

The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

30 Ionawr / January 2022

Er sylw / For the attention of: Jake Stephens

Annwyl / Dear Jake,

**FFERM WYNT ALLTRAETH AWEL Y MÔR ARFAETHEDIG / PROPOSED AWEL Y MOR  
OFFSHORE WINDFARM**

**CYFEIRNOD YR AROLYGIAETH GYNLLUNIO / PLANNING INSPECTORATE REFERENCE:  
EN010112**

**EIN CYFEIRNOD / OUR REFERENCE: 20031687**

**RE: NATURAL RESOURCES WALES' WRITTEN SUBMISSION FOR DEADLINE 4**



Thank you for your Rule 8 letter, dated 27<sup>th</sup> September 2022, requesting Cyfoeth Naturiol Cymru / Natural Resources Wales' comments regarding the above.

This letter comprises NRW's Deadline 4 submission, which is provided in [Annex A](#) of this letter.

In Annex A we provide our comments on the Applicant's Deadline 3 submission, specifically the document titled "*Applicant's Response to Natural Resources Wales (NRW) REP1-080 3.1.24 to 3.1.25*" [REP3-016] and to the further information submitted by the Applicant at Deadline 3a with respect to the assessment of the marine ornithological impacts on the Pen-y-Gogarth (Great Orme) Site of Special Scientific Interest - specifically the document titled "*Deadline 3a Submission – Marine Ornithology Great Orme Assessment (Clean)*" [REP3a-019].

Annex A also includes further advice from NRW on specific matters (specifically Flood Risk and WFD (Onshore) as raised in our Written Representations at Deadline 1 [REP1-080]) following submission of further information by the Applicant into the Examination.

This further advice should be read in conjunction with, and are additional to, NRW's previous submissions (as provided in REP1-080, REP3-019, REP3-026, and REP3a-021)

Please do not hesitate to contact myself ( [@cyfoethnaturiolcymru.gov.uk](mailto: @cyfoethnaturiolcymru.gov.uk)) or Bryn Griffiths ( [@cyfoethnaturiolcymru.gov.uk](mailto: @cyfoethnaturiolcymru.gov.uk)) should you require further advice or information regarding these representations.

Yn gywir / Yours sincerely,



**Nia Phillips**  
**Senior Marine Advisor: Offshore Renewable Energy Programme**  
**Natural Resources Wales**

[CONTINUED]

## **ANNEX A**

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## **1. OFFSHORE**

### **1.1. Marine Ornithology**

*NRW'S RESPONSE TO THE APPLICANT'S DEADLINE 3a SUBMISSION REP3a-019 (Deadline 3a Submission – Marine Ornithology Great Orme Assessment (Clean)).*

- 1.1.1. Our Deadline 3 submissions [REP3-026] requested that the Applicant provide further detail with respect to the impacts to the breeding seabird features of Pen-y-Gogarth / Great Orme's Head Site SSSI. Specifically, we noted that, in order to be able to advise fully on the potential effects of the project on the SSSI, the workings behind the calculations that were presented in REP1-016 should be provided to us. We requested that the values for the apportioning of collision risk for Kittiwake and displacement for Guillemot and Razorbill, and displacement matrices for number of Guillemots and Razorbills apportioned in different Biologically Defined Minimum Population Scales (BDMPS) seasons, were provided. We also requested that the log of the Population Viability Analysis (PVA) parameters used were provided, in sufficient detail, in order to allow NRW (A) to replicate the analysis. In addition, we advised the Applicant to check the species demographic parameters listed in table 1 of the assessment, against those used in their analysis and those presented by Horswill & Robinson (2015), as there appeared to be discrepancies in the report. A revised assessment [REP3a-019] has now been presented with the further detail that was requested. From the further evidence submitted by the Applicant, NRW (A) is satisfied that there will be no significant effect on the breeding seabird features of Pen-y-Gogarth / Great Orme's Head SSSI.

