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To the Applicant  
By email only

Your Ref:

Our Ref: EN010112

Date: 19 December 2022

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Dear Sir/ Madam

**Planning Act 2008 and The Infrastructure Planning (Examination Procedure)  
Rules 2010 – Rule 17**

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

**Requests for further information and written comments**

The Examining Authority (ExA) have reviewed responses to their first written questions [PD-009] and other information received at subsequent Deadlines. Following the truncation of Issue Specific Hearing 3 we have decided to seek further information from the Applicant to support consideration of the Proposed Development. Questions under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR) (R17Qs) are set out in Annex A. They are only addressed to the Applicant; however, any other interested party or other person who wishes to respond may do so.

The deadline for the submission of the information sought is **Deadline 4, 30 January 2023**. The ExA would welcome the comments of **Denbighshire County Council** and any other IPs on such responses by **Deadline 5, 6 February 2023**.

Yours faithfully

*Jon Hockley*

**Lead Member of the Examining Authority**

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Questions under EPR Rule 17

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<b>R17Q</b>	<b>Question to:</b>	<b>Question</b>
2.1	The Applicant	<p><b>Draft Development Consent Order (dDCO) Requirement 15</b></p> <p>dDCO Requirement 15(1) [REP3-006] states “construction of the onshore works and construction-related traffic movements to or from the site of the relevant Work may take place only between 0700 and 1900 from Monday to Saturday, with no activity on Sundays or bank holidays”.</p> <p>Denbighshire County Council (DCC) in its Local Impact Report (LIR) [REP1-056] states that “The Council do not agree to the hours of operation stated in 15 (1)” and “To protect the amenity of occupiers or residential properties which are close to onshore works, the Council consider the hours of works should be restricted to: 8am – 6pm Monday – Friday 8am – 1pm Saturdays No working on Sundays and Bank Holidays”.</p> <p>In addition, the ExA notes that similar projects (e.g. East Anglia 2) have limited working hours on Saturdays to between 7am and 1pm.</p> <p>Please provide justification for the working hours proposed.</p>
2.2	The Applicant	<p><b>dDCO Requirement 15</b></p> <p>dDCO Requirement 15(2) [REP3-006], lists a number of works and/or operations which could take place outside the times specified in 15(1), subject to the advance agreement of the relevant planning authority.</p> <p>While DCC in its LIR [REP1-056] “accepts that certain work activities are time sensitive and therefore do not object to out of hours working where necessary”, the Council</p>

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		<p>considers “a notice period of 1 week should be applied”. In addition, the Council considers “criteria 15 (2) (c) ‘for the landfall works’ and (d) ‘for any other time-critical element of the onshore works’ are too vaguely worded” and “the criteria contained in 15 (2) should therefore be more precise and clearly state the construction activities which are necessary to be carried out outside of approval working hours, so that it can be clearly interpreted and enforced”.</p> <p>Please provide justification for the current wording of Requirement 15 (2) [REP3-006] including:</p> <ol style="list-style-type: none"> <li>i. The inclusion and wording proposed for “landfall” and “time-critical elements of the onshore works”;</li> <li>ii. The rationale for including the delivery and unloading of abnormal loads;</li> <li>iii. How the requirement addresses emergency situations;</li> <li>iv. Why “notification” rather than “approval” of continuous 24 hour working with respect to trenchless installation techniques is proposed; and</li> <li>v. Why a notice or completion period is not specified.</li> </ol>
2.3	The Applicant	<p><b>dDCO Requirement 18</b></p> <p>DCC in its LIR [REP1-056] considers that Requirement 18 of the dDCO [REP3-006] does not provide adequate protection to all residential properties in the vicinity of the sub-station and further that requirements need to be included to set out the procedures to be followed should noise complaints be received.</p> <p>The ExA notes from the Applicant’s response to the LIR [REP2-004] that the Applicant is amenable in principle to adding further specification to the requirement around procedures for the investigation of complaints, though does not agree with the wording</p>

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		<p>proposed by DCC but considers the current wording in Requirement 18 already provides sufficient protection for all residential properties.</p> <p>Please:</p> <ol style="list-style-type: none"> <li>a. Explain how the current Requirement provides adequate protection for the occupiers of <b>all</b> residential properties;</li> <li>b. Provide an update on discussions with DCC on agreeing wording for the Requirement with respect to a noise complaints procedure;</li> <li>c. Outline how complaints with respect to vibration will be handled; and</li> <li>d. Provide an update on any discussions with Memoria Ltd with regard to the issues of noise and disturbance raised in RR-030 and RR-031.</li> </ol>
2.4	The Applicant	<p><b>Noise and the Outline Code of Construction Practice (OCoCP)</b></p> <p>Table 4, Page 42 of Volume 3, Chapter 10 of the Environmental Statement [APP-071] notes that amendments to working hours in specific locations could be agreed with DCC through agreement of the final CoCP. Requirement 15 of the dDCO [REP3-006] appears to suggest this could also be the case. The OCoCP [REP2-043] does not seem to include any reference to this provision.</p> <p>Please update the Outline CoCP to reflect this or provide justification for not doing so.</p>