Awel y Môr Offshore Wind Farm

National Policy Statement Tracker (Tracked)

Deadline 8

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Fferm Wynt Alltraeth
AWEL Y MÔR
Offshore Wind Farm

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1 Introduction

1.1 Purpose of this document

1 The statutory framework for determining applications for Development Consent for Nationally Significant Infrastructure Projects (NSIPs) such as Awel y Môr Offshore Wind Farm (AyM) is provided by the Planning Act (PA) 2008. Section 104 of the PA 2008 confirms the matters the Secretary of State (SoS) must have regard to in decision making where a national policy statement (NPS) has effect, such as for AyM.

2 In deciding the application for Development Consent for AyM, the relevant NPSs to which the SoS must have regard in accordance with Sections 104(2) and 104(3) of the PA 2008, are:

- Overarching National Policy Statement for Energy EN-1 (NPS EN-1) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration of generic impacts in relation to such projects;
- National Policy Statement for Renewable Energy Infrastructure EN3 (NPS EN-3) which covers technology specific matters including offshore wind; and
- National Policy Statement for Electricity Networks Infrastructure EN5 (NPS EN-5) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited relevance as no new overhead lines are proposed as part of the AyM application.

3 Awel y Môr Offshore Wind Farm Limited (the Applicant) has provided information on AyM's accordance with the NPSs (as well as other relevant plans and policies) in its Planning Statement (APP-298) and other application documents as set out in Sections 1.2 and 1.3 below. However, the Applicant recognises the potential usefulness of an NPS tracker to assist the Examining Authority (ExA) in making its recommendation, and the SoS in making its determination on the application.

4 In considering the relevance of the 2021 revised draft NPS to the determination of the AyM application it is important to have regard to Section 1.6 of draft EN-1 (transitional provisions following review) which states at paragraphs 1.6.2 and 1.6.3:

Applications for development consent will have been prepared, and may already be in examination, in reliance upon the 2011 suite of NPSs […]. The Secretary of State has decided that for any application accepted for examination before designation of the 2021 amendments, the 2011 suite of NPSs should have effect in accordance with the terms of those NPS. The 2021 amendments will therefore have effect only in relation to those applications for development consent accepted for examination after the designation of those amendments.

However, any emerging draft NPSs (or those designated but not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act and with regard to the specific circumstances of each development consent order application.

5 The paragraphs above make it clear that:

- As AyM was accepted for examination before the designation of any Energy NPS amendments the 2011 extant NPS are the relevant policy against which the application should be determined in accordance with s104 of the Planning Act 2008; and
- The extent to which the 2021 Energy NPS amendments, or any further amendments are relevant must depend on the Applicant's ability to comply with the relevant policies having regard to the fact that, as noted in paragraph 1.6.2, the AyM application was prepared and has been examined prior to the designation of any amendments to the Energy NPS.

6 The Applicant also notes that on 10 February 2023, the National Infrastructure Commission (NIC) announced that it had been asked by the chancellor and the local government minister to review the current approach to NPSs. This includes reviewing whether the current format of the NPS framework remains suitable and effective and what actions the government could take to ensure NPSs are reviewed more regularly and how the process could be improved. On 23 February 2023 the Government issued its "Nationally Significant Infrastructure: Action Plan for reforms to the planning process" (23 February 2023). This is considered further in Document 8.23 of the Applicant's Deadline 8 submission.

7 Appendix A of this document provides an update on energy and climate change policy and legislation.

1.2 The Planning Statement

~~4~~8 The Applicant submitted a Planning Statement (APP-298) as part of the AyM application to provide an overview of the scheme's compliance with relevant policy and to assist the ExA and SoS in their reviews of the application in the context of relevant planning policy.

~~5~~9 The Planning Statement (APP-298) sets out the need for the scheme in the context of the NPSs, as well as a planning assessment considering the relationship between AyM and the relevant NPS policies. An update to the relevant energy and climate change policy is set out in Appendix 1 of this document and should be read alongside the Planning Statement.

~~6~~10 For the reasons set out in the Planning Statement conclusions and executive summary, the Planning Statement concluded that the SoS can conclude that the proposed AyM project would bring significant benefits under a range of national, international and local policy considerations, would be in accordance with relevant NPSs and legislation, and:

- Would not lead to the UK being in breach of any of its international obligations;
- Can be satisfied that the benefits of AyM outweigh any adverse impacts;
- That there is no condition prescribed for deciding the application otherwise than in accordance with the relevant extant NPSs; and
- That under the terms of S.104 of the PA 2008, the development should therefore be consented.

11 To assist the Secretary of State in determining the weight to be attached in accordance with section 1.6 of the revised draft EN1, the Planning Statement (APP-298) and the draft NPS tracker document (Document 8.19 of the Applicant's Deadline 8 submission) identify where the key draft 2021 NPS tests have been met. The individual topic chapters provide a record of all draft NPS provisions that differ from the extant NPS, and how the project has accorded with them, noting that the final revised NPS provisions may differ from the drafts.

1.3 The Environmental Statement

~~7~~12 The Applicant has provided a full Environmental Impact Assessment (EIA), reported in the Environmental Statement (ES) that accompanied the application, which includes information on the relationship between AyM and the topic-specific planning policies outlined in the NPS(s).

~~8~~13 As part of the EIA process, the scope of assessment work was undertaken in line with the NPS(s) to ensure that topic specific policy tests were met, and the proposed project (AyM) was therefore in accordance with the relevant paragraphs of the relevant NPS(s). As set out in the Policy and Legislation chapter of the ES (APP-040), relevant issues in NPS EN-1, EN-3 and EN-5 were identified and assessed in detail within the policy sections of the topic-specific onshore and offshore ES chapters (APP-048 to APP-060, and APP-063 to APP-073 respectively).

~~9~~14 Further detail on the need for the project, the site selection process and the iterative design process in the context of the NPS(s) has also been provided in the Site Selection and Alternatives chapter of the ES (APP-044). Alongside the demonstrated accordance with the NPS(s) with regards the need for renewable energy, the ES and Planning Statement noted in particular that AyM will also meet the well-being goals set out in the Well-being of Future Generations Act (2015), not least in terms of Goal 1, A Prosperous Wales, in creating "*an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.*" (Section 4 of the Well-Being of Future Generations Act 2015).

2 NPS Accordance Tables

~~10~~15 This document has been prepared for Deadline ~~3~~8 in accordance with requests made by the ExA. The document provides the relevant elements of NPS EN-1, EN-3 and EN-5 and demonstrates the AyM application's accordance with them.

2.1 EN-1 NPS Accordance Table

Table 1: NPS EN-1 accordance.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN1 Part 3: The need for new nationally significant energy infrastructure projects			
[Secretary of State] decision making	EN-1 3.1.1 – 3.1.4	The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions. It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. The [Secretary of State] should therefore assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described for each of them in this Part. The [Secretary of State] should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008.	AyM is a new energy infrastructure project (renewable electricity generation) that is covered by EN-1 NPS. It is not therefore necessary to demonstrate a specific need for the principle of offshore wind development. Section 5 of the Planning Statement (APP-298) outlines how AyM and offshore wind in general is clearly supported by the EN-1. AyM will make a substantive contribution to the need for renewable energy, both in the context of the NPS, and the broader national need as characterised by the UK national targets to achieve 40 GW of offshore wind by 2030; a figure which was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement. It is therefore considered that AyM is in accordance with paragraphs 3.1.1 to 3.1.4 of EN-1, and the Secretary of State can give substantial weight to the contribution that AyM will make.
Introduction	EN-1 3.2.3	This Part of the NPS explains why the Government considers that, without significant amounts of new large-scale energy infrastructure, the objectives of its energy and climate change policy cannot be fulfilled. However, as noted in Section 1.7, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. This Part also shows why the Government considers that the need for such infrastructure will often be urgent. The [Secretary of State] should therefore give substantial weight to considerations of need. The weight which is attributed to considerations of need in any given case should be proportionate	As noted in the context of EN-1 paragraphs 3.1.1 to 3.1.4, AyM will provide a substantial contribution to satisfying the need for large-scale energy infrastructure to meet energy security and support carbon reduction objectives under the Governments energy and climate change policy. AyM will be carbon-negative over its lifetime (as described in the life cycle assessment (REP5-006) and contribute to the Welsh and UK economy by providing socio-economic and other benefits. The targets within the NPS require a level of deployment such that all currently planned and proposed offshore wind projects are necessary.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		to the anticipated extent of a project's actual contribution to satisfying the need for a particular type of infrastructure.	Section 5 of the Planning Statement (APP-298) provides further detail of the need and urgency of nationally significant electricity infrastructure projects. The ES~~,~~ (Volumes 2 and 3) provides an assessment of the potential impacts that AyM may have on the environment based on the worst-case scenario. The result is a limited number of significant adverse effects which are summarized in the Planning Statement (APP-298), Offshore Conclusions, Volume 2, Chapter 15 (AS-028), and Onshore Conclusions, Volume 3, Chapter 13 (APP-074). Given the demonstrable need for renewable energy projects, and the limited number of significant adverse effects it can be concluded with confidence that AyM is in accordance with paragraph 3.2.3 of EN-1, and the Secretary of State can give substantial weight to the contribution that AyM will make.
The need for new nationally significant electricity infrastructure projects - Meeting energy security and carbon reduction objectives	EN-1 3.3.2	The Government needs to ensure sufficient electricity generating capacity is available to meet maximum peak demand, with a safety margin or spare capacity to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events. This is why there is currently around 85 GW of total generation capacity in the UK, whilst the average demand across a year is only for around half[18] of this. 18 DECC: Digest of United Kingdom Energy Statistics (DUKES) table 5.2. http://www.decc.gov.uk/assets/decc/Statistics/publications/dukes/348-dukes-2010-printed.pdf Total demand for UK: 379 TeraWatt hours (TWh), divided by 8760 hours (no. of hours in a year) gives 43 GW average demand.	AyM supports the need for ensuring sufficient electricity generating capacity in the UK by the nature of project. It will significantly contribute to the demand for electricity demand by supplying clean electricity to up to 500,000 homes. Further information on AyM's generating capacity is provided in the Planning Statement (APP-298) and Volume 2, Chapter 1 Offshore Project Description (APP-047). It is therefore considered that AyM is in accordance with paragraphs 3.3.2 of EN-1.
	EN-1 3.3.3	The larger the difference between available capacity and demand (i.e. the larger the safety margin), the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from rising and volatile prices and, eventually, from physical interruptions to supplies that might impact on essential services.	As noted within the Planning Statement (APP-298), AyM will support the objectives within the extant and draft NPS, including the UK national targets to achieve 40 GW of offshore wind by 2030; a figure which was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement. The Energy Security Statement (April 2022) is considered to have particular significance given the events of 2022 which have led to an unprecedent cost of living crisis and UK Government support to protect businesses and consumers. As such it is therefore considered that AyM is in accordance with paragraphs 3.3.3 of EN-1 with regards increasing the available capacity of renewable

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			energy and providing increased resilience with regards global energy volatility and the associated fluctuations in prices at the business and domestic consumer scale.
	EN-1 3.3.4	There are benefits of having a diverse mix of all types of power generation. It means we are not dependent on any one type of generation or one source of fuel or power and so helps to ensure security of supply. In addition, as set out briefly below, the different types of electricity generation have different characteristics which can complement each other: ▲ Fossil fuel generation can be brought on line quickly when there is high demand and shut down when demand is low, thus complementing generation from nuclear and the intermittent generation from renewables. However, until such time as fossil fuel generation can effectively operate with Carbon Capture and Storage (CCS), such power stations will not be low carbon (see Section 3.6). ▲ Renewables offer a low carbon and proven (for example, onshore and offshore wind) fuel source, but many renewable technologies provide intermittent generation (see Section 3.4); and ▲ Nuclear power is a proven technology that is able to provide continuous low carbon generation, which will help to reduce the UK's dependence on imports of fossil fuels (see Section 3.5). Whilst capable of responding to peaks and troughs in demand or supply, it is not as cost efficient to use nuclear power stations in this way when compared to fossil fuel generation.	AyM in in accordance with the Governments direction to support a mix of electricity generation types by the nature of the project being a renewable electricity generation project, which makes a substantive contribution to the UK's renewable energy and energy security targets. As such it is therefore considered that AyM is in accordance with paragraphs 3.3.4 of EN-1.
	EN-1 3.4.5	Paragraph 3.4.1 above sets out the UK commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent.	AyM would contribute significantly to UK commitments in obtaining energy from renewable sources and decarbonizing the power sector. AyM aims to begin construction in 2026 with an objective to be fully operational and commissioned by 2030 in order to help meet UK and Welsh Government renewable energy targets. As such, given AyM's deliverability within the 2030 targets it is therefore considered that AyM is in accordance with paragraphs 3.4.5 of EN-1.
EN1 Part 4: Assessment Principles			

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
General points	EN-1 4.1.2	Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the [Secretary of State] should start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.2 of this NPS.	AyM meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply. The Planning Statement (APP-298) together with this document demonstrates that AyM accords with the relevant policies of the NPS and does not introduce an impediment to the policies considered within any other NPS. As such it is therefore considered that AyM is in accordance with paragraph 4.1.2 of EN-1.
	EN-1 4.1.3	In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the [Secretary of State] should take into account: ▲ Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and ▲ Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.	Section 7 of the Planning Statement (APP-298) sets out the planning balance for AyM, drawing together the benefits of the scheme and the assessment of potential adverse effects which concludes that the project would bring significant benefits, would be in accordance with the NPS and should therefore be consented. In terms of ecological enhancements, AyM will deliver net benefits for biodiversity onshore as outlined in Document 8.24 of the Applicant's Deadline 8 submission. Whilst not a current policy requirement, the Applicant has also provided commentary on the potential for offshore ecological enhancements in Document 8.23 of the Applicant's Deadline 8 submission. In addition, the Applicant has agreed a funding package of landscape enhancements with the collective North Wales Local Planning Authorities (the NW LPAs) to offset the significant residual adverse seascape, landscape and visual impacts on the designated landscapes of Anglesey Area of Outstanding Natural Beauty (AONB), Eryri National Park (ENP) and the Great Orme Heritage Coast. Details of this funding package are provided in Document 8.22 of the Applicant's Deadline 8 submission. The Applicant has also provided commentary on the weight that should be attributed to these by the SoS in Document 8.25 of the Applicant's Deadline 8 submission.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Furthermore, the project is expected to bring positive benefits in terms of contributions to the local and regional economy, supporting skills and employment. Given the demonstrable need for renewable energy projects, and the limited number of significant adverse effects together with the benefits the scheme can bring, it can be concluded with confidence that AyM is in accordance with paragraph 3.2.3 of EN-1, and the Secretary of State can give substantial weight to the contribution that AyM will make.
	EN-1 4.1.4	In this context, the [Secretary of State] should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology-specific NPS, in the application or elsewhere (including in local impact reports).	The ES provides a comprehensive presentation of the benefits and impacts that AyM may have at national, regional and local levels, specific to environmental, social and economic topics. The result is a limited number of significant adverse effects which are summarised in the Planning Statement (APP-298), Offshore Conclusions, Volume 2, Chapter 15 (AS-028), Onshore Conclusions, Volume 3, Chapter 13 (APP-074) and most recently in the Table of ES Conclusions (REP1-049). These have been determined in consideration of the policy requirements of NPS EN-1, NPS-3 and NPS-5. Given the demonstrable need for renewable energy projects, and the limited number of significant adverse effects it can be concluded with confidence that AyM is in accordance with paragraph 3.2.3 of EN-1, and the Secretary of State can give substantial weight to the contribution that AyM will make.
	EN-1 4.1.5	The policy set out in this NPS and the technology-specific energy NPSs is, for the most part, intended to make existing policy and practice of the Secretary of State in consenting nationally significant energy infrastructure clearer and more transparent, rather than to change the underlying policies against which applications are assessed (or therefore the "benchmark" for what is, or is not, an acceptable nationally significant energy development). Other matters that the [Secretary of State] may consider both important and relevant to its decision-making may include Development Plan Documents or other documents in the Local Development	AyM has considered the Development Plan Documents and the Local Development Framework within Section 4.6 of the Planning Statement (APP-298). There is no demonstrable conflict between AyM and the relevant Development Plans and Local Development Framework, should AyM be consented; indeed it is the case that a positive determination would result in local development framework policies for renewable energy being met. Whilst noting that the energy NPSs have taken account of Technical Advice Notes (TANs) in Wales, the Applicant has sought to ensure that

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Framework. In the event of a conflict between these or any other documents and an NPS, the NPS prevails for purposes of [Secretary of State] decision making given the national significance of the infrastructure. The energy NPSs have taken account of relevant Planning Policy Statements (PPSs) and older-style Planning Policy Guidance Notes (PPGs) in England and Technical Advice Notes (TANs) in Wales where appropriate.	AyM aligns with the relevant TANs in the associated topic-specific ES chapters. As such it is therefore considered that AyM is in accordance with paragraph 4.1.5 of EN-1, and the relevant TANs.
	EN-1 4.1.6	The Marine and Coastal Access Act 2009 provides for the preparation of a Marine Policy Statement (MPS) and a number of marine plans. The [Secretary of State] must have regard to the MPS and applicable marine plans in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area. In the event of a conflict between any of these marine planning documents and an NPS, the NPS prevails for purposes of [Secretary of State] decision making given the national significance of the infrastructure.	Section 4.5 of the Planning Statement (APP-298) sets out compliance with marine policy, including the MPS and the Welsh National Marine Plan (WNMP). As there is no demonstrable conflict between the MPS, WNMP and AyM, there is similarly no conflict with the NPS and as such it is therefore considered that AyM is in accordance with paragraph 4.1.6 of EN-1.
	EN-1 4.1.7	The [Secretary of State] should only impose requirements[72] in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. The [Secretary of State] should take into account the guidance in Circular 11/95, as revised, on "The Use of Conditions in Planning Permissions" or any successor to it. 72 As defined in section 120 of the Planning Act 2008.	The DCO application was made in April 2022. The draft DCO will be updated as appropriate during the Examination and a final draft DCO will be submitted at the final Deadline prior to the close of Examination (currently anticipated to be Deadline 8 on 15 March 2023). The draft DCO sets out the Requirements that are considered necessary, relevant to planning, and relevant to the development to be consented, and that AyM must comply with during all phases of the project. As such it is therefore considered that AyM is in accordance with paragraph 4.1.7 of EN-1.
	EN-1 4.1.8	The [Secretary of State] may take into account any development consent obligations[73] that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.	The Applicant recognises that there may be a need for certain planning obligations, in the meaning set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or Secretary of State for consideration before the close of the examination.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		73 Where the words "planning obligations" are used in this NPS they refer to "development consent obligations" under section 106 of the Town & Country Planning Act 1990 as amended by section 174 of the Planning Act 2008	
	EN-1 4.1.9	In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of Government interventions. Where the [Secretary of State] considers, on information provided in an application, that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant it is unlikely to be of relevance in [Secretary of State] decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).	The Applicant has a demonstrable track record in successfully delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty. The Funding Statement (~~AS-018~~REP7-030) confirms that the Applicant is confident that AyM will be commercially viable based on the assessments it has undertaken. As such the Secretary of State can conclude with confidence that the financial and technical feasibility of the project is assured, and therefore it is considered that AyM is in accordance with paragraph 4.1.9 of EN-1.
Environmental Statement	EN-1 4.2.1	All proposals for projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Directive requires an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.	The Applicant has prepared an ES that accompanied its DCO Application. The ES describes the aspects of the environment likely to be significantly affected by AyM, as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (APP-295). The ES assesses the likely significant effects of AyM, covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for AyM is in accordance with paragraph 4.2.1 of EN-1.
	EN-1 4.2.2	To consider the potential effects, including benefits, of a proposal for a project, the [Secretary of State] will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being.	The potential effects, including benefits, of AyM project on social and economic receptors is presented in Volume 3, Chapter 3 of the ES Socio-Economics (AS-034). The Applicant is supplementing its application with an Equalities Impact Report that has been submitted ~~as Document 3.10 of the Applicant's Deadline 3 submission~~at REP3-010.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Applicant has also prepared a Community Linguistic Statement (CLS) (~~APP-325~~REP6-023) which gives due consideration to any effects that AyM may have on the Welsh Language. The CLS concludes that AyM will not impede the achieving of Welsh Language policy objectives. The Applicant has also prepared an outline Skills and Employment Strategy (REP4-007) that is secured through the dDCO. As noted within the Planning Statement, and in paragraph 9 of this document, AyM will also meet the well-being goals set out in the Well-being of Future Generations Act (2015), not least in terms of Goal 1, A Prosperous Wales, in creating "*an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.*" (Section 4 of the Well-Being of Future Generations Act 2015). As such it is considered that AyM is in accordance with paragraph 4.2.2 of EN-1.
	EN-1 4.2.3	For the purposes of this NPS and the technology-specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project. In some circumstances (for example, gas pipe-lines) it may be appropriate to assess effects arising from commissioning infrastructure once it is completed but before it comes into operation.	The ES topic specific chapters (Volumes 2 and 3 of the ES) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of AyM during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion (APP-295), and subsequent consultation undertaken through the EIA Evidence Plan process. The predicted effects at each of the project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for AyM is in accordance with paragraph 4.2.3 of EN-1.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.2.4	When considering a proposal the [Secretary of State] should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the [Secretary of State] should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages. The [Secretary of State] should request further information where necessary to ensure compliance with the EIA Directive.	The 'Environmental assessment' sections and tables in the 'Summary of Effects' sections within the receptor chapters in the ES (Volumes 2 and 3) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of AyM. For completeness, the Applicant also submitted a Table of ES Conclusions at Deadline 1 (REP1-049). As such it is considered that the ES for AyM is in accordance with paragraph 4.2.4 of EN-1.
	EN-1 4.2.5	When considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence)	Volume 1, Annex 3.1 of the ES (APP-042) describes the methodology applied to the assessment of cumulative effects with other plans and projects. Cumulative effects associated with AyM are considered within the receptor specific chapters in the ES (Volumes 2 and 3). Within each chapter consideration is given to the approach to the cumulative assessment, the identification of potential plans, projects and proposals that may interact with AyM, and the assessment of all relevant interactions in either a quantified or qualitative manner (depending on data availability for the other projects in question). As such it is considered that the ES for AyM is in accordance with paragraph 4.2.5 of EN-1.
	EN-1 4.2.6 – 4.2.7	The [Secretary of State] should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	Volume 2, Chapter 14 Inter-relationships of the ES (APP-060) summaries the assessment of inter-related effects across the across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of AyM. Overall, the inter-related effects assessment for AyM has not identified any additional effects of greater significance to those assessed in isolation in the topic-specific chapters. As such it is considered that the ES for AyM is in accordance with paragraphs 4.2.6 – 4.2.7 of EN-1.

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	EN-1 4.2.8	Where some details are still to be finalised the ES should set out, to the best of the applicant's knowledge, what the maximum extent of the proposed development may be in terms of site and plant specifications, and assess, on that basis, the effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed.	The Offshore and Onshore Project Description chapters of the ES (APP-047 and APP-062, respectively) provide a description of AyM and its construction methodology. A Maximum Design Scenario (MDS) approach has been undertaken to ensure that all the impacts of the project have been assessed on a worst-case basis across each of the topic areas. This ensures that any environmental effects resulting from the final development have been properly assessed and will not be of greater significance than those assessed in the ES. As such it is considered that the ES for AyM is in accordance with paragraphs 4.2.8 of EN-1.
	EN-1 4.2.9	Should the [Secretary of State] determine to grant development consent for an application where details are still to be finalised, it will need to reflect this in appropriate development consent requirements. Clearly, if development consent is granted for a proposal and at a later stage the developer wishes for technical or commercial reasons to construct it in such a way that its extent will be greater than has been provided for in the terms of the consent, it may be necessary to apply for a change to be made to the development consent, and the application to change the consent may need to be accompanied by further environmental information to supplement the original ES.	Volume 2, Chapter 1 of the ES Offshore Project Description (APP-047) and Volume 3, Chapter 1 of the ES Onshore Project Description (APP-062) describe the design envelope which has then been secured within the draft Development Consent Order (dDCO) (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submisison~~8 submission). Key parameters within the onshore assessment include the AyM substation, which are set out in Requirements 6 and 7 of the dDCO and the Design Principles Document (Document ~~3.13~~8.9 of the Applicant's Deadline 8 submission) which provide certainty around the consented envelope for those works and their approval by the relevant planning authority. Further to the clear record of the project parameters as set out in the above documents, the Consents and Licences Required Under Other Legislation (~~APP-037~~Document 8.18 of the Applicant's Deadline 8 submission) document explains the approach to subsequent approvals for the onshore and offshore works including associated development sites. As such it is considered that AyM is in accordance with paragraph 4.2.9 of EN-1.
Habitats and Species Regulations	EN-1 4.3.1.	Prior to granting a development consent order, the [Secretary of State] must, under the Habitats and Species Regulations, (which implement the relevant parts of the Habitats Directive and the Birds Directive in England and Wales) consider whether the project may	AyM has been considered against the four-staged approach to the Habitats Regulations Assessment (HRA) process, in line with PINS Advice Note 10: Habitats Regulations Assessment relevant to Nationally Significant Infrastructure Projects (2017). PINS Advice Note 10 version 9

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		have a significant effect on a European site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. Further information on the requirements of the Habitats and Species Regulations can be found in a Government Circular. Applicants should also refer to Section 5.3 of this NPS on biodiversity and geological conservation. The applicant should seek the advice of Natural England and/or the [Natural Resources Wales], and provide the [Secretary of State] with such information as it may reasonably require to determine whether an Appropriate Assessment is required. In the event that an Appropriate Assessment is required, the applicant must provide the [Secretary of State] with such information as may reasonably be required to enable it to conduct the Appropriate Assessment. This should include information on any mitigation measures that are proposed to minimise or avoid likely effects.	was published in August 2022, which is after AyM was accepted for examination. Paragraph 4.3.1 of NPS EN-1 is addressed in sections 5.4, 5.7, 5.9 and 5.10 to 5.13 of Volume 3, Chapter 5 of the ES Onshore Biodiversity (APP-066). The Report to Inform Appropriate Assessment (APP-027) presents the outcomes of assessment including in combination with other plans or projects and provides the necessary information for the ExA and SoS. NRW were consulted on the HRA screening during the scoping phase and the draft RIAA during the Evidence Plan process, to ensure all information required to complete the Appropriate Assessment, including mitigation measures, was provided. The proposed mitigation measures are included within the RIAA (APP-027), and the Schedule of Mitigation (~~REP2-018~~Document 8.12 of the Applicant's Deadline 8 submission). As such it is considered that AyM is in accordance with paragraph 4.3.1 of EN-1.
Alternatives	EN-1 4.4.1 and 4.4.2	As in any planning case the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is in the first instance a matter of law, detailed guidance on which falls outside the scope of this NPS. From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option. However, applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility; in some circumstances, there are specific legislative requirements, notably under the Habitats Directive, for the [Secretary of State] to	The Site Selection and Alternatives chapter of the ES (APP-044) considers alternatives as required by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 are addressed in the RIAA (APP-027). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEoI) on the conservation objectives of any sites designated as part of the UK National Site Network and therefore the HRA process has not progressed beyond Stage 2 (Appropriate Assessment). As such it is considered that AyM is in accordance with paragraphs 4.4.1 and 4.4.2 of EN-1.

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		consider alternatives. These should also be identified in the Environmental Statement by the applicant.	
	EN-1 4.4.3	Where there is a policy or legal requirement to consider alternatives the applicant should describe the alternatives considered in compliance with these requirements. Given the level and urgency of need for new energy infrastructure, the [Secretary of State] should, subject to any relevant legal requirements (e.g. under the Habitats Directive) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: ▲ 'the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner;' ▲ 'the [Secretary of State] should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security and climate change benefits) in the same timescale as the proposed development;' ▲ 'where (as in the case of renewables) legislation imposes a specific quantitative target for particular technologies or (as in the case of nuclear) there is reason to suppose that the number of sites suitable for deployment of a technology on the scale and within the period of time envisaged by the relevant NPSs is constrained, the [Secretary of State] should not reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and [they] should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals;' ▲ 'alternatives not among the main alternatives (noting that as required under the 2017 EIA Regulations reasonable alternatives are described within this chapter) studied by the applicant (as reflected in the Environmental Statement), should only be considered to the extent that the [Secretary of State] thinks they are both important and relevant to [their] decision;'	The Site Selection and Alternatives chapter of the ES (APP-044) sets out in significant detail the approach to, and consideration of, alternatives to AyM, in accordance with the NPS principles. Appropriate alternatives have been considered, having regard to operational requirements, the planning policy context, consideration of the site constraints and development constraints (such as the Extensions Round Criteria (2017)) and the outcomes of the environmental assessment process to avoid likely significant environmental effects where possible and, where this is not possible, to mitigate and manage any remaining effects. As an extension project under The Crown Estate's (TCE) Extensions leasing round, AyM by its nature is required to be adjacent to the existing Gwynt y Môr Offshore Wind Farm (GyM) and consideration as to the alternative design of the wind farm array area is set out in APP-044. The pertinent criteria of the 2017 Extensions Round were: ▲ The proposed extension must share a boundary with the existing wind farm; and ▲ Other than the existing wind farm, the proposed extension must not encroach within a radius of 5km of any other wind farm. As such it is considered that AyM is in accordance with paragraphs 4.4.3 of EN-1.

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		‘as the [Secretary of State] must decide an application in accordance with the relevant NPS (subject to the exceptions set out in the Planning Act 2008), if the [Secretary of State] concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the [Secretary of State’s] decision;’ ‘alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the [Secretary of State’s] decision;’ ‘alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the [Secretary of State’s] decision; and’ ‘it is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the [Secretary of State] in respect of it (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the [Secretary of State] may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the [Secretary of State] should not necessarily expect the applicant to have assessed it.”	
Criteria for “good design” for energy infrastructure	EN-1 4.5.3	In the light of the above, and given the importance which the Planning Act 2008 places on good design and sustainability, the [Secretary of State] needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. In so doing, the [Secretary of State] should satisfy itself that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located) as far as possible. Whilst the applicant may not have	Design decisions in terms of project infrastructure and location are set out in the Site Selection and Alternatives ES Chapter (APP-044). Further design considerations of relevance to the onshore design are set out in the onshore Design Principles Document (~~APP-308 and Document 3.13 of the Applicant's Deadline 3 submission~~REP7-028) which describes layouts, landscaping and appearance of the proposed onshore infrastructure including the onshore cable route and onshore substation. Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the onshore substation is set out the

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		any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area.	Outline Landscape and Ecological Management Plan (oLEMP) (~~REP2-010~~REP7-026). With regards offshore design, AyM has been designed in so far as reasonably practicable to apply good design, siting turbines in an area that seeks to reduce visual effects, avoiding placement of turbines within the Liverpool Bay SPA, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing turbine height or altering colour are not considered feasible due to the flexibility needed to account for uncertainty in technological advances (as recognised in NPS EN-3) or due to other considerations such as operational safety which requires the turbines to be appropriately marked and painted to comply with navigational safety requirements. As such, in so far as practicable, it is considered that AyM is in accordance with paragraphs 4.5.3 and 4.5.4 of EN-1.
	EN-1 4.5.4	For the [Secretary of State] to consider the proposal for a project, applicants should be able to demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected. In considering applications the [Secretary of State] should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy.	
Climate change adaptation	EN-1 4.8.1	Part 2 of this NPS covers the Government's energy and climate change strategy, including policies for mitigating climate change. This part of the NPS sets out how applicants and the [Secretary of State] should take the effects of climate change into account when developing and consenting infrastructure. While climate change mitigation is essential to minimise the most dangerous impacts of climate change, previous global greenhouse gas emissions have already committed us to some degree of continued climate change for at least the next 30 years. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	Each topic-specific chapter of the ES includes a description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of AyM. The ES also demonstrates AyM's resilience to such changes through consideration of the Maximum Design Scenario (MDS). The MDS for AyM has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, examples include:
	EN-1 4.8.2	Climate change is likely to mean that the UK will experience hotter, drier summers and warmer, wetter winters. There is a likelihood of increased flooding, drought, heatwaves and intense rainfall events, as well as rising sea levels. Adaptation is therefore necessary to deal	

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		with the potential impacts of these changes that are already happening.	▲ Changes in marine conditions (sea level, wave heights, currents, salinity etc.) that affect the elevation and design strength of offshore foundation components; ▲ Changes in wind speed, turbulence, air density or humidity that affect wind turbine loads and generation. Onshore this affects the design of substation buildings and components; ▲ Changes in air temperatures that affect the cooling systems of key components, onshore and offshore; ▲ Changes in water and soil temperatures, affecting the maximum rating of buried cables; ▲ Changes in rainfall that affect the design of drainage systems; and ▲ Changes in air composition and climatic conditions (i.e. rainfall, seawater aerosols) that affect component degradation rate and lifetime. Once construction is complete, the O&M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime. As such, with regards climate change effects, it is considered that AyM is in accordance with paragraphs 4.8.1 to 4.8.6 of EN-1.
	EN-1 4.8.3	To support planning decisions, the Government produces a set of UK Climate Projections and is developing a statutory National Adaptation Programme90. In addition, the Government's Adaptation Reporting Power91 will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. The [Secretary of State] may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure.	
	EN-1 4.8.4	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change (see Section 5.5).	
	EN-1 4.8.5	New energy infrastructure will typically be a long-term investment and will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. The ES should set out how the proposal will take account of the projected impacts of climate change. While not required by the EIA Directive, this information will be needed by the [Secretary of State].	
	EN-1 4.8.6	The [Secretary of State] should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of	AyM has been developed with a full understanding of the potential consequences of climate change and has incorporated mitigation measures embedded in the design. The characterisation of the flood risk baseline and future baseline has been established using the NRW Development Advice Map, the Denbighshire Strategic Flood Consequence Assessment and data from recent hydraulic models, which take into account climate change

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		the ES, the [Secretary of State] should consider whether they need to request further information from the applicant.	effects. This information is contained in the onshore ECC and onshore substation Flood Consequence Assessments (REP1-042 and REP1-044). Flood risk also has been assessed for the life of the development in Section 7.10, Section 7.11 and Section 7.12 of Volume 3, Chapter 7 Hydrology, Hydrogeology and Flood Risk of the ES (APP-138), using the latest UK climate projections available at the time the assessments were undertaken (Flood Consequence Assessments: Climate change allowances. (Welsh Government, 2016)). As such, with regards climate change effects, it is considered that AyM is in accordance with paragraphs 4.8.1 to 4.8.6 of EN-1.
	EN-1 4.8.7 – 4.8.12	4.8.7 Applicants should apply as a minimum, the emissions scenario that the Independent Committee on Climate Change suggests the world is currently most closely following – and the 10%, 50% and 90% estimate ranges. These results should be considered alongside relevant research which is based on the climate change projections. 4.8.8 The [Secretary of State] should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. 4.8.9 Where energy infrastructure has safety critical elements (for example parts of new fossil fuel power stations or some electricity sub-stations), the applicant should apply the high emissions scenario (high impact, low likelihood) to those elements. Although the likelihood of this scenario is thought to be low, it is appropriate to take a more risk-averse approach with elements of infrastructure which are critical to the safety of its operation.	As noted in response to EN-1 4.8.6, the characterisation of the flood risk baseline and future baseline has been established using the NRW Development Advice Map, the Denbighshire Strategic Flood Consequence Assessment and data from recent hydraulic models, which take into account climate change effects in accordance with TAN15. TAN15 sets out how the potential consequences of a flooding event should be assessed and provides guidance on the technical requirements for undertaking such an assessment. The key objectives of the assessment relevant to the proposals are to develop a full appreciation of: - The consequences of flooding on the development; - The consequences of the development on flood risk elsewhere within the catchment for a range of potential flooding scenarios up to that flood having a probability of 0.1%; and - The assessment can be used to establish whether appropriate mitigation measures can be incorporated within the design of the development to ensure that development minimises risk to life, damage to property and disruption to people. The Flood Consequence Assessment (FCA) for the onshore substation (REP1-044), as the key energy infrastructure which is sensitive to flooding (the export cable not being sensitive), has been assessed and designed in accordance with the upper climate change sensitivity of 40%, in addition to the future sensitivity analysis conducted on the performance

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		4.8.10 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the [Secretary of State] should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. 4.8.11 Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's latest UK Climate Change Risk Assessment, when available92 and in consultation with the EA. 4.8.12 Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the [Secretary of State] may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).	of the drainage system using the 1 in 1,000-year rainfall event standard (as required by National Grid NG standard 2.10.13). Mitigation measures, such as flood attenuation ponds, are listed in the proposed drainage strategy in addition to the FCA document and the Hydrology, Hydrogeology and Flood Risk chapter of the ES (APP-068). As such, with regards climate change effects, it is considered that AyM is in accordance with paragraphs 4.8.7 to 4.8.12 of EN-1.
Grid connection	EN-1 4.9.1	The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In the market system, it is for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. The applicant will liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) to secure a grid connection. It may be the case that the applicant has not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application, although it is likely to have applied for one and discussed it with them. This is a commercial risk the applicant may wish to take for a variety of reasons, although the [Secretary of State] will want to be satisfied	Volume 3, Chapter 1 of the ES Onshore Project Description (APP-062) presents the description of the onshore transmission system and the associated infrastructure. A detailed description of the onshore transmission system and the onshore associated electricity infrastructure (onshore substation (OnSS) is provided in Section 5-7 of the Grid Connection and Cable Details Statement (APP-296). As such, and given the Applicant has secured a grid connection in agreement with National Grid, it is considered that AyM is in accordance with paragraph 4.9.1 of EN-1.