## **2. ONSHORE**

### **2.1. Designated Landscapes**

*NRW'S RESPONSE TO THE APPLICANT'S DEADLINE 3 SUBMISSION REP3-016 (Applicant's Response to Natural Resources Wales (NRW) REP1-080 3.1.24 to 3.1.25)*

- 2.1.1. As detailed in our Written Representations at Deadline 1 [REP1-080], we advise a further substantial reduction in the array area and number of turbines, along with a reduction in scale and height of the turbines would be needed to minimise adverse effects on the Isle of Anglesey Area of Outstanding Natural Beauty (AONB) and Eryri (Snowdonia) National Park.
- 2.1.2. In paragraph 3.1.24 of REP1-080, we advised that further consideration be given to NRW's evidence base "*Seascape & visual sensitivity to offshore wind farms in Wales: Strategic*

*assessment and Guidance*” (White Consultants for NRW, March 2019<sup>1</sup>, from hereon in referred to as the “White Consultants Reports”) to assist in informing an appropriate reduction in the extent/scale of the proposed development. NRW had previously advised the Applicant of this as part of our section 42 advice during the pre-application phase. As explained in our Deadline 1 submission, we consider the Applicant has not followed the guidance in the White Consultants Reports.

- 2.1.3. We note that the Applicant has subsequently provided a brief review of the White Consultants Reports at Deadline 3 [REP3-016]. However, we consider a number of points raised by the Applicant require clarification and/or context, and therefore NRW provide the following comments (paragraphs 2.1.4 - 2.1.9 below) for the Examining Authority’s attention.
- 2.1.4. The White Consultants Reports are commissioned research reports to provide an evidence base on seascape and visual sensitivity to offshore windfarms in Wales. The distances and buffer areas in Stage 1 are intended to guide developers to avoid significant adverse effects on high sensitivity visual receptors, whilst Stage 2 provides siting guidance and Stage 3 sensitivity assessment guidance.
- 2.1.5. The White Consultants Reports are typically used as one layer in spatial constraints analysis and are being applied by developers of offshore wind proposals for the Crown Estate Round 4 leasing areas and in the Celtic Sea.
- 2.1.6. We note that paragraph 6 of the Applicant’s REP3-016 states that no consideration has been given in the White Consultants Reports to the Marine Plan or the Welsh Government’s decarbonisation targets. Please note, there is consideration of the draft Marine Plan (in preparation of the White Consultants Reports), including in section 5.4 of the Stage 1 report. As previously explained to the Applicant, the White Consultants Reports comprise technical guidance on seascape and visual impacts only and aim to inform the development of projects where impacts on designated landscapes could potentially be avoided, or minimised.
- 2.1.7. Paragraph 4 of the Applicant’s REP3-016 queries whether the White Consultants Reports were subject to external consultation prior to issue. The White Consultants Reports were produced by a leading landscape/seascape consultant in the field, to provide transparency and as the most comprehensive available reference at the time on the specific issue of seascape and visual sensitivity to offshore windfarms and accepting this is an evolving subject. Whilst not directly peer reviewed by the industry, it has been informed by a digest and analysis of Seascape Landscape and Visual Impact Assessment (SLVIAs) prepared by consultants working for the industry and anticipated future trends such as increases in turbine height up to 350m as informed by the industry. The work was informed by and is complementary to the Offshore Energy Strategic Environmental Assessment (OESEA) background studies carried out for the Department for Business, Energy and Industrial Strategy, which explored UK/worldwide industry trends and analysed SLVIAs to inform buffer sizes. The OESEA continues to be applied by industry and various bodies and the recent *OESEA Review and update of seascape and visual buffer study for offshore windfarms* (BEIS (2020)<sup>2</sup>) has been consulted on with responses being generally supportive

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<sup>1</sup> [NRW- Offshore Wind - Guidance, Data and Evidence - White Consultants Reports](#)

<sup>2</sup> Department for Business, Energy and Industrial Strategy (2020) Offshore Energy Strategic Environmental Assessment: Review and Update of Seascape and Visual Buffer Study for Offshore Wind Farms. Final Report for Hartley Anderson, White Consultants, 264pp. Available here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/896084/White\\_Consultants\\_2020\\_Seascape\\_and\\_visual\\_buffer\\_study\\_for\\_offshore\\_wind\\_farms.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896084/White_Consultants_2020_Seascape_and_visual_buffer_study_for_offshore_wind_farms.pdf)

and the buffers not challenged (BEIS (2022<sup>3</sup>) Section 2.9). The Whites Consultants Reports have been shared with consultants working on other windfarm projects and NRW understands that they are being used and applied in their assessments.

