



Awel y Môr Offshore Wind Farm

Statement of Common Ground 2 – Denbighshire County Council

Deadline 3

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1 Introduction

1.1 Background

- 1 This Statement of Common Ground (SoCG) has been prepared between Awel y Môr Offshore Wind Farm Limited (hereafter referred to as 'the Applicant') and Denbighshire County Council (DCC) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application (the Application) for the Awel y Môr Offshore Wind Farm (hereafter referred to as 'AyM').
- 2 The need for a SoCG between the Applicant and DCC was set out within Rule 6 letter issued by the Examining Authority (ExA) on 23 August 2022. Prior to Deadline 1, the Applicant proposed that the SoCG with DCC would be developed after receipt of detailed feedback in DCC's Local Impact Report (LIR), which was received at Deadline 1 (REP1-056).
- 3 The SoCG with DCC is a means of clearly stating any areas of agreement and outstanding disagreement between the two parties in relation to AyM's DCO application. This SoCG has been structured to reflect the topics of interest and relevance to DCC.
- 4 It is intended that this document will help facilitate post-application discussions between both parties and also give the Examining Authority (ExA) an understanding of the level of common ground between both parties.

1.2 Approach to SoCG

- 5 This SoCG has been developed during the examination phase of AyM. In accordance with discussions between the Applicant and DCC, the SoCG is focused on the onshore topics listed in Section 2.
- 6 The SoCG is structured as follows:
 - ▲ **Introduction:** Outlining the background to the development of the SoCG;
 - ▲ **DCC's remit:** Describing the remit of DCC, the relevance of DCC's interest in the Application, the main areas of discussion within the SoCG and a summary of consultation to date; and

- ▲ **Agreements Log:** A record of the positions of the Applicant alongside those of DCC as related to the topics of discussion and the status of agreement on those positions.

1.3 The Development

- 7 The Application is for development consent for the Applicant to construct and operate the proposed Awel y Môr project under the Planning Act 2008.
- 8 AyM will comprise up to 50 Wind Turbine Generators (WTGs) and will include infrastructure that is required to transmit the power generated by the turbines to the offshore substation via inter-array cables, before being transmitted via export cables to the proposed OnSS located to the west of St Asaph Business Park (SABP) and then to the existing National Grid Bodelwyddan substation.
- 9 The onshore export cable configuration will include up to two cable circuits connecting to the proposed OnSS and existing National Grid Bodelwyddan substation via a Landfall to the east of Rhyl and underground cables within an onshore Export Cable Corridor (ECC).
- 10 The key permanent onshore components of AyM will include:
 - ▲ Infrastructure at Landfall where the offshore cables are brought ashore;
 - ▲ Up to two Transition Joint Bays connecting the offshore cables to the onshore cables;
 - ▲ Underground cable ducts, joint pits and cables;
 - ▲ The OnSS to the west of SABP; and
 - ▲ Underground cable ducts, joint pits and cables for the grid connection from the OnSS to the existing National Grid Bodelwyddan substation located to the south of SABP.
- 11 More details on the proposed development are described in the Environmental Statement (ES) Volume 3, Chapter 1: Project Description (Onshore) (APP-062).