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		that there is no obvious reason why a grid connection would not be possible.	
	EN-1 4.9.2	The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. The Government therefore envisages that wherever possible, applications for new generating stations and related infrastructure should be contained in a single application to the [Secretary of State] or in separate applications submitted in tandem which have been prepared in an integrated way. However this may not always be possible, nor the best course in terms of delivery of the project in a timely way, as different aspects may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls). So the level of information available on the different elements may vary. In some cases applicant(s) may therefore decide to put in an application that seeks consent only for one element but contains some information on the second. Where this is the case, the applicant should explain the reasons for the separate application.	This DCO application includes infrastructure required to connect the new power station to the National Grid. A new substation is proposed along with a 400kV connection adjoining the AyM substation with the National Grid Electricity Transmission (NGET) substation. A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the onshore substation (OnSS) is provided in Section 5-7 of the Grid Connection and Cable Details Statement (APP-296), and the Onshore Project Description chapter (APP-062). As such, and given the Applicant has secured a grid connection in agreement with National Grid, it is considered that AyM is in accordance with paragraph 4.9.2 of EN-1.
Pollution control and other environmental regulatory regimes	EN-1 4.10.3	In considering an application for development consent, the [Secretary of State] 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 [Secretary of State] 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.	The Applicant has presented the site selection and alternatives process, in which it is demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically with regards the potential impacts associated with the use of the land, Volume 3, Chapter 6 of the ES (Ground Conditions and Land Use (APP-067)) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the Outline Landscape and Ecology Management Plan (oLEMP) (~~REP2-010~~REP7-026), the Code of Construction Practice (~~REP2-043~~REP7-018), and the Pollution Prevention and Emergency Incident Response Plan (REP2-037) which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator. As such, it is considered that AyM is in accordance with paragraph 4.10.3 of EN-1.

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	EN-1 4.10.4	Applicants should consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by s.23 of the Marine and Coastal Access Act 2009). The [Secretary of State] consent may include a deemed marine licence and the MMO will advise on what conditions should apply to the deemed marine licence. The [Secretary of State] and MMO should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation, including European directives.	Given the location of AyM within Welsh inshore waters, separate marine licences must be sought from Natural Resources Wales (NRW) as the appropriate licencing authority. In discussion with NRW AyM has prepared the Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) to provide the ExA and SoS with information regarding the expected scope of any marine licences for AyM and the progress of the marine licence application. The AyM Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) explains how the Marine Licence Process aligns with the DCO process. The Marine Licence application was duly made to NRW on 20 June 2022. It is, however, noted that the SoS 'should work on the assumption that the relevant environmental regulatory regimes will be properly applied and enforced by the relevant regulator' and that the SoS 'should act to complement but not seek to duplicate them'. As such, it is considered that AyM is in accordance with paragraph 4.10.4 of EN-1.
	EN-1 4.10.5	Many projects covered by this NPS will be subject to the Environmental Permitting (EP) regime, which also incorporates operational waste management requirements for certain activities. When a developer applies for an Environmental Permit, the relevant regulator (usually EA but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements. In considering the impacts of the project, the [Secretary of State] may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	As detailed in the Consents and Licences Required Under Other Legislation (~~APP-037~~Document 8.18 of the Applicant's Deadline 8 submission) the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. As such, it is considered that AyM is in accordance with paragraph 4.10.5 of EN-1.
	EN-1 4.10.6	Applicants are advised to make early contact with relevant regulators, including EA and the MMO, to discuss their requirements for environmental permits and other consents. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the [Secretary of State]. Wherever	The Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) explains how the Marine Licence Process aligns with the DCO. The Marine Licence application was duly made by NRW on 20 June 2022. Further to this the Applicant has consulted with NRW and Denbighshire County Council with regards the proposed approach to disapplication

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		possible, applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the [Secretary of State] for development consent.	of certain permits to be provided for under the DCO. The proposed approach is provided in Consents and Licences Required Under Other Legislation (~~APP-037~~Document 8.18 of the Applicant's Deadline 8 submission). As such, it is considered that AyM is in accordance with paragraph 4.10.6 of EN-1.
	EN-1 4.10.7	The [Secretary of State] should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, [Natural Resources Wales], Drainage Boards, and water and sewerage undertakers, the [Secretary of State] should be satisfied, before consenting any potentially polluting developments, that: • The relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and • The effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with AyM, specifically with regards potential pollution in the offshore and onshore environment. The relevant ES chapters conclude that no likely significant effect would occur either from the project alone, or cumulatively with other plans and projects, from any sources of pollution. This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the proposed project, if consented. For example, the Applicant has prepared an outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (REP2-037) for onshore activities which is secured in the draft DCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submission~~8 submission), and anticipates that a Marine Pollution Contingency Plan (MPCP) would be conditioned within any Marine Licence granted by NRW (see Condition 12 of the Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission)). As such, it is considered that the ES for AyM is in accordance with paragraphs 4.10.7 and 4.10.8 of EN-1.
	EN-1 4.10.8	The [Secretary of State] should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted.	
Safety	EN-1 4.11.3 – 4.11.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 1999. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE and the EA acting jointly in England and Wales (and	The Applicant does not consider AyM, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. AyM is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such AyM does not fall under the COMAH Regulations 2015.

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		by the HSE and Scottish Environment Protection Agency acting jointly in Scotland). The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents. The [Secretary of State] should be satisfied that an assessment has been done where required and that the Competent Authority has assessed that it meets the safety objectives described above.	Notwithstanding this the Applicant has provided an account of the likely major accidents, disasters and climate change effects that have the potential to arise as a result of AyM in Volume 1, Chapter 3 of the ES Environmental Impact Assessment Methodology (APP-041). As such, it is considered that the ES for AyM is in accordance with paragraphs 4.11.3 – 4.11.4 of EN-1.
Hazardous substances	EN-1 4.12.1	All establishments wishing to hold stocks of certain hazardous substances above a threshold need Hazardous Substances consent. Applicants should consult the HSE at pre-application stage if the project is likely to need hazardous substances consent. Where hazardous substances consent is applied for, the [Secretary of State] will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The [Secretary of State] should consult HSE about this.	The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants. Further to this the ES provides a full and detailed account of potential environmental impacts associated with AyM, specifically with regards potential pollution in the offshore and onshore environment. The relevant ES chapters conclude that no likely significant effect would occur either from the project alone, or cumulatively with other plans and projects, from any sources of pollution. This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the proposed project, if consented. For example, the Applicant has prepared an outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP)
	EN-1 4.12.3	HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at preapplication stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site.	

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			REP2-037) for onshore activities which is secured in the draft DCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submission~~8 submission), and anticipates that a Marine Pollution Contingency Plan (MPCP) would be conditioned within any Marine Licence granted by NRW (see Condition 12 of the Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission)). As such, it is considered that the ES for AyM is in accordance with paragraphs 4.12.1 and 4.12.3 of EN-1.
Health	EN-1 4.13.1 to 4.13.5	Energy production has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the production, distribution and use of energy may have negative impacts on some people's health. As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant and the [Secretary of State] should consider the cumulative impact on health. The direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests. New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity. Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which	Potential risks to human health which may arise during the construction, operation and decommissioning phases of AyM are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed in sections 12.9, 12.10, 12.11, 12.12 and 12.13 and direct impacts to health are outlined in Table 9 of Volume 3, Chapter 12 of the ES Public Health (APP-073). The potential for emissions of dust from the construction phase of AyM (including removal of temporary facilities and reinstatement of the land) are presented in Volume 3, Chapter 11 of the ES Air Quality (AS-030). The assessment of dust emissions considers the risk of emissions based on the nature and magnitude of construction activities, the proximity to receptors and their sensitivity, existing baseline levels of dust and the mitigation measures required to limit residual effects to be not significant. AyM would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity. Further consideration of these is presented in the Statutory Nuisance Statement (APP-036). Chapter 2 of Volume 3 of the ES Landscape and Visual Impact (AS-029) provides a detailed assessment of the landscape and visual effects, including the appraisal of impacts from artificial light at night. The Statutory Nuisance Statement (APP-036) also draws upon the ES to

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		will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refused consents or require specific mitigation under the Planning Act 2008. However, the [Secretary of State] will want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	consider artificial light impacts as set out in the Planning Statement (APP-298). As such, it is considered that AyM is in accordance with paragraphs 4.13.1 to 4.13.5 of EN-1.
Common law nuisance and statutory nuisance	EN-1 4.14.2	It is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the 1990 Act and how they may be mitigated or limited are considered by the [Secretary of State] so that appropriate requirements can be included in any subsequent order granting development consent. (See Section 5.6 on Dust, odour, artificial light etc. and Section 5.11 on Noise and vibration.)	The Applicant has provided a Statutory Nuisance Statement (APP-036) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-298). As such, and as evidenced in response to EN-1 4.13.1 to 4.13.5 it is considered that AyM is in accordance with paragraph 4.14.2 of EN-1.
Security considerations	EN-1 4.15.3	DECC will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified. Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, OCNS and DECC to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. If CPNI, OCNS and/or DECC are satisfied that security issues have been adequately addressed in the project when the application is submitted to the [Secretary of State], it will provide confirmation of this to the [Secretary of State]. The [Secretary of State] should not need to give any further consideration to the details of the security measures in its examination.	At this stage no national security implications have been identified for AyM. As such it is considered that AyM is in accordance with paragraph 4.15.3 of EN-1.
Security considerations	EN-1 4.15.4	The applicant should only include sufficient information in the application as is necessary to enable the [Secretary of State] to examine the development consent issues and make a properly informed decision on the application	AyM has prepared and submitted a thorough application in accordance with the Applicant's scoping report and the SoS's Scoping Opinion (APP-295) and had due regard to consultation responses from statutory and non-statutory stakeholders (see the Consultation Report (APP-024), the Evidence Plan Report (APP-301) and its supporting appendices (APP-302 and APP-302).

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			As such it is considered that AyM is in accordance with paragraph 4.15.4 of EN-1.
EN1 Part 5: Generic Impacts			
Air Quality and emissions	EN-1 5.2.6	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES).	Volume 3, Chapter 11 of the ES Air Quality (AS-030) provides an assessment of the potential air quality effects arising from onshore activities. As such it is considered that the ES for AyM is in accordance with paragraph 5.2.6 of EN-1.
	EN-1 5.2.7	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES). The ES should describe: ▲ Any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; ▲ The predicted absolute emission levels of the proposed project, after mitigation methods have been applied; ▲ Existing air quality levels and the relative change in air quality from existing levels; and ▲ Any potential eutrophication impacts.	The assessment of any significant air emissions is set out in section 11.10 *et seq*. of Volume 3, Chapter 9 Air Quality (AS-030). Volume 3, Chapter 11 of the ES Air Quality (AS-030) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation. Existing air quality is described in section 11.7 of the Chapter and the relative change is described in sections 11.10 – 11.12. As such it is considered that the ES for AyM is in accordance with paragraph 5.2.7 of EN-1.
	EN-1 5.2.9	The [Secretary of State] should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. However air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits	Volume 3, Chapter 11 of the ES Air Quality (AS-030) determines that AyM is not anticipated to result in substantial changes in air quality levels, and will not breach any national air quality limits. As such it is considered that AyM is in accordance with paragraph 5.2.9 of EN-1.
	EN-1 5.2.10	In all cases the [Secretary of State] must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the	Volume 3, Chapter 11 of the ES Air Quality (AS-030) determines that AyM will not lead to a breach of statutory air quality limits. Notwithstanding this the Applicant has included an Outline Air Quality Management

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		proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the [Secretary of State] should refuse consent.	Plan with the application, and at Deadline 2, to ensure appropriate mitigation measures are secured as part of AyM (REP2-031). As such it is considered that AyM is in accordance with paragraph 5.2.10 of EN-1.
	EN-1 5.2.11	The [Secretary of State] should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage.	Mitigation measures for construction activities put forward as part of the project application are presented in Table 19 of Volume 3, Chapter 9: Air Quality (AS-030). Further to this the Applicant has included an Outline Air Quality Management Plan (REP2-031) with the application, and at Deadline 2, to ensure appropriate mitigation measures are secured as part of AyM. As such it is considered that AyM is in accordance with paragraphs 5.2.11 and 5.2.12 of EN-1.
	EN-1 5.2.12	In doing so the [Secretary of State] may refer to the conditions and advice in the Air Quality Strategy or any successor to it.	
	EN-1 5.2.13	The mitigations identified in Section 5.13 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	Mitigation measures for traffic and transport impacts (which may help to mitigated air emissions) are presented in Section 9.9 of Volume 3, Chapter 9: Traffic and Transport (APP-070). As such it is considered that AyM is in accordance with paragraph 5.2.13 of EN-1.
Biodiversity and geological conservation	EN-1 5.3.3	Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the [Secretary of State] consider thoroughly the potential effects of a proposed project.	Effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in Volume 3, Chapter 5 of the ES Onshore Biodiversity and Nature Conservation (APP-066), in addition to the Report to Inform Appropriate Assessment (APP-027). The Applicant has assessed likely significant effects on the conservation objectives of sites designated under the Conservation of Habitats and Species Regulations 2017 as part of the UK National Site Network within the RIAA (APP-027). The effects of onshore infrastructure associated with AyM on designated sites of geological conservation importance are considered in Section 6.4.3 of Volume 3, Chapter 6 Ground Conditions and Land Use (APP-

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			067). There are no geologically designated sites within the ground conditions and land use study area. As such it is considered that AyM is in accordance with paragraph 5.3.3 of EN-1.
	EN-1 5.3.4	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests	Geological interests have been conserved through sensitive routing of the onshore Export Cable Corridor (ECC) and siting of the OnSS. There are no geologically designated sites within the ground conditions and land use study area. Routing and siting considerations are discussed in Volume 1, Chapter 4 of the ES: Site Selection and Alternatives (APP-044). Further to this the Applicant has submitted an Outline Landscape and Ecological Management Plan (oLEMP) (~~REP2-010~~REP7-026) which provides the proposed approach to enhancement of biodiversity. Onshore, AyM will deliver net benefits for biodiversity, as set out in Document 8.24 of the Applicant's Deadline 8 submission, with commentary on the weight that should be attributed to enhancements in Document 8.25 of the Applicant's Deadline 8 submission. Whilst not a policy requirement, the Applicant has also provided commentary on the opportunities for ecological enhancement in the marine environment in Document 8.23 of the Applicant's Deadline 8 submission. As such it is considered that AyM is in accordance with paragraph 5.3.4 of EN-1.
	EN-1 5.3.5	The Government's biodiversity strategy is set out in 'Working with the grain of nature'[99]. Its aim is to ensure: - A halting, and if possible a reversal, of declines in priority habitats and species, with wild species and habitats as part of healthy, functioning ecosystems; and - The general acceptance of biodiversity's essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies. 99 'Working with the grain of nature' applies in England only.	The Applicant considers the application to be in accordance with this paragraph of EN-1 insofar as practicable as set out in the onshore biodiversity and nature conservation chapter of the ES (APP-066), given it sets out the aim of the Government's biodiversity strategy.

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	EN-1 5.3.6	In having regard to the aim of the Government's biodiversity strategy the [Secretary of State] should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The [Secretary of State] may take account of any such net benefit in cases where it can be demonstrated.	As noted in response to EN-1 5.3.3, the application is accompanied by a detailed assessment, and detailed consideration of alternatives which demonstrates how AyM has avoided and minimized harm to biodiversity interests. Further to this the proposed enhancement measures set out in the oLEMP (~~REP2-010~~REP7-026) provide net benefits for biodiversity in addition to mitigation to reduce and/or eliminate the potential for significant effects. As such it is considered that AyM is in accordance with paragraph 5.3.6 of EN-1.
	EN-1 5.3.7	As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in Section 4.4 above); where significant harm cannot be avoided, then appropriate compensation measures should be sought.	The effects of onshore infrastructure associated with AyM on designated sites of geological conservation importance are considered in Section 6.4.3 of the Ground Conditions and Land Use chapter of the ES (APP-067), which concludes no significant adverse effects. Embedded mitigation measures are set out in Section 5.9 of the ES chapter. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the oLEMP (~~REP2-010~~REP7-026). Geological interests have been conserved through sensitive routing of the onshore ECC and siting of the OnSS. The effects of onshore infrastructure associated with AyM on designated sites of geological conservation importance are considered in Section 6.7.3 of Volume 3, Chapter 6 of the ES Ground Conditions and Land Use (APP-067). As such it is considered that AyM is in accordance with paragraph 5.3.7 of EN-1.
	EN-1 5.3.8	In taking decisions, the [Secretary of State] should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	The Applicant has assessed likely significant effects on the conservation objectives of sites designated under the Conservation of Habitats and Species Regulations 2017 (as amended) as part of the UK National Site Network within the RIAA (APP-027) including potential Special Protection Areas (pSPAs) and Ramsar Sites (if relevant).

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	EN-1 5.3.9	International Sites The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection	Effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in Sections 5.10-5.13 Volume 3, Chapter 5 of the ES Onshore Biodiversity and Nature Conservation (APP-066). This has included SSSIs, National Nature Reserves, Local Nature Reserves and Local Wildlife Sites. The Applicant has, through the application of a robust approach to site selection, avoided designated sites wherever practicable. As a result, AyM has drawn conclusions of no adverse effect on site integrity for all international sites, and a conclusion of no significant effect with regards the EIA Regulations for national and locally designated sites. As such it is considered that AyM is in accordance with paragraphs 5.3.8, 5.3.9, and 5.3.10 of EN-1, and the Secretary of State can place appropriate weight on the avoidance of significant adverse effects when considering the planning balance.
	EN-1 5.3.10	Sites of Special Scientific Interest (SSSIs) Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.	
	EN-1 5.3.11	Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The [Secretary of State] should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	Sections 5.10-5.13 Volume 3, Chapter 5 of the ES Onshore Biodiversity and Nature Conservation (APP-066) concludes there to be no adverse effects on SSSIs as a result of AyM. As such it is considered that AyM is in accordance with paragraph 5.3.11 of EN-1.
	EN-1 5.3.12	Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of	AyM does not interact with any MCZs, as a result of the Site Selection and Alternatives process. Further to this, with regards offshore

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		conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ, which provides statutory protection for these areas implemented by the MMO (see paragraph 1.2.2). As a public authority, the [Secretary of State] is bound by the duties in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	internationally designated sites, AyM has avoided any adverse effects on the integrity of internationally designated sites. As such it is considered that AyM is in accordance with paragraph 5.3.12 of EN-1.
	EN-1 5.3.13	Regional and Local Sites Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The [Secretary of State] should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	AyM, as illustrated in Figure 7 of the onshore biodiversity chapter of the ES (APP-066), avoids interaction with the majority of regional and local sites of biodiversity and geological interest as a result of the robust approach to site selection. The proposed onshore export cable does however interact with the Clwyd Estuary and adjacent fields local wildlife site. Whilst avoidance was not possible the assessment concludes no adverse effect on the site, and introduces a number of mitigation measures (Table 13 of APP-066) which ensure no significant adverse effect will occur. Further to this, with regards offshore internationally designated sites, AyM has avoided any adverse effects on the integrity of internationally designated sites as set out in the Report to Inform Appropriate Assessment (APP-027). As such it is considered that AyM is in accordance with paragraph 5.3.13 of EN-1.
	EN-1 5.3.14	Ancient Woodland and Veteran Trees Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The [Secretary of State] should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development	AyM, as illustrated in Figure 11 *et seq*. of the onshore biodiversity chapter of the ES (APP-066), avoids interaction with the majority of ancient woodland and veteran trees as a result of the robust approach to site selection. The proposed onshore export cable does however interact with some areas of ancient woodland which could not be avoided. Whilst avoidance was not possible the assessment concludes no adverse effect on ancient woodland and veteran trees, and introduces a number of mitigation measures such as HDD (or other trenchless technique) under ancient woodland and avoidance of veteran trees where practicable (Table 13 of APP-066) which ensure no significant adverse effect will occur.

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		proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.	As such it is considered that AyM is in accordance with paragraph 5.3.14 of EN-1.
	EN-1 5.3.15	Biodiversity within Developments Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the [Secretary of State] should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate.	The proposed enhancement measures set out in the oLEMP (~~REP2-010~~REP7-026) provide net benefits for biodiversity in addition to mitigation to reduce and/or eliminate the potential for significant effects. Onshore, AyM will deliver net benefits for biodiversity as set out in Document 8.24 of the Applicant's Deadline 8 submission, with commentary on the weight that should be attributed to enhancements in Document 8.25 of the Applicant's Deadline 8 submission. Whilst not a policy requirement, the Applicant has also provided commentary on the opportunities for ecological enhancement in the marine environment in Document 8.23 of the Applicant's Deadline 8 submission. As such it is considered that AyM is in accordance with paragraph 5.3.15 of EN-1.
	EN-1 5.3.16 – 5.3.17	Protection of Habitats and Other Species Many individual wildlife species receive statutory protection under a range of legislative provisions. 5.3.17 Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The [Secretary of State] should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The [Secretary of State] should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the [Secretary of State] should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development	AyM, as illustrated in Figure 11 *et seq*. of the onshore biodiversity chapter of the ES (APP-066), avoids interaction with the majority of species and habitats of principle importance as a result of the robust approach to site selection. The proposed onshore export cable does, however, interact with some habitats of principle importance which could not be avoided. Whilst avoidance was not possible the assessment concludes no adverse effect on the habitats and introduces a number of mitigation measures such as reinstatement and monitoring (Table 13 of APP-066) which ensure no significant adverse effect will occur. As such it is considered that AyM is in accordance with paragraphs 5.3.16 and 5.3.17 of EN-1.

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	EN-1 5.3.18	The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: - -During construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; - -During construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; - -Habitats will, where practicable, be restored after construction works have finished; and - Opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.	Table 13 of the onshore biodiversity chapter (APP-066) provides a detailed consideration of the proposed mitigation measures which ensure the project does not result in significant adverse effects. The measures include *inter alia* the provision of an outline Landscape and Ecology Management Plan (oLEMP), which will ensure construction activities are confined to specific areas of works. The oLEMP (~~REP2-010~~REP7-026) and Code of Construction Practice (CoCP) (~~REP2-043~~REP7-018), will ensure best practice is followed, alongside the oLEMP, and to ensure that damage to species or habitats is minimized. Further to these measures, the Applicant has committed to reinstatement of habitats, and enhancement measures. These are also recorded within the oLEMP (~~REP2-010~~REP7-026), which is a Requirement of the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submission~~8 submission) and will be revised in advance of construction when the final design details are known. As such it is considered that AyM is in accordance with paragraph 5.3.18 of EN-1.
	EN-1 5.3.19	Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the [Secretary of State] should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into.	The Applicant has provided a comprehensive assessment, accompanied by appropriate mitigation measures which are recorded in the individual technical chapters, and the Schedule of Mitigation ~~(REP2-024).~~and Monitoring (Document 8.12 of the Applicant's Deadline 8 submission). In turn the necessary mitigation is secured in the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission) and conditions included in the Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission). As such it is considered that AyM is in accordance with paragraph 5.3.19 of EN-1.
	EN-1 5.3.20	The [Secretary of State] will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or [Natural Resources Wales]) or the Marine Management Organisation (MMO), and whether Natural England (or [Natural Resources Wales]) or the MMO has granted or refused or	The proposed mitigation measures, and approach to securing mitigation, have been agreed with the relevant regulators (NRW) through the EIA Evidence Plan process. The detailed ecological mitigation required with regards EPS licences will be secured post-consent through reference to the final design, however the principles to inform the necessary mitigation are secured in

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		intends to grant or refuse, any relevant licences, including protected species mitigation licences.	the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submission~~8 submission) and Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission). As such it is considered that AyM is in accordance with paragraph 5.3.20 of EN-1.
Civil and military aviation and defence interests	EN-1 5.4.10 to 5.4.13	Where the proposed development may have an effect on civil or military aviation and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.2). The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests. Any assessment of aviation or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), other defence assets and aerodrome operational procedures. It should also assess the cumulative effects of the project with other relevant projects in relation to aviation and defence. If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the relevant aviation and defence consultees are informed as soon as reasonably possible.	AyM will not have a significant effect on civil or military aviation and/or defence assets, as detailed in Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). The assessment of civil and military aviation flight patterns and infrastructure is provided in section 13.10 *et seq.* of the ES Chapter. Cumulative effects are discussed within section 13.13. Table 2 of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059) provides the results of consultation activity. As such it is considered that AyM is in accordance with paragraphs 5.4.10 to 5.4.13 of EN-1.
	EN-1 5.4.14	The [Secretary of State] should be satisfied that the effects on civil and military aerodromes, aviation technical sites and other defence assets have been addressed by the applicant and that any necessary assessment of the proposal on aviation or defence interests has been carried out. In particular, it should be satisfied that the proposal has been designed to minimise adverse impacts on the operation and safety of aerodromes and that reasonable mitigation is carried out. It may also be appropriate to expect operators of the aerodrome to consider making reasonable changes to operational procedures. When assessing the necessity, acceptability and reasonableness of operational changes to	AyM will not have a significant effect on civil or military aviation and/or defence assets, as detailed in Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). As such it is considered that AyM is in accordance with paragraph 5.4.14 of EN-1.

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		aerodromes, the [Secretary of State] should satisfy itself that it has the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the [Secretary of State] should have regard to interests of defence and national security.	
	EN-1 5.4.15	If there are conflicts between the Government's energy and transport policies and military interests in relation to the application, the [Secretary of State] should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible.	There are no conflicts between the Government's energy and transport policies and military interest in relation to AyM. Table 2 of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059) provides the results of consultation activity undertaken, with the agreed Mitigation principles provided in section 13.9 *et seq* of the Chapter. As such it is considered that AyM is in accordance with paragraph 5.4.15 of EN-1.
	EN-1 5.4.16	There are statutory requirements concerning lighting to tall structures[110]. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the [Secretary of State] should satisfy itself of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration. 110 Articles 219 and 220. Air Navigation Order 2009.	CAP 393 Article 223 (CAA, 2021) sets out the mandatory requirements for lighting of offshore wind turbines, these requirements will be considered by the Applicant in the development of the project lighting scheme in the development of the final design, post consent. Further details on lighting requirements are provided in section 13.9 of Table 2 of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). As such it is considered that AyM is in accordance with paragraph 5.4.16 of EN-1.
	EN-1 5.4.17	Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the [Secretary of State] considers that: - A development would prevent a licensed aerodrome from maintaining its licence; - The benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs, taking into account the relevant importance and need for such aviation infrastructure; or	The assessment of civil and military aviation flight patterns and infrastructure is provided in section 13.10 *et seq* of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). Cumulative effects are discussed within section 13.13 of APP-059. The conclusions drawn are that there are no significant effects. As such it is considered that AyM is in accordance with paragraph 5.4.17 of EN-1.

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		▲ The development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training; ▲ the development would have an impact on the safe and efficient provision of en route air traffic control services for civil aviation, in particular through an adverse effect on the infrastructure required to support communications, navigation or surveillance systems; consent should not be granted.	
	EN-1 5.4.18	Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation or defence assets and or significantly limit military training, the [Secretary of State] may consider the use of 'Grampian[111], or other forms of condition which relate to the use of future technological solutions, to mitigate impacts. Where technological solutions have not yet been developed or proven, the [Secretary of State] will need to consider the likelihood of a solution becoming available within the time limit for implementation of the development consent. In this context, where new technologies to mitigate the adverse effects of wind farms on radar are concerned, the [Secretary of State] should have regard to any Government guidance which emerges from the joint Government/Industry Aviation Plan. 111 A negative condition that prevents the start of a development until specific actions, mitigation or other development have been completed.	AyM will not impede or compromise the safe and effective use of civil or military aviation or defence assets or significantly limit military training, as detailed in Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). As such it is considered that AyM is in accordance with paragraph 5.4.18 of EN-1.
	EN-1 5.4.19	Mitigation for infringement of OLS may include[112]: ▲ Amendments to layout or scale of infrastructure to reduce the height, provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the proposed energy infrastructure; ▲ Changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome); and	A range of mitigation measures, in the form of appropriate notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight operations would apply to the development of AyM. These will comply with current guidelines and be agreed with the appropriate stakeholders and are outlined in Table 8 of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059) and the Schedule of Mitigation and Monitoring (~~REP2-024~~Document 8.11 of the Applicant's Deadline 8 submission). As such it is considered that AyM is in accordance with paragraph 5.4.19 of EN-1.

