonable price rather than sold for cash as pot bait as it has been generally in the past.</p> <p>You cannot make up things to put in an important document like this but I'm afraid in this case this is what has happened, and the worrying part about it is are there other areas in this ES that this has happened.</p> <p>In the open floor hearing my statement was responded to. One response was concerning my reference to tailoring scour protection to encourage an array of species, including lobster to help mitigate effects on the fishery but the response was that they would be worried about introducing new species to the area, I hardly think that a lobster is a new species in the Irish Sea! Another answer was about cumulative effects of future windfarms like Morgan Mona and Cobra being built in tandem or one after another but the response was basically that each build doesn't have to take into account future developments, well if this is the case the planning rules are not now fit for purpose. Maybe they were for small farms like North Hoyle, Rhyll Flats and Burbo 1. Also the baseline is taken as the present not before any windfarms were built and this is also not right.</p> <p>Overall, I still have grave concerns about the impact of the proposal on my business. I feel rather out-gunned in this process by a developer who can commission a consultant to write long reports in response to my concerns, and that I hardly have time to read between fishing trips and vessel maintenance, let alone refute and respond to. I hope you can bear this in mind when considering this very brief response. I am keen to remain on good terms with the wind farm operators, since we are all sharing the</p>	<p>(commercial) inshore fishing in recent years or associated with regional fluctuations in gurnard numbers that may be attributable to other factors.</p> <p>Regarding enhancement of scour protection for lobster (and other species), the Applicant is open to opportunities to effect positive changes where appropriate. The Applicant is cognisant that there are emerging solutions to ecological engineering for cable and scour protection with biodiversity in mind and will continue to engage with stakeholders to ensure these options are thoroughly appraised post-consent as the design is finalised, provided NRW as the regulator would be supportive of this approach.</p> <p>As a point of clarification, the Applicant was not suggesting in its response at the Open Floor Hearing that lobster is a new species in the Irish Sea (lobster is recognised as being important locally and regionally within the baseline characterisation for fish ecology and commercial fisheries (APP-052 and APP-054, respectively)). In its reference to 'new species', the Applicant intended to highlight regulator concerns that a change in seabed habitat caused by the introduction of new hard substrate could increase the risk of introduction of invasive and non-native species (not lobster).</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>same patch of the sea and need to find a way to get along. I think there could be win win mitigation for all if we tailor design rock armour with extensions at bases and cable protection coupled with a lobster hatchery ashore, similar to Holderness on the east coast. In the grand scheme of things this would be a small cost and could provide future jobs ashore with a hatchery also being a potential tourist attraction. However I still fear for the future of my business and those of my colleagues, and more importantly what the impacts of multiple construction events, across vast swathes of a largely enclosed shallow coastal sea, will have on the whole ecosystem present within that sea.</p>	<p>The Applicant is also keen to maintain and develop a good relationship with local fishing community, and has developed a comprehensive FCELP building on relationships established since the development of GyM via the Fisheries Liaison Officer (FLO).</p> <p>For context, in response to the WR from Conwy County Borough Council (CCBC) (REP1-055), the Applicant has stated (Document 2.2 of the Applicant's Deadline 2 submission) that it would welcome further discussions on their comments on tourism. The Applicant has suggested that this could play a role in attracting new and repeat visitors through providing an additional attraction that communicates to visitors the significant role that this area is playing in addressing the climate (and indirectly the biodiversity) emergency, and how one of the most important seaside resorts in Wales can successfully balance its rich heritage with the major challenges of climate change.</p> <p>With this in mind and with further regard to the comment about enhancement of cable and scour protection, the Applicant also notes Mr Davies' comment suggesting co-existence could be enhanced by coupling with a lobster hatchery, similar to the work between the Holderness Fishing Industry Group (HFIG) and Orsted at Westermost Rough Offshore Wind Farm. The Applicant is keen to explore options</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>such as this to build on positive relationships and work to improve co-existence and this will be taken forward through the FLCEP.</p> <p>The Applicant is very grateful for the personal investment of time, and the level of contribution Mr Davies has given in respect of this project. The Applicant hopes to continue to engage positively with Mr Davies and the wider commercial fishing and charter angling communities on the coexistence of the AyM project and their businesses.</p>
			Isle of Man Government: No response given	N/A