2 DCC's remit as an Interested Party

2.1 Introduction

- 12 DCC is a prescribed consultee for the proposed development under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and is also the sole host authority for the onshore elements of AyM. DCC's remit covers the following broad areas that are relevant to the onshore aspects of AyM:
- ▲ Principle of development, site selection and substation design principles;
 - ▲ Onshore Landscape and Visual Impact Assessment (LVIA);
 - ▲ Socio-economics;
 - ▲ Tourism and recreation;
 - ▲ Onshore biodiversity and nature conservation;
 - ▲ Ground conditions and land use;
 - ▲ Hydrology, hydrogeology and flood risk;
 - ▲ Onshore archaeology and cultural heritage;
 - ▲ Traffic and transport; and
 - ▲ Residential and public amenity (airborne noise and vibration, air quality and public health).
- 13 Agreements and disagreements with the North Wales Local Planning Authorities (NW LPAs) (including DCC) relating to the offshore Seascape, Landscape and Visual Impact Assessment (SLVIA) are captured in SoCG 1 (see the Statement of Commonality (REP1-011)).
- 14 Whilst DCC has broader remits, the project elements of interest for this SoCG are the onshore elements of the scheme comprising the landfall, onshore ECC, OnSS and associated temporary and permanent infrastructure such as temporary watercourse crossings and proposals for ecological compensation and enhancement.
- 15 In relation to AyM, DCC's responsibilities have included engagement in the pre-application process, both through membership of Expert Topic Groups (ETGs) and through bilateral discussion. In addition, as the host LPA, DCC will be responsible for review and approval of onshore DCO Requirements, in consultation with other key consultees including NRW.

2.2 Consultation Summary

16 Table 1 This section briefly summarises the consultation (regarding onshore aspects of AyM) that the Applicant has undertaken with DCC including both statutory and non-statutory engagement during the pre-application and post-application phases.

Table 1: Consultation undertaken with DCC during pre-application and post-application phases.

DATE AND TYPE	DESCRIPTION OF CONSULTATION
21/11/19	Benthic Ecology/Fish & Shellfish Ecology/Physical Processes/Flood Risk/Water Quality/WFD/Sediment Quality ETG
25/11/2019	Offshore Ornithology & Marine Mammals ETG
09/12/2019	Traffic, Transport ETG
10/12/2019	Onshore Ecology & Hydrology ETG
09/03/2020	Onshore ETG
10/03/2020	Offshore ETG
18/09/2020	Offshore Ornithology ETG
21//09/2020	Onshore Ecology ETG
01/10/2020	Onshore Hydrology ETG
13/11/2020	HRA – Assessment of ornithological features
27/01/2021	Cultural heritage and Archaeology ETG
26/02/2021	Onshore Ecology ETG inc. PEA Report
18/02/21, 3/3/21 & 15/03/21	Request for traffic counter data, particularly for River Clwyd embankment path. Data received on 16/3/21.

DATE AND TYPE	DESCRIPTION OF CONSULTATION
	The data has been used to inform the baseline analysis (Section 4.7) and the assessment of AyM (see Sections 4.10, 4.11 and 4.11.1).
08/03/21 & 15/03/21	The information provided has been used in the resource assessment (Sections 4.10, 4.11
22/03/2021	Onshore hydrology ETG inc. flood risk and proposed cable corridor routing update
29/03/21	Human Environment ETG (Traffic and Transport subgroup)
29/03/21	Request for information about whether the proposed onshore ECC would impact on any routes used by the walking groups that the officer coordinates.
31/03/21	Human Environment ETG (Noise subgroup)
05/05/2021	Socio economic ETG
May & June 2021	Informal Statement of Community Consultation (SoCC) consultation: engagement, including email correspondence and meetings across May & June 2021 to DCC team (Denise Shaw, Lara Griffiths, Fran Rhodes, Sian Owen) to inform the drafting of the SoCC and plans for community engagement
5 August 2021	Meeting with DCC to discuss comms/promotional aspects of the AyM statutory consultation (Fran Rhodes, Lara Griffiths, Jo Sutton, Matthew Jones, Sian Owen, Gari Thomas)
23-24 August 2021	Emails to Matthew Jones (PR/Comms Officer) to organise meeting to discuss local PR/ publicity of AyM statutory consultation