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		▲ Installation of obstacle lighting and/or by notification in Aeronautical Information Service publications 112 Where mitigation is required using a condition or planning obligation, the tests set out at paragraphs 4.1.7 – 4.1.8 in EN-1 should be applied.	
	EN-1 5.4.20	For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: ▲ Lighting; ▲ Operational airspace changes; and ▲ Upgrading of existing CNS infrastructure, the cost of which the applicant may reasonably be required to contribute in part or in full.	The assessment of civil and military aviation flight patterns and infrastructure is provided in section 13.10 *et seq.* of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). Cumulative are discussed within section 13.13. As such it is considered that AyM is in accordance with paragraph 5.4.20 of EN-1.
	EN-1 5.4.21	Mitigation for effects on radar, communications and navigational systems may include reducing the scale of a project, although in some cases it is likely to be unreasonable for the [Secretary of State] to require mitigation by way of a reduction in the scale of development, for example, where reducing the tip height of wind turbines in a wind farm would result in a material reduction in electricity generating capacity or operation would be severely constrained. However, there may be exceptional circumstances where a small reduction in such function will result in proportionately greater mitigation. In these cases, the [Secretary of State] may consider that the benefits of the mitigation ~~outweighs~~outweigh the marginal loss of function.	Mitigation measures that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to military and civil aviation are listed in Table 8 of Volume 2, Chapter 13 of the ES Military and Civil Aviation (APP-059). The mitigation includes embedded measures such as design changes and applied mitigation which is subject to further study or approval of details; these includes avoidance measures that will be informed by preconstruction surveys, and necessary additional consents where relevant. The mitigation measures proposed are considered adequate, with no material residual impact on radar, communications and navigational systems predicted. As such it is considered that AyM is in accordance with paragraph 5.4.21 of EN-1.
Coastal change	EN-1 5.5.6	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	Predictions of change to physical processes that could arise from the construction, and O&M of AyM are presented in Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). As such it is considered that AyM is in accordance with paragraph 5.5.6 of EN-1.
	EN-1 5.5.7	The Environmental Statement should include an assessment of the effects on the coast. In particular, applicants should assess: The impact of AyM on coastal processes and geomorphology, including by taking account of potential impacts from climate	The impact of the proposed project on coastal processes and geomorphology is considered in Sections 10, 11 and 12 of the Marine Geology, Oceanography and Physical Processes chapter of the ES

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		change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast; • The implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs), any relevant Marine Plans…and capital programmes for maintaining flood and coastal defences; • The effects of AyM on marine ecology, biodiversity and protected sites; • The effects of the AyM on maintaining coastal recreation sites and features; and • The vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life and any decommissioning period.	(APP-048) for the construction, operations and maintenance (O&M) and decommissioning phases respectively. The implications of the proposed project on strategies for managing the coast are considered within the landfall assessment, presented in Volume 4, Annex 2.1: Marine Geology, Oceanography and Physical Processes Technical Annex (APP-075). The effects of the proposed project on marine ecology, biodiversity and protected sites are set out elsewhere in the ES, in particular in Volume 2, Chapter 5: Benthic Ecology (APP-050). The effects of the proposed project on maintaining coastal recreation sites and features are set out in Volume 2, Chapter 11: Other Marine Users (APP-058). The vulnerability of AyM to coastal change is considered in the context of landfall infrastructure, in Volume 4, Annex 2.1: Marine Geology, Oceanography and Physical Processes Technical Annex (APP-075). As such it is considered that AyM is in accordance with paragraph 5.5.7 of EN-1.
	EN-1 5.5.8	For any projects involving dredging or disposal into the sea, the applicant should consult the Marine Management Organisation (MMO) at an early stage. Where the project has the potential to have a major impact in this respect, this is covered in the technology-specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquified Natural Gas (LNG) tanker deliveries to LNG import facilities.	The applicant has consulted with NRW as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a dredge disposal characterisation note (APP-309) which provides the regulator with adequate information to designate a disposal site for the construction phase. As such it is considered that AyM is in accordance with paragraph 5.5.8 of EN-1.
	EN-1 5.5.9	The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Conservation Zones (MCZs), candidate marine Special Areas of Conservation (cSACs), coastal SACs and candidate coastal SACs, coastal Special Protection Areas (SPAs) and potential Sites of Community Importance (SCIs) and Sites of Special Scientific Interest (SSSI).	Designated nature conservation sites within the physical processes study area have been described in Section 7 of the Marine Geology, Oceanography and Physical Processes chapter of the ES for the array area and for the offshore Export cable corridor (ECC) (APP-048). The predicted changes to physical processes have been considered in relation to indirect effects on other receptors elsewhere in the ES, in particular in Volume 2, Chapter 5 of the ES Benthic Subtidal and Intertidal Ecology (APP-051) and within the RIAA (APP-027). The

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			assessment for AyM concludes that there will be no adverse effect on the integrity and special features of nationally and internationally designated sites of conservation importance. As such it is considered that AyM is in accordance with paragraph 5.5.9 of EN-1.
	EN-1 5.5.10	The [Secretary of State] should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period.	The impact of the proposed project on coastal processes and geomorphology is considered in Sections 10, 11 and 12 of the Marine Geology, Oceanography and Physical Processes chapter of the ES (APP-048) for the construction, operations and maintenance (O&M) and decommissioning phases respectively. The chapter concludes that there will be no significant effect as a result of AyM. AyM is resilient to coastal erosion by virtue of the relevant project infrastructure (export cables) being buried and the coastal interface, with the burial depth informed by detailed coastal and bedform migration analyses to ensure the burial depth is adequate to protect the export cables throughout the lifetime of AyM. As such it is considered that AyM is in accordance with paragraph 5.5.10 of EN-1.
	EN-1 5.5.11	The [Secretary of State] should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward consent should only be granted where the [Secretary of State] is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	Please see response to EN-1 5.5.7 and 5.5.10 above with regards the proposed burial depth of coastal project infrastructure being such that there is no impediment to coastal processes, and the risk of exposure (and the concomitant risk of the infrastructure impeding bedform and sediment flow processes) is therefore minimized. As such it is considered that AyM is in accordance with paragraph 5.5.11 of EN-1.
	EN-1 5.5.12	The [Secretary of State] should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and postconstruction coastal monitoring arrangements with defined triggers for intervention and restoration.	The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) which will capture the proposed approach to installation and reinstatement of the intertidal zone following installation of the proposed project infrastructure.

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			As such it is considered that AyM is in accordance with paragraph 5.5.12 of EN-1.
	EN-1 5.5.13	The [Secretary of State] should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e. coast on site, and site on coast.	The baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Sections 10, 11 and 12 of the Marine Geology, Oceanography and Physical Processes chapter of the ES (APP-048) for the construction, operations and maintenance (O&M) and decommissioning phases respectively. The chapter concludes that there will be no significant effect as a result of AyM. As such it is considered that AyM is in accordance with paragraph 5.5.13 of EN-1.
	EN-1 5.5.14	The [Secretary of State] should consult the MMO on projects which could impact on coastal change, since the MMO may also be involved in considering other projects which may have related coastal impacts.	The Applicant has consulted NRW, as the relevant Welsh regulator, to ensure the baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is appropriately considered in the assessment for all phases of the proposed project. The Marine Geology, Oceanography and Physical Processes chapter of the ES (APP-048) concludes that there will be no significant effect as a result of AyM. As such it is considered that AyM is in accordance with paragraph 5.5.14 of EN-1.
	EN-1 5.5.15	In addition to this NPS the [Secretary of State] must have regard to the appropriate marine policy documents, as provided for in the Marine and Coastal Access Act 2009. The [Secretary of State] may also have regard to any relevant SMPs.	Section 2.2 of the Marine Geology, Oceanography and Physical Processes Chapter of the ES (APP-048) provides a detailed account of the NPS and non NPS policy tests of relevance to the consideration of marine physical processes. Paragraph 202 *et seq.* specifically provides reference to the relevant SMP. As such it is considered that AyM is in accordance with paragraph 5.5.15 of EN-1.
	EN-1 5.5.16	Substantial weight should be attached to the risks of flooding and coastal erosion. The applicant must demonstrate that full account has been taken of the policy on assessment and mitigation in Section 4.22 of this NPS, taking account of the potential effects of climate change on these risks as discussed above.	The Marine Geology, Oceanography and Physical Processes Chapter of the ES (APP-048) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future baseline scenario with regards climate change. Section 1.9 *et seq.* specifically

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			provides the relevant mitigation measures, and section 1.7.3 'evolution of the baseline' provides consideration of the future baseline and climate change scenarios. As such it is considered that AyM is in accordance with paragraph 5.5.16 of EN-1.
	EN-1 5.5.17	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case the [Secretary of State] should consider what appropriate mitigation requirements might be attached to any grant of development consent.	The Marine Geology, Oceanography and Physical Processes Chapter of the ES (APP-048) provides a detailed account of consultation undertaken to inform the assessment and mitigation of potential impacts to marine physical processes. Section 1.9 *et seq.* specifically provides the relevant mitigation measures. As such it is considered that AyM is in accordance with paragraph 5.5.17 of EN-1.
Dust, odour, artificial light, smoke, steam and insect infestation	EN-1 5.6.2	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.14, it is important that the potential for these impacts is considered by the [Secretary of State]	The potential for emissions of dust from the construction phase of AyM (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 11 of Volume 3 of the ES (AS-030)). The assessment of dust emissions considers the risk of emissions based on the nature and magnitude of construction activities, the proximity to receptors and their sensitivity, existing baseline levels of dust and the mitigation measures required to limit residual effects to be not significant. AyM would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity. Further consideration of these is presented in the Statutory Nuisance Statement (APP-036). Chapter 2 of Volume 3 of the ES (AS-029 provides a detailed assessment of the landscape and visual effects, including the appraisal of impacts from artificial light at night. The Statutory Nuisance Statements Statement (APP-036) also draws upon the ES to consider artificial light impacts as set out in the Planning Statement (APP-298). As such the project can be considered to be in accordance with paragraphs 5.6.4 and 5.6.5 of EN-1.

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	EN-1 5.6.3	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	AyM has assessed the potential impacts on amenity within Chapter 4 of Volume 3 of the ES (APP-065). The ES has noted a number of potential impacts associated with public rights of way such as footpaths and cycle paths in particular in Section 4.7.2 *et seq.* of the chapter. As a result of the linear nature of the proposed project it has not been possible to full avoid public rights of way, however the applicant has put forward an Outline Public Access Management Plan (oPAMP) (~~REP2-041~~REP7-024) to be drawn up as part of the Code of Construction Practice (CoCP). The PAMP ensures impacts on amenity are as low as practicable, and acceptable. As such AyM is considered to be in accordance with paragraph 5.6.3 of EN-1.
	EN-1 5.6.4	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the Environmental Statement.	The potential for emissions of dust from the construction phase of AyM (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 11 of Volume 3 of the ES (AS-030~~)).~~.). The assessment of dust emissions considers the risk of emissions based on the nature and magnitude of construction activities, the proximity to receptors and their sensitivity, existing baseline levels of dust and the mitigation measures required to limit residual effects to be not significant. AyM would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity. Further consideration of these is presented in the Statutory Nuisance Statement (APP-036). Chapter 2 of Volume 3 of the ES (AS-029) provides a detailed assessment of the landscape and visual effects, including the appraisal of impacts from artificial light at night. The Statutory Nuisance Statements (APP-036) also draws upon the ES to consider artificial light impacts as set out in the Planning Statement (APP-298). As such AyM is considered to be in accordance with paragraphs 5.6.4 and 5.6.5 EN-1.
	EN-1 5.6.5	In particular, the assessment provided by the applicant should describe: • The type, quantity and timing of emissions; • Aspects of the development which may give rise to emissions; • Premises or locations that may be affected by the emissions; • Effects of the emission on identified premises or locations; and • Measures to be employed in preventing or mitigating the emissions	

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	EN-1 5.6.6	The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	Consultation with Denbighshire County Council and the NRW on the scope and methodology of the air quality assessment has been undertaken prior to the submission of the ES and summarised in the Evidence Plan (APP-301) and the Consultation Report (APP-024). The consultation, and agreement on approach is therefore in accordance with NPS EN-1 paragraph 5.6.6
	EN-1 5.6.7	The [Secretary of State] should satisfy itself that: • An assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out; and • That all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts.	The Statutory Nuisance Statement (APP-036) provides a summary of the assessment of whether the proposed Awel y Môr project engages one or more of "statutory nuisances" set out in section 79(1) of the Environmental Protection Act (EPA) 1990. The list of "statutory nuisances" in the EPA 1990 includes noise, artificial light, smoke, fumes or gases, dust, steam, smell or other effluvia or insects emanating from relevant premises. The assessment draws upon the ES, including any relevant mitigation measures, whether embedded within the design of the power station or secured through requirements or obligations, or other means within the DCO such as the outline Code of Construction Practice (~~REP2-043~~REP7-018) Outline Artificial Light and Emissions Plan (REP2-045). The management strategies proposed are adequate to minimize any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. AyM is therefore in accordance with NPS EN-1 paragraph 5.6.7.
	EN-1 5.6.8	If the [Secretary of State] does grant development consent for a project, it should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If it cannot conclude that this is justified, it should disapply in whole or in part the defence through a provision in the development consent order.	The DCO application is accompanied by a Statutory Nuisance Statement (APP-036) which details the possible sources of statutory nuisances and how they may be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (~~REP2-043~~REP7-018), and other relevant management plans. As acknowledged at paragraph 5.6.3 of EN-1, some impact on amenity for

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			local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum and within acceptable limits.
	EN-1 5.6.9	Where it believes it appropriate, the [Secretary of State] may consider attaching requirements to the development consent, in order to secure certain mitigation measures.	See response to EN-1 paragraph 5.6.7, which concludes AyM to be in accordance with the relevant paragraphs of EN-1, and that appropriate mitigation has been proposed and secured in the DCO.
	EN-1 5.6.10	In particular, the [Secretary of State] should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The [Secretary of State] should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	The DCO application is accompanied by a Statutory Nuisance Statement (APP-036) which details the possible sources of statutory nuisances and how they may be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (~~REP2-043~~REP7-028), and other relevant management plans such as the outline Artificial Light and Emissions Plan (REP2-045) and outline Air Quality Management Plan (REP2-030). As acknowledged at paragraph 5.6.3 of EN-1, some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum. It is therefore considered that AyM is in accordance with paragraph 5.6.10 of EN-1.
	EN-1 5.6.11	Mitigation measures may include one or more of the following: • Engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated; • Lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; and • Administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	See response to EN-1 paragraph 5.6.10, which concludes AyM to be in accordance with the relevant paragraphs of EN-1.
Hydrology, Hydrogeology and Flood Risk The consideration	EN-1 5.7.4	Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1	The submitted Flood Risk Assessments (termed Flood Consequence Assessments to comply with Welsh requirements (REP1-042 and REP1-044) satisfies the requirements for an FRA set out by paragraph 5.7.4 and 5.7.5 as follows:

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of the 'justification test' as required by TAN15 (which covers the Sequential Test) is provided in Volume 5, Annex 7.1 (APP-137)		hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.	▲ A summary of the flood risk assessment is provided in Volume 3, Chapter 7 of the ES Hydrology, Hydrogeology and Flood Risk (APP-068). ▲ Flood Consequence Assessment reporting has been undertaken in consultation with NRW and Denbighshire County Council (DCC) and is presented in the following documents: Volume 5, Annex 7.1 of the ES (APP-137); and ▲ Volume 5, Annex 7.2 of the ES (APP-138), and by technical flood experts from SLR Consulting. ▲ The Flood Consequence Assessment presents a volume of information which is considered proportionate to the scale, nature and location of AyM; that is that the buried infrastructure (as assessed in the Onshore Export Cable Corridor Flood Consequence Assessment (REP1-042)) does not introduce a new or increased pathway by which the risk of flooding may increase, and the above ground infrastructure (onshore) is considered in appropriate detail and introduces appropriate mitigation (as assessed in the Onshore Substation Flood Consequences Assessment (REP1-044)). ▲ Both Flood Consequence Assessments consider in detail the potential effects, both positive and adverse, of the proposed infrastructure, storage areas, and temporary disruption to drainage channels. The proposed project has committed to the HDD (or other trenchless technique) under the raised flood defences at landfall and the River Clwyd, and as such there is no risk associated with raised defences (REP1-042 and REP1-044). Both Flood Consequence Assessments consider the different types and effects of flooding through reference to an appropriate (and agreed with regulators) baseline investigation. For example, each of sections 3.1 to 3.6 of the Onshore Substation Flood Consequences Assessment (REP1-044) consider *inter alia* historic, fluvial, tidal and surface water flooding, and the capacity of the receiving environment to absorb or soak water both in advance of and following construction of AyM.
	EN-1 5.7.5	The minimum requirements for FRAs are that they should: ▲ Be proportionate to the risk and appropriate to the scale, nature and location of the project; ▲ Consider the risk of flooding arising from the project in addition to the risk of flooding to the project; ▲ Take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; ▲ Be undertaken by competent people, as early as possible in the process of preparing the proposal; ▲ Consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure; ▲ Consider the vulnerability of those using the site, including arrangements for safe access; ▲ Consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made; ▲ Consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; ▲ Include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; ▲ Consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems;	

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		▲ Consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and ▲ Be supported by appropriate data and information, including historical information on previous events	▲ The Flood Consequence Assessment undertaken for the Onshore Substation considers the limited risk of flooding associated with the project, in addition to the risk of flooding impacting the Onshore substation. These assessments are considered in sections 3.1 to 3.5 of the Flood Consequences Assessment and conclude the risk is low, specifically with the introduction of a drainage strategy, which is presented at Appendix A to the Flood Consequences Assessment (APP-138) and revised at Deadline 1 (REP1-045). Section 3.6 of the Flood Consequences Assessment provides consideration of the effects of climate change, and the proposed lifetime of the project. In light of the detail presented in both the Flood Consequence Assessments as submitted with the application, and subsequent revisions, AyM is in accordance with the provisions of application accords with EN-1 paragraph 5.7.5.
	EN-1 5.7.6	Further guidance can be found in the Practice Guide which accompanies Planning Policy Statement 25 (PPS25), TAN15 for Wales or successor documents.	The assessment of effects with respect to hydrology, hydrogeology and flood risk has considered TAN15, as detailed in Section 7.2 of Chapter 7 of the ES Hydrology, Hydrogeology and Flood Risk (APP-068). It is therefore considered that AyM is in accordance with paragraph 5.7.6 of EN-1.
	EN-1 5.7.7 – 5.7.8	Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the [Secretary of State] to reach a decision on the application when it is submitted. The [Secretary of State] should advise applicants to undertake these steps where they appear necessary, but have not yet been addressed. If the EA has concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns	Consultation with NRW and Lead Local Flood Authorities has been undertaken throughout the EIA process, under the AyM Evidence Plan (Hydrology and Flood Risk Expert Topic Group (ETG)) process. The pre-application discussions and consultation are presented in Section 7.3 of Chapter 7 of the ES Hydrology, Hydrogeology and Flood Risk (APP-068), and captured in the Evidence Plan Report (APP-301). In addition, Statutory Consultation on the AyM project was undertaken between August and October 2021, with resulting feedback considered within this ES. Commentary received with regards the scope of the Flood Consequences Assessment, methods to be employed, and the information required to inform both the Secretary of State's decision and to reach agreement with NRW and Denbighshire County Council in their respective roles with regards flood risk, has been addressed and all reasonable measures adopted to ensure the project satisfies the respective flood authorities concerns have been adopted. It is therefore

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			considered that AyM is in accordance with paragraphs 5.6.7 and 5.6.8 of EN-1.
	EN-1 5.7.9	In determining an application for development consent, the [Secretary of State] should be satisfied that where relevant: • The application is supported by an appropriate FRA; • The Sequential Test has been applied as part of site selection; • A sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; • The proposal is in line with any relevant national and local flood risk management strategy; • Priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and • In flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development.	Bullet 1 – please see response to EN-1 5.7.5 Bullet 2 - 6 In Wales, application of the Sequential Test is covered by the Justification Test under TAN15. A FCA for the onshore ECC, which includes the consideration of the 'justification test' as required by TAN15 is provided in Volume 5, Annex 7.1 (APP-137). The FCA for the OnSS shows the OnSS to be in a low risk flood area and as such this aspect of development is not subject to the Justification test. The FCA is provided in Volume 5, Annex 7.2 (REP-044). A sequential approach has therefore been applied at the site level for both the transmission assets and onshore substation and the risk of flooding has been minimized. AyM is therefore in line with both national (UK and Welsh) and local flood risk management strategies. The OnSS design includes a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area. This is provided in Volume 5, Annex 7.2 (REP-044). Principles for management of surface water during construction along the Onshore ECC are set out in the onshore ECC FCA, provided in Volume 5, Annex 7.1 (REP1-042). The flood resilience and resistance of AyM is demonstrated in the Flood Consequences Assessment (REP1-042 and REP1-044). The assessment was undertaken considering all sources of flooding and all phases of the development. Both documents conclude that the permanent features of AyM, i.e. substation and onshore export cable are not at risk of flooding from extreme fluvial events including climate change allowances throughout the development lifetime. It is therefore considered that AyM is in accordance with paragraphs 5.6.9 of EN-1.

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	EN-1 5.7.10	For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the [Secretary of State]. The [Secretary of State] will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The [Secretary of State] should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body, such as an Internal Drainage Board.	The Outline Drainage Strategy for the onshore substation (REP1-045) states that SuDS will be designed in accordance with the CIRIA SuDS Manual (2015). It notes that an appropriate factor of safety will be applied and that a SuDS Maintenance Plan will be compiled and completed in accordance with the guidance set out in the SuDS Manual. Principles for management of surface water during construction along the Onshore ECC are set out in the onshore ECC FCA, provided in Volume 5, Annex 7.1 (REP1-042). It is therefore considered that AyM is in accordance with paragraphs 5.7.10 of EN-1.
	EN-1 5.7.11	If the EA continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the [Secretary of State] can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the EA to try to resolve the concerns.	The two Flood Consequence Assessments (REP1-042 and REP1-044) specifically addresses matters raised by NRW and DCC through the Relevant Representations and dialogue will continue to progress through the Statement of Common Ground process to ensure that all reasonable steps have or are being taken to address the NRW and DCC concerns.
	EN-1 5.7.12	The [Secretary of State] should not consent development in Flood Zone 2 in England or Zone B in Wales unless it is satisfied that the sequential test requirements have been met. It should not consent development in Flood Zone 3 or Zone C unless it is satisfied that the Sequential and Exception Test requirements have been met. The technology-specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, but should apply the sequential approach to locating development within the site.	Please see response to EN-1 5.7.9, bullet 2. Further to EN-1 5.7.9 the OnSS is within flood zone A, i.e. outside of the tidal and fluvial floodplain. The consideration of the 'justification test' as required by TAN15 (which covers the Sequential Test) is provided in the Onshore Substation Flood Consequences Assessment (FCA) (REP1-044). The seawall offers protection against tidal flooding to the land behind it, therefore the proportion of the Landfall site area which lies south of the seawall is considered to be within the defended tidal floodplain, as shown in (classified as flood zone C1 as defined in TAN15). It should be

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	EN-1 5.7.13	Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site115 in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.4 above	noted that cables will be installed using HDD or other trenchless crossing techniques in this area. The Exception Test has not been required for AyM, and as such AyM can be considered to be in accordance with paragraph 5.7.16 of EN-1.
	EN-1 5.7.14	If, following application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3 or Zone C, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur.	
	EN-1 5.7.15	The Exception Test is only appropriate for use where the sequential test alone cannot deliver an acceptable site, taking into account the need for energy infrastructure to remain operational during floods. It may also be appropriate to use it where as a result of the alternative site(s) at lower risk of flooding being subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), Sites of Special Scientific Interest (SSSIs) and World Heritage Sites (WHS) it would not be appropriate to require the development to be located on the alternative site(s).	
	EN-1 5.7.16	All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed: ▲ It must be demonstrated that the project provides wider sustainability benefits to the community[116] that outweigh flood risk;	The Exception Test has not been required for AyM, and as such AyM can be considered to be in accordance with paragraph 5.7.16 of EN-1.

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		▲ The project should be on developable, previously developed land[117] or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below and, where possible, will reduce flood risk overall. 117 Previously developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This definition includes defence buildings, but excludes (a) land that is or has been occupied by agricultural or forestry buildings (b) land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures (c) land in built up areas such as parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed (d) land that was previously developed but where the remains of the permanent surface structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).	
	EN-1 5.7.17	Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the [Secretary of State] may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the [Secretary of State] should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies	The Exception Test has not been required for AyM, and as such AyM can be considered to be in accordance with paragraph 5.7.17 of EN-1.
	EN-1 5.7.18	To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property	Please see response to EN-1 5.7.10; AyM can be considered to be in accordance with paragraph 5.7.18 of EN-1.
	EN-1 5.7.19	In this NPS, the term Sustainable Drainage Systems (SuDS) refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: ▲ Source control measures including rainwater recycling and drainage;	Please see response to EN-1 5.7.10 with regards the proposed approach to SuDS; AyM can be considered to be in accordance with paragraph 5.7.19 of EN-1.

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		▲ Infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; ▲ Filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; ▲ Filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed; ▲ Basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and ▲ Flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding	
	EN-1 5.7.20	Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	Please see response to EN-1 5.7.10 with regards the proposed approach to SuDS; AyM can be considered to be in accordance with paragraph 5.7.20 of EN-1.
	EN-1 5.7.21	The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.	Please see response to EN-1 5.7.10 with regards the proposed approach to SuDS; AyM can be considered to be in accordance with paragraph 5.7.21 of EN-1.
	EN-1 5.7.22	It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.	Please see response to EN-1 5.7.10 with regards the proposed approach to SuDS; AyM can be considered to be in accordance with paragraph 5.7.22 of EN-1.
	EN-1 5.7.23	The sequential approach should be applied to the layout and design of the project. More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.	Please see response to EN-1 5.7.10 with regards the proposed approach to SuDS, and the oLEMP (~~REP2-010~~REP7-026); AyM can be considered to be in accordance with paragraph 5.7.23 of EN-1.

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	EN-1 5.7.24	Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to flow or be stored in times of flood), or Zone C2 in Wales, should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows.	AyM is located outwith Flood Zone C2; AyM can be considered to be in accordance with paragraph 5.7.24 of EN-1.
	EN-1 5.7.25	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the emergency services when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The proposed onshore substation is located outwith zones which would require emergency measures. Notwithstanding that emergency measures are noted within both FCAs (REP1-042 and REP1-044) for AyM. As such AyM can be considered to be in accordance with paragraph 5.7.25 of EN-1.
Historic environment	EN-1 5.8.4	There are heritage assets with archaeological interest that are not currently designated as scheduled monuments, but which are demonstrably of equivalent significance. These include: ▲ Those that have yet to be formally assessed for designation; ▲ Those that have been assessed as being designatable but which the Secretary of State has decided not to designate; and ▲ Those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979.	Effects on designated and non-designated heritage assets have been considered at sections 8.10 to 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069). As such AyM can be considered to be in accordance with paragraph 5.8.4 of EN-1.
	EN-1 5.8.5	The absence of designation for such heritage assets does not indicate lower significance. If the evidence before the [Secretary of State] indicates to it that a nondesignated heritage asset of the type described in 5.8.4 may be affected by the proposed development then the heritage asset should be considered subject to the same policy considerations as those that apply to designated heritage assets.	Non-designated heritage assets of equivalent significance to designated heritage assets are identified and assessed as appropriate in sections 8.10 to 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069). As such AyM can be considered to be in accordance with paragraph 5.8.5 of EN-1.

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	EN-1 5.8.6	The [Secretary of State] should also consider the impacts on other non-designated heritage assets, as identified either through the development plan making process (local listing) or through the [Secretary of State]'s decision making process on the basis of clear evidence that the assets have a heritage significance that merits consideration in its decisions, even though those assets are of lesser value than designated heritage assets.	Effects on non-designated heritage assets have been considered at sections 8.10 to 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069) as appropriate. As such AyM can be considered to be in accordance with paragraph 5.8.6 of EN-1.
	EN-1 5.8.8	As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the applicant should have consulted the relevant Historic Environment Record[120] (or, where the development is in English or Welsh waters, English Heritage or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	The heritage significance of the asset is determined by reference to the heritage values set out in Cadw 2017, Heritage Impact Assessment in Wales. The heritage values are detailed within Section 8.5 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069). The chapter presents *inter alia* a full account of records identified Clwyd Powys Historic Environment Record (CPHER). As such AyM can be considered to be in accordance with paragraph 5.8.8 of EN-1.
	EN-1 5.8.9	Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact.	Initial walkovers and receptor visits have been undertaken to inform the assessment. A desk-based assessment has been undertaken to assess the archaeological interest of offshore heritage interests (Volume 4, Annex 11-1: Marine Archaeological Desk-based Assessment Technical Annex (APP-117)) and summarised in section 11.8 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069). As such AyM can be considered to be in accordance with paragraph 5.8.9 of EN-1.
	EN-1 5.8.10	The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.	Statements of significance of heritage assets are set out in sections 8.10 and 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069) in sufficient detail to allow heritage significance to be understood. The significance of the offshore heritage assets is included in section 13.7 of the Chapter. The impact of the development is discussed in

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			sections 11.11 - 11.14 Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069). As such AyM can be considered to be in accordance with paragraph 5.8.10 of EN-1.
	EN-1 5.8.11	In considering applications, the [Secretary of State] should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset, taking account of: ▲ Evidence provided with the application; ▲ Any designation records; ▲ The Historic Environment Record, and similar sources of information; ▲ The heritage assets themselves; ▲ The outcome of consultations with interested parties; and ▲ Where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice.	The assessment presented in sections 8.10 and 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069) has regard to the significance of heritage assets. The assessment as present considers a range of factors, including the designation records, Historic Environment Record (HER), heritage assets, consultation with Cadw, CPAT and other relevant stakeholders, and applies expert judgement with regards the likelihood of a significant effect occuring. Table 14 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069) provides a summary of all potential significant effects to onshore historic assets resulting from AyM together with mitigation measures that could be employed to reduce these effects. Only one effect considered to be of Moderate significance (and therefore significant for purposes of the EIA regulations) was identified. This is respect of the Grade II* Listed Llandudno Pier, where in some key views from along the Promenade, the proposed WTGs appear in an awkward juxtaposition and will detract from the ability to appreciate the architectural interest in the pier. In a small number of other cases minor adverse effects have been identified as occurring to designated heritage assets during the construction phase. In all other cases, no significant adverse effect has been predicted to the heritage significance of historic assets. As such AyM can be considered to be in accordance with paragraph 5.8.11 of EN-1.
	EN-1 5.8.12	In considering the impact of a proposed development on any heritage assets, the [Secretary of State] should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict	The assessment presented in sections 8.10 and 8.13 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069) has regard to the significance of heritage assets. Particularly, the

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		between conservation of that significance and proposals for development.	assessment identifies and assesses the significance of the heritage assets themselves. As such AyM can be considered to be in accordance with paragraph 5.8.12 of EN-1.
	EN-1 5.8.13	The [Secretary of State] should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality[122]. The [Secretary of State] should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use. The [Secretary of State] should have regard to any relevant local authority development plans or local impact report on the proposed development in respect of the factors set out in footnote 122. 122 This can be by virtue of: ● heritage assets having an influence on the character of the environment and an area's sense of place; ● heritage assets having a potential to be a catalyst for regeneration in an area, particularly through leisure, tourism and economic development; ● heritage assets being a stimulus to inspire new development of imaginative and high quality design; ● the re-use of existing fabric, minimising waste; and ● the mixed and flexible patterns of land use in historic areas that are likely to be, and remain, sustainable.	The application includes an Onshore Design Principles document (~~Document 3.13 of the Applicant's Deadline 3 submission~~REP7-028) which provides indicative designs for the visible onshore components of AyM. It is not considered feasible for the offshore components of AyM to be modified in design (APP-299) although the Applicant has reduced the size of the array area to limit the impact of the offshore components of AyM on heritage assets. However, AyM makes a positive contribution to the interpretation of the North Wales coastline as a place of industry and energy development, which has evolved over time. With regards the onshore components of AyM it is considered that the options are limited with regards modifying the design to contribute towards the character and distinctiveness of the historic environment. Notwithstanding this the site selection process sought to ensure that any effect is minimized through appropriate siting of the proposed OnSS, and through taking advantage of existing screening and the proposed addition of further landscaping and screening. As such AyM can be considered to be in accordance with paragraph 5.8.13 of EN-1.
	EN-1 5.8.14	There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered	As set out in the Planning Statement (APP-298), AyM would not lead to substantial harm to or total loss of significance of any designated asset. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. Where less than substantial harm to the heritage significance of a heritage asset has been identified, this is considered in the Planning Statement. The (less than substantial) harm is to be weighed against the public benefits of AyM, which are summarised in the Planning Statement. The planning balance is struck in Section 5.8 of the Planning Statement. For the reasons set out in that section, the benefits of the scheme are overwhelmingly greater than the residual adverse effects, including the

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		battlefields; grade I and II* listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.	less than substantial harm identified to the significance of heritage assets. As such AyM can be considered to be in accordance with paragraph 5.8.14 of EN-1.
	EN-1 5.8.15	Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the [Secretary of State] should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.	No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise. As such AyM can be considered to be in accordance with paragraph 5.8.15 of EN-1.
	EN-1 5.8.16	Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies set out in paragraphs 5.8.11 to 5.8.15 above apply to those elements that do contribute to the significance. When considering proposals the [Secretary of State] should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole.	The contribution of different elements of area designations has been considered within the assessment set out at section 8.11.3 of Volume 3, Chapter 8 of the ES Onshore Archaeology and Cultural Heritage (APP-069), with regard to the "Castles and Town Walls of King Edward in Gwynedd" World Heritage Site. As such AyM can be considered to be in accordance with paragraph 5.8.16 of EN-1.
	EN-1 5.8.17	Where loss of significance of any heritage asset is justified on the merits of the new development, the [Secretary of State] should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed	No cases have been identified where loss of significance of a designated heritage asset would arise. As such AyM can be considered to be in accordance with paragraph 5.8.17 of EN-1.
	EN-1 5.8.18	When considering applications for development affecting the setting of a designated heritage asset, the [Secretary of State] should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do	The assessment considers the negative effects on setting to be limited spatially both geographically and in the context of individual assets, such as the Llandudno conservation area. The predicted effects on setting that arise from AyM is to be weighed against the public benefits of AyM, which are summarised in the Planning Statement. The planning

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		not do this, the [Secretary of State] should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	balance is struck in Section 5.8 of the Planning Statement (APP-298). For the reasons set out in that section, the benefits of the scheme are overwhelmingly greater than the residual adverse effects, including those on setting. As such AyM can be considered to be in accordance with paragraph 5.8.18 of EN-1.
	EN-1 5.8.19 – 5.8.22	A documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given. Where the loss of the whole or a material part of a heritage asset's significance is justified, the [Secretary of State] should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it. Where appropriate, the [Secretary of State] should impose requirements on a consent that such work is carried out in a timely manner in accordance with a written scheme of investigation that meets the requirements of this Section and has been agreed in writing with the relevant Local Authority (where the development is in English waters, the Marine Management Organisation and English Heritage, or where it is in Welsh waters, the MMO and Cadw)) and that the completion of the exercise is properly secured. Where the [Secretary of State] considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the [Secretary of State] should consider requirements to ensure that	As is demonstrated through the site selection and alternatives assessment (APP-044), the applicant has sought to avoid and minimise impacts both physical and nonphysical with regards setting wherever practicable. Outline proposals for archaeological mitigation are set out in an overarching written scheme of investigation (WSI) (APP-147) to be agreed with CPAT with WSIs to be produced for each project component (i.e. onshore cable sections and/or OnSS) where required. As such AyM can be considered to be in accordance with paragraphs 5.8.19 to 5.8.22 of EN-1.

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		appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	
Landscape and visual	EN-1 5.9.5	The applicant should carry out a landscape and visual assessment and report it in the ES. (See Section 4.2) A number of guides have been produced to assist in addressing landscape issues125. The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	The assessment of the potential landscape and visual impacts of AyM has been based upon the Guidelines for Landscape and Visual Impact Assessment (GLVIA) and the scope of the assessment has also been informed by ongoing consultation and engagement with statutory consultees throughout the design and assessment process. Full details of the consultation undertaken in relation to landscape and visual matters is provided within the SLVIA chapter of the ES (AS-027). As such AyM can be considered to be in accordance with paragraph 5.9.5 of EN-1.
	EN-1 5.9.6	The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character.	The Landscape and Visual Impact Assessment (LVIA) chapter (AS-029) and Seascape and Landscape Visual Impact Assessment (SLVIA) chapter of the ES (AS-027) assess landscape and visual effects during construction and operation. They refer to published character assessments and associated studies/policies. As such AyM can be considered to be in accordance with paragraph 5.9.6 of EN-1.
	EN-1 5.9.7	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	The assessment has characterised the relevant landscape baselines, drawing on relevant national and local planning policy, landscape character areas and physical landscape features. This has been supplemented through consultation with local planning authorities. Further information, including photomontages, has been obtained through field work. The methodology used to inform the baseline is set out in more detail in the SLVIA submitted as part of the ES (AS-027). The assessments (within Tables 5-18) include representative viewpoints during construction, decommissioning and operation, taking into account (but not limited to) visibility (including impacts on views and visual amenity) of the project, light pollution and nature conservation. Potential impacts on views have been considered and therefore, AyM is considered to be in accordance with paragraph 5.9.7 of EN-1.

