

Head of Energy Infrastructure Planning
Department for Energy Security and Net Zero
1 Victoria Street
London
SW1H 0ET

29th August 2023

Er sylw / For the attention of: John Wheadon

Annwyl / Dear Mr Wheadon,

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

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

EIN CYFEIRNOD / OUR REFERENCE: 20031687

RE: REQUEST FOR INFORMATION

Thank you for your letter dated 14 August 2023 requesting comments from Interested Parties on matters raised in your letter.

The comments provided in this submission comprise Cyfoeth Naturiol Cymru / Natural Resources Wales' response as a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2015 and as an 'interested party' under s102(1) of the Planning Act 2008.

In addition to being an interested party under the Planning Act 2008, NRW exercises functions under legislation including (but not limited to) the Environmental Permitting (England and Wales) Regulations 2016 (as amended), and Marine and Coastal Access Act 2009. For the avoidance of doubt, all comments provided herein relate solely to NRW's advisory function.

We note that the majority of the requests in your letter are directed to the Applicant, and that it is paragraph 8 of your letter that is directed to Interested Parties where "*Interested Parties are invited to review the Applicant's updated environmental assessment and provide comments on its adequacy and conclusions*". Our detailed comments, which are provided in [Annex A](#) of this letter, therefore focuses on this specific request.

NRW Advisory (NRW (A)) have reviewed the Applicant's post-examination submission titled "*Review of cumulative and in-combination effects*" (letter from Jo Pickard RWE) and dated 11th July 2023. We note that this additional assessment information has been provided following the publication of more detailed information with respect to the proposed Mona, Morgan and Morecambe offshore windfarms (OSW) Preliminary Environmental Information Reports (PEIRs) for which s46 notification has been given to the Secretary of State (SoS) for proposed Development Consent Order (DCO) applications. The advice provided in Annex A is based on the additional information provided by the Applicant for Awel-y-Môr (AyM) and which we note is founded on information currently available in the public domain. The Applicant also states in Table 2 that it "*...is expected that further consideration of potential cumulative effects will be given by Mona, Morgan, and Morecambe at the ES stage, incorporating any project refinement and further mitigation or enhancement that may be necessary for those projects following the statutory consultation phase*".

We consider this to be a reasonable approach. However, it is a matter for the SoS to satisfy its self that the information taken into account in respect of the Cumulative Effects Assessment (CEA) is that which the Applicant could reasonably be required to provide at this stage having regard to current knowledge and methods of assessment, and that deferral of CEA (and the extent of this) can be appropriately made to subsequent development, as per the Court of Appeal's Judgment in R (Larkfleet Limited) v South Kesteven District Council [2016] Env.LR.4).

We advise that NRW (A) is in ongoing and continued discussions with the Applicants of the Mona, Morgan and Morecambe OSW to refine their development proposals applications ahead of anticipated formal submissions to the Planning Inspectorate in Q1 2024. Furthermore, it is our view that the Mona, Morgan and Morecambe OSW should fully consider the cumulative effects of AyM as part of their Examinations, given that AyM is ahead in the consenting process and has concluded its Examination.

Our comments in Annex A are therefore made without prejudice to any further comments we may wish to make in relation to these applications once in receipt of more detailed information.

Please do not hesitate to contact Nia Phillips ([REDACTED]@cyfoethnaturiolcymru.gov.uk) and Bryn Griffiths ([REDACTED]@cyfoethnaturiolcymru.gov.uk) should you require further advice or information regarding these representations.

Yn gywir / Yours sincerely,

[REDACTED]

Andrea Winterton
Marine Services Manager
Natural Resources Wales

[CONTINUED]

ANNEX A

1. OFFSHORE

1.1. Marine Geology, Oceanography and Physical Processes

1.1.1. NRW (A) agree with the Applicants conclusions in the additional CEA for marine geology, oceanography and physical processes and consider the information presented adequate. We have no further comments to make in this regard.

1.2. Marine Water & Sediment Quality (MW&SQ)

1.2.1. We agree with the Applicants conclusions in the additional assessment for marine water and sediment quality and consider the information presented adequate. We have no further comments to make in this regard.

1.3. Benthic Subtidal and Intertidal Ecology

1.3.1. We agree with the Applicants conclusions in the additional assessment for benthic, subtidal and intertidal ecology and consider the information presented adequate. We have no further comments to make in this regard.