DATE AND TYPE	DESCRIPTION OF CONSULTATION
August – September 2021	Discussions with Rhyl Tourist Information Centre (DCC) regarding implementation of temporary exhibition to support AyM statutory consultation (Antoni Vitti)
02/11/2021	Human environment ETG
10/11/2021	Onshore hydrology and flood risk ETG
12/11/2021	Public Rights of Way non-ETG meeting
12/11/21	<p>Post Statutory Consultation meeting with DCC; Expert Topic Group follow-up re proposed country park at Bodelwyddan Castle.</p> <p>Drawing received 17/1/22.</p> <p>The ground to be developed as a country park is all outside of the ZOI.</p>
24/11/2021	Onshore Ecology ETG – survey results and mitigation proposals
05/11/2021	Onshore Hydrology and Flood risk ETG
[late Nov 2021]	Add meeting details: Denise Shaw, Paul Mead, Paul Carter (RWE), Burges Salmon, etc.
[02/12/2021 & 17/12/2021]	<p>Email exchanges regarding the above [late Nov 2021]</p> <p>Sharing of Meeting Notes from late Nov 2021 meeting; sharing of draft PPA to support key DCC inputs required to support DCO process</p>
14/12/2021	SLVIA ETG
07/02/22	<p>LVIA mtg with LUC & DCC</p> <p>Meeting held to discuss landscape mitigation proposals. The mitigation principles of the ONSS were presented on</p>

DATE AND TYPE	DESCRIPTION OF CONSULTATION
	screen at the meeting along with the outline landscape mitigation proposals that are presented in the ES
February 2022	<p>Targeted consultation activities, including online drop-in session for ETG members, in-person event at Prestatyn, a project newsletter, targeted Cllr briefings, etc.</p> <p>22/02/2022: Virtual ETG drop-in information session in support of targeted consultation (newly proposed alternative TCC and accesses in Denbighshire)</p>
30/03/2022	<p>Adequacy of Consultation: information</p> <p>Email sent to several DCC Officers confirming AyM intention to submit DCO application to PINS on 20 April; also shared information regarding Adequacy of Consultation response that would be sought soon by PINS; also shared information that AyM would be sharing Consultation Report imminently</p>
26/04/2022 (email)	Confirmation AyM DCO submission to PINS and other, related matters
07/06/2022 (email)	Engagement regarding DCC involvement in AyMs DCO process: Pre-examination and Examination phases (focus on setting up a PPA in support of an LIR and SoCG; Relevant Representations period and discharge requirements in due course)
21/06/2022 (email)	Follow-up email to correspondence sent 07/06/2022, looking to set up a meeting/phone call to discuss further
24/06/2022 (email)-	Email sent regarding key AyM project updates and imminent outputs required from DCC in support of the DCO process.
27/07/2022 (telephone call)	Telephone call made to Planning Department contacts (Denise Shaw, Paul Mead) to follow up emails sent in

DATE AND TYPE	DESCRIPTION OF CONSULTATION
	June 2022, and intention to meet to discuss the same matters
01/08/2022 (telephone call)	Telephone call made to Planning Department contacts (Denise Shaw, Paul Mead) to follow up emails sent in June 2022, and intention to meet to discuss the same matters
01/08/2022 (email)	Email following up phone calls, confirming sight of Relevant Representation and following up intentions to set up a meeting to discuss the RR, setting up a PPA and other related matters as above
03/08/2022 (invitation)	MS Teams invitation between the AyM Consents Team (Paul Carter: Senior Consents Manager and Poppy Tremayne: Stakeholder and Consultation Manager) and DCC Planning team (Paul Mead: Development Manager and Denise Shaw: Planning Officer): "DCC/AyM: key inputs required to support the DCO process" (<i>invitation only</i>)
11/08/2022 – (email)	SoCG information and invitation
26/08/2022 (email)	Email sent to DCC team regarding Rule 6 letter and attaching first DCO Examination Hearings' Notice and asking to print out/post up as might be deemed helpful for local members of the public
01/09/2022 (meeting)	MS Teams meeting between the AyM Consents Team (Paul Carter: Senior Consents Manager and Poppy Tremayne: Stakeholder and Consultation Manager) and DCC Planning team (Paul Mead: Development Manager and Denise Shaw: Planning Officer): "DCC/AyM: key inputs required to support the DCO process"