2.18 Traffic and Transport

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
20.8	DCC	<p>Draft Development Consent Order As Highway Authority are you content with the proposed powers contained in Articles 9 to 13, Part 3, Streets, of the draft Development Consent Order (dDCO) [AS-014]? If not, how would you like them to be amended, why and to what effect?</p>	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA.</p> <p>The Applicant considers that the concerns DCC has raised regarding the duration and reinstatement of temporary disruptions/diversions of PROW can adequately be addressed via the need for approval of the Public Access Management Plan (PAMP) under DCO R10. The Applicant has continued discussion on concerns regarding powers relating to PROW and proposed to provide an amended version of the PAMP that includes proposals to agree the duration and reinstatement of PROW. In addition, DCO Requirement 17 imposes a 6-month time limit on reinstatement of agreed stages of onshore works (once construction activity has finished) so further controlling the duration of temporary disruptions/diversions of PROW.</p> <p>Welsh Government: https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010112/EN010112-000181-3.1_AyM_DCO.pdf Section 61 of the Application of the 1991 Act should apply and taken from part 4 and inserted in part 2 Article 10. The A55 is classed as a special road.</p>	<p>N/A</p> <p>The Applicant notes that the installation of the cables under the A55 will be undertaken using trenchless installation techniques and not open trenching, there will be no interference with the surface or use of the A55. The Applicant has discussed the approach to the A55 crossing with the Welsh Government.</p> <p>As drafted the dDCO includes the relevant powers for the Applicant to install the AyM cables beneath the A55 without the need for a s61 licence. It is the Applicant's view that this is an appropriate and reasonable approach which follows the Model Provisions and is used widely in other NSIP schemes. It avoids the need for a separate consent to be secured following the grant</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				of any DCO which would be contrary to the aims of the Planning Act 2008. Further discussions with Welsh Government will take place to ensure it is provided with the necessary detail regarding the design of the A55 crossing in advance of such works taking place.
			DCC: No response given	N/A
20.11	Royal Mail	Outline Construction Traffic Management Plan Are you content with proposals in the outline Construction Traffic Management Plan [APP-319] to consult on potential traffic disruption during the construction phase of the project and mitigate its effects?	Welsh Government: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010112/EN010112-000451-8.13.7_CoCP_Appendix%207_Outline%20CTMP_Final.pdf Scope of CTMP should be extended to include appropriate structural and capacity assessments of route to assess impact of all construction traffic, not just AILs. There are areas that include the dialogue with NMWTRA and this will help discussions.	The CTMP has been updated (Document 2.38 of the Applicant's Deadline 2 submissions) to include reference to structural and capacity assessments.
			Royal Mail: No response given	N/A
20.12	Network Rail	Horizontal Directional Drilling Are you satisfied that proposals to use Horizontal Directional Drilling (HDD) under the North Wales Mainline are feasible and will not result in any significant effect on rail infrastructure or services?	Network Rail: Network Rail is not satisfied that the proposed works are feasible, and has concerns that the proposals will have a significant adverse impact on operational railway and infrastructure, unless appropriate protections of Network Rail infrastructure are in place. Notably, ORR consent is likely required for the proposed works. The technical basis for such concerns are highlighted at the bullet points below; and the key issue is that such works are hazardous unless appropriate arrangements in the form of a Basic Asset Protection Agreement, are clearly set out and agreed between Network Rail and the Applicant. Network Rail has engaged with the Applicant, requesting a full set of protection provisions (as per response to written question 20.12), as well as an appropriate form of Basic Asset Protection Agreement. Network Rail is engaging with the Applicant so to agree terms that the required works and rights of way can be granted by Network Rail to the Applicant, and upon successful	The Applicant is in discussion with Network Rail over the appropriate measures required to protect their Assets. The Applicant has signed a Basic Asset Protection Agreement with Network Rail and is working towards agreeing the suit of property agreements.