1.4. Fish and Shellfish Ecology

1.4.1. The original CEA for AyM concluded that there was no potential for significant cumulative effects with Mona, Morgan and Morecambe. NRW (A) agreed with this conclusion, because of insufficient information for other offshore windfarms being available at the time. Table 1 of the updated CEA notes that, when considering the potential for significant effects to occur cumulatively with AyM from Mona, Morgan and Morecambe that there will be no additional cumulative likely significant effect (LSE) and that all effects remain minor. This assessment is based on the PEIR conclusions for each of the Round 4 project applications.

1.4.2. However, in advising EnBW and bp on the Mona and Morgan PEIR applications, we disagreed with the assessment of impacts from underwater noise on fish receptors either alone or in-combination with other planned projects in Liverpool bay. As such, based on the information currently available, we cannot rule out significant effects from Mona and Morgan alone or cumulatively. We agreed with the conclusions for Morecambe. We advise that the assessments for the Mona and Morgan (and Morecambe) applications should consider cumulative effects with AyM as part of their forthcoming examinations. As noted in the covering letter, NRW (A) continue to work closely with Mona, Morgan and Morecambe to refine their applications including with respect to their cumulative impact assessments, ahead of formal submissions to the Planning Inspectorate anticipated to be in Q1 2024.

1.5. Marine Ornithology

1.5.1. The original CEA for AyM concluded that there was no potential for significant cumulative effects from an ornithological perspective. NRW (A) agreed with this conclusion. As noted by the Applicant, Mona, Morgan and Morecambe are still in early stages of data collection and interpretation. We agree with the Applicant's conclusions in Table 1 with respect to additional cumulative LSE, and reassert that it will be for the Mona, Morgan and Morecambe assessments to consider the cumulative effects with AyM as part of their ongoing project refinement.

1.6. Marine Mammals

- 1.6.1. We agree with the Applicant's overall conclusion that: "*additional cumulative LSE is not possible to rule out, however, based upon the commitments by Mona, Morgan and Morecambe to undertake further assessment and consider mitigation if necessary, it is expected that measures will be secured to ensure that significant cumulative effects will not arise*". The CEA assumes that Mona and Morgan will mitigate piling noise to negligible levels. It is our view that in order to do this, Mona and Morgan would likely need to deploy noise abatement / reduction technologies - this commitment has not yet been made, but we note that ongoing assessment work is being undertaken by Mona and Morgan in preparing their final submissions. NRW (A) continue to work closely with Mona, Morgan and Morecambe to refine their applications including with respect to their cumulative impact assessments, ahead of formal submissions to the Planning Inspectorate anticipated to be in Q1 2024.
- 1.6.2. Table 2, page 20 states that: "*However, it is noted that the Mona and Morgan PEIRs also state that in the context of the wider population (the Offshore Channel and Southwest England MU plus the Irish Sea MU), the effect would be of minor significance (not significant in EIA terms).*" In response to the Mona and Morgan PEIRs, NRW (A) advised that the two populations of bottlenose dolphins (Irish Sea Management Unit (MU), and Offshore Channel and Southwest England MU) will need to be assessed separately. There is no evidence to support the presence of a unified population composed of both MU populations (IAMMWG 2023). The MUs effectively represent different ecotypes of the species: the IS MU largely represents the population of coastal bottlenose dolphin [REDACTED], of which there are only a few hundred, and the OOC SW MU largely represents an offshore ecotype for the species, of which there are thousands. While Mona and Morgan have combined bottlenose dolphin MUs in their PEIR, NRW (A) advised them not to. Any implications from in-combination / CEA should be made at the scale of the appropriate MU (the Irish Sea MU in this case), which has been correctly assessed by AyM. There is no need or value in assessing at a wider scale. As noted throughout, we continue to work closely with Mona, Morgan and Morecambe to refine their applications including with respect to their cumulative impact assessments, ahead of formal submissions to the Planning Inspectorate anticipated to be in Q1 2024.

2. ONSHORE

2.1. Designated Landscapes

- *Effects from the offshore wind turbines*

- 2.1.1. The Applicant's *Review of cumulative and in-combination effects* notes that the Seascape, Landscape and Visual Impact Assessment [REP8-082] identified multiple potential significant effects from the AyM proposal alone.
- 2.1.2. NRW (A) advised in its written representations at Deadline 2 [REP1-080] (and further explained in submissions REP3a-021 and REP4-045) that the AyM offshore works are likely to have numerous and extensive operational significant adverse effects on seascape, landscape and visual receptors within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB) and Eryri National Park (NP) and within their settings. Special Qualities set out in the respective management plans for the areas which support the designations, would be adversely affected.
- 2.1.3. NRW (A) are in broad agreement with the Applicant on most of the AyM SLVIA findings, however we consider there has been an underestimation of some seascape, landscape, and visual effects on designated landscapes, as set out in Annex B of our Deadline 2 submission [REP1-080].