DATE AND TYPE	DESCRIPTION OF CONSULTATION
24/10/2022	Denbighshire submitted their LIR at Deadline 1 (REP1-056), which the Applicant provided responses to at Deadline 2 (REP2-004).
22/11/2022	MS Teams meeting to discuss SoCG progression (DCC: Denise Shaw; RWE: Paul Carter, Poppy Tremayne, Karen Algate; GoBe: Ryan McManus, Antonia Peacock; SLR: Matt Faulkner)

3 Agreements Log

- 17 The following sections of this SoCG set out the level of agreement between the Applicant and DCC for each relevant component of the Application identified in paragraph 12. The tables below detail the positions of the Applicant alongside those of DCC and whether the matter is agreed or not agreed.
- 18 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion, the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 2 below.

Table 2: Position status key.

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or DCC is not considered to result in a material outcome on the assessment conclusions.	Not agreed – No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or DCC is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact

3.1 Principle of Development, Site Selection and Substation Design Principles

Table 3: Status of discussions relating to Principle of Development, Site Selection and Substation Design Principles.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Principle of Development	The proposed offshore windfarm would have strategic benefits in terms of increased renewable energy generation, contribution to de-carbonisation of the energy supply network and will contribute towards combating the climate emergency.	DCC agrees with the Applicant's position.	Agreed
Principle of Development	The Principle of a new offshore windfarm of the scale proposed is in general accordance with national and local planning policies	DCC agrees with the Applicant's position.	Agreed
Site Selection	The proposed landfall site is an appropriate place to locate landfall infrastructure	DCC agrees with the Applicant's position.	Agreed
Site Selection	DCC was consulted at different stages during the site selection process and given the opportunity to comment on siting/routing of the OnSS and Onshore ECC	DCC agrees with the Applicant's position.	Agreed
Site Selection	The OnSS location has been identified through a methodical process of long-listing and short-listing sites and represents an appropriate place to locate a substation	DCC agrees with the Applicant's position.	Agreed
Site Selection	The onshore Cable Corridor follows an appropriate route between the landfall and proposed onshore substation and avoids key designations and sensitive areas	DCC agrees with the Applicant's position.	Agreed
Substation Design	The principle of approving design detail under DCO Condition affords the Planning Authority with suitable control over the appearance, scale, layout and access of the proposed OnSS.	DCC agrees with the Applicant's position.	Agreed

3.2 Onshore Landscape and Visual Impact Assessment (LVIA)

Table 4: Status of discussions relating to LVIA.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of landscape and visual impacts of onshore aspects of AyM	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to LVIA.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to landscape and visual impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
	The field survey described in Section 2.4 of Volume 3, Chapter 2 landscape and visual assessment (PINS Ref APP-063) appropriately characterises the baseline environment in order to inform the assessment of landscape and visual impacts of onshore aspects of AyM to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The viewpoint locations for the LVIA are adequate and appropriate to understand and assess the likely significant effects of AyM.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The EIA has identified and assessed all likely significant effects relevant to LVIA as identified within the Scoping Report and Scoping Opinion.	DCC agrees with the Applicant's position.	Agreed
	The study area defined for the onshore LVIA is appropriate for the impacts, pathways and receptors considered.	DCC agrees with the Applicant's position.	Agreed
	The assessment has appropriately defined the Maximum Design Scenario (MDS) for the purposes of assessment.	DCC agrees with the Applicant's position.	Agreed
	The LVIA has been completed in accordance with all relevant industry guidance.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The visualisations produced for the LVIA meet appropriate standards and are suitable to inform judgements on the visual effects of the offshore infrastructure.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The approval by DCC of the layout, scale, materials and colours of the proposed onshore substation, secured under a DCO Requirement, is considered an appropriate method for the control of landscape and visual effects arising from onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
	The proposals within the outline Landscape and Ecology Management Plan (oLEMP) are suitable with regard to landscape and visual effect and the amount and location of landscape mitigation land around the proposed substation, along with the proposals for mitigation, compensation and enhancement,	On the basis of the updated oLEMP submitted by the Applicant at Deadline 2 (DCC agrees with the Applicant's position relating to landscape and visual effects. DCC respectfully defers to CADW for consideration of the proposals within the oLEMP with regard to the setting of Bodelwyddan Historic park and garden.	Agreed
Outcomes of the EIA	The landscape and visual effects of the onshore aspects of AyM on the Clwydian Range and Dee Valley AONB are unlikely to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to effects on landscape character are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to effects on visual receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to cumulative effects are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.3 Socio-economics