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	EN-1 5.9.8	Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	It is important to note that, as a result of the requirements of the 2017 Extensions round, there are limitations with regards to the possible siting of Extension projects; this is recognised in the 2021 draft NPS EN-3. Notwithstanding this, the project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the scheme throughout the pre-application process. To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been completed for both seascape, with regards to the offshore turbines and other infrastructure, and landscape with regards to the onshore substation (AS-029 and AS-027 respectively). With regards to careful project design, the onshore substation and National Grid connection have been sited outside of any designated areas, such as the Isle of Anglesey AONB. The site selection process (see Site Selection and Alternatives ES chapter Volume 1, Chapter 4, Site Selection and Assessment of Alternatives (APP-044)) indicated that the onshore substation could be accommodated at the Bodelwyddan location without significant effects on the special qualities of any areas designated for visual amenity. The sensitivity of the landscape and visual receptors in the LVIA study area has been a key consideration in the siting and design of the onshore infrastructure. A detailed consideration and assessment of the capacity of the landscape to accommodate the onshore infrastructure in relation to the screening afforded by the existing landforms, trees and hedgerows between sensitive receptors and the project infrastructure has been undertaken in the Landscape and Visual Impact Assessment ES chapter Volume 3, ~~Capter~~Chapter 2 (AS-029). Additional landscape mitigation measures for the onshore substation are described in the Landscape and Visual Impact Chapter (*ibid*) and the oLEMP (~~REP2-010~~REP7-028). The extent of mitigation planting incorporated into the design is illustrated in the oLEMP. This includes woodland planting of:

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			▲ Core native woodland; ▲ Screen native woodland mix; ▲ Native woodland edge mix; and ▲ Native hedgerows. Photomontage visualisations showing predicted views of the onshore substation are shown without mitigation and with the landscape mitigation at 15 years post-planting in ES Figures 2.18 to 2.19 (APP-181 to APP-189) With regards to careful design offshore, the turbines and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on the special qualities of the AONBs within the zone of theoretical visibility. A detailed consideration and assessment of the capacity of the seascape to accommodate the offshore infrastructure in the context of the existing baseline, characterised in many respects by the presence of offshore wind farm projects, has been undertaken in the SLVIA Chapter (AS-027). It is considered that although the offshore infrastructure extends the influence of the seascape and results in significant effects on some of the character and views from areas of the North Wales and Anglesey coast these effects are not significant on all receptors. Furthermore, feedback received during public engagement events and recorded in the Consultation Report (APP-024), indicates a generally positive acceptance of additional turbines within the seascape. As such it is considered that there is capacity for AyM to be accommodated at the proposed location in seascape, landscape and visual impact terms. Please also refer to Section 6.14 of this document for further demonstration of compliance with landscape and seascape specific policies. As noted in the context of alternatives and recognised in the extant and draft NPS EN-3 the Applicant is constrained in its ability to avoid impacts on visual receptors. Notwithstanding this, the Applicant has undertaken a rigorous and comprehensive consultation process in order to refine the design, minimise the harm and provide reasonable mitigation measures as far as practicable whilst maintaining an

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			economically viable alternative. Therefore, AyM is considered to be in accordance with paragraph 5.9.8 of EN-1.
	EN-1 5.9.9	National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the [Examining Authority/SoS] should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the [Secretary of State] in deciding on applications for development consent in these areas. Nevertheless, the [Secretary of State] may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; The cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives; and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	In order to prioritise the conservation of the natural beauty of the landscape in accordance with paragraphs 5.9.9 and 10 of NPS EN1, no elements of the proposed AyM project are situated within areas having the highest status of protection (National Parks, the Broads and AONBs). It is recognised that the offshore infrastructure is visible from a number of viewpoints within the AONBs and Snowdonia National Park and the (AS-027) has assessed that there would be significant adverse effects on the settings of Isle of Anglesey Area of Outstanding Natural Beauty (AONB) and Snowdonia National Park (SNP) as a result of visibility of AyM as part of the wider context. The effects are assessed in Sections 10.11.3 and Section 10.11.5 respectively. The assessment of the Effects on the landscape/ seascape character, views and Special Qualities of Isle of Anglesey AONB starts at paragraph 546 of AS-027. Following consideration of the factors set out in the assessment it is considered that there would be some perceived diminishment of (harmful effects on) three of the special qualities and the natural beauty of the AONB associated with these. This is not considered to occur to such a degree that it would affect the overall integrity of the AONB or its inherent natural beauty. The assessment of the Effects on the landscape/ seascape character views and Special Qualities of Snowdonia National Park starts at paragraph 780 of AS-027. Following consideration of the factors set out in the assessment it is considered that there may be some perceived diminishment of (harmful effects on) the Special Qualities of Diverse Views and Tranquillity but such effects are not considered to be significant and are therefore limited. There would also be some localised areas where significant adverse visual effects would arise. It is not considered that the Seascape, Landscape and Visual (SLV) receptors within the SNP would be diminished to such a degree that it
Landscape and visual	EN-1 5.9.10	Nevertheless, the [Secretary of State] may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: ▲ The need for the development, including in terms of national considerations128, and the impact of consenting or not consenting it upon the local economy;	

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		▲ The cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.4; and ▲ Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	would affect the overall integrity of the SNP or its inherent natural beauty. It is also relevant to consider the purpose of designating sites such as National Parks, which was to conserve and enhance their natural beauty and provide recreational opportunities for the public. Through repeat consultation events undertaken as part of the statutory and non-statutory processes for AyM it has been evident that there is limited public opposition to AyM, with the Consultation Report (APP-024) noting general support. The Applicant has sought to minimise all other potential impacts to recreational amenity associated with AyM and has a long history of supporting recreational amenity projects in North Wales such as the Green Links project which has enhanced the North Wales coastal cycle path. As has been described elsewhere in this NPS (see Section 5 of the Planning Statement (APP-298)), there is a demonstrable and urgent need for renewable energy, and specifically offshore wind. The economic effects of AyM are considered to be beneficial, as has been concluded in the Socio Economics Chapter of the ES (AS-034), and as has been reflected in UK Government publications; those benefits will also be subject to further consideration within the Supply Chain Plan which will be produced in support of the Contacts for Difference (CfD) bid and will secure local investment. The economic benefits and policy need should also be balanced against the significant costs to the economy of unmitigated climate change (as recognised in policy terms (UK Climate Change Risk Assessment 2022 Presented to Parliament pursuant to Section 56 of the Climate Change Act 2008)). It is not feasible to locate AyM beyond the likely zone of visual impact from the AONBs or National Park, however the design of the project has been moderated such that the impacts are reduced. The Applicant has sought for example, to locate turbines outside of the zones of highest sensitivity as described in the White Consultants ready reckoner for siting of offshore wind projects document (White *et al*., 2019a); it is of note that if Wales is to develop offshore wind and meet the Welsh and UK Government targets the White Consultants ready reckoner
	EN-1 5.9.11	The [Secretary of State] should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary	

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			document, and subsequent stage 2 and 3 documents (White *et al.*, 2019b and 2019c) effectively renders the targets unachievable and in itself will therefore fail key policy requirements. As outlined above, there is demonstrable need for renewable energy, specifically offshore wind. AyM is situated outwith any National Parks, the Broads and AONBs and whilst it is not feasible to locate AyM beyond the likely zone of visual impact from the AONBs or National Park, it is considered that any detrimental effect on the environment can be moderated as far as practically possible. Therefore, AyM is considered to be in accordance with paragraphs 5.9.9, 5.9.10 and 5.9.11 of EN-1.
	EN-1 5.9.12	The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. Paragraph 5.9.13 advises "The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent".	As mentioned in 5.9.9 & 5.9.10, it is recognised that the offshore infrastructure is apparent from a number of viewpoints within the AONBs and Snowdonia National Park. The SLVIA Chapter (AS-027) has assessed that there would be significant adverse effects on the settings of Isle of Anglesey AONB and Snowdonia National Park. However, following consideration of the factors set out in the assessment it is considered that mentioned significant adverse effects, on a limited number of special qualities, would not occur to such a degree that it would affect the overall integrity of the AONB or National Park, or their inherent natural beauty. Whilst it is recognised that there are significant effects, and some harm, it is considered that the ability to avoid impacts is constrained by the requirements placed on the site selection process, namely that AyM must share at least one boundary with its sister project Gwynt y Môr (GyM). The effect and associated harm have therefore been minimised as far as is practicable. As noted previously, it is also relevant to note that the primary purpose of AONBs and National Parks is to provide recreational opportunities to the public. Following extensive consultation, it is evident that there is limited if any public opposition to AyM in the context of the AONB or National Park; the responses received (which were provided in the context of the project before it was markedly reduced) and presented
	EN-1 5.9.13	The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.	

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			in the Consultation Report (APP-024) generally strike a note of welcome in the context of renewable energy and the target to reach net zero. As such, it is considered that whilst WTGs will be visible, and there is some significant change from the baseline which results in a significant effect with regards the EIA Regulations, and some harm, it is not so substantial as to detract from the overarching purpose of National Parks and AONBs. The Applicant has undertaken comprehensive consultation in order to refine the design, minimise the harm and provide reasonable mitigation measures as far as practicable whilst maintaining an economically viable alternative. Therefore, AyM is considered to be in accordance with paragraphs 5.9.12 and 5.9.13 of EN-1.
	EN-1 5.9.14	Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.	The value of the local landscape is a consideration within the SLVIA, which is assessed as part of the landscape assessment in section 10.10 *et seq* of the Seascape, Landscape and Visual Impact Assessment Chapter (AS-027). As such AyM can be considered to be in accordance with paragraph 5.9.14 of EN-1.
	EN-1 9.15 & 5.9.16	The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The [Secretary of State] should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. The [Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.	Volume 2 Chapter 10, Seascape, Landscape and Visual Impact Assessment (SLVIA) Chapter (AS-027) and Volume 3 Chapter 2, Landscape and Visual Impact Assessment (LVIA) Chapter (AS-029) assess the landscape impacts of AyM (during construction, decommissioning and operation). Volume 1 Chapter 4 'Site Selection and Alternatives' (APP-044) of the ES sets out the need for renewable energy (paragraphs 11 to 34) and the benefits of offshore wind (paragraphs 35 to 37). This is furthered by paragraphs 101 to 129 of the Planning Statement (APP-298). In addition, the Site Selection and Alternatives Chapter (APP-044) sets out the iterative process that has influenced the design of AyM. The mitigation of landscape and visual effects has been carefully considered in the SLVIA (AS-027), to minimise 'harm to the landscape' or

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			seascape where possible. It is of note however that the extent to which it is possible to avoid harm is, in the case of extensions to existing windfarms, hindered by the requirement to follow The Crown Estate 2017 Extension Round criteria. This is recognised in both the extant and the more recent draft NPS which were consulted on in 2021. As noted previously however, the project has been revised and refined significantly during a stakeholder consultation-led process which has resulted in a significant reduction in AyM. Whilst it is not possible to reduce individual WTG parameters, or to entirely avoid landscape impacts, the impacts have been minimised as far as practicable whilst maintaining an economically viable project and providing a meaningful contribution to the UK climate targets and the associated benefits. In this policy context, AyM would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030 and should therefore be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments. Therefore, AyM is considered to be in accordance with paragraphs 5.9.15 & 5.9.16 of EN-1.
	EN-1 5.9.17	The [Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.	As noted in response to paragraph 5.9.8 of EN-1, the project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the scheme throughout the pre-application process. As such AyM is considered to be in accordance with paragraph 5.9.17 of EN-1.
	EN-1 5.9.18	All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The [Secretary of State] will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential	The SLVIA chapter (AS-027) provides a detailed consideration of the potential effects of the temporary and permanent elements of AyM in the context of the vulnerability of coastal areas, and visual effects on sensitive receptors. It is considered that, whilst significant effects exist, those effects are in the context of a seascape characterised in part by existing offshore wind infrastructure, and in a region in which

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		high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.	consultation has not demonstrated there to be significant concern or opposition amongst residential receptors. For the reasons stated in this document, including the demonstrable policy need, and compliance with energy security strategies the benefits of the scheme are overwhelmingly greater than the residual adverse effects. As such AyM is considered to be in accordance with paragraph 5.9.18 of EN-1.
	EN-1 5.9.19	It may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the [Secretary of State] in judging the weight it should give to the assessed visual impacts of the proposed development.	Table 19 of the SLVIA Chapter (AS-027) provides examples of existing permitted large scale development projects, including both offshore and onshore wind farms, their distance to national landscape planning designations, and the associated scale of development. Furthermore, the GyM WTGs can be used as a scale comparison to assist with the magnitude assessment of the proposed AyM array. Whilst the proposed WTGs are larger than those already constructed (and the Applicant has confirmed it is not possible to procure offshore WTGs that are the same size as those of GyM), it is evident that the magnitude of change at certain sensitive receptors will be comparable to the magnitude of change experienced by viewpoints following the construction of GyM. Further it is evident that the additional turbines are not incongruous in a seascape also partly characterised by renewable energy. Therefore, AyM is considered to be in accordance with paragraph 5.9.19 of EN-1.
	EN-1 5.9.20	The [Secretary of State] should ensure applicants have taken into account the landscape and visual impacts of visible plumes from chimney stacks and/or the cooling assembly. It may need to attach requirements to the consent requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements.	AyM does not propose to include chimney stacks and/or a cooling assembly. Whilst AyM does include WTGs the design details associated with them are acknowledged by the NPS as being limited with regards the ability to apply particular design details. As such AyM is considered in accordance with paragraph 5.9.20 of EN-1.
	EN-1 5.9.21	Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the	The siting and design of the offshore array has incorporated embedded mitigation to reduce the scale of the project and the resulting

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		scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the [Secretary of State] may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function	landscape and visual effects. This is described in section 10.9 of the SLVIA. Following section 42 consultation comments from stakeholders on the Preliminary Environmental Information Report (PEIR), the Offshore Wind Farm (OWF) area has been reduced at its north-western corner. This change to the OWF area has resulted in a new Rochdale Envelope WTG layout for the SLVIA, with the WTGs in the north-western part of the PEIR OWF area being removed, and a net reduction in the overall number of WTGs and capacity of AyM (from an overall area of 107 km^2 during Scoping to 88 km^2 in the PEIR, and 78 km^2 for the final application design; a total reduction of 27%). This change in the Rochdale Envelope WTG layout assessed in the Environmental Statement, provides further and partial mitigation of some of the seascape, landscape and visual effects assessed in the PEIR. In addition, in order to compete successfully in a Contract for Difference auction rounds (CfD ARs), and therefore be deliverable, a project must strive to keep the Levelised Cost of Energy (LCoE) down in order be competitive with other projects. A low LCoE is based on a number of different factors, but the scale of the project is a critical variable as it drives economies of scale, and the density of a project is a key variable as it drives energy yield. AyM is already at the lower end of project size and upper end of site density than many competing projects (based on the Applicant's predictions of other projects that may compete in the same CfD as AyM) so a large reduction in area would drive significant changes in both project size or array density (or both) and therefore in LCoE, likely making the project economically unviable. With respect to individual WTG sizes, the Applicant has set out the rationale for the size of individual turbines in the WTG Size Technical Note (APP-299). The size of individual turbines has increased over time, and smaller models, such as those used for Gwynt y Mor, Rhyl Flats and North Hoyle, are no longer available on the market. The WTG sizes (in terms of rotor diameter and maximum tip height) that are described in MDS A and MDS B represent the Applicant's view on the anticipated

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			range of size of WTGs that will be available in the timeframe that AyM will be delivered. Therefore, AyM is considered to be in accordance with paragraph 5.9.21 of EN-1.
	EN-1 5.9.22	Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.	The offshore infrastructure is, as is described in this document and the wider application, limited in its ability to be sited in a manner that would avoid significant effects. Notwithstanding that, as described in response to paragraph 5.9.21 of EN-1 the Applicant has through consultation and iterative design in response to consultation, reduced the project in both spatial extent and number of WTGs. With regards the onshore infrastructure the proposed onshore substation location benefits from screening from the existing topography, and existing trees and hedges. Further to this the proposed approach to landscape design and enhancement measures set out in the oLEMP (~~REP2-010~~REP7-028) provide appropriate levels of screening such that long term adverse effects are avoided. As such AyM is considered to be in accordance with paragraphs 5.9.22 and 5.9.23 of EN-1.
	EN-1 5.9.23	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	
Land use including open space, green infrastructure and Green Belt	EN-1 5.10.2	The Government's policy is to ensure there is adequate provision of high-quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change.	Tourism plays a major role within the local economy of North Wales. As such, the assessment as presented in Volume 3, Chapter 4, Tourism and Recreation (APP-065) considers the effects of construction, operation, and decommissioning of AyM in Sections 4.10, 4.11 and 4.11.1 respectively. Through sensitive site selection and design AyM has minimized interaction with open spaces and green infrastructure. Whilst AyM interacts with the Wales Coastal Path the interaction with the Coastal Path is managed through the outline Public Access Management Plan (~~REP2-041~~REP7-025) which establishes the principles for management of PRoW and is provided as part of the Outline Code of Construction Practice (~~REP2-043~~REP7-018). As such AyM is considered to be in accordance with paragraph 5.10.2 of EN-1.

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	EN-1 5.10.5	The ES (see Section 4.2) should identify existing and proposed132 land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan.	Chapter 6, Volume 3, Ground Conditions and Land Use (APP-067) provides a detailed account of the surrounding land uses, and the potential impacts associated with AyM during the construction, operation, and decommissioning phases of the project. The Planning Statement (APP-298) describes the existing surrounding land uses of the onshore export cable and onshore substation in the context of the NPS policy tests. The Applicant has sought to avoid land that was allocated for development (for example the Key Strategic Site (KSS)) as part of the site selection process. At the end of each phase, soils would be reinstated across the temporary land take areas and the land reinstated to a standard capable of being returned to its former use. As such AyM is considered to be in accordance with paragraph 5.10.5 of EN-1.
	EN-1 5.10.6	Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	As provided in response to paragraph 5.10.2 of EN-1 AyM has avoided interaction with open space, sports or recreational buildings and land through careful site selection. Whilst some interaction with public rights of way such as the North Wales Path is unavoidable, these interactions are managed through the implementation of the public access management plan (PAMP) (~~REP2-041~~REP7-025) which is secured through the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission~~.~~).
			As such AyM is considered to be in accordance with paragraph 5.10.6 of EN-1.
	EN-1 5.10.7	During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	As is presented in the Consultation Report (APP-024), the EIA Evidence Plan report (APP-301) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA. The Applicant has, as is recorded in the Site Selection and Alternatives chapter of the ES (APP-044) sought to avoid development plan aspirations through avoidance of key areas immediately adjacent to Rhyl, within which it is anticipated to develop housing. Similarly, the applicant has minimized interaction with key strategic sites such as the KSS.

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			As such AyM is considered to be in accordance with paragraph 5.10.7 of EN-1.
	EN-1 5.10.8	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) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.	The effects of onshore infrastructure associated with AyM on agricultural land and soil quality are considered in Section 6.10, Section 6.11 and Section 6.12 of Volume 3 Chapter 6 of the ES Ground Conditions and Land Use (APP-067). Routing and siting considerations that are discussed in Volume 1, Chapter 4 Site Selection and Alternatives (APP-044). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (~~REP2-033~~REP7-022) 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. The Applicant considered best and most versatile (BMV) land through 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 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 land and therefore the ability to avoid use of BMV land is limited. Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Section 6.10, Section 6.11, and Section 6.7.7 of Volume 3, Chapter 6 of the ES Ground Conditions and Land Use (APP-067). As such AyM is considered to be in accordance with paragraph 5.10.8 of EN-1.

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	EN-1 5.10.9	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The effects of onshore infrastructure associated with AyM on mineral safeguarding areas is considered in Section 6.10.6 of Volume 3, Chapter 6 Ground Conditions and Land Use (APP-067). AyM does not interact meaningfully with any safeguarded mineral resources and as such AyM can be considered to be in accordance with paragraph 5.10.9 of EN-1.
	EN-1 5.10.10	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.10.17 below).	The proposed AyM development does not propose to infill or develop major sites within the Green Belt (or Green Wedge in Wales). The proposed developed has committed to undergrounding the onshore export cable, and as such there will be no meaningful interaction with any Green Wedge areas in Denbighshire, and as such can be considered to be in accordance with paragraph 5.10.10 and 5.10.11 of EN-1.
	EN-1 5.10.11	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria133 on such developments in Green Belts	
	EN-1 5.10.12	An applicant may be able to demonstrate that a particular type of energy infrastructure, such as an underground pipeline, which, in Green Belt policy terms, may be considered as an "engineering operation" rather than a building is not in the circumstances of the application inappropriate development. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line development or wind farm are such that it has no adverse effects which conflict with the fundamental purposes of Green Belt designation.	The Applicant proposes to underground all onshore transmission infrastructure (the onshore export cable) and as such any interaction with green wedge land may be considered not in contravention with Green Wedge policies, does not impede Denbighshire County Council's ability to maintain green wedges at key areas such as Rhyl, and as such can be considered to be in accordance with paragraph 5.10.12 of EN-1.
	EN-1 5.10.13	Where the project conflicts with a proposal in a development plan, the [Secretary of State] should take account of the stage which the development plan document in England or local development plan	AyM has successfully avoided meaningful conflict with proposals in the relevant development plan and as such can be considered to be in accordance with paragraph 5.10.13 of EN-1.

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		in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document in England or local development plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it.	
	EN-1 5.10.14	The [Secretary of State] should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the [Secretary of State] determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.	AyM has successfully avoided meaningful interaction and/or loss of open space, sport or recreational buildings and as such can be considered to be in accordance with paragraph 5.10.14 of EN-1.
	EN-1 5.10.15	The [Secretary of State] should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	Please see the Applicants response to paragraph 5.10.8 of EN-1. As such, AyM is considered to be in accordance with paragraph 5.10.15 of EN-1 with regards the avoidance of BMV land insofar as practicable.
	EN-1 5.10.16	In considering the impact on maintaining coastal recreation sites and features, the [Secretary of State] should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the [Secretary of State] should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	As provided in response to paragraph 5.10.2 and 5.10.6 of EN-1, AyM has avoided interaction with open space, including coastal recreation sites through careful site selection and the adoption of appropriate design measures such as HDD (or other trenchless crossing techniques) under the coast path and Rhyl Golf Course. Whilst some interaction with public rights of way such as the North Wales Path and temporary management of coastal paths is unavoidable, these interactions are managed through the implementation of the ~~public access management plan (REP2-041~~Public Access Management Plan (REP7-

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			025) which is secured through the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3 Submission~~8 submission).
	EN-1 5.10.17	When located in the Green Belt, energy infrastructure projects are likely to comprise 'inappropriate development'[134]. Inappropriate development is by definition harmful to the Green Belt and the general planning policy presumption against it applies with equal force in relation to major energy infrastructure projects. The [Secretary of State] will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. In view of the presumption against inappropriate development, the [Secretary of State] will attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. 134 Referred to in section 3 of PPG2: Green Belts.	Please see responses to paragraphs 5.10.10 to 5.10.12 of EN-1 which notes that there is no meaningful interaction with Green Wedge land as a result of AyM which has committed to underground the onshore export cable corridor, notably where in proximity to 'green barriers' which are noted in the Denbighshire adopted Local Development Plan as being between Prestatyn and Rhyl. The undergrounding of cables within the green barrier area may be considered to prevent future potential development in areas which are established *In order to reinforce the separation of neighbouring settlements, and to preserve the character of historic towns.* Whilst not considered 'Green Wedges' the LDP notes that development will only be permitted in 'green barriers' provided that the open character and appearance of the land is not prejudiced. Given AyM will be burying the onshore export cables in these areas AyM can be considered to be in accordance with paragraph 5.10.17 and 5.10.18 of EN-1.
	EN-1 5.10.18	In Wales, 'green wedges' may be designated locally. These enjoy the same protection as Green Belt in Wales and the [Secretary of State] should adopt a similar approach. Green wedges give the same protection as Green Belt in Wales. Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process. As with Green Belt, there is a presumption against inappropriate development and the [Secretary of State] should assess whether there are very special circumstances to justify any proposed inappropriate development.	
	EN-1 5.10.19	Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and	The Applicant has proposed to underground the onshore export cables in order to mitigate as far as practicable the direct effects on the existing use of a proposed site. Whilst the onshore substation will have an impact on the existing use of the proposed onshore substation location, the site is not considered to be Green Wedge or green barrier

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		the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.	land, and effects are proposed to be appropriately mitigated through the implementation of the oLEMP (~~REP2-010~~REP7-026). As such AyM can be considered to be in accordance with paragraph 5.10.19 of EN-1.
	EN-1 5.10.20	Where green infrastructure is affected, the [Secretary of State] should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes.	This policy has guided the consideration of embedded mitigation and ensured that AyM does not affect green infrastructure in a meaningful way. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (~~REP2-041~~REP7-025) such that the routes will be maintained within minimum disruption, and connectivity will be maintained. As such AyM can be considered to be in accordance with paragraph 5.10.20 and 5.10.21 of EN-1.
	EN-1 5.10.21	The [Secretary of State] should also consider whether mitigation of any adverse effects on green infrastructure and other forms of open space is adequately provided for by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality and, where possible, at least as accessible. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.	
	EN-1 5.10.22	Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the [Secretary of State] should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.	The effects of onshore infrastructure associated with AyM on mineral safeguarding areas is considered in Section 6.10.6 of Volume 3, Chapter 6 of the ES Ground Conditions and Land Use (APP-067). AyM does not interact meaningfully with any safeguarded mineral resources and as such AyM can be considered to be in accordance with paragraph 5.10.22 of EN-1.
	EN-1 5.10.23	Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas.	AyM is not anticipated to ~~sterilize~~sterilise land, however where the cable route may impede certain development it is anticipated that those areas will serve as green corridors within wider developments. This is anticipated to be the case within the KSS for example. As such AyM

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			can be considered to be in accordance with paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The [Secretary of State] should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the [Secretary of State] should consider what appropriate mitigation requirements might be attached to any grant of development consent.	This policy has guided the consideration of embedded mitigation, including the development of an outline PAMP (~~REF2-041~~REP7-024) which establishes the principles for management of PRoW is provided as part of the outline CoCP (~~REP2-041~~REP7-018) which allows for the maintenance of continuous access and management where necessary, during construction for all options. As such AyM can be considered to be in accordance with paragraph 5.10.24 of EN-1.
Noise and Vibration	EN-1 5.11.1	Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government's policy on noise is set out in the Noise Policy Statement for England136. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to assessment of impacts of vibration.	Section 10.3 of Volume 3, Chapter 10 Noise and Vibration (APP-071) describes how a set of assessment criteria have been developed which has enabled AyM to be assessed against the principal aims of the Noise Policy Statement for England (NPSE) (and Noise and soundscape action plan, 2018, for Wales). The assessment has identified a number of mitigation measures, which are secured through the provision of a Noise and Vibration Management Plan (REP2-020) which will ensure noise and vibration is managed appropriately to avoid significant effect. As such AyM can be considered to be in accordance with paragraph 5.11.1 of EN-1.
	EN-1 5.11.4	Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment: • A description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise; • Identification of noise sensitive premises and noise sensitive areas that may be affected; • The characteristics of the existing noise environment; • A prediction of how the noise environment will change with the proposed development; - In the shorter term such as during the construction period;	The assessment has considered all the aspects identified as shown in Sections 10.11 to 10.15 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071). The assessment has identified a number of mitigation measures, which are secured through the provision of a Noise and Vibration Management Plan (REP2-020) which will ensure noise and vibration is managed appropriately to avoid significant effect. As such AyM can be considered to be in accordance with paragraph 5.11.4 of EN-1.

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		- In the longer term during the operating life of the infrastructure; - At particular times of the day, evening and night as appropriate. • An assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and • Measures to be employed in mitigating noise. The nature and extent of the noise assessment should be proportionate to the likely noise impact.	
	EN-1 5.11.5	The noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered.	Sections 10.11.10 and 10.11.11 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071) consider the noise impact of increased traffic levels on the local road network and the Off-route access roads (ORARs) and conclude no significant adverse effects. Further to this, the Applicant has proposed the provision of a Construction Traffic Management Plan (CTMP), an outline of which has been provided at (~~REP2-039~~REP4-035). As such AyM can be considered to be in accordance with paragraph 5.11.5 of EN-1.
	EN-1 5.11.6	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards[137] and other guidance. Further information on assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards[138] and other guidance which also give examples of mitigation strategies. 137 For example BS 4142: BS 6472 and BS 8233. 138 For example BS 5228.	The assessment has been undertaken in accordance with the principles in the relevant British Standards as outlined in Section 10.3 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071). As such AyM can be considered to be in accordance with paragraph 5.11.6 of EN-1.
	EN-1 5.11.7	The applicant should consult EA and Natural England (NE), or [Natural Resources Wales] (CCW), as necessary and in particular with regard to assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform	The Applicant has consulted extensively with NRW and the relevant LPAs via the EIA Evidence Plan process to ensure that noise surveys were designed appropriately in order to inform the relevant assessments.

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		the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	Section 10.5.10 of Volume 3, Chapter 10 Noise and Vibration (APP-071) makes reference to the potential noise impacts on ecological receptors. The assessment of noise impacts on ecological receptors is provided in Volume 3, Chapter 5 of the ES Onshore biodiversity and nature conservation (APP-066). As such AyM can be considered to be in accordance with paragraph 5.11.7 of EN-1.
	EN-1 5.11.8	The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.	The siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors. The measures adopted to avoid and mitigate effects are set out in Section 10.12.2 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071). The operational and construction noise assessments have mitigated (see Sections 10.10 and 10.12.2) and reduced to a minimum the potential adverse impacts, so to avoid noise giving rise to significant adverse impacts on health and the quality of life as per the aims of the Noise Policy Statement for England (NPSE). As such AyM can be considered to be in accordance with paragraph 5.11.8 of EN-1.
	EN-1 5.11.9	The [Secretary of State] should not grant development consent unless it is satisfied that the proposals will meet the following aims: - Avoid significant adverse impacts on health and quality of life from noise; - Mitigate and minimise other adverse impacts on health and quality of life from noise; and - Where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	Section 10.3 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071) describes the assessment criteria which have been developed to enable AyM to be assessed against the principal aims of the NPSE which are in accordance with the three aims set out in Para 5.11.9 of NPS EN-1. The outcome of the assessment is that significant adverse impacts on health and quality of life from noise have been avoided. The assessment also resulted in the development of a ~~noise~~Noise and ~~vibration management plan~~Vibration Management Plan, an outline of which accompanied the application and was updated at REP2-020, and the implementation of which will adequately mitigate and minimise impacts from noise such that no significant adverse effect is predicted. As such AyM can be considered to be in accordance with paragraph 5.11.9 of EN-1.

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	EN-1 5.11.10	When preparing the development consent order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent.	Embedded mitigation for reducing noise and vibration is described in Section 10.10 of Volume 3, Chapter 10 of the ES Noise and Vibration (APP-071) and secured through the implementation of a ~~noise~~Noise and ~~vibration management plan~~Vibration Management Plan (REP2-020). No additional mitigation is required as described in section 10.15. As such AyM can be considered to be in accordance with paragraph 5.11.10, 5.11.11, 5.11.12 and 5.11.13 of EN-1.
	EN-1 5.11.11	The [Secretary of State] should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the [Secretary of State] may wish to impose requirements. Any such requirements should take account of the guidance set out in Circular 11/95 (see Section 4.1) or any successor to it.	
	EN-1 5.11.12	Mitigation measures may include one or more of the following: • Engineering: reduction of noise at point of generation and containment of noise generated; • Lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings; and • Administrative: restricting activities allowed on the site; specifying acceptable noise limits; and taking into account seasonality of wildlife in nearby designated sites.	
	EN-1 5.11.13	In certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the [Secretary of State] to consider requiring noise mitigation through improved sound insulation to dwellings.	
Socio-economics	EN-1 5.12.2	Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2).	The effects of AyM's construction activity on employment, including tourism are considered in section 3.10 *et seq* of Volume 3, Chapter 3 Socio-economics (AS-034). Employment effects associated with O&M activity are assessed in section 3.11. The employment effects during the decommissioning phase are assessed in section 3.12.
	EN-1 5.12.3	This assessment should consider all relevant socio-economic impacts, which may include:	

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		▲ The creation of jobs and training opportunities; ▲ The provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; ▲ Effects on tourism; ▲ The impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and ▲ Cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.	All relevant socio-economic effects during the construction phase are considered in section 3.10. Effects during the O&M phase are considered in section 3.11. Effects during the decommissioning phase are considered in section 3.12. The chapter concludes that there are no significant adverse effects. The effects on tourism and recreation are addressed under Volume 3, Chapter 4: Tourism and Recreation (APP-065). All relevant socio-economic effects during the construction phase are considered in section 3.10. Effects during the O&M phase are considered in section 3.11 of the ES Chapter. Effects during the decommissioning phase are considered in section 3.12. The chapter concludes that there are no significant adverse effects. Addressed under the cumulative effects section of the Chapter (see section 3.13 of APP-065). The effects of construction activity on tourism are assessed in section 4.10 of the ES Chapter (APP-065). The effects of O&M activity are assessed in section 4.11. The effects of decommissioning on tourism are assessed in section 4.12. In addition, the Applicant has provided details on how it will help to develop the skills needed in the outline Skills and Employment Strategy (REP4-007). A Supply Chain Action Plan will also be required as part of the Contract for Difference (CfD) auction process.As such AyM can be considered to be in accordance with paragraph 5.12.3, 5.12.4 and 5.12.5 of EN-1.
	EN-1 5.12.4	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	
	EN-1 5.12.5	Socio-economic impacts may be linked to other impacts, for example the visual impact of a development is considered in Section 5.9 but may also have an impact on tourism and local businesses.	
	EN-1 5.12.6-5.12.7	The [Secretary of State] should have regard to the potential socio-economic effects of new energy infrastructure identified by the applicant and from any other sources that the [Secretary of State] considers to be both relevant and important to its decision. It should be reasonable for the [Secretary of State] to conclude that little weight is to be given to assertions of socio-economic effects not	The AyM assessment provides evidence for assessments of socio-economic effects as far as it is possible to do at this stage. All relevant socio-economic effects during the construction phase are considered in section 3.10 of APP-065. Effects during the O&M phase are considered in section 3.11 of APP-065. Effects during the decommissioning phase are considered in section 3.12 of APP-065.

