



Planning Inspectorate Case Team
Secretary of State for Energy Security and Net Zero
C/O National Infrastructure Planning
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Eich cyf . Your ref
Ein cyf . Our ref 22/NM-4825

20 June 2023

Dear Sir/Madam

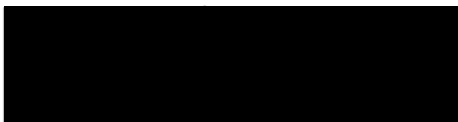
Awel y Môr Offshore Wind Farm Development Consent Order
CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY SECTION 135 OF
THE PLANNING ACT 2008

I am writing to confirm that the attached consent has been agreed by the Welsh Ministers, as Highway Authority for the Strategic Road Network, in respect of the Awel y Mor Offshore Wind Farm Development Consent Order ("DCO").

We appreciate that stylistic changes may be necessary for clarity and consistency purposes, however no amendments to the attached consent should be considered agreed without the prior written consent of the Welsh Ministers.

In the event that any of the aforementioned assumptions are incorrect or the basis on which this conditional consent is provided is disputed, please contact us as a matter of urgency.

Yours faithfully



Tim Barnes
Head of Planning, Asset Management and Standards



Attachment: CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY
SECTION 135 OF THE PLANNING ACT 2008

CC: Jonathan Barnes

RWE Renewables

Windmill Hill Business Park

Whitehall Way

Swindon

Wiltshire

SN5 6PB

The Welsh Ministers

APPLICATION FOR A DEVELOPMENT CONSENT ORDER ("DCO")
PLANNING INSPECTORATE REFERENCE: EN010112
CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY SECTION 135 OF THE
PLANNING ACT 2008

As discussed in correspondence, Awel y Môr Offshore Wind Farm Limited ("Awel y Môr") is applying, under the Planning Act 2008 ("the Act"), for a Development Consent Order ("DCO") for the Awel y Môr Offshore Windfarm ("the Project").

The land required for the Project includes land in which the Welsh Ministers have an interest and which therefore comes within the definition, in section 227 the Act, of Crown land.

The Crown land in question is identified as plots 363, 364, 365, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415 and 416 together with plots 468 and 469 (to the extent the Welsh Ministers have an interest) on the submitted Crown Land Plans and in the Book of Reference, which form part of the DCO application documentation. The Welsh Ministers may or may not have an interest in plots 468 and 469 but these plots have been included as the Welsh Ministers are noted as reputed owners in the Book of Reference on the basis that Awel y Môr has been unable to establish the owners of these plots and the Welsh Ministers own adjoining land. Awel y Môr seeks the consent of the appropriate Crown authority to the inclusion of this land ("the Crown land") in the DCO for the Project ("Crown land consent").

The Crown land includes plots which are noted in the Book of Reference as having an interest owned by the Welsh Ministers, Secretary of State for Wales and the National Assembly for Wales. The relevant interests of the Secretary of State for Wales were transferred to the National Assembly for Wales under the National Assembly for Wales (Transfer of Functions) Order 1999, Schedule 1. Relevant interests of the National Assembly for Wales were transferred to the Welsh Ministers under section 162 of, and paragraphs 30, 32 and 39 of Schedule 11 to, the Government of Wales Act 2006.

I confirm that the appropriate Crown authority (as defined in section 227 of the Act) to give Crown land consent is the Welsh Ministers.. I note that Awel y Môr does not intend to acquire compulsorily any interests in the Crown land which are held by the Welsh Ministers, but only to acquire other interests in land and to create by acquisition new rights required to construct, operate and decommission the Project. The inclusion of the Crown land within the Order land would also allow temporary possession to be taken by Awel y Môr in order to carry out works on the land and adjacent land.

Accordingly, I confirm that the Welsh Ministers hereby grant Crown land consent under section 135(1) of the Act to the inclusion of interests for the time being held otherwise by or on behalf of the Crown in relation to the Crown land in the DCO for the Project and to Awel y Môr's application for powers of compulsory acquisition in respect of all such interests. I also confirm that the Welsh Ministers hereby grant Crown land consent under section 135(2) of the Act for Awel y Môr to include other provisions in the DCO which will apply in relation to the Crown land including Articles 3, 4, 5, 6, 7(d), 9, 14, 15, 27, 28, 32, 33, 34, 37 and 39 of the draft DCO if the DCO is made by the Secretary of State in due course.

The DCO also includes agreed protective provisions in favour of the Welsh Ministers as the trunk road authority to control any part of the development authorised by the DCO within or which affects or requires occupation of the trunk road network. This will ensure that the powers sought in the DCO are exercised appropriately in relation to any part of the highway network which the Welsh Ministers are responsible for. For the avoidance of doubt, the granting of Crown land consent under section 135 of the Act does not affect the application of the protective provisions included in the DCO.