Table 5: Status of discussions relating to socio-economics.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of socio-economic impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to socio-economics.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to socio-economic impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 3.4 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064/ Application Ref 6.3.3) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The agreement of a Supply Chain Plan with the National Government through the Contracts for Difference (CfD) process will be of benefit to local companies.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a Skills and Employment Strategy that will be finalised in line with an outline Skills and Employment Plan, will be of benefit to local people and companies.	DCC agrees with the Applicant's position.	Agreed
Outcome of the EIA	The conclusions of the assessment identified in Section 3.10 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064/ Application Ref 6.3.3) in relation to the construction effects on Socio-Economic receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 3.11 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064/	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	Application Ref 6.3.3) in relation to the operational effects on Socio-Economic receptors are appropriate.		
	The conclusions of the assessment identified in Section 3.13 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064/ Application Ref 6.3.3) in relation to the cumulative effects on Socio-Economic receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.4 Tourism and Recreation

Table 6: Status of discussions relating to tourism and recreation.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of tourism and recreation impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to tourism and recreation.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to tourism and recreation impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 4.4 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065/ Application Ref 6.3.4) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The agreement of a Public Access management Plan (PAMP), and Construction Communications Plan (as amended at Deadline 1) provide an appropriate mechanism for the agreement of measures to avoid significant effect during construction.	DCC is reviewing the information provided by the Applicant at Deadline 2 and reserves its position as to whether the information that has been provided addresses the issues raised.	Ongoing point of discussion
Outcomes of the EIA	The conclusions of the assessment identified in Section 4.10 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065/ Application Ref 6.3.4) in relation to the construction effects on tourism and recreation receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 3.11 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065/ Application Ref 6.3.4) in relation to the operational effects on tourism and recreation receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The conclusions of the assessment identified in Section 3.13 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065/ Application Ref 6.3.4) in relation to the cumulative effects on tourism and recreation receptors are appropriate.	DCC is reviewing the information provided by the Applicant at Deadline 2 and reserves its position as to whether the information that has been provided addresses the issues raised.	Ongoing point of discussion.