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		supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).	As such AyM can be considered to be in accordance with paragraph 5.12.6 and 5.12.7 of EN-1.
	EN-1 5.12.8	The assessment should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to socio-economic impacts.	Provisions made to boost local capture of socio-economic effects are outlined as part of the additional enhancement measures and strategies discussed in section 3.9 and 3.10 of Volume 3, Chapter 3 Socio-Economics (AS-034). The Applicant has provided details on how it will help to develop the skills needed in the outline Skills and Employment Strategy (REP4-007). As such AyM can be considered to be in accordance with paragraph 5.12.8 of EN-1.
	EN-1 5.12.9	The [Secretary of State] should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	The effects on tourism and recreation are addressed under Volume 3, Chapter 4: Tourism and Recreation (APP-065) including appropriate mitigation and enhancement measures, which are described in section 3.9 and 3.10 of the chapter. As such AyM can be considered to be in accordance with paragraph 5.12.9 of EN-1.
Traffic and transport	EN-1 5.13.3	If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport assessment, using the NATA/WebTAG139 methodology stipulated in Department for Transport guidance[140], or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation. 140 Guidance on transport assessments is at http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta and (for Wales) at: http://wales.gov.uk/topics/transport/publications/weltag/?lang=en	Consideration of the construction, O&M and decommissioning phases of AyM are set out in sections 9.10, 9.12 and 9.13. Section 9.9 'Mitigation' of Volume 3, Chapter 9 Traffic and Transport (APP-070) sets out the embedded and applied mitigation that will be required as part of AyM, referencing the requirement for a CoCP (~~REP2-043~~REP7-018), which provides details on how traffic would be managed. Volume 3, Chapter 9 Traffic and Transport (APP-070) of the ES and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout. As such AyM can be considered to be in accordance with paragraph 5.13.3 of EN-1.
	EN-1 5.13.4	Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and	Section 9.9 of Volume 3, Chapter 9 Traffic and Transport (APP-070) outlines traffic and transport mitigation measures for the construction phase of AyM, such as the Outline Travel Plan (OTP) (Appendix 9 of the

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		cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts.	Outline CoCP (APP-321)). The OTP will include demand management measures to be adopted. As such AyM can be considered to be in accordance with paragraph 5.13.4 of EN-1.
	EN-1 5.13.5	If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued[141] in England[142] which explains the circumstances where this may be possible, although the Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time. 141 http://www.dft.gov.uk/pgr/regional/fundingtransportinfrastructure/ 142 Please note that no separate guidance has been issued for Wales. The Welsh Assembly Government discusses funding arrangements with developers on a project-specific basis.	No additional transport infrastructure is proposed by the Applicant. As such AyM can be considered to be in accordance with paragraph 5.13.5 of EN-1.
	EN-1 5.13.6	A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the [Secretary of State] should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the [Secretary of State] should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts.	Section 9.10 of Volume 3, Chapter 9 Traffic and Transport (APP-070) sets out the assessment of the likely traffic and transport effects as a result of the construction phase of AyM. With the mitigation identified in the ES chapter (Outline Construction Traffic Management Plan (~~REP2-038~~REP4-035), Outline PAMP (~~REP2-041~~REP7-024) and Outline Travel Plan (APP-321), the impact on the transport infrastructure is considered to be at acceptable levels with no additional mitigation required. As such AyM can be considered to be in accordance with paragraph 5.13.6 of EN-1.
	EN-1 5.13.7	Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure.	Volume 3, Chapter 9 of the ES Traffic and Transport (APP-070) and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout the assessment. As such AyM can be considered to be in accordance with paragraph 5.13.7 of EN-1 without further imposition of planning obligations or requirements, beyond those outlined in the proposed Construction Traffic Management Plan (~~REP2-039~~REP4-035).

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	EN-1 5.13.8	Demand management measures must be considered where any form of mitigation is required.	Mitigation measures proposed in Volume 3, Chapter 9 of the ES Traffic and Transport (APP-070) will manage routing and timing of HGV and staff movements and are secured via the Construction Traffic Management Plan under R10 of the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission). As such AyM can be considered to be in accordance with paragraph 5.13.8 and 5.13.9 of EN-1.
	EN-1 5.13.9	The [Secretary of State] should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures	
	EN-1 5.13.10	Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.	The Applicant considers, for the onshore infrastructure, that the most appropriate and practicable form of transport will be the road network. For the offshore infrastructure water-borne transport will likely be preferred over the road transport network (APP-070). As such AyM can be considered to be in accordance with paragraph 5.13.10 of EN-1.
	EN-1 5.13.11	The [Secretary of State] may attach requirements to a consent where there is likely to be substantial HGV traffic that: • Control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; • Make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and • Ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.	Routing for HGV movements has been identified, as well as proposed working hours, in order to minimise the impact of AyM on the surrounding highway network. Transportation of Abnormal Indivisible Loads (AILs) will be subject to a separate consenting process, as required. With the mitigation identified in the ES chapter (Outline Construction Traffic Management Plan (~~REP2-039~~REP4-035), Outline PAMP (~~REP2-041~~REP7-024) and Outline Travel Plan (APP-321), the impact on the transport infrastructure is considered to be at acceptable levels with no additional mitigation required. As such AyM can be considered to be in accordance with paragraph 5.13.11 of EN-1.
	EN-1 5.13.12	If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the [Secretary of State] of any obligations or requirements needed to secure the mitigation.	That suggestion is not being made by the Applicant. As such AyM can be considered to be in accordance with paragraph 5.13.12 of EN-1.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Waste management	EN-1 5.14.2	Sustainable waste management is implemented through the "waste hierarchy", which sets out the priorities that must be applied when managing waste[143]: a) prevention; b) preparing for reuse; c) recycling; d) other recovery, including energy recovery; and e) disposal. 143 The Waste Hierarchy is set out in Article 16 of the Waste Framework Directive 2008 and The Waste (England and Wales) Regulations 2011.	The Outline Site Waste Management Plan (REP2-035) confirms that appropriate management of wastes has been considered in line with the waste hierarchy. As such AyM can be considered to be in accordance with paragraph 5.14.2 of EN-1.
	EN-1 5.14.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	As detailed in the Outline Site Waste Management Plan (REP2-035) wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill. As such AyM can be considered to be in accordance with paragraph 5.14.3 of EN-1.
	EN-1 5.14.4	All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant EP requirements.	The Outline Site Waste Management Plan (SWMP) (REP2-035) provides appropriate management of the waste on site will ensure that all legislative requirements are complied with. Including securing the necessary waste management licences and exemptions and compliance with the hazardous waste controls for any hazardous wastes produced. As such AyM can be considered to be in accordance with paragraph 5.14.4 of EN-1.
	EN-1 5.14.6	The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan. The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of	The Outline Site Waste Management Plan (REP2-035) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The key elements of this plan will be secured in the detailed SWMP which the Applicant will be required to submit to DCC for approval under a requirement of the DCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 submission). A key purpose of the outline SWMP is to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle.

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		waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.	Offshore, the disposal of dredged material at sea is a subject of the Marine Licence application made to NRW and is considered in the ES. The Dredge and Disposal Site Characterisation (APP-309) considers the alternatives to disposal at sea (such as re-use) and provides justification as to why disposal is necessary. As such AyM can be considered to be in accordance with paragraph 5.14.6 of EN-1.
	EN-1 5.14.7	The [Secretary of State] should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. It should be satisfied that: ▲ Any such waste will be properly managed, both on-site and off-site; ▲ The waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and ▲ Adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome.	As detailed in the Outline SWMP (REP2-035) appropriate management of the waste on site will ensure that all legislative requirements are complied with. Including securing the necessary waste management licences and exemptions and compliance with the hazardous waste controls for any hazardous wastes produced. If over 500kg of hazardous waste is anticipated to arise from site and before allowing any waste to be removed, NRW has to be notified that the site recognises that it will be a producer of hazardous waste. The requirements of the Hazardous Waste (England and Wales) Regulations 2005 include not only a requirement for the notification to NRW of the company and premises producing hazardous waste to NRW but also the completion of consignment notes for the movement of the waste, continuous record keeping and a prohibition on the inappropriate mixing of wastes. As such AyM can be considered to be in accordance with paragraph 5.14.7 of EN-1.
	EN-1 5.14.8	Where necessary, the [Secretary of State] should use requirements or obligations to ensure that appropriate measures for waste management are applied. The [Secretary of State] may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The effects of waste management are presented within the associated chapters of the ES and management through the implementation of the outline SWMP (REP2-035) which is secured in the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 submission). As such AyM can be considered to be in accordance with paragraph 5.14.8 of EN-1.
	EN-1 5.14.9	Where the project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.10 will apply.	The Project operations will not be subject to the EP regime by nature of AyM being a renewable electricity generation project.

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			The Outline Site Waste Management Plan (REP2-035) details that any construction activities must be managed in accordance with the Environmental Protection Act 1990. As such AyM can be considered to be in accordance with paragraph 5.14.9 of EN-1.
Water quality and resources	EN-1 5.15.1	Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters[144] and coastal waters. During the construction, operation and decommissioning phases, it can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3 and Section 4.18) and could, in particular, result in surface waters, groundwaters or protected areas[145] failing to meet environmental objectives established under the Water Framework Directive[146]. 144 As defined in the Water Framework Directive (2000/60/EC), transitional waters are bodies of surface water in the vicinity of river mouths which are partly saline in character as a result of their proximity to coastal waters but which are substantially influenced by freshwater flows. 145 Protected areas are areas which have been designated as requiring special protection under specific Community legislation for the protection of their surface water and groundwater or for the conservation of habitats and species directly depending on water. 146 2000/60/EC.	Sections 3.10 to 3.14 of Volume 2, Chapter 4 of the ES Marine Water and Sediment Quality (MW&SQ) (APP-049) present the assessment of AyM on MW&SQ receptors. Specifically, the risk of accidental releases and spills of materials is assessed for each phase of the project explicitly, in both the context of the EIA and the Water Framework Directive (WFD), a comprehensive assessment for which is presented in the WFD assessment document (APP-094). The conclusions drawn are that there are no significant adverse effects on MW&SQ receptors, and with regards the WFD assessment there are no effects which are considered significant or non-temporary. As such AyM can be considered to be in accordance with paragraph 5.15.1 of EN-1.
	EN-1 5.15.2	Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the Environmental Statement or equivalent.	Sections 3.10 to 3.14 of Volume 2, Chapter 4 of the ES Marine Water and Sediment Quality (APP-049) present the assessment of AyM on water quality. An assessment of the physical characteristics is presented in Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). An assessment of fresh water resources and quality is presented in Volume 3, Chapter 7 Hydrology, Hydrogeology and Flood Risk (APP-068). The conclusions drawn are that there are no significant adverse effects on water quality, water resource and the water environment more broadly, and with regards the WFD assessment there are no effects

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			which are considered significant or non-temporary on water bodies that interact with AyM. As such AyM can be considered to be in accordance with paragraph 5.15.2 of EN-1.
	EN-1 5.15.3	The ES should in particular describe: The existing quality of waters affected by the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges; Existing water resources affected by the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and in reference to Catchment Abstraction Management Strategies; Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and Any impacts of the proposed project on water bodies or protected areas under the WFD [Water Framework Directive] and Source Protection Zones (SPZs) around potable groundwater abstractions.	A baseline of the existing water quality for the area which may be affected by the proposed activities is presented in section 3.7 of Volume 2, Chapter 3 Marine Water and Sediment Quality (APP-049). The impacts of the proposed activities on marine water quality are assessed in sections 3.10 to 3.14 of the ES Chapter (APP-049). There will be no proposed changes or new discharges as a result of AyM. A full WFD assessment is presented in Volume 4, Annex 3-1: Water Framework Directive (APP-094) which details the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). The baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided in: Environmental assessment during construction, O&M, and decommissioning phase - sections 7.10 - 7.12; and Embedded mitigation - section 7.9 of the Volume 3, Chapter 7, Hydrology, Hydrogeology and Flood Risk (APP-068). As such AyM can be considered to be in accordance with paragraph 5.15.3 of EN-1.
	EN-1 5.15.4	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.10 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water148.	AyM will not discharge to the water environment without activity specific controls in place which will be subject to separate permitting processes. As noted in the Consents and Licences Required Under Other Legislation document (~~APP-037~~Document 8.18 of the Applicant's Deadline 8 submission) the Applicant proposes to apply to NRW for any permits to discharge water under the Environmental Permitting (England and Wales) Regulations 2016. As such AyM can be considered to be in accordance with paragraph 5.15.4 of EN-1.

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	EN-1 5.15.5	The [Secretary of State] will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive.	A detailed consideration of the implications for WFD waterbodies is given in Volume 4, Annex 3.1 Water Framework Directive Compliance Assessment (APP-094). The assessment concludes that there will be no significant effects on the relevant waterbodies or associated quality elements. As such AyM can be considered to be in accordance with paragraph 5.15.5 of EN-1.
	EN-1 5.15.6	The [Secretary of State] should satisfy itself that a proposal has regard to the River Basin Management Plans [RBMPs] and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater.	RBMPs form the basis of the characterisation and are used in identifying WFD classifications and objective. The WFD water bodies, as described in the RBMP, are receptors outlined in: Existing environment -section 6.7; and Environmental assessment during construction, O&M, and decommissioning phase - sections 6.10 - 6.12 of Volume 2, Chapter 3 Marine Water and Sediment Quality (APP-049). A WFD Assessment is presented in Annex 3.1 of Volume 4 (APP-094). As such AyM can be considered to be in accordance with paragraph 5.15.6 of EN-1.
	EN-1 5.15.7	The [Secretary of State] should consider whether appropriate requirements should be attached to any development consent and/or planning obligations entered into to mitigate adverse effects on the water environment.	The combined assessment of water resources for offshore and onshore, and in the context of the WFD, concludes that there will be no significant adverse effects. Mitigation is appropriately secured through the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~38~~ Submission) and a number of management plans, including the Drainage Strategy documents (REP1-045), the CoCP (REP7-018~~REP2-043~~) and/or future permit applications which will be made against the final design of AyM. As such AyM can be considered to be in accordance with paragraph 5.15.7 to 5.15.10 of EN-1.
	EN-1 5.15.8	The [Secretary of State] should consider whether mitigation measures are needed over and above any which may form part of the project application. (See Sections 4.2 and 5.1.) A construction management plan may help codify mitigation at that stage.	
	EN-1 5.15.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	

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	EN-1 5.15.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling.	

2.2 EN-3 NPS Accordance Table

Table 2: NPS NE-3 accordance.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN3 Part 2: Assessment and technology-specific information			
Climate Change Adaptation	EN-3 2.3.4	Offshore and onshore wind farms are less likely to be affected by flooding, but applicants should particularly set out how the proposal would be resilient to storms.	Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048) provides a detailed consideration of the offshore and coastal environment with regards the risks associated with climate change, storms, and changes in coastal morphology. The assessment concludes that there will be no adverse effects associated with the project. The Hydology, Hydrogeology and Flood Risk chapter of the ES (APP-068) considers the risk of storm and tidal surges and associated flooding. The Marine Licence Principles document (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) details a number of documents that will be submitted in advance of construction through reference to the final design and will ensure the long-term resilience of AyM through proposed design measures, such as cable protection and/or burial to withstand storm surges. The documents include provision of a cable specification and installation plan, which will provide detail regarding how the cable will be installed to minimize the risk of exposure that may result from storm damage and coastal processes more broadly. As such AyM can be considered to be in accordance with paragraph 2.3.4 of EN-3.
	EN-3 2.3.5	Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES.	Each technical topic chapter of the ES, as presented in Volume 2 and 3 of the ES, provides consideration of the future baseline inclusive of the potential for climate change to change the baseline. Where relevant the technical chapters also consider the potential risks associated with climate change, such as increased flooding risk. As such AyM can be considered to be in accordance with paragraph 2.3.5 of EN-3.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Criteria for "good design" for energy infrastructure	EN-3 2.4.1	Section 10(3)(b) of the Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, to the desirability of good design. Section 4.5 of EN-1 sets out the principles of good design that should be applied to all energy infrastructure.	The assessment has followed guidance set out in EN-1, as set out in the sections above. The mitigation of landscape and visual effects, through good design are considered within section 2.9 of Volume 3, Chapter 2 Landscape and Visual Impact Assessment (AS-029). Proposals for minimising the effects on landscape and visual amenity from the onshore infrastructure are set out in the oLEMP (~~REP2-010~~REP7-026). Design considerations are set out in the Design Principles Document (~~Document 3.13 of the Applicant's Deadline 3 submission).~~REP7-028). As such AyM can be considered to be in accordance with paragraph 2.4.1 and 2.4.2 of EN-3.
	EN-3 2.4.2	Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology.	
Offshore Wind - General Points	EN-3 2.6.4	The extent to which generic impacts set out in EN-1 are relevant may depend upon the phase of the proposed development being considered. For example, land-based traffic and transport and noise issues may be relevant during the construction and decommissioning periods only, depending upon the specific proposal.	The generic impacts set out in EN-1 have been assessed in the context of AyM, and through consultation undertaken through the scoping, PEIR, and EIA Evidence Plan process. To ensure that all relevant impacts have been assessed, the ES therefore includes an assessment of the construction, operation and maintenance, and decommissioning phases in each of the topic specific chapters (Volume 2 and 3 of the ES), that has been informed through comprehensive consultation, and in accordance with the requirements of NPS EN-1 and EN-3. As such AyM can be considered to be in accordance with paragraph 2.6.4 of EN-3.
	EN-3 2.6.5	The applicant should identify the impacts of a proposal and these impacts, together with proposals for their avoidance or mitigation wherever possible, should be set out in an Environmental Statement (ES) that should accompany each project application. Policy on ESs is set out in Section 4.2 of EN-1.	The Applicant undertook an EIA scoping process to identify the potential impacts which were agreed with the Secretary of State through the scoping opinion and have been subsequently assessed in the topic specific chapters (Volume 2 and 3 of the ES). A comprehensive assessment of the potential impacts is presented within the ES, which includes appropriate mitigation measures. Mitigation measures are also recorded within the

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			Schedule of Mitigation and Monitoring (~~REP2-024~~Document 8.12 of the Applicant's Deadline 8 submission). As such AyM can be considered to be in accordance with paragraph 2.6.4 of EN-3.
	EN-3 2.6.9	As provided for in the Marine and Coastal Access Act 2009, Marine Licences replace the requirement for CPA consents and FEPA licences. Any consent granted by the [Secretary of State] will be able to include provision deeming the grant of a Marine Licence for operations carried out wholly in England, waters adjacent to England up to the seaward limits of the territorial sea or the UK REZ (except any part of a REZ in relation to which the Scottish Ministers have functions).	AyM lies entirely within Welsh Waters and the Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) explains how the Marine Licence Process aligns with the DCO. The Marine Licence application was duly made on 20 June 2022. As such AyM can be considered to be in accordance with paragraph 2.6.9 to 2.6.13 of EN-3.
	EN-3 2.6.10	Welsh Ministers will be responsible for issuing Marine Licences for operations carried out in Wales and in waters adjacent to Wales up to the seaward limits of the territorial sea.	
	EN-3 2.6.11	FEPA licences and CPA consents, and their successor, the Marine Licence, are primarily concerned with the need to protect the environment and human health, and to prevent interference with legitimate uses of the sea.	
	EN-3 2.6.12	Marine Licences are likely to be required for all the offshore elements of the proposed wind farm, including associated development such as the offshore cabling and any offshore substations that are required.	
	EN-3 2.6.13	The Marine Management Organisation (MMO) is responsible for enforcement and ongoing management of licence conditions, for operations carried out in England, waters adjacent to England up to the seaward limits of the territorial sea or a REZ (except any part of a REZ in relation to which the Scottish Ministers have functions).	
	EN-3 2.6.14	The [Secretary of State] should liaise closely with the MMO on the proposed terms of any deemed CPA consent, FEPA licence or Marine Licence	AyM lies entirely within Welsh Waters and the Marine Licence Principles (REP2-022) explains how the Marine Licence Process

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			aligns with the DCO. The Marine Licence application was duly made by NRW on 20 June 2022. As such AyM can be considered to be in accordance with paragraph 2.6.4 of EN-3.
Site Selection	EN-3 2.6.16 & 2.6.17	In addition to new offshore projects, the Government has decided that, in line with Recommendation 6 of the Post Consultation Report (PCR), there is potential for capacity extensions to existing wind farm leases within UK waters However, this will require careful, site-specific evaluation through the planning process, since significant new information on sensitivities and uses of these areas has become available. Applicants should set out how they have drawn on the Government's Offshore Energy SEA in making their site selection.	AyM falls under the requirements for extension projects, and was subject to the plan level HRA process, following which AyM was included in the '2017 Extension Round'. It is important to note that, as a result of the requirements of the 2017 Extensions round, there are limitations with regards the possible siting of Extension projects; this is recognised in the 2021 draft NPS EN-3. Notwithstanding this, the project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment and this is reflected in the iterative process that has been applied to the scheme throughout the pre-application process. The Offshore Energy SEA has been referred to to inform the understanding of the receiving environment, and likely industry impacts. As such AyM can be considered to be in accordance with paragraph 2.6.16 and 2.6.17 of EN-3.
	EN-3 2.6.32	Whilst the technical suitability of the foundation design is not in itself a matter for the [Secretary of State], it will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, physical environment and marine heritage assets in accordance with the policy below. The applicant should have provided the necessary details to allow the [Secretary of State] to assess such impacts.	Volume 2 of the ES, and the associated technical chapters consider in detail the potential impacts associated with AyM. With regards marine biodiversity the potential impacts are considered in Chapters 3 Marine Water and Sediment Quality (APP-049), Chapter 4 Offshore Ornithology (APP-050), Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051), chapter 6 Fish and Shellfish Ecology APP-052), and Chapter 7 Marine Mammals (AS-026). Impacts to physical environment are considered in Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048), whilst impacts to marine heritage assets are considered in chapter 11 Offshore Archaeology and Cultural Heritage (APP-057).

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			In order to address potential adverse effects, mitigation measures have been designed to minimise impacts and protect marine biodiversity, physical processes, and archaeological receptors of interest. With the implementation of the mitigation measures, such as micro siting (benthic features of conservation importance), underwater noise management (marine mammals and fish and shellfish ecology) and exclusion zones (marine heritage) all effects are anticipated to be reduced to minor adverse significance (not significant) or minor to moderate (significant) beneficial significance. (See sections 11.5 and 11.16 of APP-057, with Table 11.12 of Volume 2, Chapter 11 Marine and Coastal Archaeology and Historic Seascape Characterisation (APP-057) for examples with regards marine heritage assets). As such AyM can be considered to be in accordance with paragraph 2.6.32 of EN-3.
	EN-3 2.6.33	The connection of a proposed offshore wind farm into the relevant electricity network will be an important consideration for applicants. The grid connection text at Section 4.9 in EN-1 sets out the important issues here.	A detailed description of the offshore (section 3) and onshore transmission system (section 5) and the onshore associated electricity infrastructure (onshore substation (OnSS) (Section 6 and 7) is provided in the Grid Connection and Cable Details Statement (APP-296). The relevant policies from EN-1 have been considered in Table 1 of this NPS Tracker. As such AyM can be considered to be in accordance with paragraph 2.6.34 of EN-3.
	EN-3 2.6.34	Applicants for consent for offshore wind farms will have to work within the regulatory regime for offshore transmission networks established by Ofgem. Under the regime offshore transmission will be a licensed activity regulated by Ofgem.	
Grid connection	EN-3 2.6.37 – 2.6.40	Where the applicant has identified a precise route for the cable from the wind farm to a precise location for the onshore substation and connection to the transmission network, the EIA should assess the effects of the cable. Where the applicant does not know the precise location of any cabling or any necessary onshore and/or offshore substations, a corridor should be identified within which the cable and any offshore substation is likely to be located. The EIA for the proposed project	Volume 3, Chapter 1 of the ES Onshore Project Description (APP-062) presents the description of the onshore transmission system (which extends from the landfall at Rhyl to the proposed onshore substation at Bodelwyddan before the 400 kV underground cable which connects the proposed onshore substation to the National Grid substation at Bodelwyddan) and the associated infrastructure.

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		should assess the effects of including this infrastructure within that corridor. Where the point of onshore connection is unknown at the time of the application, the applicant should assess a corridor from the wind farm to the shore that is considered to be a reasonably likely area for the cable and any offshore substation should be assessed as part of the EIA.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure (onshore substation (OnSS) is provided in Section 5-7 of the Grid Connection and Cable Details Statement (APP-296). The ES includes an assessment of the construction, operation and maintenance, and decommissioning phases of the grid connection in each of the relevant onshore topic specific chapters (Volume 3 of the ES). As such AyM can be considered to be in accordance with paragraph 2.6.37 to 2.6.40 of EN-3.
	EN-3 2.6.41	The onshore element of the grid connection (electric lines and substations) should be determined in accordance with the Electricity Networks Infrastructure NPS, EN-5. Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure (onshore substation (OnSS) is provided in Section 5-7 of the Grid Connection and Cable Details Statement (APP-296). Accordance with NPS EN-5 is provided in Table 3 of this NPS Tracker. As such AyM can be considered to be in accordance with paragraph 2.6.37 to 2.6.40 of EN-3.
Technical considerations	EN-3 2.6.42	Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the [Secretary of State], possibly including: ▲ Precise location and configuration of turbines and associated development; ▲ Foundation type; ▲ Exact turbine tip height; ▲ Cable type and cable route; and ▲ Exact locations of offshore and/or onshore substations.	Volume 2, Chapter 1 Offshore Project Description (APP-047), and Volume 3, Chapter 1 Onshore Project Description (APP-062) provide an overview of how the design envelope approach has been undertaken. Decisions on exact locations of infrastructure and the precise technologies and construction methods employed will be made at the detailed design stage. As such AyM can be considered to be in accordance with paragraph 2.6.42 of EN-3.
	EN-3 2.6.43	In accordance with Section 4.2 of EN-1, the [Secretary of State] should accept that wind farm operators are unlikely to know precisely which turbines will be procured for the site until some time after any consent has been granted. Where some details have not	Volume 1, Chapter 3 EIA methodology (APP-041) describes the design envelope approach which includes the determination

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		been included in the application to the [Secretary of State], the applicant should explain which elements of the scheme have yet to be finalised, and the reasons. Therefore, some flexibility may be required in the consent. Where this is sought and the precise details are not known, then the applicant should assess the effects the project could have (as set out in EN-1 paragraph 4.2.8) to ensure that the project as it may be constructed has been properly assessed (the Rochdale Envelope). In this way the maximum adverse case scenario will be assessed and the [Secretary of State] should allow for this uncertainty in its consideration of the application and consent.	of maximum design scenarios assessed within the topic specific chapters. The Project description Chapter(s) (APP-047 and APP-062) provide detail with regards the flexibility sought, which includes the optionality for WTGs, final cable routeing, and the technology associated with the onshore grid infrastructure which may include either air insulated switchgear or gas insulated switchgear. The chapters present the range of options which form the design envelope, the individual technical topic chapters then clearly identify the relevant maximum design scenario for the purposes of the assessment. The overall assessment therefore ensures that the maximum design scenario has been considered and that there are no other design scenarios or combination of scenarios which may constitute a greater or more significant effect. As such AyM can be considered to be in accordance with paragraph 2.6.43 of EN-3.
	EN-3 2.6.44	Any consent that is granted by the [Secretary of State] should be flexible to allow for necessary micrositing of elements of the proposed wind farm during its construction where requested at the application stage. This allows for unforeseen events such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ.	Section 1.6 of the offshore Project Description Chapter (APP-047) outlines that micrositing will be required and will be informed by pre-construction surveys to be undertaken to determine the final locations of infrastructure in order to provide flexibility to accommodate to unforeseen events. The flexibility includes final placement of the transmission infrastructure (offshore and onshore export cables) in order to facilitate micrositing around sensitive receptors (such as ecological or heritage), and the generation infrastructure for the same reason. The design envelope has therefore been structured in such a way as to allow for unforeseen events, whilst providing sufficient detail to enable an informed assessment of the potential impacts. As such AyM can be considered to be in accordance with paragraph 2.6.44 of EN-3.

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	EN-3 2.6.45	Where micrositing tolerance is requested by the applicant in any consent, given that the EIA should assess a maximum adverse case scenario, the assessment should reflect the implications of any micrositing as far as reasonably possible.	Volume 1, Chapter 3 EIA methodology (APP-041) describes the design envelope approach which includes the determination of maximum design scenarios assessed within the topic specific chapters of the ES inclusive of the potential impacts of micrositing. As such AyM can be considered to be in accordance with paragraph 2.6.45 of EN-3.
	EN-3 2.6.48	The [Secretary of State] should be aware of the potential for applications for extensions to existing wind farms and that there may be constraints on such leases over which the applicant will have little or no control.	In 2017, The Crown Estate defined application criteria for offshore wind project extensions. Whilst not specifically 'site selection policy' it is clear that the criteria form critical components in the site selection process for AyM and this is also reflected in the draft NPS EN-3. The process, and how the Applicant has sought to fulfil them, is presented in the Site Selection and Alternatives ES Chapter (APP-044). The 2017 Extension Round criteria, which were also used to inform a strategic plan-level HRA, limit the spatial opportunity to extend the existing wind farm. For the reasons set out below the opportunity to extend the wind farm and realise the recognised wind energy potential at the site, exists only to the west of the operating GyM wind farm. The Site Selection and Alternatives Chapter tabulates the 2017 Extension Round criteria and provides a detailed account of the Applicant's compliance with them. Of note is the second of the criteria which requires a proposed extension project to share a boundary with the existing wind farm; AyM meets this criterion by sharing its eastern boundary with the GyM project. It is evident through a review of the remaining relevant criteria that the siting of a proposed extension to the GyM project is spatially limited. It is not feasible for example to site an extension to the north, without either blocking the international vessel routeing measure into the newly-confirmed (2021) Freeport of Liverpool or failing to meet the shared boundary criteria. Similarly, it is not possible to site an extension project to

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			the east, given existing constraints such as the Burbo Bank Extension project and existing seabed leases for aggregate extraction. It is further not feasible to extend to the south without constraints such as the existing nearshore wind farms of Rhyl Flats and North Hoyle, and causing greater environmental impacts such as placement of WTGs within the Liverpool Bay SPA, and placement of WTGs closer to coastal visual receptors. Through iterative design and consultation, alternative areas have been considered, as is reflected in the Site Selection and Alternatives Chapter (APP-044) which chronologically presents the revision from the 107 km^2 Agreement for Lease area, which formed the focus of the scoping phase, through to the final application phase developable area which is 78 km^2. This reduction has also reduced the proposed maximum number of turbines from 107 to 50. The combined footprint and capacity reduction has been defined through significant consultation and now is considered to represent the optimum, deliverable, economically-viable, option, balancing environmental impacts and potential harm with the critical need for renewable energy.
	2.6.51 & 2.6.52	Owing to the relatively new and complex nature of offshore wind development, the [Secretary of State] should consider requiring the applicant to undertake monitoring prior to and during construction and during its operation in order to measure and document the effects of the development. This enables an assessment of the accuracy of the original predictions and may inform the scope of future EIAs. -The [Secretary of State] may consider that monitoring of any impact is appropriate. Monitoring should be presented in formal reports which should be made publicly available	The requirement for monitoring during construction and operation of AyM is captured within the Marine Licence Principals (~~REP2-022) and the DCO (~~Document ~~3.6~~8.11 of the Applicant's Deadline ~~3 Submission~~8 submission) and the dDCO (Document 8.9 of the Applicant's Deadline 8 submission). Monitoring for the project more broadly, including the proposed approach for offshore, is also recorded in the Schedule of Mitigation and Monitoring (~~APP-311~~Document 8.12 of the Applicant's Deadline 8 submission). As such AyM can be considered to be in accordance with paragraph 2.6.51 and 2.6.52 of EN-3.

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	EN-3 2.6.54	Where the [Secretary of State] decides to grant consent for a proposed offshore wind farm, the [Secretary of State] should include a condition requiring the applicant to submit a decommissioning programme to the Secretary of State before any offshore construction works begin. The decommissioning programme must satisfy the requirements of s.105(8) of the Energy Act 2004.	The requirement for a decommissioning programme during construction and operation of AyM is captured within the Marine Licence Principals (~~REP2-022) and requirement 21 of the DCO (~~Document ~~3.6~~8.11 of the Applicant's Deadline ~~3 Submission~~8 submission) and Requirement 21 of the dDCO (Document 8.9 of the Applicant's Deadline 8 submission). As such AyM can be considered to be in accordance with paragraph 2.6.54 of EN-3.
Biodiversity	EN-3 2.6.64	Applicants should assess the effects on the offshore ecology and biodiversity for all stages of the lifespan of the proposed OWF.	The potential effects associated with the construction, operation and decommissioning of AyM have been assessed in section 5.10 - 5.12 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051). The AyM assessment considers effects on fish and shellfish receptors at all stages of the lifespan of the project, including the construction, operation and maintenance, and decommissioning phases (see sections 6.10, 6.11 and 6.12 *et seq* of Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052)). As such AyM can be considered to be in accordance with paragraph 2.6.64 of EN-3.
	EN-3 2.6.65	Consultation on the assessment methodologies should be undertaken at an early stage with the statutory consultees as appropriate.	The Applicant has undertaken significant consultation throughout the development of AyM, including during the scoping (APP-295), PEIR (APP-024), and EIA Evidence Plan (APP-301) process. The consultation has focussed on the foundations of the assessment, including the methods of assessment, survey methodologies, methods for supporting studies such as hydrodynamic modelling and approaches to collision risk modelling, and approaches to mitigation. The composite is considered to be a robust assessment of all potential impacts associated with the project, using assessment methodologies that are agreed with the relevant stakeholders.