2.1.8. Paragraph 15 of the Applicant's REP3-016 refers to the White Consultants' Reports' "...interpolation of the data for the likely impacts of taller WTGs" and comments that it is "...considered to be a big leap in the justification". We disagree with this statement and consider the approach taken in the White Consultants Reports to be reasonable and that the significant effects predicted by the White Consultants Report for Awel y Môr (which proposes to use such taller WTGs) are borne out in the actual SLVIA undertaken.

2.1.9. Section 1.4 of the Applicant's REP3-016 concludes with the following statements:  
*"The Applicant has considered the measures suggested by NRW in detail and has concluded that it is not possible to further minimise the effects of AyM following the 3-stage approach suggested and retain an economically viable and deliverable project.*

*It is also apparent that even with a further reduction in the extent of the AyM array area, the effects on some views from the Isle of Anglesey AONB and SNP are likely to remain significant".*

NRW is not in a position to advise the Examining Authority with respect to the economic viability of the project and the extent of further reductions that may be economically/technically feasible. As explained in our REP1-080, in view of the nature and significance of the impacts and the Applicant's position with respect to any further reduction in scale, NRW consider that the proposal would represent a substantial degree of harm to the Isle of Anglesey AONB and Eryri (Snowdonia) NP which we consider would conflict with the purpose of these designated landscapes.

## 2.2. Flood Risk

2.2.1. In paragraph 3.2.1 of our Deadline 1 submission [REP1-080] we highlighted that Applicant is seeking to disapply the requirement for a Flood Risk Activity Permit (FRAP) through the inclusion of Article 7 (c) of the draft DCO. In paragraph 3.2.4 of REP1-080 NRW made clear that it did not consent to the inclusion of Article 7(c) and provided its reasons.

2.2.2. We have reviewed the latest version of the draft DCO submitted at Deadline 3a [REP3a-017] and note that Article 7(c), seeking to disapply the requirement for a FRAP, is still included. We have previously advised the Applicant that the draft DCO should be updated so as to remove this Article.

2.2.3. However, on 25/1/2023, NRW received an email from the Applicant suggesting an additional DCO Requirement provision in seeking to address our concerns regarding the disapplication of the requirement for a FRAP. NRW will consider this information and update the Examining Authority accordingly.

## 2.3. Water Framework Directive (Onshore)

2.3.1. In paragraphs 3.3.1 – 3.3.7 (Annex A) of our Deadline 1 submission [REP1-080] we advised further information should be provided with respect to the watercourse crossing options. In paragraph 3.3.7 we acknowledged that the mechanism is in place to ensure that WFD impacts can be avoided (final Construction Method Statement to be approved by the

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<sup>3</sup> Department for Business, Energy and Industrial Strategy (2022). UK Offshore Energy Strategic Environmental Assessment: Government Response to OESEA4 Public Consultation. BEIS, 67pp. Available here: [UK Offshore Energy Strategic Environmental Assessment- Government Response \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/104444/uk-offshore-energy-strategic-environmental-assessment-government-response-to-oesea4-public-consultation.pdf)

discharging authority, in consultation with NRW (Requirement 10)). However, we also highlighted that in deferring this information to the post-consent stage, the Applicant should be aware that some of the crossing methods proposed may not be appropriate, or acceptable, at certain locations.

- 2.3.2. We have since held further discussions with the Applicant and the Applicant has proposed further updates to the Outline Construction Method Statement, a draft of which was shared with NRW on 19/1/2022. The draft includes the following statement: *“The Applicant acknowledges and accepts there is a risk that some watercourse crossing techniques may not be acceptable to NRW following detailed design and further appraisal. Upon further investigation it may be determined that an open-cut solution is not acceptable to NRW and a trenchless crossing option may remain the only acceptable method”*. The draft also includes other minor amendments to remove reference to use of gabions/gabion mattresses as engineered reinstatement options.
- 2.3.3. We advise that this would address previous concerns raised by NRW in paragraphs 3.3.1 – 3.3.7 (Annex A) of our REP1-080. We advise the Applicant submits the updated Outline CMS into the Examination.

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