3.5 Onshore biodiversity and nature conservation

Table 7: Status of discussions relating to onshore biodiversity and nature conservation.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 5.2 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (APP-066) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to onshore biodiversity and nature conservation.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 5.7 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) adequately identifies the baseline environment relevant to biodiversity and nature conservation to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The study area identified in Section 5.4.1 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) is appropriate.	DCC agrees with the Applicant's position.	Agreed
	The habitat and hedgerow survey presented in Annex 5.2 (PINS Ref APP-125/ Application Ref 6.5.5.2), is satisfactory to characterise the baseline environment in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
	The species surveys undertaken are satisfactory to characterise the baseline environment relating to onshore ecology in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
Assessment methodology	The impact assessment methodology identified in Section 5.5 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation, compensation	The proposals for mitigation, compensation and enhancement summarised within Sections 5.9, 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) and the Outline Landscape and Ecology	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
and enhancement	Management Plan (OLEMP) (PINS Ref APP-305/ Application Ref 8.4), including the amount and location of land proposed around the proposed substation, along with the proposals for mitigation, compensation and enhancement, are considered acceptable to manage adverse effects.		
	There is no requirement for a biodiversity net gain metric within the DCO application.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a tree survey and an Arboricultural Impact Assessment post-consent, to inform final scheme design and ensure protection of trees during construction as secured by the approval of a Construction Method Statement in DCO Requirement 10, is considered acceptable.	DCC agrees with the Applicant's position.	Agreed
	The proposals for the management of Invasive Non-Native Species (INNS) that are set out in the outline INNS Management Plan (PINS Ref APP-323/ Application Ref 8.13.11) are appropriate.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusion that impacts assessed within Sections 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) are not considered to be significant in EIA terms during the mid- and long-term.	DCC agrees with the Applicant's position.	Agreed
	The assessment of species presented within Sections 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) is satisfactory.	DCC agrees with the Applicant's position.	Agreed
	The conclusions within Sections 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066/ Application Ref 6.3.5) accurately conclude that, through securing appropriate mitigation as summarised within the Outline Landscape and Ecology Management Plan (OLEMP) (PINS Ref APP-305/ Application Ref 8.4) the onshore elements of AyM will not be detrimental to the Favourable Conservation Status of protected species.	DCC agrees with the Applicant's position.	Agreed
Licensing	The proposals for enhancement summarised within Sections 5.9, 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	conservation (PINS Ref APP-066/ Application Ref 6.3.5) and the Outline Landscape and Ecology Management Plan (OLEMP) (PINS Ref APP-305/ Application Ref 8.4), are considered sufficient to achieve a net gain to biodiversity interests.		

3.6 Ground conditions, land use and contamination

Table 8: Status of discussions relating to ground conditions, land use and contamination.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 6.2 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to ground conditions and land use.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 6.7 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6) adequately identifies the baseline environment relevant to ground conditions and land use to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Data Sources	Section 6.4.2 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6) adequately identifies the baseline data sources relevant to ground conditions and land use to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The impact assessment methodology identified in Section 6.4 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation and Monitoring	The proposals for mitigation within Sections 6.9, 6.10 and 6.11 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6), alongside the measures outlined in the outline Pollution Prevention and Emergency Incident Plan (oPPEIRP) (PINS Ref: APP-318) are considered acceptable to manage adverse effects.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a soil management plan, that would be developed in line with the principles set out within the outline soil management plan, is an appropriate approach to the	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	mitigation of temporary effects on agricultural land arising from the onshore cable corridor.		
Assessment Outcomes	The conclusion that impacts assessed within Sections 6.10 and 6.11 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067/ Application Ref 6.3.6) are not considered to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed