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			As such AyM can be considered to be in accordance with paragraph 2.6.65 of EN-3.
	EN-3 2.6.66	Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational OWFs should be referred to where appropriate.	Relevant data collected as part of post-construction monitoring from other OWFs (primarily GyM) has informed the assessment of AyM (section 5.7 and within sections 5.10 - 5.12) of the benthic subtidal and intertidal ecology Chapter (APP-051). Further to this the Marine Management Organisation (MMO) has produced a review (MMO, 2014) on post-construction monitoring that has been undertaken for OWFs within which it is noted that there have been limited effects arising on benthic communities from certain impacts. Where appropriate the Chapter cross refers to those studies either individually or through reference to the MMO review. As such AyM can be considered to be in accordance with paragraph 2.6.66 of EN-3.
	EN-3 2.6.67	The assessment should include the potential of the scheme to have both positive and negative effects on marine ecology and biodiversity.	Volume 2 of the ES, and the associated technical chapters consider in detail the potential impacts associated with AyM. With regards marine ecology and biodiversity the potential positive and negative effects are considered in Chapters 3 Marine Water and Sediment Quality (APP-049), Chapter 4 Offshore Ornithology (APP-050), Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051), chapter 6 Fish and Shellfish Ecology APP-052), and Chapter 7 Marine Mammals (AS-026). The assessments conclude that no likely significant adverse effects are predicted to occur as a result of the construction of AyM; these conclusions extend to the findings of the RIAA on international designated sites (APP-027). As such AyM can be considered to be in accordance with paragraph 2.6.67 and 2.6.68 of EN-3.
	EN-3 2.6.68	The Secretary of State should consider the effects of a proposal on marine ecology and biodiversity taking into account all relevant information made available to it.	
	EN-3 2.6.69	The designation of an area as Natura 2000 site does not necessarily restrict the construction or operation of OWFs in or near that area (see also Section 4.3 of EN-1).	Natura 2000 sites have been considered during the AyM assessment, the conclusions of which are provided within the RIAA (APP-027).

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			Natura 2000 sites have been considered during the AyM assessment with potential effects on the relevant habitats described in Sections 5.11, 5.12, and 5.13 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051). As such AyM can be considered to be in accordance with paragraph 2.6.69 of EN-3.
	EN-3 2.6.70	Mitigation may be possible in the form of careful design of the development itself and the construction techniques employed.	Volume 2 of the ES, and the associated technical chapters consider in detail the potential impacts associated with AyM. With regards marine ecology and biodiversity various mitigation measures are proposed to be implemented as a result of the assessments presented in Chapters 3 Marine Water and Sediment Quality (APP-049), Chapter 4 Offshore Ornithology (APP-050), Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051), chapter 6 Fish and Shellfish Ecology APP-052), and Chapter 7 Marine Mammals (AS-026). The mitigation proposed includes micrositing around sensitive benthic receptors (subject to the findings of pre-construction surveys), and underwater noise management such as piling management measures including soft start measures to mitigate the potential impacts on fish and shellfish and marine mammals. Where considered appropriate, and where effects associated with the project may be considered significant in the absence of mitigation, mitigation has been considered during the AyM assessment and is recorded in the Schedule of Mitigation and Monitoring and secured in the Marine Licence Principals documents, or dDCO Requirements (~~REP2-022~~Documents 8.11 and ~~Document 3.6~~8.9 of the Applicant's Deadline ~~3~~8 submission, respectively). As such AyM can be considered to be in accordance with paragraph 2.6.70 of EN-3.
	EN-3 2.6.71	Ecological monitoring is likely to be appropriate during the construction and operational phases to identify the actual impact	Where appropriate, and through reference to the MMO's review of post-construction monitoring (MMO, 2014) monitoring

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		itself so that, where appropriate, adverse effects can then be mitigated and to enable further useful information to be published relevant to future projects.	has been considered during the assessment of potential effects associated with AyM. The Schedule of Mitigation and Monitoring (~~REP2-024~~Document 8.12 of the Applicant's Deadline 8 submission) provides a comprehensive record of the proposed monitoring for onshore and offshore and include proposed monitoring for the recovery of habitats around the proposed OnSS and monitoring of bat roosts where replacement roosts are proposed. As such AyM can be considered to be in accordance with paragraph 2.6.71 of EN-3.
Fish	EN-3 2.6.74	The applicant should identify fish species that are the most likely receptors of impacts with respect to: • Spawning grounds; • Nursery grounds; • Feeding grounds; • Over-wintering areas for crustaceans; and • Migration routes.	Particular attention has been given to impacts on fish species at key life stages such as during spawning or on known nursery habitats (see section 6.7 *et seq* of Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052)). The Fish and Shellfish chapter presents a charcaterisation of spawning grounds, nursery grounds, feeding grounds, and migration routes of fish and shellfish species. Over-wintering areas for crustaceans are not considered to occur in close proximity to AyM and as such do not feature as part of the characterization. The desk-based characterization of the fish and shellfish ecology receiving environment was submitted to the EIA Evidence Plan ETG for review prior to inclusion within the application (APP-301). NRW confirmed the characterization to be adequate and appropriate for the purposes of EIA. As such AyM can be considered to be in accordance with paragraph 2.6.74 of EN-3.
	EN-3 2.6.75	Where it is proposed that mitigation measures of the type set out in paragraph 2.6.76 below are applied to offshore export cables to reduce Electromagnetic Fields (EMF) the residual effects of EMF on sensitive species from cable infrastructure during operation are not likely to be significant. Once installed, operational EMF impacts are	EMF effects are considered within the AyM assessment (see section 6.11.4 *et seq* of Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052)). The assessment of potential EMF for AyM has been informed by available scientific literature and site-specific monitoring undertaken following the installation of the export cable corridor for the GyM project. The assessment

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		unlikely to be of sufficient range or strength to create a barrier to fish movement.	conclusions are supported by the EMF monitoring undertaken for the GyM project, which concluded that there is no significant effect predicted as a result of AyM. This conclusion was drawn immaterial of specific burial depth, however the proposed AyM development has committed to either burial of cable or installation of appropriate cable protection, as described in section 6.11.4 of APP-052. As such AyM can be considered to be in accordance with paragraph 2.6.75 of EN-3.
	EN-3 2.6.76	EMF during operation may be mitigated by use of armoured cable for inter-array and export cables which should be buried at a sufficient depth. Some research has shown that where cables are buried at depths greater than 1.5 m below the seabed impacts are likely to be negligible. However, sufficient depth to mitigate impacts will depend on the geology of the seabed.	Mitigation of EMF through cable burial (and cable armouring, where appropriate) is incorporated as part of the proposed design to mitigate effects associated with EMF and to minimize the potential risk of cable exposures damaging the infrastructure or resulting in a hazard to navigation, as described in Section 14.6 of the Navigation Risk Assessment (APP-111). As such AyM can be considered to be in accordance with paragraph 2.6.76 of EN-3.
	EN-3 2.6.77	During construction, 24 hour working practices may be employed so that the overall construction programme and the potential for impacts to fish communities is reduced in overall time.	The duration of the proposed works is given due weight within the AyM assessment process (see section 6.10.1 of Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052)). As such AyM can be considered to be in accordance with paragraph 2.6.77 of EN-3.
Intertidal	EN-3 2.6.81	An assessment of the effects of installing cable across the intertidal zone should include information, where relevant, about: -Any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; -Any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice; Potential loss of habitat;	The assessment has considered effects from the installation of the cable, including the associated impacts of increased suspended sediment, deposition of material, loss of habitat as a result of cable protection, and the parallel impacts at landfall. The impacts have been considered on fish and shellfish receptors (Volume 2, Chapter 6 Fish and Shelllfish Ecology (APP-052)), benthic subtidal and intertidal ecology receptors (Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)), and physical processes such as changes

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		• Disturbance during cable installation and removal (decommissioning); • Increased suspended sediment loads in the intertidal zone during installation; and • Predicted rates at which the intertidal zone might recover from temporary effects.	to geomorphology and coastal sediment transport (Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048)). Specific effects of increased suspended sediment load and the associated sediment deposition on benthic and intertidal ecology have been assessed with regards to the construction phase (paragraph 171 *et seq*.) The likely rates of recovery of benthic and intertidal habitats/ species have been presented for each impact assessed and are based on the Marine Evidence Based Sensitivity Assessment (MarESA) which has been used to inform the assessment of the significance of the effect (Sections 5.11, 5.12, and 5.13 of APP-051). As such AyM can be considered to be in accordance with paragraph 2.6.81 of EN-3.
	EN-3 2.6.82	If it is proposed to install offshore cables to a depth of at least 1.5m below the sea bed, the applicant should not have to assess the effect of the cables on intertidal habitat during the operational phase of the offshore wind farm	Cable installation methods have been considered and assessed as part of the EIA. Some flexibility of installation method has been retained for cable installation both offshore and in the intertidal zone due to uncertainties on ground conditions, however burial is anticipated to reach at least 1.5m. Where optionality remains in the application, this has been fully assessed within Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) and throughout the ES. As such AyM can be considered to be in accordance with paragraph 2.6.82 of EN-3.
	EN-3 2.6.83	Applicants are expected to have regard to guidance issued in respect of FEPA (now Marine Licence) requirements.	AyM lies entirely within Welsh Waters and the Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) explains how the Marine Licence Process aligns with the DCO. The Marine Licence application was duly made by NRW on 20 June 2022. All relevant guidance has been

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			applied to the assessment and agreed with NRW as the regulator. As such AyM can be considered to be in accordance with paragraph 2.6.83 of EN-3.
	EN-3 2.6.84	The conservation status of intertidal habitat is of relevance to the [Secretary of State].	The conservation status of intertidal and benthic receptors has been considered throughout the intertidal assessment within the ES (Section 5.1 – Valued Ecological Receptors (VERs) Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)). As such AyM can be considered to be in accordance with paragraph 2.6.84 of EN-3.
	EN-3 2.6.85	The [Secretary of State] should be satisfied that cable installation and decommissioning has been designed sensitively taking into account intertidal habitat.	A number of appropriate cable installation methods, and the need for flexibility with regards micrositing around sensitive ecological and heritage features, have been considered and assessed as part of the EIA. Some flexibility has been retained for cable installation and decommissioning both offshore and in the intertidal zone due to uncertainties on ground conditions. Where optionality remains in the application, this has been fully assessed within Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) and throughout the EIA. As such AyM can be considered to be in accordance with paragraph 2.6.85 of EN-3.
	EN-3 2.6.86	Where adverse effects are predicted during the installation or decommissioning of cables, in coming to a judgement, the [Secretary of State] should consider the extent to which the effects are temporary or reversible.	Cable installation and decommissioning methods have been considered and assessed as part of the EIA have been fully assessed within Sections 5.11, 5.12 and 5.13 Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) concludes that effects would be non-significant based on their temporary or reversible nature. As such AyM can be considered to be in accordance with paragraph 2.6.86 of EN-3.

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	EN-3 2.6.87	Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in 2.6.76 above), the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the [Secretary of State] to have to refuse to grant consent for a development.	Volume 2, Chapter 1 Offshore Project Description (APP-047) outlines that the offshore export cables will be armoured and buried to a sufficient depth with additional protection where it is not possible to bury them. As such impacts associated with exposed cables, including effects of heat and/or EMF on sensitive species, are not anticipated to occur. As such AyM can be considered to be in accordance with paragraph 2.6.87 of EN-3.
	EN-3 2.6.88	Effects on intertidal habitat cannot be avoided entirely. Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal habitats, taking into account other constraints.	Cable installation methods have been considered and assessed as part of the EIA. Effects on the intertidal habitat have been assessed within Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) and throughout the EIA. As such AyM can be considered to be in accordance with paragraph 2.6.88 of EN-3.
	EN-3 2.6.89	Where cumulative effects on intertidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants of various schemes to work together to ensure that the number of cables crossing the intertidal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised.	Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) includes an assessment of the cumulative effects that may occur as a result of AyM. The applicant has considered the ability to coordinate with other developers and minimize disturbance, however the majority of the projects are already in situ or AyMs have insufficient confidence on timelines to facilitate a meaningful process of coordination. As such AyM can be considered to be in accordance with paragraph 2.6.89 of EN-3.
Marine Mammals	EN-3 2.6.91	Offshore piling may reach noise levels which are high enough to cause injury, or even death, to marine mammals. If piling associated with an offshore wind farm is likely to lead to the commission of an offence (which would include deliberately disturbing, killing or capturing a European Protected Species), an application may have to be made for a wildlife licence to allow the activity to take place	Throughout the construction, operation and decommissioning phases of AyM, all impacts assessed were found to have either negligible, or minor effects on all marine mammal receptors, including known birthing and haul out sites, feeding areas, nursery grounds and migration routes.

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	EN-3 2.6.92	Where necessary, assessment of the effects on marine mammals should include details of: • Likely feeding areas; • Known birthing areas/haul out sites; • Nursery grounds; • Known migration or commuting routes; • Duration of the potentially disturbing activity including cumulative/incombination effects with other plans or projects; • Baseline noise levels; • Predicted noise levels in relation to mortality, permanent threshold shift (PTS) and temporary threshold shift (TTS); • Soft-start noise levels according to proposed hammer and pile design; and • Operational noise.	The marine mammal ecology impact assessment (including baseline noise levels, the effects of offshore piling from the project alone and cumulatively with other noisy activities, and operational noise) are included in the Volume 2, Chapter 7 Marine Mammals (AS-026). The thresholds against which noise exposure was assessed include PTS and TTS and were agreed with the relevant Regulator through the EIA Evidence Plan process (APP-301). Mitigation measures, including soft-start protocols, have been proposed in the chapter, and is presented in the marine mammal mitigation protocol (APP-107) the implementation of which ensures that significant effects will not occur on the key relevant marine mammal receptors. As such AyM can be considered to be in accordance with paragraph 2.6.92 and 2.6.93 of EN-3.
	EN-3 2.6.93	The applicant should discuss any proposed piling activities with the relevant body. Where assessment shows that noise from offshore piling may reach noise levels likely to lead to an offence as described in 2.6.91 above, the applicant should look at possible alternatives or appropriate mitigation before applying for a licence.	
	EN-3 2.6.94	The [Secretary of State] should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed so as to reasonably minimise significant disturbance effects on marine mammals. Unless suitable noise mitigation measures can be imposed by requirements to any development consent the [Secretary of State] may refuse the application.	Volume 2, Chapter 7 Marine Mammals (AS-026) has assessed the potential impacts of the maximum design scenario construction methods (Section 7.10) and concluded no significant effects will occur. Section 7.9 provides an overview of the proposed noise mitigation measures required to ensure no significant effects will occur.. As such AyM can be considered to be in accordance with paragraph 2.6.94 of EN-3.
	EN-3 2.6.95	The conservation status of marine European Protected Species and seals are of relevance to the [Secretary of State]. The [Secretary of State] should take into account the views of the relevant statutory advisors.	The potential effects of AyM on marine European Protected Species and seals are presented in Volume 2, Chapter 7 Marine Mammals (AS-026).

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			A summary of consultation relative to marine mammals is provided in Table 3 of the Chapter, which includes the views of NRW on key species. As such AyM can be considered to be in accordance with paragraph 2.6.95 of EN-3.
	EN-3 2.6.96	Fixed submerged structures such as foundations are likely to pose little collision risk for marine mammals and the [Secretary of State] is not likely to have to refuse to grant consent for a development on the grounds that offshore wind farm foundations pose a collision risk to marine mammals.	The potential for collision risk is assessed in sections 7.10,7.11 and 7.12 of Volume 2, Chapter 7 Marine Mammals (AS-026) with regards vessel collisions only, as there is no anticipated collision risk between marine mammals and fixed structures. This is limited to the potential collision risk from vessels, with the proposed vessel management procedures which include observing regular routes wherever practicable. As such AyM can be considered to be in accordance with paragraph 2.6.96 of EN-3.
	EN-3 2.6.97	Monitoring of the surrounding area before and during the piling procedure can be undertaken.	The requirement for marine mammal monitoring has been considered in sections 7.10, 7.11 and 7.12 of Volume 2, Chapter 7 Marine Mammals (AS-026) and it forms part of the proposed marine mammal mitigation protocol (APP-107) which is secured through the Marine ~~License.~~Licence (Document 8.11 of the Applicant's Deadline 8 submission). Marine mammal observers form part of the mitigation protocol, with monitoring proposed in advance of and during piling. As such AyM can be considered to be in accordance with paragraph 2.6.97 of EN-3.
	EN-3 2.6.98	During construction, 24-hour working practices may be employed so that the overall construction programme and the potential for impacts to marine mammal communities is reduced in time.	AyM can confirm that 24 hour working practices will be employed for offshore construction works (Volume 2, Chapter 1 Offshore Project Description (APP-047)). The predicted project time frame is discussed in section 7.1 of Volume 2, Chapter 7 Marine Mammals (AS-026). As such AyM can be considered to be in accordance with paragraph 2.6.98 of EN-3.

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	EN-3 2.6.99	Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before significant adverse impacts are caused.	Soft start procedures for monopiles and multi-leg pin-pile jackets are proposed and have been assessed in section 7.1 of Volume 2, Chapter 7 Marine Mammals (AS-026), and are secured through the implementation of the marine mammal mitigation protocol (APP-107) which is secured through the Marine License. As such AyM can be considered to be in accordance with paragraph 2.6.99 of EN-3.
Birds	EN-3 2.6.102	The scope, effort and methods required for ornithological surveys should have been discussed with the relevant statutory advisor.	The consultation undertaken to inform all stages of the ornithology assessment, from the scope, effort and methods required for the surveys, through to the scope of the assessment, and methods employed for assessment elements such as collision risk modelling, is presented in Section 4.3 of Volume 2, Chapter 4 Offshore Ornithology (APP-050). In undertaking consultation to inform all stages of the ornithological assessment the applicant also consulted LPAs, the RSPB, JNCC, Natural England, and the relevant statutory advisor (NRW). As such AyM can be considered to be in accordance with paragraph 2.6.102 of EN-3.
	EN-3 2.6.103	Relevant data from operational offshore wind farms should be referred to in the applicant's assessment.	Relevant data from other operational OWFs both within the same region and from further afield have been referred to in the AyM ES and RIAA (AS-022). Of particular relevance to offshore ornithology is post-construction monitoring data available from the abutting Gwynt y Môr OWF, which is presented in detail in Volume 4, Annex 4.1: Offshore Ornithology Baseline Characterisation Report (APP-095). The use of relevant data presented within published literature is also considered throughout this ES chapter to inform the impact assessment process. As such AyM can be considered to be in accordance with paragraph 2.6.103 of EN-3.

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	EN-3 2.6.104	It may be appropriate for assessment to include collision risk modelling for certain species of birds. Where necessary, the assessments carried out by applicants should assess collision risk using survey data collected from the site at the pre-application EIA stage. The [Secretary of State] will want to be satisfied that the collision risk assessment has been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor.	Collision risk modelling and displacement analysis has been undertaken using parameters that have been agreed with SNCBs through the Evidence Plan process, and is presented in Volume 4, Annex 4.3 (APP-097) and Volume 4, Annex 4.2 (APP-096). Potential effects from collision risk are presented and assessed in Section 4.12 Volume 2, Chapter 4 Offshore Ornithology (APP-050). Potential effects from displacement are presented and assessed in Section 4.10 and 4.12 Volume 2, Chapter 4 Offshore Ornithology (APP-050). As such AyM can be considered to be in accordance with paragraph 2.6.104 of EN-3.
	EN-3 2.6.105	Applicants are expected to adhere to requirements in respect of FEPA licence requirements (now Marine Licence). As set out in paragraph 2.6.7 above, a FEPA licence may be deemed to be given by a provision in a development consent given by the [Secretary of State].	The AyM Marine Licence Principles (~~REP2-022~~Document 8.11 of the Applicant's Deadline 8 submission) explains how the Marine Licence Process aligns with the DCO, and how the applicant proposes to adhere to any requirements that may be included in the Marine Licence when granted by NRW. The Marine Licence application was duly made by NRW on 20 June 2022. As such AyM can be considered to be in accordance with paragraph 2.6.105 of EN-3.
	EN-3 2.6.106	In addition to Section 5.3 of EN-1 the offshore wind-specific biodiversity considerations set out in paragraphs 2.6.58 to 2.6.71 above should inform [Secretary of State] decision-making.	As noted with respect to the Applicant's responses to the above paragraphs, the applicant has demonstrated accordance with all relevant paragraphs of both EN-3 and EN-1, and that AyM can be consented without resulting in any significant effects to biodiversity receptors. As such AyM can be considered to be in accordance with paragraph 2.6.106 of EN-3.
	EN-3 2.6.107	Aviation and navigation lighting should be minimised to avoid attracting birds, taking into account impacts on safety.	AyM has been designed with consideration of and within the limits of, lighting requirements for aviation and navigation purposes (which is also secured through Requirement 3 of the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission)), to minimise lighting in order to avoid attracting

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			birds, taking into account potential impacts on safety. Further consideration to the effects of lighting is given in Section 4.12 in Volume 2, Chapter 4 Offshore Ornithology (APP-050). As such AyM can be considered to be in accordance with paragraph 2.6.107 of EN-3.
	EN-3 2.6.108	Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk, where the collision risk assessment shows there is a significant risk of collision.	The design of AyM has been carefully considered in order to minimise collision risk, including a reduction in design between the Preliminary Environmental Information Report (PEIR) and ES (Section 4.3.1 of Volume 2, Chapter 4 Offshore Ornithology (APP-050)). The resulting layout has been assessed in accordance with best practice, and through extensive consultation with relevant stakeholders, and concluded that there will be no significant effect on ornithological receptors with regards either EIA or HRA. The Offshore Ornithology chapter of the ES did not identify any significant effects associated with collision risk, and therefore it has not been necessary to identify or secure turbine parameters to reduce collision risk. As such AyM can be considered to be in accordance with paragraph 2.6.108 of EN-3, and the lack of significant effects on ornithological receptors should be considered positively within the planning balance.
	EN-3 2.6.109	Construction vessels associated with offshore wind farms should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods.	Construction vessels associated with AyM will, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods. See Section 4.7 of Volume 2, Chapter 4 Offshore Ornithology (APP-050). The Applicant has proposed a Vessel Traffic Management Plan (VTMP) to address both ornithological and marine mammal interests as a Condition of the Marine Licence (Document 8.11 of the Applicant's Deadline 8 submission).

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			As such AyM can be considered to be in accordance with paragraph 2.6.109 of EN-3.
	EN-3 2.6.110	The exact timing of peak migration events is inherently uncertain. Therefore, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation.	Mitigation measures for offshore ornithology have been considered within the AyM assessment process where relevant (Section 4.7 of Volume 2, Chapter 4 Offshore Ornithology (APP-050)). Additional risks with regards to migratory movements are further considered within Volume 4, Annex:4.4 Migratory Collision Risk Modelling (APP-098) and assessed in Section 4.12 of Volume 2, Chapter 4 Offshore Ornithology (APP-050). As such AyM can be considered to be in accordance with paragraph 2.6.110 of EN-3.
Subtidal	EN-3 2.6.113	Where necessary, assessment of the effects on the subtidal environment should include: • Loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes; • Environmental appraisal of inter-array and cable routes and installation methods; • Habitat disturbance from construction vessels' extendible legs and anchors; • Increased suspended sediment loads during construction; and • Predicted rates at which the subtidal zone might recover from temporary effects.	The assessment has considered effects from all development phases on benthic and intertidal habitats and species in the vicinity of AyM. These assessments included all likely effects from temporary and long-term habitat loss and the effects of changes in physical processes in sections 5.10 - 5.12 of the Chapter (APP-051).
			Predictions of change to physical processes that could arise from the construction, O&M and decommissioning of AyM are presented in the Physical Processes Chapter (APP-048). Assessment of the potential effects on subtidal ecology and disturbance during cable installation and removal, as well as expected rates of recovery, are set out in Volume 2, Chapter 5 Benthic, Subtidal and Intertidal Ecology (APP-051). This includes consideration of the effects of jack-up barge legs and vessel anchor spreads, as described in the Project Description (Offshore) ES Chapter (APP-047). Details regarding alternative landfall sites that have been considered during the design phase and an explanation for the final choice are provided in Volume 1, Chapter 4: Site Selection and Alternatives (APP-044).

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			The AyM assessment has considered the effects of benthic and intertidal disturbances throughout the whole of the development (sections 5.10 - 5.12 of APP-051), with specific reference to construction vessels and anchors in paragraph 122 *et seq* and habitat disturbance within the intertidal zone in paragraph 171 *et seq* of APP-051. Specific effects of increased suspended sediment load and the associated sediment deposition on benthic and intertidal ecology have been assessed with regards to the construction phase (paragraph 152 *et seq* of APP-051). The likely rates of recovery of benthic and intertidal habitats/species have been presented for each impact discussed, based on the recorded recovery of the local area (and the same habitats and species) from the GyM post-construction benthic surveys (CMACs, 2018) and have been used to inform the assessment of the significance of the effect. As such AyM can be considered to be in accordance with paragraph 2.6.113 of EN-3.
	EN-3 2.6.114	If it is proposed to install offshore cables to a depth of at least 1.5 metres below the seabed, the Applicant should not have to assess the effects of the cables on intertidal and subtidal habitat during the operational phase of the OWF.	The target burial depth below the long-term stable seabed level of between 0 - 3 metres. Indirect disturbance of benthic species from Electromagnetic Fields (EMF) generated by inter-array and export cables has been scoped out, except for those species which are listed under Section 7 of the Environment (Wales) Act 2016. The significance of the effect on these species has been assessed in Section 5.12 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051). As such AyM can be considered to be in accordance with paragraph 2.6.114 of EN-3.
	EN-3 2.6.115	The conservation status of subtidal habitat is of relevance to the [Secretary of State].	The conservation status of intertidal and benthic receptors has been considered throughout the intertidal assessment within the ES (Section 5.1 – Valued Ecological Receptors (VERs)

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			Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)). As such AyM can be considered to be in accordance with paragraph 2.6.115 of EN-3.
	EN-3 2.6.116	The [Secretary of State] should be satisfied that activities have been designed taking into account sensitive subtidal environmental aspects.	The assessment has identified potential impacts on sensitive benthic and intertidal habitats (Sections 5.11, 5.12, and 5.13 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)). As such AyM can be considered to be in accordance with paragraph 2.6.116 of EN-3.
	EN-3 2.6.117	Where adverse effects are predicted, in coming to a judgement, the [Secretary of State] should consider the extent to which the effects are temporary or reversible	Cable installation methods have been considered and assessed as part of the EIA have been fully assessed within Sections 5.11, 5.12 and 5.13 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) which concludes that effects would be non-significant based on their temporary or reversible nature. As such AyM can be considered to be in accordance with paragraph 2.6.117 of EN-3.
	EN-3 2.6.118	Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in paragraph 2.6.76 above) the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the [Secretary of State] to refuse to grant consent for a development.	The nature, potential burial depth, installation of export cables, and likelihood of heat and/or EMF effects, has been considered in the assessment (Sections 5.11, 5.12 and 5.13 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)) and in accordance with the cable design as presented in Volume 2, Chapter 1 Offshore Project Description (APP-047). As such AyM can be considered to be in accordance with paragraph 2.6.118 of EN-3.
	EN-3 2.6.119	Construction and decommissioning methods should be designed appropriately to minimise effects on subtidal habitats, taking into account other constraints. Mitigation measures which the [Secretary	Where considered appropriate, and where effects associated with the project may be considered significant in the absence of mitigation, mitigation has been considered during the AyM

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		of State] should expect the applicants to have considered may include: ▲ Surveying and micrositing of the export cable route to avoid adverse effects on sensitive habitat and biogenic reefs; ▲ Burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and ▲ The use of anti-fouling paint might be minimised on subtidal surfaces, to encourage species colonisation on the structures.	assessment (Table 12 of Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051)). Within the chapter, the ~~schedule of mitigation (REP2-024), and the marine licence principles document (REP2-022~~Schedule of Mitigation and Monitoring (Document 8.12 of the Applicant's Deadline 8 submission), and the Marine Licence Principles (Document 8.11 of the Applicant's Deadline 8 submission) the applicant has presented the suite of mitigation measures to be secured either within the DCO or the Marine Licence when granted by NRW. The measures include undertaking pre-construction surveys to inform the need, or otherwise, for micrositing around sensitive habitats, and a pre-construction cable burial risk assessment to inform the final burial depth. The substructures of the foundations may require maintenance cleaning, which will limit species ~~colonization~~colonisation. This is required to maintain the structural integrity of the foundations. As such AyM can be considered to be in accordance with paragraph 2.6.103 of EN-3.
	EN-3 2.6.120	Where cumulative effects on subtidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants for various schemes to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised.	Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) includes an assessment of the cumulative effects that may occur as a result of AyM. The applicant has considered the ability to coordinate with other developers and minimize disturbance, however the majority of the projects are already *in situ* or the proposed projects have insufficient confidence on timelines to facilitate a meaningful process of coordination. As such AyM can be considered to be in accordance with paragraph 2.6.120 of EN-3.
Commercial fisheries and fishing	EN-3 2.6.121-123	Whilst the footprint of the OWF and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling and longlining, other fishing activities may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety. Consequently, the establishment	This is addressed at Section 8.9 and 8.10 of Volume 2, Chapter 9 Commercial Fisheries (APP-054) with regards impacts during the construction and operational phases of the project.

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		of a wind farm can increase the potential for some fishing activities, such as potting, where this would not compromise any advisory safety area in place. The [Secretary of State] should consider adverse or beneficial impacts on different types of commercial fishing activity.	As such AyM can be considered to be in accordance with paragraph 2.6.121 to 2.6.123 of EN-3.
	EN-3 2.6.124	In some circumstances, transboundary issues may be a consideration as fishermen for other countries may fish in waters within which OWFs are sited.	This is addressed at Section 8.14 of Volume 2, Chapter 9 Commercial Fisheries (APP-054). As such AyM can be considered to be in accordance with paragraph 2.6.124 of EN-3.
	EN-3 2.6.127	Early consultation should be undertaken with statutory advisors and with representatives of the fishing industry which could include discussion of impact assessment methodologies. Where any part of the proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted.	Consultation with representatives of the fishing industry, including the relevant fisheries groups, commenced in advance of scoping, with the Applicant having an established relationship with the fishing community within the region including. Consultation continued throughout the scoping, PEIR, and application process, and will be ongoing through the construction and post-construction phases following successful consent. Engagement is summarised in Section 8.3 of Volume 2, Chapter 9 Commercial Fisheries (APP-054). As such AyM can be considered to be in accordance with paragraph 2.6.127 of EN-3.
	EN-3 2.6.128	Where a number of offshore wind farms have been proposed within an identified zone, it may be beneficial to undertake such consultation at a zonal, rather than a site-specific, level.	Consultation has been undertaken at a scale that seeks to capture fishing activity in the region, including in and around AyM. Engagement from March 2020 up to the end of April 2021 is summarised in Section 8.3 of Volume 2, Chapter 9 Commercial Fisheries (APP-054). As such AyM can be considered to be in accordance with paragraph 2.6.128 of EN-3.
	EN-3 2.6.129	The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and any potential reduction in such stocks, as well as likely constraints on fishing activity within the project's boundaries. Robust baseline data should have been collected and studies conducted as part of the assessment.	Relevant surveys and data are detailed in Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052). In addition, consultation with the fishing industry (see Section 8.3 of Volume 2, Chapter 9 Commercial Fisheries (APP-054)) has identified key concerns as well as available data and potential impacts, which have

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			been taken into account within the commercial fisheries assessment (see Sections 8.10, 8.11 and 8.12 of Volume 2, Chapter 9 Commercial Fisheries (APP-054)). Robust baseline datasets analysed include EU and UK landings statistics and spatial data and published reports, supported by industry consultation, as described in Section 8.4 of Volume 2, Chapter 9 Commercial Fisheries (APP-054). Where data sources allow, a five-year trend analysis (extended in some cases) has been undertaken, using the most recent annual datasets available at the time of writing. As such AyM can be considered to be in accordance with paragraph 2.6.129 of EN-3.
	EN-3 2.6.130	Where there is a possibility that advisory safety areas will be sought around offshore infrastructure, potential effects should be included in the assessment on commercial fishing.	The need for safety zones has been considered by the navigational risk assessment (NRA) completed for AyM. The risk assessment results, which have been based on the assessment of realistic worst-case scenarios, have been taken into account within the commercial fisheries assessment (see Sections 8.10, 8.11 and 8.12 of APP-054). Consultation has also been undertaken with the Maritime and Coastguard Agency (MCA) (see Volume 2, Chapter 9, Shipping and Navigation (APP-055)). It is assumed there would be safety zones of up to 500 m around infrastructure under construction, decommissioning and major maintenance works. The AyM assessment has considered the effects on commercial fish stocks (see Volume 2, Chapter 6 Fish and Shellfish Ecology (APP-052)). As such AyM can be considered to be in accordance with paragraph 2.6.130 and 2.6.31 of EN-3.
	EN-3 2.6.131	Where the precise extents of potential safety zones are unknown, a realistic worst case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA). Exclusion of certain types of fishing may make an area more productive for other types of fishing. The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and the potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones.	
	EN-3 2.6.132	The [Secretary of State] should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself. This will include siting in relation to the location of prime fishing grounds. The [Secretary of	The effects arising from AyM have been and will be discussed with statutory bodies during pre- and post-application consultation. AyM is taking, and will continue to take, steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Commitments

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		State] should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities. Where the [Secretary of State] considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed correspondingly significant weight.	related to commercial fisheries and adopted as part of AyM are provided in Section 8.9 of the ES Chapter (APP-054). The extent to which AyM impacts on recognised and important fishing grounds has been considered and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken (see Section 8.3). The results of the commercial fisheries assessment are presented in Sections 8.10, 8.11 and 8.12 of Volume 2, Chapter 9 Commercial Fisheries (APP-054), and conclude limited short term significant effects during construction, which subsequently diminish to no long-term significant effects being predicted either on the commercial or charter fishing industries. As such AyM can be considered to be in accordance with paragraph 2.6.132 of EN-3.
	EN-3 2.6.133	The [Secretary of State] should be satisfied that the applicant has sought to design the proposal having consulted representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist.	The Applicant is taking, and will continue to take, steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Commitments related to commercial fisheries and adopted as part of AyM are provided in Section 8.9 of Volume 2, Chapter 9 Commercial Fisheries (APP-054). As such AyM can be considered to be in accordance with paragraph 2.6.103 of EN-3.
	EN-3 2.6.134	Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry.	As noted previously, extensive consultation has been undertaken, and consultation with UK stakeholders from the fishing community is on-going (see Section 8.3 of Volume 2, Chapter 9 Commercial Fisheries (APP-054)). As such AyM can be considered to be in accordance with paragraph 2.6.134 of EN-3.
	EN-3 2.6.135	Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry and commercial fish stocks	A range of mitigation commitments are presented within Section 8.9 of Volume 2, Chapter 9 Commercial Fisheries (APP-054), in the context of short term and medium-term disruption.