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			<p>negotiation of such terms there is no need for the DCO to include unqualified compulsory powers over Network Rail operational land. Specifically, Network Rail requires that the safety and engineering conditions set out in the bullet points below are met, and it is these points that Network Rail would expect to see addressed in the Basic Asset Protection Agreement:</p> <ul style="list-style-type: none"> ▲ ensure appropriate survey work to locate and protect utility services; ▲ appropriate measures to safeguard Network Rail facilities; ▲ require details of the depth of the ducts going underneath the railway to ensure appropriate safety measures in place; ▲ signalling assessment required for safety reasons; ▲ track monitoring required whilst boring below track; ▲ Basic Asset Protection Agreement required to determine the interface with Network Rail assets (buried or otherwise); ▲ minimum of three months' notice before works commence, to ensure all safety measures in place. <p>Network Rail will continue to engage with the Applicant. In the event that the Applicant enters into the appropriate Basic Asset Protection Agreement with Network Rail, Network Rail's concerns as regards the impact of the proposed Development on Network Rail's assets will be addressed.</p>	
20.13	Network Rail	<p>Draft Development Consent Order</p> <p>Are you satisfied with the protective provisions in Part 6, Schedule 9 of the dDCO [AS-014]? What changes, if any, would you like made and why?</p>	<p>Network Rail: The protective provisions in Part 6, Schedule 9 of the DCO are deficient insofar as they do not include sufficient protection of Network Rail's operational land. Specifically, Network Rail requires the protective provisions to include a restriction on the exercise of compulsory purchase powers over land and rights belonging to Network Rail. It is standard practice in DCOs for protective provisions in favour of statutory undertakers to provide a restriction on the exercise of an Applicant's compulsory powers over the land. This is to ensure that those powers do not have a detrimental impact on the ability of the undertaker to carry out its statutory duties. Network Rail require this approach to</p>	<p>Active discussions are ongoing between the Applicant and Network Rail in relation to Protective Provisions. The Applicant has received a mark-up of the Protective Provisions included in the draft DCO (Document 2.14 of the Applicant's Deadline 2 submission) and has responded with further comments. The Applicant anticipates that both parties will be able</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
			be adopted in order to maintain the safe, efficient and economic operation of the railway. Network Rail has submitted an amended form of the protective provisions to the Applicant on 20 September 2022. A copy of that correspondence is attached to this response to the ExA written questions. Network Rail is engaging with the Applicant to grant requisite rights of way in order to enable delivery of the proposed Development, such that compulsory powers over Network Rail's land will not be required. For this reason, it is imperative that the form of protective provisions included on the face of the DCO, are updated to include the amendments requested by Network Rail of the Applicant on 20 September 2022.	to agree the Protective Provisions before the end of the Examination.
20.14	Welsh Government	Horizontal Directional Drilling Are you satisfied that proposals to use Horizontal Directional Drilling (HDD) under the A55 Trunk Road are feasible and will not result in any significant effect on its infrastructure or main line and junction traffic flows?	<p>The Applicant: It is acknowledged that this Question is not directed at the Applicant, but the Applicant has provided the following response which may be useful context for the ExA. The Applicant has been in discussions with Highways and the necessary property agreements and a Section 61 agreement are being drawn together between the two Parties to permit the crossing to proceed.</p> <p>Welsh Government: Whilst the SRN team are content with the principal of HDD at this location, at this time we have not provided geotechnical certification to confirm we approve the specifics of the proposal. This should be provided in advance of permission being granted in case any departures etc. are required.</p>	N/A
20.15	Welsh Government	Draft Development Consent Order What protective provisions for the A55 Trunk Road, if any, would you like to see included in Part 6, Schedule 9 of the dDCO [AS-014]?	Welsh Government: Note 20.8 above. Heads of Terms to be agreed which will include easement, maintenance agreements and Geotechnical Certification required under CD 622 of Design Manual for Roads and Bridges. Works to be delivered under Section 61 of Streetworks Act.	<p>The Applicant has discussed the approach to the A55 crossing with the Welsh Government.</p> <p>As drafted, the dDCO (Document 2.14 of the Applicant's Deadline 2 submission) includes the relevant powers for the Applicant to install the AyM cables</p>

QUESTION NUMBER	QUESTION ADDRESSED TO	QUESTION	RESPONSES	APPLICANT'S COMMENTS
				<p>beneath the A55 without the need for a s61 licence. It is the Applicant's view that this is an appropriate and reasonable approach which follows the Model Provisions and is used widely in other NSIP schemes. It avoids the need for a separate consent to be secured following the grant of any DCO which would be contrary to the aims of the Planning Act 2008. On this basis, the Applicant does not believe that an easement is required over the operational extent of the A55 and as such the Applicant would not propose to negotiate Heads of Terms in this regard.</p> <p>Further discussions with the Welsh Government will take place to ensure it is provided with the necessary detail regarding the design of the A55 crossing in advance of such works taking place.</p> <p>Geotechnical certification is progressing with the Applicant in the process of preparing a the PSSR and having recently shared the results of the Geotechnical Survey.</p>

3 References

HSE (2021), Construction statistics in Great Britain

Roach, M., Reville, A., & Johnson, M. J. (2022). Co-existence in practice: a collaborative study of the effects of the Westernmost Rough offshore wind development on the size distribution and catch rates of a commercially important lobster (*Homarus gammarus*) population. *ICES Journal of Marine Science*, 79(4), 1175-1186.



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