- 2.1.4. Whilst the *Review of cumulative and in-combination effects* report identifies borderline significant effects with the Mona project on Anglesey receptors only, we are of the view that there has been some underestimation in the assessment and there would also be potential significant effects on Eryri National Park receptors and on seascapes.
- 2.1.5. We agree with the *Review of cumulative and in-combination effects* that potential significant cumulative effects are likely with the Mona project but would not arise with the Morgan and Morecambe projects, which are sufficiently distant from the designated landscapes to avoid significant cumulative effects.
- 2.1.6. We agree that potential significant cumulative effects with the Mona project are likely to be experienced at receptors within the Isle of Anglesey AONB. Such effects would not affect additional special qualities of the AONB that would not be affected by AyM (i.e. the same special qualities would be affected by AyM in isolation and in combination with Mona). We described these effects in our response to the Mona PEIR consultation in which we draw attention to the likely combined and sequential cumulative impacts on e.g., people using the Wales Coast Path. Examples of where cumulative effects are likely include Penmon Point and the summit of Mynydd Eilian. At Penmon Point the Mona Array and AyM would be seen overlapping, with each extending the horizontal field of view affected by the other. At the summit of Mynydd Eilian, the two developments would be seen in combination across a wide horizontal field of view and the gap between them would appear small. We advise at locations such as these, the cumulative effect would be greater than the effect of either AyM or Mona alone, and it is likely to be significant.
- 2.1.7. At 35km distant from Eryri National Park, significant effects from the Mona project in isolation are less likely, however the addition of AyM in closer proximity and the extension of the portion of view affected means potential significant cumulative effects with the Mona project are also likely to be experienced at receptors within Eryri National Park in our opinion.
- 2.1.8. The Mona project would affect a substantial area of seascape off the north-west Wales coast and extends offshore development further west, however the more distant seascape contributes less to the setting of the designated landscapes than the seascapes close to the coast, which would be significantly affected by AyM. The addition of AyM closer to the coast would increase the cumulative effect on seascapes to significant due to the sensitivity of seascapes closer to the Anglesey and Eryri coasts.
- 2.1.9. From the Clwydian Range and Dee Valley AONB, the Mona, Morgan and Morecambe projects would be seen beyond existing offshore windfarms extending into the distance, with AyM also behind and infilling gaps between them. There would be an increase in effect, but it is unlikely to be significant in our opinion and we agree with the assessment.
- *Effects from the onshore works, including the substations*
- 2.1.10. The Mona landfall and cable corridor are unlikely to affect the Clwydian Range and Dee Valley AONB, however the substation has the potential for significant effects due to its size and closer proximity to the AONB than the AyM substation, which is located further west. The cumulative effect of both substations has the potential to be significant, due to the addition of the Mona substation.
- 2.1.11. Whilst we consider that the landscape and visual effects of the AyM onshore substation on the Clwydian Range and Dee Valley AONB unlikely to be significant, we did not consider that there would be no effect and advised that adverse effects should nevertheless be minimised and the materials and colours of the proposed buildings and infrastructure should be designed to minimise visual impacts. The same advice would apply, in principle, to the Mona substation proposal.

2.2. Protected Species

2.2.1. The route of the onshore works for the AyM and Mona projects converge in the Bodelwyddan area. We note that the Applicant concludes that there are unlikely to be significant cumulative effects. We agree, subject to the implementation of appropriate short and long-term conservation measures by both AyM and other proposed schemes, (including the Mona offshore scheme), that there will be:

- (a) no detrimental impact on the maintenance (and restoration) of the favourable conservation status on any local populations of European protected species (this includes the population of great crested newt that has previously been considered to be of national interest); and
- (b) No adverse impact on any nationally fully protected species.

3. REFERENCES

IAMMWG. 2023. Review of Management Unit boundaries for cetaceans in UK waters (2023). JNCC Report 734, JNCC, Peterborough, ISSN 0963-8091. <https://hub.jncc.gov.uk/assets/b48b8332-349f-4358-b080-b4506384f4f7>

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