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	EN-3 2.6.136	The [Secretary of State] will need to consider the extent to which disruption to the fishing industry, whether short term during construction or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible.	A Fisheries Liaison and Co-Existence Plan (REP1-033) is proposed which seeks to ensure fishing activities can continue in the longer-term following construction (and during construction, subject to advisory working areas/safety areas). As such AyM can be considered to be in accordance with paragraph 2.6.135 and 2.6.136 of EN-3.
Historic environment	EN-3 2.6.139	Heritage assets can be affected by Offshore Wind Farm (OWF) development in two principal ways: from the direct effect of the physical siting of the development itself and from indirect changes to the physical marine environment.	These potential effects to heritage assets in the physical marine environment have been assessed in sections 11.11 - 11.14 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057). As such AyM can be considered to be in accordance with paragraph 2.6.139 of EN-3.
	EN-3 2.6.140	Consultation with relevant statutory consultees (including English Heritage (CADW, CPAT and RCHAMW in Wales)) should be undertaken by the applicants at an early stage of the development.	Consultation has been undertaken with the relevant authorities in Wales, refer to Table 2 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057). As such AyM can be considered to be in accordance with paragraph 2.6.140 of EN-3.
	EN-3 2.6.141	Assessment should be undertaken as set out in Section 5.8 of EN-1. Desk-based studies should take into account any geotechnical or geophysical surveys that have been undertaken to aid the wind farm design.	An archaeological assessment of geophysical survey data was undertaken and the results for Volume 4, Annex 13-1: Archaeological Review of Geophysical and Geotechnical Data (APP-117), and are summarised in Section 11.8 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057). As such AyM can be considered to be in accordance with paragraph 2.6.141 of EN-3.
	EN-3 2.6.142	Assessment should include the identification of any beneficial effects on the historic marine environment, for example through improved access or the contribution to new knowledge that arises from investigation.	Beneficial effects have been identified in section 11.11.5 *et seq* of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057). As such AyM can be considered to be in accordance with paragraph 2.6.142 of EN-3.

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	EN-3 2.6.143	Where elements of an application (whether offshore or onshore) interact with features of historic maritime significance that are located onshore, the effects should be assessed in accordance with the policy at Section 5.8 in EN-1.	The effects have been assessed in Section 11.8.3 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057) and in Volume 4, Annex 11.1: Offshore Archaeology Desk Based Assessment (APP-117), Section 6. As such AyM can be considered to be in accordance with paragraph 2.6.143 of EN-3.
	EN-3 2.6.144	The [Secretary of State] should be satisfied that offshore wind farms and associated infrastructure have been designed sensitively taking into account known heritage assets and their status, for example features designated as Protected Wrecks.	In order to address potential adverse effects, mitigation measures have been designed to protect any marine archaeological receptors of interest. With the implementation of the mitigation measures all effects should be reduced to minor negative significance or minor to moderate beneficial significance (see sections 11.11 – 11.14 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057), with a summary provided in Table 12). As such AyM can be considered to be in accordance with paragraph 2.6.144 of EN-3.
	EN-3 2.6.145	The avoidance of important heritage assets, including archaeological sites and historic wrecks, is the most effective form of protection and can be achieved through the implementation of exclusion zones around such heritage assets which preclude development activities within their boundaries. The boundaries can be drawn around either discrete sites or more extensive areas identified in the ES.	Avoidance will be achieved through the recommendation of AEZs, as outlined in the mitigation measures. The AEZs have been designed to protect any marine archaeological receptors of interest (see section 11.10 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057), with Table 9). As such AyM can be considered to be in accordance with paragraph 2.6.145 of EN-3.
	EN-3 2.6.146	As set out in paragraphs 2.6.44 and 2.6.45 above, where requested by applicants, the [Secretary of State] should consider granting consents that allow for micrositing to be undertaken within a specified tolerance. This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.	Micro-siting is recommended in the mitigation measures, that have been designed to protect any marine archaeological receptors of interest. Section 11.10 of Volume 2, Chapter 11 Offshore Archaeology and Cultural Heritage (APP-057) provides information about micro-siting, and paragraph 10 of the Chapter provides information about the ORPAD, to manage unexpected discoveries.

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			As such AyM can be considered to be in accordance with paragraph 2.6.146 of EN-3.
Navigation and shipping	EN-3 2.6.153	Applicants should establish stakeholder engagement with interested parties in the navigation sector early in the development phase of the proposed offshore wind farm and this should continue throughout the life of the development including during the construction, operation and decommissioning phases. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and navigation uses of the sea to successfully co-exist.	Section 9.3 of Volume 2, Chapter 10 Shipping and Navigation (APP-055) summarises key issues raised during consultation specific to shipping and navigation. Full details of consultation undertaken are provided in the NRA (Volume 4, Annex 9.1 (APP-111)), with a summary of key points given in Section 9.3 of Volume 2, Chapter 10 Shipping and Navigation (APP-055). As such AyM can be considered to be in accordance with paragraph 2.6.153 of EN-3.
	EN-3 2.6.154	Assessment should be underpinned by consultation with the MMO, Maritime and Coastguard Agency (MCA), the relevant General Lighthouse Authority, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected.	The consultation summarised in section 9.3 of Volume 2, Chapter 10 Shipping and Navigation (APP-055) includes issues raised by the organisations stated. As the relevant regulatory authority for Marine Licencing in Wales, Natural Resources Wales did not respond directly on shipping and navigation impacts within the Scoping Opinion or S42 consultation. As such AyM can be considered to be in accordance with paragraph 2.6.154 of EN-3.
	EN-3 2.6.155	Information on internationally recognised sea lanes is publicly available and this should be considered by applicants prior to undertaking assessments. The assessment should include reference to any relevant, publicly available data available on the Maritime Database.	Section 9.7, 9.10 and 9.11 of Volume 2, Chapter 10 Shipping and Navigation (APP-055) provide information on International Maritime Organisation Routeing measures within the vicinity of AyM and conclude there to be no significant effect. As such AyM can be considered to be in accordance with paragraph 2.6.155 of EN-3.
	EN-3 2.6.156	Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant Government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above.	The NRA is provided in Volume 4, Annex 9.1 of the ES (APP-111). The NRA includes a survey of vessels; the likely impact of the wind farm on navigation; and a cumulative and in-combination assessment. As such AyM can be considered to be in accordance with paragraph 2.6.156 and 2.6.57 of EN-3.
	EN-3 2.6.157	The navigation risk assessment will for example necessitate: - A survey of vessels in the vicinity of the proposed wind farm;	

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		▲ A full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and ▲ Cumulative and in-combination risks associated with the development and other developments (including other wind farms) in the same area of sea	
	EN-3 2.6.158	Where there is a possibility that safety zones will be sought around offshore infrastructure, potential effects should be included in the assessment on navigation and shipping.	The effectiveness of safety zones is discussed within sections 9.10 to 9.14 of Volume 2, Chapter 10 Shipping and Navigation (APP-055), and the Safety Zone Statement (APP-297). Potential impacts from safety zones have been considered for the construction phase (Section 9.10 of Volume 2, Chapter 10 Shipping and Navigation (APP-055)), the operational phase (Section 9.11) and the decommissioning phase (Section 9.12). Worst case assumptions have been made as per Section 9.8. As such AyM can be considered to be in accordance with paragraph 2.6.158 and 2.6.159 of EN-3.
	EN-3 2.6.159	Where the precise extents of potential safety zones are unknown, a realistic worst case scenario should be assessed. Applicants should consult the MCA and refer to the Government guidance on safety zones.	
	EN-3 2.6.160	The potential effect on recreational craft, such as yachts, should be considered in any assessment.	The effect of AyM on recreational vessels has been analysed in Figure 10.9 and discussed within sections 10.7 to 10.15 of Volume 2, Chapter 10 Shipping and Navigation (APP-055). Potential impacts to recreational vessels have been considered for the construction phase (Section 9.10 of Volume 2, Chapter 10 Shipping and Navigation (APP-055)), the operational phase (Section 9.11) and the decommissioning phase (Section 9.12). As such AyM can be considered to be in accordance with paragraph 2.6.160 of EN-3.
	EN-3 2.6.161	The [Secretary of State] should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to international navigation is likely to be caused by the development. The use of recognised sea lanes essential to international navigation means:	Relevant IMO routeing measures (i.e., the Liverpool Bay TSS) are considered relative to the array in Volume 4, Annex 9.1 (APP-111). As such AyM can be considered to be in accordance with paragraph 2.6.161 of EN-3.

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		(a) Anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; or (b) Any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a Renewable Energy Zone (REZ).	
	EN-3 2.6.162	The [Secretary of State] should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries[29] and recreational users of the sea. Where a proposed development is likely to affect major commercial navigation routes, for instance by causing appreciably longer transit times, the [Secretary of State] should give these adverse effects substantial weight in its decision making. There may, however, be some situations where reorganisation of traffic activity might be both possible and desirable when considered against the benefits of the wind farm proposal. Such circumstances should be discussed with the MCA and the commercial shipping sector and it should be recognised that alterations might require national endorsement and international agreement and that the negotiations involved may take considerable time and do not have a guaranteed outcome. 29 "Lifeline ferries" provide an essential service between islands or an island and the mainland on which the occupiers of the island rely for transportation of passengers and goods.	Relevant International Maritime Organisation (IMO) routeing measures (i.e., the Liverpool Bay TSS), which serves as the primary route to facilitate the commercial navigation and strategically important shipping route for Liverpool has been considered relative to the array in Volume 4, Annex 9.1 (APP-111). There are no adverse effects predicted, and this conclusion has been supported by the evidence base and experience drawn from AyM's sister project GyM which is also immediately adjacent to the TSS and strategically important routes. As such AyM can be considered to be in accordance with paragraph 2.6.162 and 2.6.163 of EN-3.
	EN-3 2.6.163	Where a proposed offshore wind farm is likely to affect less strategically important shipping routes, a pragmatic approach should be employed by the [Secretary of State]. For example, vessels usually tend to transit point to point routes between ports (regional, national and international). Many of these routes are important to the shipping and ports industry as is their contribution to the UK economy. In such circumstances the [Secretary of State] should expect the applicant to minimise negative impacts to as low as reasonably practicable (ALARP). Again, there may be some	

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		situations where reorganisation of traffic activity might be both possible and desirable when considered against the benefits of the wind farm application and such circumstances should be discussed with the MCA and the commercial shipping sector.	
	EN-3 2.6.164	A detailed Search and Rescue Response Assessment should be undertaken prior to commencement of construction should consent for the offshore wind farm be granted. This assessment could be secured by a requirement to any consent. However, where there are significant concerns over the frequency or the consequences of such incidents, a full assessment may be required before the application can be determined.	Consultation with regards the requirements for Search and Rescue access to AyM has been undertaken during the assessment process, and agreement reached on the proposed approach to SAR lane facilitation. AyM include layout principles, such as minimum turbine spacing and lines of orientation which will ensure SAR access is not impeded (As set out in Volume 2, Chapter 9 Shipping and Navigation (APP-055) and Volume 4 - Annex 9.1 - Navigation Risk Assessment (APP-111)). As such AyM can be considered to be in accordance with paragraph 2.6.164 of EN-3.
	EN-3 2.6.165	The [Secretary of State] should not consent applications which pose unacceptable risks to navigational safety after all possible mitigation measures have been considered.	As noted in response to EN-3 2.6.162 and 2.6.163 there are no adverse effects predicted on navigational safety. As such AyM can be considered to be in accordance with paragraph 2.6.165 of EN-3.
	EN-3 2.6.166	The [Secretary of State] should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes. In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the [Secretary of State] should weigh the harm caused with the benefits of the scheme.	Recreational vessel use of the area has been considered in Volume 4, Annex 9.1 (APP-111). There are no adverse effects predicted, and this conclusion has been supported by the evidence base and experience drawn from AyM's sister project GyM which is immediately adjacent to proposed development and therefore makes an appropriate proxy for consideration of the likely risks to recreational vessels and/or the likelihood of obstructions to navigation that may arise from AyM. As such AyM can be considered to be in accordance with paragraph 2.6.167 to 2.6.169 of EN-3.
	EN-3 2.6.167	Providing proposed schemes have been carefully designed by the applicants, and that the necessary consultation with the MCA and the other navigation stakeholders listed above has been undertaken at an early stage, mitigation measures may be possible to negate or	

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		reduce effects on navigation to a level sufficient to enable the [Secretary of State] to grant consent. The MCA will use the NRA as described in paragraph 2.6.156 above when advising the [Secretary of State] on any mitigation measures proposed.	
	EN-3 2.6.168	The [Secretary of State] should, in determining whether to grant consent for the construction or extension of an offshore wind farm, and what requirements to include in such a consent, have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development.	
	EN-3 2.6.169	In considering what interference, obstruction or danger to navigation and shipping is likely and its extent and nature, the [Secretary of State] should have regard to the likely overall effect of the development in question and to any cumulative effects of other relevant proposed, consented and operational offshore wind farms.	
	EN-3 2.6.174	Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority and also the provision of an acceptable Active Safety Management System.	The shipping and navigation chapter (APP-055), NRA (APP-111), Schedule of Mitigation ~~(REP2-024~~and Monitoring (Document 8.12 of the Applicant's Deadline 8 submission) provide a coherent record of the measures proposed to mitigate the potential impacts associated with AyM. The measures include provision of a lighting and marking plan for approval by the relevant regulators in advance of construction. As such AyM can be considered to be in accordance with paragraph 2.6.174 of EN-3.
	EN-3 2.6.175	In some circumstances, the [Secretary of State] may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	The assessment has concluded no significant effects on other shipping commercial activities. As such arbitration provisions are not considered necessary for commercial activities, and AyM can be considered to be in accordance with paragraph 2.6.175 of EN-3.
	EN-3 2.6.179	Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect	This document includes an assessment of the potential effects of AyM on marine infrastructure and other users of the marine

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Infrastructure and Other Users		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. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs.	environment. See section 12.10 *et seq*. Volume 2, Chapter 12 Other Marine Users and Activities (APP-058). As such AyM can be considered to be in accordance with paragraph 2.6.179 of EN-3.
	EN-3 2.6.180 – 2.6.181	Applicants should engage with interested parties in the potentially affected offshore sectors early in the development phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application to the [Secretary of State]. Such stakeholder engagement should continue throughout the life of the development including construction, operation and decommissioning phases where necessary. As many of these offshore industries are regulated by Government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist.	Consultation with potentially affected stakeholders including charter anglers, other offshore wind farm operators and oil and gas operators has been carried out from the early stages of the project and continues through the pre-application consultation process. Details of consultation are presented in Table 3 of Volume 2, Chapter 12 Other Marine Users and Activities (APP-058). As such AyM can be considered to be in accordance with paragraph 2.6.180 and 2.6.181 of EN-3.
	EN-3 2.6.183	Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the [Secretary of State]. Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy. In such circumstances the [Secretary of State] should expect the applicant to minimise negative impacts and reduce risks to as low as reasonably practicable.	The AyM impact assessment describes the steps that the Applicant has taken to avoid or reduce the impacts of the development (Table 11 of Volume 2, Chapter 12 Other Marine Users and Activities (APP-058)), including the reduction in the extent of the array area, and other embedded mitigation measures included the development of a Fisheries Liaison and Co-Existence Plan. As such AyM can be considered to be in accordance with paragraph 2.6.183 of EN-3.
	EN-3 2.6.184	As such, the [Secretary of State] should be satisfied that the site selection and site design of the proposed offshore wind farm has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. The [Secretary of State] should not consent applications	AyM has been designed to avoid or minimise effects on infrastructure and other users of the marine environment. Embedded mitigation is described in Table 11 of Volume 2, Chapter 12 Other Marine Users and Activities (APP-058). With

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		which pose unacceptable risks to safety after mitigation measures have been considered.	consideration of the mitigation measures in place, no significant adverse effects are predicted to occur. As such AyM can be considered to be in accordance with paragraph 2.6.184 and 2.6.185 of EN-3.
	EN-3 2.6.185	Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the [Secretary of State] should give these adverse effects substantial weight in its decision-making.	
	EN-3 2.6.187 & 2.6.188	Detailed discussions between the applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application to the [Secretary of State]. As such, appropriate mitigation should be included in any application to the [Secretary of State], and ideally agreed between relevant parties. In some circumstances, the [Secretary of State] may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	AyM has been sited to minimise conflicts with marine infrastructure and other users, where possible. In cases where conflict has been highlighted in early consultation, the applicant has, where appropriate and feasible, proposed mitigation measures to reduce or negate impacts (Table 11 of the Volume 2, Chapter 12 Other Marine Users and Activities (APP-058)). See also Volume 1, Chapter 4: Site Selection and Alternatives (APP-044). Mitigation principles, as agreed with stakeholders as appropriate, are provided in section 13.9 *et seq* of Volume 2, Chapter 12 Other Marine Users and Activities (APP-058), with a full record of consultation captured in Table 2 of the Chapter. As such AyM can be considered to be in accordance with paragraph 2.6.187 and 2.6.188 of EN-3.
Physical environment	EN-3 2.6.190	Assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs.	The impact of AyM on coastal processes and geomorphology is considered in paragraph 42 *et seq*. of Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048) (for the construction phase), paragraph 141 *et seq*. (for the O&M phase) and paragraph 207 *et seq*. of Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048) (for the decommissioning phase). As such AyM can be considered to be in accordance with paragraph 2.6.190 of EN-3.
	EN-3 2.6.191 and 2.6.192	The Environment Agency (EA) regulates emissions to land, air and water out to 3nm. Where any element of the wind farm or any associated development included in the application to the	Consultation on the approach to assessment for physical processes has been carried out with Natural Resources Wales (NRW) as the relevant marine licencing body. Details of the

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		[Secretary of State] is located within 3nm of the coast, the EA should be consulted at the pre-application stage on the assessment methodology for impacts on the physical environment. Beyond 3nm, the MMO is the regulator. The applicant should consult the MMO and the Centre for Environment, Fisheries & Aquaculture Science (CEFAS) on the assessment methodology for impacts on the physical environment at the pre-application stage.	approach to consultation are provided in Table 2 of Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). As such AyM can be considered to be in accordance with paragraph 2.6.191 and 2.6.192 of EN-3.
	EN-3 2.6.193	Geotechnical investigations should form part of the assessment as this will enable the design of appropriate construction techniques to minimise any adverse effects.	Geotechnical data was collected to inform the (adjacent) GyM assessment. This has been used alongside the project specific geophysical survey (Fugro, 2020a; b) to inform the assessment and project design of AyM. As such AyM can be considered to be in accordance with paragraph 2.6.193 of EN-3.
	EN-3 2.6.194	The assessment should include predictions of the physical effect that will result from the construction and operation of the required infrastructure and include effects such as the scouring that may result from the proposed development.	Predictions of change to physical processes that could arise from the construction, and O&M of AyM are presented in Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). As such AyM can be considered to be in accordance with paragraph 2.6.194 of EN-3.
	EN-3 2.6.195	As set out above, the direct effects on the physical environment can have indirect effects on a number of other receptors. Where indirect effects are predicted, the [Secretary of State] should refer to relevant sections of this NPS and EN-1.	The predicted changes to the physical environment have been considered in relation to indirect effects on receptors throughout the ES, in particular within Volume 2, Chapter 5 Benthic Subtidal and Intertidal Ecology (APP-051) and in Volume 2, Chapter 3 Marine Water and Sediment Quality (APP-049). As such AyM can be considered to be in accordance with paragraph 2.6.195 of EN-3.
	EN-3 2.6.196	The [Secretary of State] should be satisfied that the methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations on the basis of their impacts or minimising quantities of rock that are	The Applicant has proposed designs and installation methods that seek to avoid significant adverse effects on the physical environment. Where necessary, the assessment has set out mitigation to avoid or reduce significant adverse effects.

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		used to protect cables whilst taking into account other relevant considerations such as safety.	As such AyM can be considered to be in accordance with paragraph 2.6.196 of EN-3.
	EN-3 2.6.197	Mitigation measures which the [Secretary of State] should expect the applicants to have considered include the burying of cables to a necessary depth and using scour protection techniques around offshore structures to prevent scour effects around them. Applicants should consult the statutory consultees on appropriate mitigation.	Embedded mitigation relating to cable burial and scour are set out in section 2.9 of Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048) which makes reference to the requirement to produce a cable burial risk assessment (subject to this requirement being a condition of a Marine Licence). Use of scour protection and methods of cable protection are set out in Volume 2, Chapter 1 Offshore Project Description (APP-047) as assessed throughout Volume 2 (Offshore) of the ES. Consultation has been undertaken and is ongoing with statutory consultees and other interested parties. The mitigation measures relating to cable burial and scour are set out in Table 8 of Volume 2, Chapter 2 Marine Geology, Oceanography and Physical Processes (APP-048). As such AyM can be considered to be in accordance with paragraph 2.6.197 of EN-3.
Seascape and visual effects	EN-3 2.6.199	Seascape is a discrete area within which there is shared inter-visibility between land and sea. (Definition taken from Appendix 3 of DTI (2005) Guidance on the Assessment of the Impact of Offshore Wind Farms: Seascape and Visual Impact Report). In some circumstances it may be necessary to carry out a seascape and visual impact assessment (SVIA) in accordance with the relevant offshore wind farm EIA policy.	The effect of AyM on seascape character is assessed in section 10.10 of Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027). The definitions of seascape have been more recently defined in Seascape Character Assessment guidance published by Natural England (NE) (NE, 2012), and informed through reference to research papers published by Natural Resources Wales following the Crown Estate 2017 Extension Round (White *et al.*, 2019a, b, c). As highlighted in paragraph 187 of AS-027, it is also relevant to note that the research papers produced by White Consultants effectively preclude offshore windfarm development in much of Welsh waters. As such AyM can be considered to be in accordance with paragraph 2.6.199 of EN-3.

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	EN-3 2.6.200	The seascape is an important resource and an economic asset. Coastal landscapes are often recognised through statutory landscape designations.	The effect of AyM on statutory landscape designations such as AONBs, SNP, and conservation areas more broadly is assessed in section 10.11 of Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027). As such AyM can be considered to be in accordance with paragraph 2.6.200 of EN-3.
	EN-3 2.6.202	Where a proposed offshore wind farm will be visible from the shore, an SVIA should be undertaken which is proportionate to the scale of the potential impacts. Impact on seascape should be addressed in addition to the landscape and visual effects discussed in EN-1	An SLVIA has been undertaken as presented in Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027) of the ES. The scope of assessment, maximum design scenarios, and preferred boundary for assessment was determined in consultation with the SLVIA technical group as part of the Evidence Plan process (APP-301). As such AyM can be considered to be in accordance with paragraph 2.6.202 of EN-3.
	EN-3 2.6.203	Where necessary, assessment of the seascape should include an assessment of three principal considerations on the likely effect of Offshore Wind Farms (OWFs) on the coast: ▲ Limit of visual perception from the coast; ▲ Individual characteristics of the coast which affect its capacity to absorb a development; and ▲ How people perceive and interact with the seascape.	The effect of AyM on seascape character, including the three principal considerations outlined in EN-3 2.6.203, is assessed in section 10.10 of Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027). As such AyM can be considered to be in accordance with paragraph 2.6.203 of EN-3.
	EN-3 2.6.204	As part of the SVIA, photomontages are likely to be required. Viewpoints to be used for the SVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage.	Viewpoints have been selected and agreed following scoping responses and in consultation with the SLVIA technical group as part of the Evidence Plan process (APP-301). An unprecedented number of viewpoints have been included within the assessment, with a strategic focus agreed as to which viewpoints will be subject to detailed assessment and which are provided for context and reduced assessment. Photomontages of AyM are provided in ES Volume 6, Figures 10.28 – 10.90 (APP-230 to APP-292).

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			Therefore, AyM is considered to be accordance with paragraph 2.6.204 of EN-3.
	EN-3 2.6.205	Magnitude of change to both the identified seascape receptors (such as seascape units and designated landscapes) and visual receptors (such as viewpoints) should be assessed in accordance with the standard methodology for SVIA.	The magnitude of change to seascape receptors has been assessed in accordance with best practice (See APP-114 for the detailed methodology employed in accordance with guidance and best practice) section 10.10 and on visual receptors in section 10.11 and 10.12 of Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027). As such AyM can be considered to be in accordance with paragraph 2.6.205 of EN-3.
	EN-3 2.6.206	Where appropriate, cumulative SVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 4.2 of EN-1.	Section 10.13 of Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027) has assessed the potential cumulative effects of the proposal in consideration of other development. As such AyM can be considered to be in accordance with paragraph 2.6.206 of EN-3.
	EN-3 2.6.207	The [Secretary of State] should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.9 of EN-1.	Volume 2, Chapter 10 Seascape, Landscape and Visual Impact Assessment (AS-027) has addressed the policy requirements of EN-1. Section 5.9 of EN-1 is referenced in Table 1 of this NPS Tracker. As such AyM can be considered to be in accordance with paragraph 2.6.207 of EN-3.
	EN-3 2.6.208	Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The [Secretary of State] should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless: - It considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or	With respect to the array area the array boundary has progressively and iteratively been reduced in response to feedback received during the EIA Scoping, through the Evidence Plan Process (APP-301), and PEIR consultation, from an overall area of 107 km^2 during Scoping to 88 km^2 in the PEIR, and 78 km^2 for the final application design; a total reduction of 27%. The useable array area is already less than that of Gwynt y Môr, which is considered to be a densely packed array (at 8.5 MW/km^2) when compared with more recently built and

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		▲ Taking account of the sensitivity of the receptor(s) as set out in EN-1 paragraph 5.9.18, the harmful effects are considered to outweigh the benefits of the proposed scheme.	designed projects the Applicant has involvement in (Triton Knoll at 5.93 MW/km^2 and Sofia at 2.54 MW/km^2) (APP-044). In addition, in order to compete successfully in a Contract for Difference auction rounds (CfD ARs), and therefore be deliverable, a project must strive to keep the Levelised Cost of Energy (LCoE) down in order be competitive with other projects. A low LCoE is based on a number of different factors, but the scale of the project is a critical variable as it drives economies of scale, and the density of a project is a key variable as it drives energy yield. AyM is already at the lower end of project size and upper end of site density than many competing projects (based on the Applicant's predictions of other projects that may compete in the same CfD as AyM) so a large reduction in area would drive significant changes in both project size or array density (or both) and therefore in LCoE, likely making the project economically unviable (see also Applicant's response to ExQ1.17.5 in REP1-007). With respect to individual WTG sizes, the Applicant has set out the rationale for the size of individual turbines in the WTG Size Technical Note (APP-299). The size of individual turbines has increased over time, and smaller models, such as those used for Gwynt y Môr, Rhyl Flats and North Hoyle, are no longer available on the market. The WTG sizes (in terms of rotor diameter and maximum tip height) that are described in MDS A and MDS B represent the Applicant's view on the anticipated range of size of WTGs that will be available in the timeframe that AyM will be delivered. The SLVIA Chapter (AS-027) and LVIA Chapter (AS-029) assess the landscape impacts of AyM (during construction, decommissioning and operation). Volume 1 Chapter 4 'Site Selection and Alternatives' (APP-044) of the ES sets out the need for renewable energy (paragraphs 11 to 34) and the benefits of offshore wind (paragraphs 35 to 37). This is furthered by paragraphs 101 to 129 of the Planning Statement (APP-298).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			In this context, AyM would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power section by 2030 and should therefore be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments. These benefits are considered to outweigh any harmful effects identified. Therefore, AyM is considered to be in accordance with paragraph 2.6.208 of EN-1.
	EN-3 2.6.209	Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the [Secretary of State] should take into account the extent to which the effects are temporary or reversible.	The SLVIA Chapter submitted as part of the ES (AS-027), includes an assessment of effect within paragraphs 140 to 1355. The effects on the representative viewpoints during construction, decommissioning and operation are summarised within Tables 5 -14. The tables refer to the relevant viewpoint, the baseline condition and sensitivity, magnitude of change, and the significance of effect (including an indication of time (i.e., short-term or long-term) and reversibility). These tables allow the SoS to take into account the extent to which the effects are reversible. Therefore, AyM is considered to be in accordance with paragraph 2.6.209 of EN-1.
	EN-3 2.6.210	Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the [Secretary of State] should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible. However, the layout of the turbines should be designed appropriately to minimise harm, taking into account other constraints such as ecological effects, safety reasons or engineering and design parameters	Volume 1 Chapter 4 'Site Selection and Alternatives' (APP-044) of the ES sets out the iterative process that has influenced the design of AyM. The mitigation of landscape and visual effects has been carefully considered in the SLVIA, to minimise 'harm to the landscape' or seascape where possible. It is of note however that the extent to which it is possible to avoid harm is, in the case of extensions to existing windfarms, hindered by the requirement to follow The Crown Estate 2017 Extension Round criteria. This is recognised in both the extant and the more recent draft NPS. As noted previously however, the project has been revised and refined significantly during a rigorous and comprehensive process which has resulted in a significant

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			reduction in the scale of AyM. Whilst it is not possible to reduce individual WTG parameters, or to entirely avoid landscape impacts, the Applicant has sought to minimise the harm of AyM and provide reasonable mitigation measures, whilst maintaining an economically viable scheme. Therefore, AyM is considered to be in accordance with paragraph 2.6.210 of EN-3.

2.3 EN-5 NPS Accordance Table

Table 3: NPS EN-5 accordance.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-5 Part 1: Introduction			
Infrastructure covered by this NPS	EN-5 1.8.1	Infrastructure for electricity networks generally can be divided into two main elements: ▲ transmission systems (the long distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can either be carried on towers/poles or undergrounded; and ▲ associated infrastructure, e.g. substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa.	Volume 3, Chapter 1 of the ES Onshore Project Description (APP-062), and Volume 2, Chapter 1 of the ES (Offshore Project Description (APP-047) presents the description of the onshore and offshore transmission system, and the associated infrastructure. A detailed description of the transmission system and the associated electricity infrastructure is provided in Section 5-7 of the Grid Connection and Cable Details Statement (APP-296). As such AyM can be considered to be in accordance with paragraph 1.8.1 of EN-5.
	EN-5 1.8.2	This NPS covers above ground electricity lines whose nominal voltage is expected to be 132kV or above. Any other kind of electricity infrastructure (including lower voltage overhead lines, underground or sub-sea cables at any voltage, and associated infrastructure as referred to above) will only be subject to the Planning Act 2008 – and so be covered by this NPS – if it is in England, and it constitutes associated development for which consent is sought along with an NSIP such as a generating station or relevant overhead line.	The Applicant does not propose any above ground electricity lines. The works to create the electrical connections from the proposed offshore generating station to the National Grid and the link to the existing Gwynt y Môr windfarm are associated development. Although not located within England the application is made under the Planning Act 2008 and the policy requirements of EN-5 have been addressed within the Planning Statement (APP-298) and the Statement of Reasons (~~REP1-047~~Document 8.14 of the Applicant's Deadline 8 submission). As such AyM can be considered to be in accordance with paragraph 1.8.2 of EN-5.
EN-5 Part 2: Assessment and Technology-Specific Information			
Site Selection	EN-5 2.2.4	Where the network company does not own (or wish to own) the relevant land itself, it may reach a voluntary agreement that gives it either an easement over the land or at least a wayleave permission to use it during the tenure of the current owner or occupier. Where it does not succeed in reaching the agreement it wants, the company may, as part of its application to the [Secretary of State], seek to acquire rights compulsorily over the relevant land by means of a provision in the DCO.	The Applicant has been engaging with landowners prior to application and continues to negotiate with them. The requirement for compulsory purchase of land is detailed within the Statement of Reasons, (~~REP1-047~~Document 8.14 of the Applicant's Deadline 8 submission), the appendices to which provide a summary of the negotiations which is complemented by the Update on Negotiations with Landowners Occupiers Statutory

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		The applicant may also apply for the compulsory purchase of land: this is not normally sought where lines and cables are installed, but may occur where other electricity network infrastructure, such as a new substation, is required. The above issues may be relevant considerations when the electricity company is considering various potential routes.	Undertakers and Other Utilities (~~REP2-026).~~Document 8.15 of the Applicant's Deadline 8 submission). Section 11 of the Statement sets out the use to which each Plot subject to powers of compulsory acquisition would be put in. The Applicant continue to negotiate with landowners to obtain easements as the preferred route for gaining rights. Only in circumstances where agreement has not been reached prior to the point at which the easement is required will CA powers under the DCO be used. As such AyM can be considered to be in accordance with paragraph 2.2.4 of EN-5.
	EN-5 2.2.5	There will usually be some flexibility around the location of the associated substations and applicants will give consideration to how they are placed in the local landscape taking account of such things as local topography and the possibility of screening.	Section 1 of the AyM Onshore Project Description (APP-062) outlines that three zones (OnSS Access Zone; OnSS Cable Corridor Zone; OnSS Temporary Access Zone) have been used to create the design envelope for aspects of the OnSS. These zones have been assessed in the Environmental Statement and will be further refined during detailed design (post consent). The process of identifying the OnSS site has been presented in appropriate detail within the site selection and alternatives chapter of the ES, and associated annexes (APP-044 *et seq*). As assessment of the potential landscape and visual impacts of the proposed substation (OnSS) is provided in the Landscape and Visual Impact Assessment (AS-029). The proposed mitigation, which includes landscape screening and opportunities for landscape and ecological enhancement is presented in the oLEMP (~~REP2-010~~REP7-026). Details of landscape screening for the OnSS is detailed in the oLEMP (~~REP2-010~~REP7-026) and the draft Development Consent Order (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission) contains R8 which secures landscaping at the OnSS. As such AyM can be considered to be in accordance with paragraph 2.2.5 of EN-5.
	EN-5 2.2.6	As well as having duties under section 9 of the Electricity Act 1989, (in relation to developing and maintaining an economical and efficient	The AyM ES has assessed the potential ~~of~~for impact on flora, fauna and geological or physiographical features of special interest and

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		network), developers will be influenced by Schedule 9 to the Electricity Act 1989[7], which places a duty on all transmission and distribution licence holders, in formulating proposals for new electricity networks infrastructure, to "have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and … do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects." Depending on the location of the proposed development, statutory duties under section 85 of the Countryside and Rights of Way Act 2000 and section 11A of the National Parks and Access to the Countryside Act 1949 may be relevant. 7 http://www.legislation.gov.uk/ukpga/1989/29/schedule/9	of protecting sites, buildings and objects of architectural, historic or archaeological interest. Assessment of the (onshore) impacts are set out in ES Volume 3, Chapter 5 Onshore Biodiversity and Nature Conservation (APP-066); Chapter 6 Ground Conditions and Land Use (APP-067); Chapter 8 Onshore Archaeology and Cultural Heritage (APP-069). As detailed previously in this document, the assessment of offshore impacts ~~are~~is presented in chapters 2 to 12 inclusive (APP-048 to APP-058) Where relevant, AyM has proposed mitigation measures to reduce impacts on natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects. The Applicant has provided details of these in a comprehensive ~~schedule of mitigation (REP2-024~~Schedule of Mitigation and Monitoring (Document 8.12 of the Applicant's Deadline 8 submission) the content of which is also reflected in the individual technical topic chapters, and secured within either the dDCO (Document ~~3.6~~8.9 of the Applicant's Deadline ~~3~~8 Submission) or described in the Marine ~~Licences~~Licence Principles ~~document (REP2-022~~(Document 8.11 of the Applicant's Deadline 8 submission). As such AyM can be considered to be in accordance with paragraph 2.2.6 of EN-5.
Climate change adaptation	EN-5 2.4.1	As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it would be resilient to: ▲ flooding, particularly for substations that are vital for the electricity transmission and distribution network; ▲ effects of wind and storms on overhead lines; ▲ higher average temperatures leading to increased transmission losses; and ▲ earth movement or subsidence caused by flooding or drought (for underground cables).	Routing of the Onshore ECC and siting of OnSS has taken into consideration flood risk, with the OnSS located in an area of low flood risk and the chosen Onshore ECC route minimising the crossing of land at risk of flooding where practical. The process for selecting the Onshore ECC route and position of the OnSS is summarised in Volume 1, Chapter 4: Site Selection and Alternatives (APP-044). Each chapter of the ES includes a description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-5 2.4.2	Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Section 5.7 in EN-1).	natural variation, including through wider changes in climate expected over the lifetime of AyM. Each ES chapter also ~~demonstrate~~demonstrates AyM's resilience to such changes through consideration of the Maximum Design Scenario (MDS), which is incorporated into all approaches to assessment. The MDS for AyM has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, examples include: - Changes in marine conditions (sea level, wave heights, currents, salinity etc.) that affect the elevation and design strength of offshore foundation components; - Changes in wind speed, turbulence, air density or humidity that affect wind turbine loads and generation. Onshore this affects the design of substation buildings and components; - Changes in air temperatures that affect the cooling systems of key components, onshore and offshore; - Changes in water and soil temperatures, affecting the maximum rating of buried cables; - Changes in rainfall that affect the design of drainage systems; and - Changes in air composition and climatic conditions (i.e. rainfall, seawater aerosols) that affect component degradation rate and lifetime. Once construction is complete, the O&M will be carried out to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime. As such AyM can be considered to be in accordance with paragraph 2.4.1 and 2.4.2 of EN-5.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Landscape and Visual	EN-5 2.8.2	New substations, sealing end compounds and other above ground installations that form connection, switching and voltage transformation points on the electricity networks can also give rise to landscape and visual impacts. Cumulative landscape and visual impacts can arise where new overhead lines are required along with other related developments such as substations, wind farms and/or other new sources of power generation.	The proposed onshore ECC is to be underground, thereby minimising landscape and visual effects. Volume 3, Chapter 2 Landscape Visual Impact Assessment of the ES (AS-029) has assessed the effects of the underground onshore ECC and Onshore Substation (OnSS) in sections 2.10, 2.11 and 2.12 of the ES Chapter. As such AyM can be considered to be in accordance with paragraph 2.8.2 of EN-5.
Electric and Magnetic Fields (EMF's)	EN-5 2.10.2	All overhead power lines produce EMFs, and these tend to be highest directly under a line, and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable (see para 2.10.12). EMFs can have both direct and indirect effects on human health. The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.	Volume 3, Chapter 12 Public Health of the ES (APP-073) provides an assessment of the potential effects of EMF in section 12.10. All infrastructure built will comply with the government guidelines on electromagnetic radiation emission (ICNIRP, 1998; DECC, 2012a; DECC, 2012b; ENA, 2017). The mitigation in place, including no presence of residential properties, as well as no conclusive scientific evidence relating EMF and certain health effects means there is no significant effects on human health. As such AyM can be considered to be in accordance with paragraph 2.10.2 of EN-5.