3.7 Hydrology, hydrogeology and flood risk

Table 9: Status of discussions relating to hydrology, hydrogeology and flood risk.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 7.2 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to hydrology, hydrogeology and flood risk.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 7.7 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) adequately identifies the baseline environment relevant to hydrology, hydrogeology and flood risk to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The evolution of the baseline environment, identified in Section 7.7.10 of Volume 3, Chapter 7 hydrology, hydrogeology and flood risk (PINS Ref APP-068/ Application Ref 6.3.7), is considered appropriate,	DCC agrees with the Applicant's position.	Agreed
Data Sources	Section 7.4.2 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) adequately identifies the baseline data sources relevant to hydrology, hydrogeology and flood risk to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The approach to WFD compliance assessment, with a separate WFD report (PINS Ref APP-094/ Application Ref 6.4.3.1) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
	The impact assessment methodology identified in Section 7.4 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Proposed Mitigation and Monitoring	In view of the onshore works proposed, and given a final Construction Method Statement (CMS) (PINS Ref APP-313/ Application Ref 8.13.1), has been provided as part of the outline Code of Construction Practice (oCOCP) (PINS Ref APP-312/ Application Ref 8.13) that will require approval by DCC under a DCO Requirement, it is considered that flood risk can be appropriately/adequately mitigated.	DCC agrees with the Applicant's position.	Agreed
	The submission to, and approval by, DCC of the final Code of Construction Practice (COCP) (PINS Ref APP-312/ Application Ref 8.13) and the underpinning Method Statements and Management Plans, is considered appropriate and sufficient to manage impacts on water quality (both surface and groundwater).	DCC agrees with the Applicant's position.	Agreed
	The proposals for mitigation within Sections 7.9, 7.10 and 7.11 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) and the Flood Consequences Assessment (Annex 7.1 - Onshore Export Cable Corridor Flood Consequence Assessment (PINS Ref APP-137/ Application Ref 6.5.7.1) and Annex 7.2 - Onshore Substation Flood Consequence Assessment (PINS Ref APP-138/ Application Ref 6.5.7.2) are considered acceptable to manage adverse effects.	DCC agrees with the Applicant's position.	Agreed
	Although consent through a SAB application would not be sought by the Applicant, DCC would approve final surface water drainage through DCO Requirement 16. This is considered to be an acceptable approach to ensure DCC is able to review and approve of SuDS details post-consent and before the commencement of works, rather than in parallel to the planning application.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusion that impacts assessed within Sections 7.10 and 7.11 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068/ Application Ref 6.3.7) are not considered to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Licensing	The disapplication of ordinary Watercourse Consent (OWC) through the DCO is considered appropriate on the basis that DCC will approve details of watercourse crossings and crossings of flood defences, prior to commencement of these works, through a DCO Requirement.	DCC agrees with the Applicant's position.	Agreed

3.8 Onshore archaeology and cultural heritage

Table 10: Status of discussions relating to onshore archaeology and cultural heritage.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of onshore archaeology and heritage setting impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to onshore archaeology and cultural heritage.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to archaeology and cultural heritage impacts.	DCC agrees with the Applicant's position.	Agreed
	The archaeological survey effort undertaken to date are satisfactory to characterise the baseline environment relating to archaeology and cultural heritage in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 8.4 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069/ Application Ref 6.3.8) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	Mitigation via the provision of a Written Scheme of Investigation (WSI) to be prepared in consultation with the Development Control Archaeologist advising DCC is considered to be an acceptable approach to mitigating direct effects on potential archaeology.	DCC agrees with the Applicant's position.	Agreed
	The proposals within the outline Landscape and ecological management plan (oLEMP) (APP-305), as updated at Deadline 2, are considered an acceptable approach to mitigating long term setting effects on Bodelwyddan Castle and Historic Park and Garden.	DCC respectfully defers to CADW for consideration of the proposals within the oLEMP with regard to the setting of Bodelwyddan Historic park and garden.	N/A

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Outcomes of the EIA	The conclusions of the assessment identified in Section 8.10 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069/ Application Ref 6.3.8) in relation to the construction effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 8.11 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069/ Application Ref 6.3.8) in relation to the operation effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 8.13 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069/ Application Ref 6.3.8) in relation to the cumulative effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.9 Traffic and transport

Table 11: Status of discussions relating to traffic and transport.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of traffic and transport and Public Right of Way (PRoW) impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to traffic and transport and PRoW.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to traffic and transport impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 9.4 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-070/ Application Ref 6.3.9) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The proposals for mitigation relating to construction traffic can be adequately managed through approval of a construction traffic management plan that would be developed in line with the principles set out in the outline construction traffic management plan and secured via DCO Requirement 10.	DCC agrees with the Applicant's position.	Agreed
	The proposals for mitigation relating to Public Rights of Way can be adequately managed through approval of a Public Access Management Plan that would be developed in line with the principles set out in the outline Public Access Management Plan and secured via DCO Requirement 10.	DCC is reviewing the information provided by the Applicant at Deadline 2 and reserves its position as to whether the information that has been provided addresses the issues raised.	Ongoing point of discussion
Outcomes of the EIA	The conclusions of the assessment identified in Section 9.10 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-069/ Application Ref 6.3.9) in relation to the construction effects on traffic and transport receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The conclusions of the assessment identified in Section 9.12 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-069/ Application Ref 6.3.9) in relation to the cumulative effects on traffic and transport receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
DCO Drafting	DCO secondary powers	DCC, as Local Highway Authority, objects to the street works powers proposed in Part 3 of the Order. DCC is reviewing the information provided by the Applicant at Deadline 2 and reserves its position as to whether the information that has been provided addresses the issues raised.	Ongoing point of discussion
		Having considered the DCO and the impact of the scheme on the management of the network of paths in the North of the County which represent a significant low density when considering the population levels and need for recreation and access to the countryside in the Council do not support the powers laid out in Part 3 (11) relating to the temporary stopping up of a right of way. DCC is reviewing the information provided by the Applicant at Deadline 2 and reserves its position as to whether the information that has been provided addresses the issues raised.	Ongoing point of discussion

3.10 Residential and public amenity (airborne noise and vibration, air quality and public health)

Table 12: Status of discussions relating to residential and public amenity.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of airborne noise and vibration, air quality and public health impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to airborne noise and vibration, air quality and public health impacts.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	The EIA adequately characterises the baseline environment relevant to noise and vibration, air quality and public health impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The impact assessment methodology identified in Section 10.5 of Volume 3, Chapter 10 airborne noise and vibration (PINS Ref APP-071/ Application Ref 6.3.10) is considered appropriate to assess noise and vibration impacts to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The impact assessment methodology identified in Section 11.4 of Volume 3, Chapter 11 air quality (PINS Ref APP-072/ Application Ref 6.3.11) is considered appropriate to assess air quality impacts to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	Third octave band data will not be available until detailed design (post-consent), consequently tonal penalties have been applied to the predicted specific noise levels from the OnSS.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation and Monitoring	It is agreed that the mitigation proposed in the outline noise and vibration management plan (PINS Ref APP-314/ Application Ref 8.13.2), is sufficient to demonstrate that construction noise impacts will be appropriately managed.	With the exception of agreement to the proposed construction hours (see below), DCC agrees with the Applicant's position.	Agreed
	It is agreed that the mitigation proposed in the outline air quality management plan (PINS Ref APP-315/ Application Ref 8.13.3), is	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	sufficient to demonstrate that dust impacts will be appropriately managed.		
	It is agreed that the mitigation proposed in the outline Artificial Light and Emissions Plan (PINS Ref APP-322/ Application Ref 8.13.10), is sufficient to demonstrate that construction lighting impacts will be appropriately managed.	With the exception of agreement to the proposed construction hours (see below), DCC agrees with the Applicant's position.	Agreed
	The potential impact of operational noise arising from the OnSS is assessed in Section 10.12. A defined noise rating level limit arising from the OnSS is also specified within the DCO Requirements and this is considered an appropriate mechanism to sufficiently mitigate operational noise.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusions of the assessment identified in Section 10.11 of Volume 3, Chapter 10 Airborne Noise and Vibration (PINS Ref APP-069/ Application Ref 6.3.10) in relation to the construction effects on sensitive noise receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 10.12 of Volume 3, Chapter 10 Airborne Noise and Vibration (PINS Ref APP-069/ Application Ref 6.3.10) in relation to the operational effects on sensitive noise receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 11.10 of Volume 3, Chapter 11 Air Quality (PINS Ref APP-069/ Application Ref 6.3.10) in relation to the construction effects on air quality receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
DCO Drafting	DCO Requirement	DCC does not agree to the proposed construction hours set out in Requirement 15. The Council does not agree to normal working hours of 7am – 7pm, and instead consider controls must be imposed to limit construction activity to 8am - 6pm Monday – Friday. 8am – 1pm Saturdays and no working on Sundays and Bank Holidays.	Not agreed – No material impact



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