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4 Appendix A - Energy and Climate Change Policy & Legislation: Update

4.1 Introduction

~~11~~16 The Planning Statement (Section 4.2) is dated April 2022 and addressed international and national obligations on climate change and energy legislation and also addressed national planning policy and specific marine policy. This Appendix provides an update on this topic.

4.2 International Commitments

4.2.1 The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (2021 & 2022), related Press Release and Statements

~~12~~17 Section 4.2 of the Planning Statement referenced the Paris Agreement but not the most recent reports from the Inter-Governmental Panel On Climate Change (IPCC). The first part of the IPCC 6th Assessment Report (2021) was published on 9th August 2021 (the AR6 Report). The AR6 Report is the first major review of the science of climate change since 2013. The first part of the AR6 Report, in short, provides new estimates of the chances of crossing the global warming level at 1.50C in the next decade and reaches the conclusion that, without immediate, rapid and large-scale reductions in greenhouse gases (GHG), limiting warming close to 1.50C or even 20C will be beyond reach. For this and many other reasons the UN Secretary General described the AR6 Report as a "Code Red for humanity".

~~13~~18 The second part of the AR6 report was published on 28th February 2022. It is, as described in the press release accompanying the second part of the AR6 report a "dire warning about the consequences of inaction". The press release refers to a narrowing window for action and states:

"The scientific evidence is unequivocal: climate change is a threat to human wellbeing and the health of the planet. Any further delay in concerted global action will miss a brief and rapidly closing window to secure a liveable future."

~~14~~19 The third part of the IPCC's AR6 Report 'Mitigation of Climate Change' was published on 04 April 2022. In summary, the urgent message from this latest report is that it confirms the harmful and permanent consequences of the failure to limit the rise of global temperatures and that reducing emissions is a crucial near-term necessity. The report underlines the need to radically and rapidly scale up global climate action to reduce GHG emissions.

~~15~~20 The Press Release for the third report summarises a number of the key points from the publication including:

- "Limiting global warming will require major transitions in the energy sector. This will involve a substantial reduction in fossil fuel use, widespread electrification, improved energy efficiency and use of alternative fuels." The report sets out that the "next two years are critical". (page 1).
- In the scenarios assessed, limiting warming to around 1.5°C "requires global greenhouse gas emissions to peak before 2025 at the latest, and be reduced by 43% by 2030…. even if we do this, it is almost inevitable that we will temporarily exceed this temperature threshold but could return to below it by the end of the century". (page 2).

~~16~~21 The Report makes it clear that immediate short-term acceleration of low carbon energy is needed if limiting warming below danger levels is to stay feasible. The Report emphasises the particular cost reductions that have affected wind and solar development and that these technologies will play a key role in the energy transition.

~~17~~22 This third report from the IPCC has focused on how human actions can mitigate climate change. In short, the principal message is that humanity is currently not on track to limit warming, but that it is still possible to make the progress necessary by 2030 by using existing technologies for example, by moving rapidly to non-fossil fuel sources of energy.

4.2.2 UN Emissions Gap Report (October 2022)

~~18~~23 On 27 October 2022 the UN published its annual 'Emissions Gap Report', 'The closing window – climate crisis calls for rapid transformation of societies'. It provides an evaluation of credible scientific and technical knowledge on emissions trends, progress, gaps and opportunities, based on a synthesis of the latest scientific literature, models, and data analysis and interpretation, and models, including that published in the context of the IPCC. In summary, it takes account of where global greenhouse gas emissions are, the anticipated trajectory and where they need to be if we are to avoid the worst climate impacts.

~~19~~24 The related 'Key Messages' paper states that "the world is still falling short of the Paris climate goals, with no credible pathway to 1.5°C in place. Only an urgent system-wide transformation can avoid an accelerating climate disaster."

~~20~~25 The report looks at how to deliver this transformation, through action in the electricity supply, industry, transport and building sectors and the food and financial systems. The stated key messages include:

- "Despite a call for a strengthened Nationally Determined Contributions (NDCs) for 2030, progress since COP 26 in Glasgow has been woefully inadequate.
- This lack of progress leaves the world on a path towards a temperature rise far above the Paris agreed goal of well below 2°C, preferably 1.5°C.
- To get on track to meet the Paris Agreement goal, the world needs to reduce greenhouse gases by unprecedented levels over the next eight years.
- Such massive cuts require a large scale rapid and systemic transformation across the globe.
- The transformation towards zero greenhouse gas emissions and electricity supply, industry, transportation and buildings is underway but needs to move much faster".

~~21~~26 Figure 1 below shows the trajectory of current policies and the clear outcome is that we way off track in terms of reaching the temperature reduction goals set in the Paris Agreement. That in effect is what is referred to as the 'Emissions Gap'.

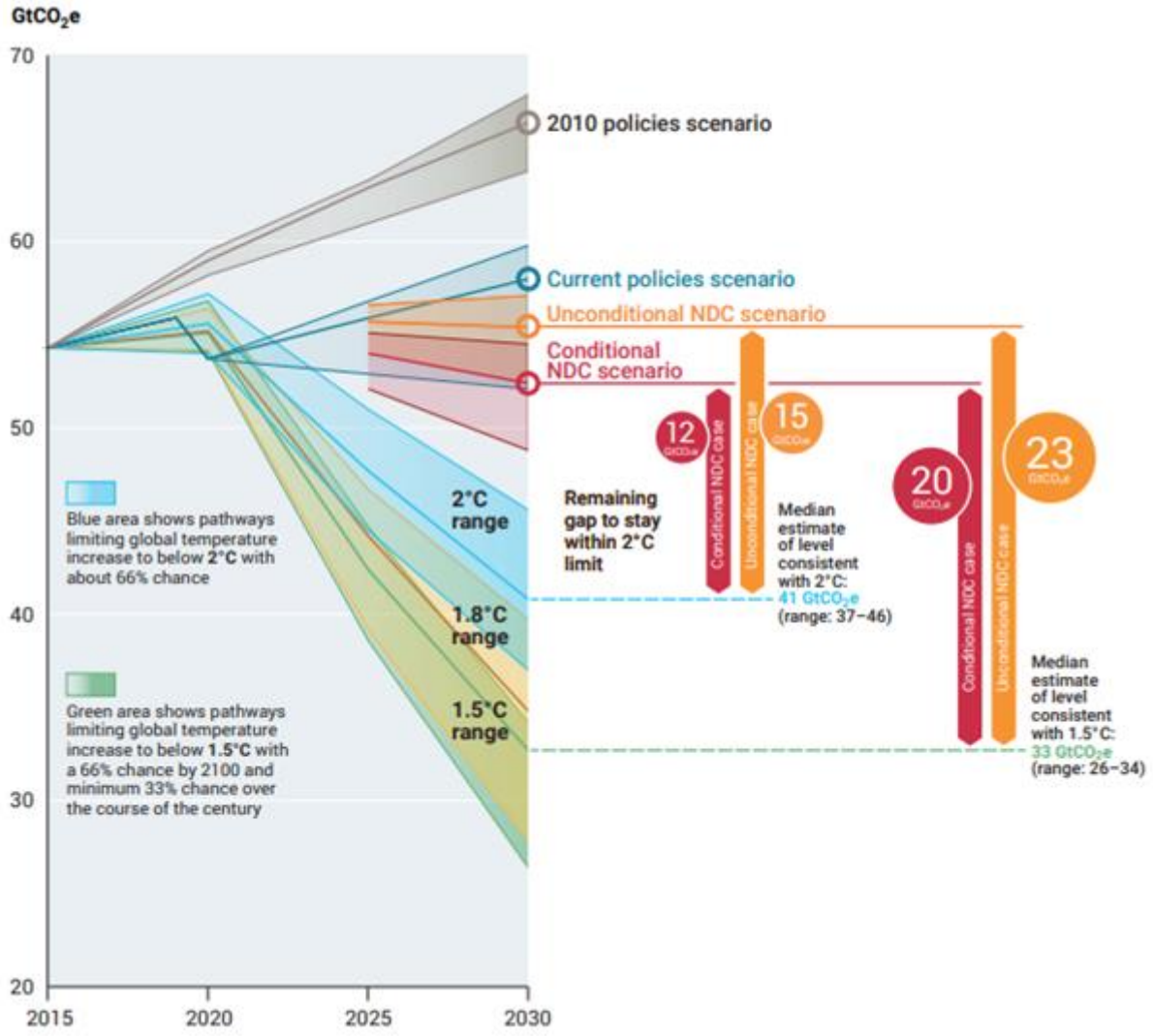

Figure 1: Global GHG emissions under different scenarios and the emissions gap in 2030 (UNEP, 2022).

~~22~~27 The Paris Agreement does not itself represent Government policy in the UK or Wales. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

4.3 UK Policy & Legislation

4.3.1 The Climate Change Act 2008 & Carbon Budgets (CCC, 2022)

~~23~~28 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in greenhouse gas (GHG) emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050, with Scotland committing to net zero by 2045.

~~24~~29 The 2008 Act also established the Committee on Climate Change (CCC) which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

~~25~~30 The CCC has produced six, four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in Table 2.1 below.

~~26~~31 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament. All six carbon budgets have been put into law and run up to 2037. The UK is currently in the third carbon budget period 2018-2022.

Table 4: UK Carbon Budgets and Progress (CCC, 2022a).

BUDGET	CARBON BUDGET LEVEL	REDUCTION BELOW 1990 LEVELS	MET?
1st carbon budget (2008 – 2012)	3,018 MtCO2e	25%	Yes
2nd carbon	2,782 MtCO2e	31%	Yes

BUDGET	CARBON BUDGET LEVEL	REDUCTION BELOW 1990 LEVELS	MET?
budget (2013 – 2017)			
3rd carbon budget (2018 – 2022)	2,544 MtCO2e	37% by 2020	On Track
4th carbon budget (2023 – 2027)	1,950 MtCO2e	51% by 2025	Off Track
5th carbon budget (2028 – 2032)	1,725 MtCO2e	57% by 2030	Off Track
6th carbon budget (2033 – 2037)	965 MtCO2e	78% by 2035	Off Track
Net Zero Target	100%	By 2050	

~~27~~32 The Sixth Carbon Budget (CB6) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK *"decisively on the path to net zero by 2050 at the latest with a trajectory that is consistent with the Paris Agreement"*.

2833 Page 23 of CB6 refers to the devolved nations and sets out that "UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland" and recognises that although the main policy levers are held by the UK Government, other jurisdictions can take action through complementary measures at the devolved level including supporting policies such as "planning and consenting".

2934 Key points from CB6 include:

- UK climate targets cannot be met without strong policy action.
- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and "doubling or even trebling by 2050".
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.

3035 Following the Sixth Carbon Budget, the UK Government announced on 20 April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021. The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.) to reduce emissions by 78% by 2035 compared to 1990 levels.

4.3.2 The UK Energy White Paper (BEIS, December 2020)

3136 The UK Government Energy White Paper 'Powering our Net Zero Future' (December 2020) sets out that: "electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050".

3237 It adds a key objective is to "accelerate the deployment of clean electricity generation through the 2020s" (page 38). Electricity demand is forecast to double out to 2050, which will "require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target" (page 42).

3338 This anticipated growth of renewable electricity is illustrated in the graph below (Figure 2).

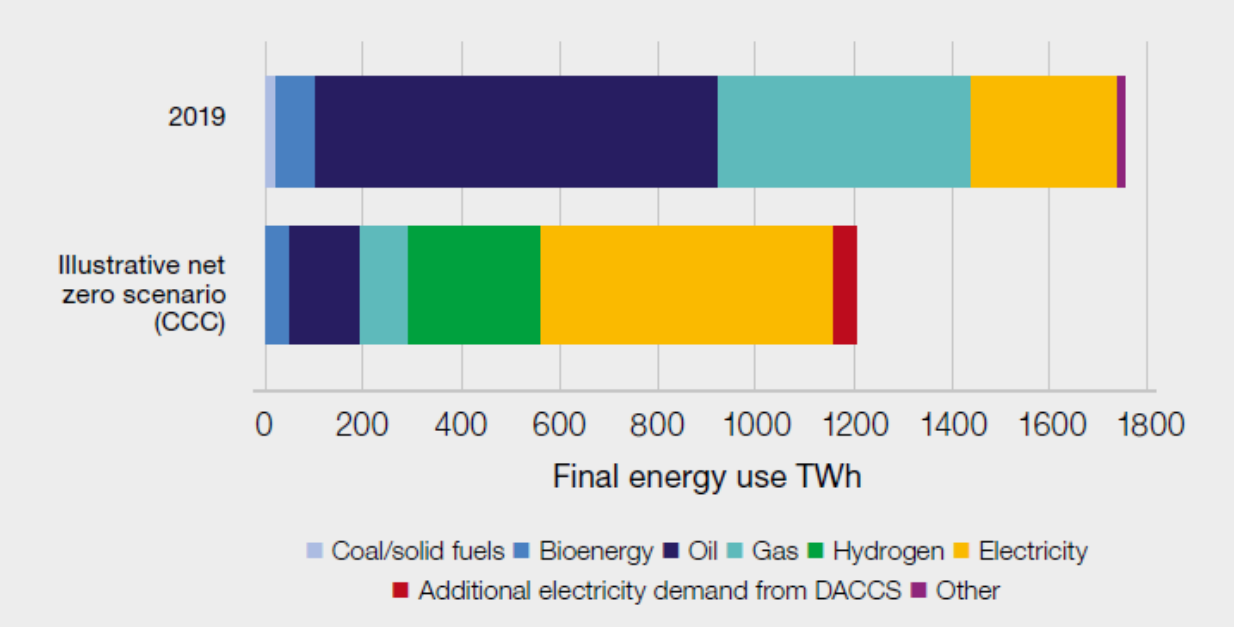

Figure 2: Illustrative UK Final Energy Use in 2050 (BEIS, 2020).

~~34~~39 In terms of electricity policy in the White Paper, the UK Government clearly recognise that the scale of change that is required to respond to climate change is at a pivotal point. The anticipation is that there is going to need to be a global green industrial revolution and it is only through this that an appropriate response would be made to tackling climate change issues. Chapter 1 of the White Paper sets out this context and makes clear the likely change in the nature and volume of electricity generation. It recognises the very significant role that renewable electricity generation will play in relation to delivering total energy usage. This means it will have to play a much greater role in decarbonising both transport and heat.

4.3.3 The UK Net Zero Strategy (BEIS, October 2021)

~~35~~40 The UK Government published the Net Zero strategy in October 2021. This sets out policies and proposals for keeping in the UK on track in relation to carbon budgets and the UK's nationally determined contribution (NDC) (Every country that signed up to the Paris Agreement (2015) set out a target known as a nationally determined contribution for reducing greenhouse gas emissions by around 2030. For the UK the target was a 68% reduction on 1990 levels by 2030.) and establishes the long-term pathway to net zero by 2050.

3641 The Net Zero Strategy sets out the Government's plans for reducing emissions from each sector of the UK economy, related to carbon budget and to the eventual target of net zero by 2050. The Strategy has been submitted to the United Nations Framework Convention on Climate (UNFCC) as the UK's second long-term low greenhouse gas emission development strategy under the Paris Agreement.

3742 Page 19 addresses the power sector and sets out that the power system will be fully decarbonised by 2035.

3843 Key policies are set out including that by 2013 there will be some 40GW of offshore wind.

3944 In terms of power, the Strategy references the Energy White Paper (2020) which set out the goal of a fully decarbonised and low-cost power system by 2050. It adds that CB6 represents "*a very significant increase in the pace of power sector decarbonisation, coupled with increased demand due to accelerated action another sector dependent on low-carbon electricity*". (page 98). It adds:

"although the Energy White Paper envisaged achieving an overwhelmingly decarbonised power system during the 2030s, we have since increased our ambition further. By 2035 all our electricity will need to come from low carbon sources, subject security of supply bringing forward the Government's commitment to a fully decarbonised power system by 15 years, whilst meeting at 40-60% increase in demand".

4045 The Strategy also sets out that the Government will be supporting sustained deployment of low-carbon generation (page 103), in this regards it states that there will need to continue to drive rapid deployment of renewables.

4.3.4 The British Energy Security Strategy (BEIS, April 2022)

4146 The British Energy Security Strategy ("BESS") was published by the UK Government on 7 April 2022. The BESS focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states inter alia:

"this government will reverse decades of myopia and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power.

Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables.

The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets. Indeed, without the renewables we are putting on the grid today, and the green levies that support them, energy bills would be higher than they are now. But now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."

~~42~~47 In terms of offshore wind, the BESS states (page 16):

"Our island's resources, with its shallow seabeds and high winds offers us unique advantages that have made us global leaders in offshore wind and pioneers of floating wind. With smarter planning we can maintain high environmental standards while increasing the pace of deployment by 25%. Our ambition is to deliver up to 50GW by 2030, including up to 5GW of innovative floating wind.

Our history of North Sea oil and gas expertise enables us rapidly to deploy our rich expertise in sub-sea technology and maximise our natural assets. Already, just off the coast of Aberdeenshire, we have built the world's first floating offshore wind farms. There will be huge benefits in the Irish and Celtic Sea. And by 2030 we will have more than enough wind capacity to power every home in Britain.

We will be the Saudi Arabia of wind power, with the ambition that by 2030 over half our renewable generation capacity will be wind, with the added benefit of high skilled jobs abounding these shores. But the development and deployment of offshore wind farms still takes up to 13 years.

On planning, these projects tend to have public support, and ultimately benefit the environment because they help reduce the damage to habitats that is caused by climate change.

On cost, the unit cost of offshore wind power has fallen by around two-thirds. The Contracts for Difference scheme has shared the risks of investing in new technologies to boost UK renewables and bring in billions of pounds of private investment.

On jobs, our technological leadership is delivering high skilled, high wage British jobs. Our increased ambition means we expect the sector will grow to support around 90,000 jobs by 2030."

~~43~~48 The BESS is relevant to the case for need for the Proposed Development because it explains the important energy security and affordability benefits associated with developing electricity supplies which are not dependent on volatile international markets and are located within the UK's national boundaries. The urgency for an electricity system which is self-reliant and not reliant on fossil fuels is enormous in order to protect consumers from high and volatile energy prices, and to reduce opportunities for destructive geopolitical intrusion into national electricity supplies and economics. AyM would help the UK attain these objectives.

4.3.5 Slowdown of Renewable Deployment

~~44~~49 The Department of Business, Energy and Industrial Strategy (BEIS) published the Digest of UK Energy Statistics in July 2022 which provides statistical information in relation to energy for 2021.

~~45~~50 The statistics show a stark slowdown in renewable deployment in the years 2020 and 2021 – as illustrated in the Figure of 2.3 below. The information shows that the capacity began to slow after 2018 falling to just 0.9 GW in 2020. In 2021 the capacity rose, most of which was in offshore wind.

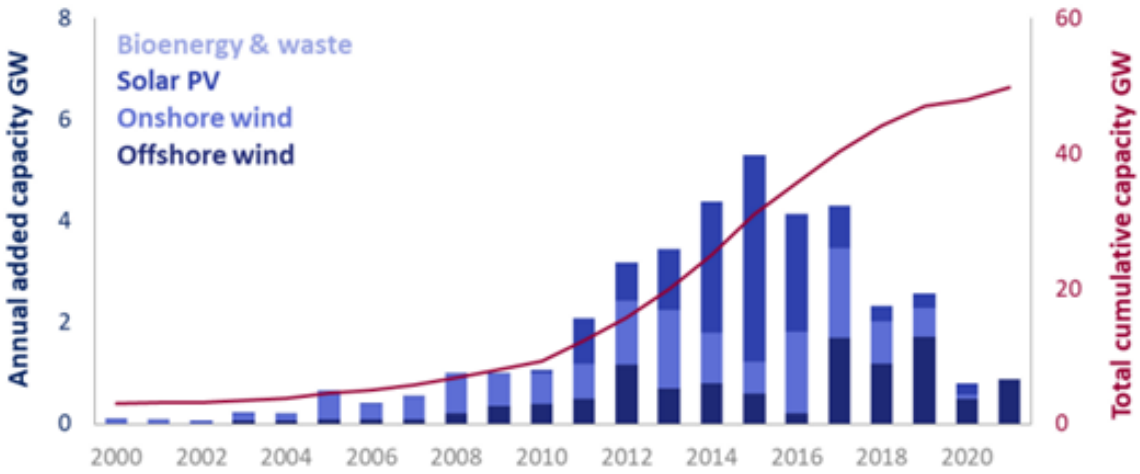

Figure 3: UK Annual added Renewable Energy Capacity, 2000 to 2022.

4.3.6 CCC Progress Report to Parliament (2022b)

~~46~~51 The CCC published a Progress Report to Parliament in June 2022, 'Progress in Reducing Emissions'. Key messages in the report include:

~~47~~52 The UK Government now has a solid net zero strategy in place, but important policy gaps remain. It sets out that although the Government has raised ambition, policies are not yet fully in place to drive a large programme of delivery required in the 2020s.

~~48~~53 Tangible progress is lacking policy ambition. The report states that with the emissions path set for the UK and the Net Zero strategy published, greater emphasis and focus must be placed on delivery. It adds that, *"this is needed for the UK's climate ambitions to be credible"* (page 14).

4.4 Welsh Policy

4.4.1 Building Better Places (Welsh Government, July 2020)

~~49~~54 The Welsh Government published Building Better Places *'The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid-19 Recovery'* in July 2020 in order to pinpoint the most relevant policy priorities contained in PPW that will aid in the recovery from the Covid-19 crisis. This document notes the climate change emergency declared by the Welsh Government.

4.4.2 Energy Generation in Wales 2020 (Welsh Government, May 2022)

~~50~~55 The Welsh Government published Energy Generation in Wales in May 2022. It sets out the energy generation capacity in Wales in 2020 and analyses how it has changed over time. The overall purpose of the report is to support the Welsh Government with the development of energy policy helping to *"evidence the economic, social and environmental benefits from the development of Welsh energy projects"*.

~~51~~56 The Ministerial Foreword sets out that the vision for Wales is *"for Wales to generate renewable energy to at least fully meet our energy needs and utilise surplus generation to tackle the nature and climate emergencies"*.

~~52~~57 The headline target set out in the document is the 70% of Wales' electricity demand to be met from Welsh renewable electricity sources by 2030. The report sets out that approximately 56% of annual consumption in Wales came from renewables in 2020 which is an increase of 5% compared to 2019 levels. However, the report recognises that this rise is largely as a result of the Covid-19 pandemic, and it states:

"we need to recognise that the Covid-19 pandemic had a significant impact on energy generation and consumption in 2020 making it difficult to draw firm conclusions from looking at single years in isolation. The longer-term trend points to a decline in the rate of deployment of renewable energy capacity since its peak in 2015 in part driven by the decline in UK Government financial support. We must urgently reverse this trend".

~~53~~58 The report adds (page 7) that the Covid-19 pandemic in 2020 impacted electricity demand *"in particular reducing non-domestic electricity demand as a result of reduced activity. Therefore, the relative surge seen in 2020 towards Wales's 70% target may be temporary".*

~~54~~59 Renewable energy in Wales is referred to from page 6 and it states that only 65 MW of new renewable capacity was commissioned in 2020 but of this 26 MW was heat capacity and only 39 MW related to electrical capacity. This new capacity figure therefore represents the lowest annual deployment rate of renewable capacity in Wales since 2010 which the report notes is 94% lower than the 2015 peak when 1,019 MW was commissioned. This is a striking reduction in renewable capacity deployment. This significant decline in deployment (Welsh Government, May 2022) is illustrated in Figure 4 below.

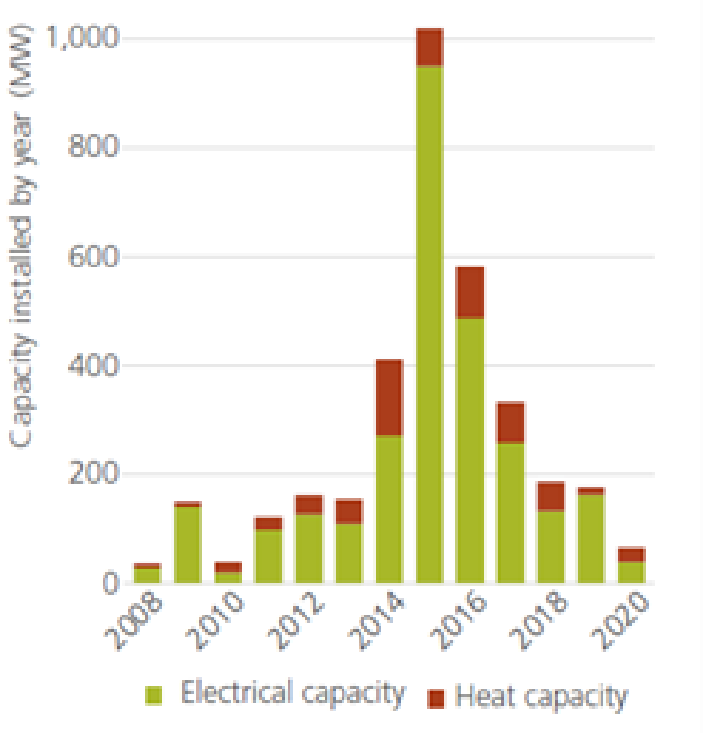

Figure 4: Wales' Annual Renewable Energy Deployment Rate.

~~55~~60 Another very important point to recognise is that the report acknowledges that the CCC Sixth Carbon Budget estimates that *"while total energy consumption should reduce in Wales as progress is made towards net zero, electricity demand will increase as a result of increasing electricity consumption in the heat and transport sectors".*

~~56~~61 All of the CCC's Net Zero scenarios for Wales suggest electricity consumption will remain steady until around 2030, before increasing by between 200% and 300% by 2050. This massive increase in electricity demand is also made clear in the UK Energy White Paper referred to above given the move across the economy and society to electrification.

~~57~~62 A further key point set out in the report in addition to the matter of rising electricity demand is the issue of deployment rates for renewable generation. The report states (page 7) *"there remains significant challenges to deploying renewable generation at the pace required to meet the 70% target by 2030. Securing price support, gaining planning permission and securing a grid connection are some of the key challenges for new renewable generation projects. Projects are therefore struggling to develop sustainable subsidy free business models that accommodate the necessary network reinforcements".*

~~58~~63 The report adds that onshore and offshore wind are responsible for over two thirds of Wales's progress towards the 70% renewable electricity target for 2030, underlining the importance of the offshore wind sector.

~~59~~64 The report also acknowledges the key issue today of energy security as a result of rising gas prices and Russia's war in Ukraine. It states (page 8):

"The recent surge in the global price of gas, combined with Russia's war in the Ukraine, has resulted in huge increases in energy prices across the world, with the impact felt hardest by those who are least able to bear it. The Welsh Government is providing support to those in urgent need in the short term, while building a future energy system which insulates Wales from the worst of the impacts. Extending fossil fuel use will only result in problems in the longer term. Instead, Wales will improve energy efficiency and develop a renewables-based energy system fit for the future".

~~60~~65 The report addresses each energy sector and offshore wind is specifically referenced on page 25. It sets out that *"there are three operational offshore wind projects in Wales, all in Liverpool Bay off the North Wales coast, with a total capacity of 726 MW. Offshore wind plays a major role in renewable generation in Wales, accounting for an estimated 29% of renewable electricity generation in 2020."*

4.4.3 Renewable Energy in Wales (2022)

~~61~~66 The Welsh Parliament's Climate Change, Environment and Infrastructure Committee published Renewable Energy in Wales in May 2022. It sets out that in October 2021 the Welsh Government announced it would be undertaking a 'Deep Dive' into renewable energy to identify barriers to significantly scaling up renewable energy in Wales and steps to overcome them. The outcome of the Deep Dive was published in December 2021 (Welsh Government, December 2021). In announcing the outcome, the Deputy Minister stated:

"Our vision is clear; we want Wales to generate renewable energy to at least fully meet our energy needs and utilise surplus generation to tackle the nature and climate emergencies. We will accelerate actions to reduce energy demand and maximise local ownership retaining economic and social benefits in Wales."

Following the Deep Dive, the Welsh Government committed to create a National Energy Plan by 2024 "mapping out future energy demand and supply

for all parts of Wales to identify gaps and to enable us to plan for a system that is flexible and smart – matching local renewable energy generation with energy demand".

~~62~~67 The Climate Change, Environment and Infrastructure Committee's view is set out in the May 2022 publication, and it is as follows:

"Although progress has been made, there has been a slowdown in renewable energy development since 2015. As we enter a critical time in the fight against climate change, and as energy prices soar and concerns about energy security grow, the Welsh Government must urgently renew its focus on renewables.

The potential for renewable energy generation in Wales is substantial, with abundant opportunities for both onshore and offshore development. This means Wales is well-positioned to go beyond meeting domestic need to become a world leader in renewable energy production, supplying clean energy to other parts of the UK and beyond. We believe the Welsh Government needs to be clearer that its ambition is for Wales to be a net exporter of renewable energy.

The Welsh Government must set more stretching renewable energy targets. These targets must be matched with demonstrable action to accelerate development at the scale and pace required for Wales to meet its climate change commitments and to become a net exporter of renewable energy."

~~63~~68 The report confirms (para 5) the Welsh Government's renewable energy targets as:

- Wales to generate 70% of its electricity consumption from renewable energy by 2030;
- 1 GW of renewable electricity and heat capacity in Wales to be locally owned by 2030; and
- By 2020, new energy projects to have at least an element of local ownership.

~~64~~69 Paragraph 33 confirms that Future Wales: The National Plan 2040 *"provides the policy framework for consenting new renewable and low carbon energy developments and associated infrastructure on land~~.."~~."*

~~65~~70 In terms of shared ownership, the report makes it clear (page 31) that the Welsh Government position is not sufficiently clear. That has subsequently been addressed with the publication of new guidance (Welsh Government, July 2022).

4.5 Conclusions

~~66~~71 The trajectory, in terms of the scale and pace of action to reduce emissions, is steeper than before and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the legally binding UK targets set on the Carbon Budgets will not be met.

~~67~~72 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

~~68~~73 Decisions through the consenting system must be responsive to this changed position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance.

~~69~~74 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge of net zero and the need to substantially increase renewable capacity.

~~70~~75 It must follow that the need case is to be afforded substantial weight in the planning balance. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Wales and the UK towards where they need to be.

~~71~~76 AyM can make a large, meaningful and timely contribution to decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, thereby addressing important aspects of the UK's legal obligations and Government policy.

~~72~~77 Reducing Wales' and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

~~73~~78 The case for Awel y Môr is therefore urgent and important and the Project would deliver significant renewable energy generation and emissions reduction benefits.

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