

MR & KM Hussey



Deadline 3 Response.

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

PINS Reference EN010137 Mona Offshore Wind Farm
Interested Party numbers MNOW-S57019 & MNOW-S57018

Dear Examiners

We wish to respond and register our concerns following the applicant's written responses at deadline 2 (Rep 2-078) to our representations presented at deadline 1 (Rep1-086) .

We have significant concerns with the manner that the applicant has sought to address noise and visual impacts, not just for ourselves but also the wider community being selective in their judgements and not truly or accurately assessing the impacts (Please refer to sections 1.0 and 2.0 below for further detail).

During the early stages of this project there was pro- active and positive engagements by the applicant with a desire to act differently compared to other developments by not just adhering to the letter of the law, instead aiming to treat people fairly and prepared to do the right thing. Now that the development is at the examination stage there is little or no evidence of this.

We have been clear and open with the applicant from the onset that it is not the operational side nor the fully screened/mitigated substation that is our main concern, it is the period of 4 years or so where we will be exposed to substantial and significant adverse impacts on our daily lives, due to the noise and construction activities on a daily basis, 6 days a week, with no respite having substantial and significant adverse impacts on our quality of life.

As a consequence we have little or no confidence in the information presented by the applicant and cannot trust as to how individuals in unique positions, such as ourselves, can expect anything other than a simple acknowledgement of our plight, with the applicant being prepared to sacrifice our wellbeing and life changing impacts simply for the profitability of BP/EnBw and its agents.

This approach adopted by the applicant is causing us continued angst and dominating our lives it is morally and ethically unjust, particularly given that the true cost to the applicant of doing the right thing by us is a pittance of the projected budget.

Section 1.0 Noise

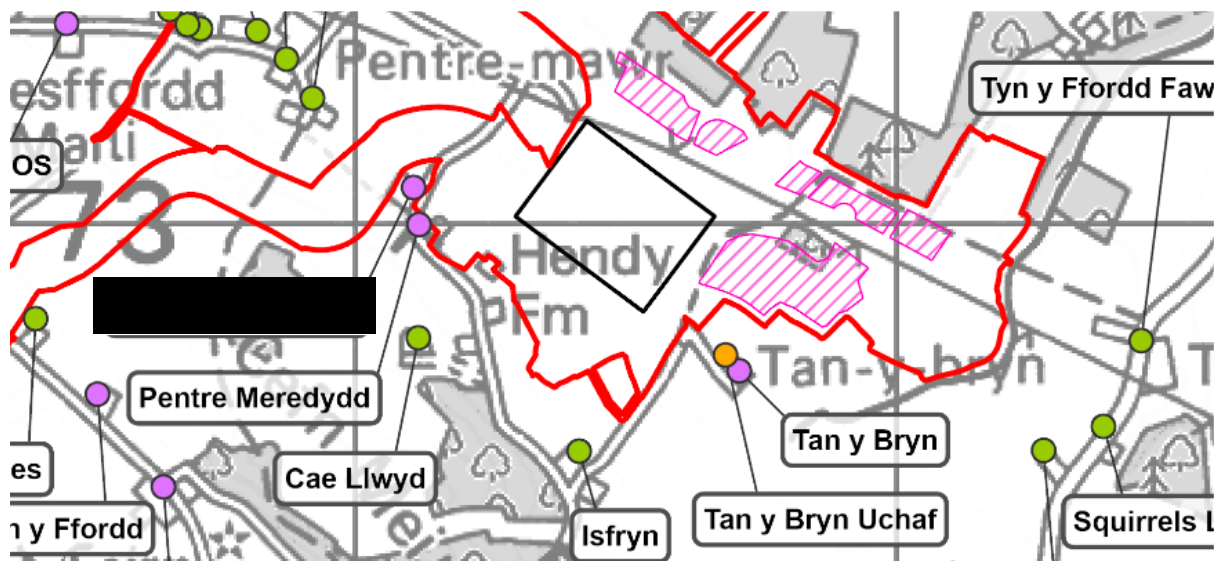
1.1 Base Line Noise

- The applicant in responding to our representations has acknowledged increase in noise levels on the 19th September at [REDACTED], noting similar observations at other survey locations L9 to L19 stating that the necessary influences have been removed coinciding with prolonged periods of rain during this period.
- However:-
 - The question we actually raised was related to the effects of wind and the fact that no high wind speeds were recorded by the applicant's weather station, whereas our own observations at the time and Meteorological Office data indicate gusty winds, not only on the 19th September but also the 18th September where similar increased noise levels are also recorded at site locations L9 to L19, therefore questioning the suitability of the weather station site used at the time or the accuracy in measuring wind conditions.
 - The use of any noise data from both the 18th September or 19th September remains dubious and leaves us still concerned about the over estimation of the base line noise levels presented.

1.2 Construction Noise

- 2m Acoustic Sound barrier used in modelling predictions
 - The applicant now indicates that this is errata and the 3D modelling was updated to remove the barriers and that the construction noise impacts reflect this
 - However, the statement in APP-179 regarding acoustic barriers is quite unambiguous and doesn't appear to be a simple error, therefore confirmation by the applicant that all the noise impact figures presented exclude any acoustic barrier would be welcomed.
- Noise level Predictions
 - In questioning actual distances used in the model for our property from each construction activity the applicant has referred us to the location of the temporary construction compounds in the vicinity of [REDACTED] as shown on drawing number 12079-0712-01 in ES Volume 7 Annex 9.2 (APP-179), whilst at the same time referring us to:-
 - Section 1.5.1.6 from APP-179 stating that Construction activities likely to be concentrated within one area have been modelled using 3D acoustic modelling software (SoundPLAN v8.2). The construction plant has been assumed to be situated within the temporary construction compounds and the sources have been modelled along the boundary closest to receptors to represent the maximum design scenario with an average height of 2 m above local ground level.

Below is part of the drawing number as referenced by applicant with temporary construction compounds indicated by pink cross hatched areas , the closest to [REDACTED] being top centre of this drawing by the wording Mawr



It appears from this drawing combined with the responses made by the applicant at deadline 2 and the statements in APP-179 that in assessing the noise impacts on [REDACTED] the distance used in the modelling (which is a significant influencer) was from the nearest temporary construction compound to the boundary of our property.

- This would mean that distances used in the modelling for [REDACTED] would be approximately 400mts which is significantly greater than:-
- For e.g.
 - Substation construction would be <200mts
 - Trenchless (which the applicant indicates would be undertaken behind our property) to which they predict 39dB impact, equivalent to library conditions, where in reality the activity could actually be as close as 3.6mts from our boundary.
- Again using trenchless as the e.g.
 - It is difficult to comprehend how using equipment such as Directional Drill, vibratory rig, pumps etc. in potentially such close proximity can only impact by such a relatively low noise level, actually lower than base line, suggesting that the ambient noise of the quiet area will dominate. Looking for a comparison from another Nationally Significant Project , in their noise modelling they predict a receptor 185mts away from cable installation as being impacted by 57dB.
- Using this methodology of distance from temporary construction compounds for modelling would significantly under estimate the true likely impacts on ourselves, bearing in mind that where the distance from the noise is halved then an increase of 6dB is likely so that it is much more likely that our true impacts will exceed threshold values consistently throughout the many years of construction.
- It is little wonder therefore that predicted noise levels presented by the applicant appear so low and simply cannot be representative, accurate or a true prediction of construction noise impacts for [REDACTED], or other receptors close to the substation site

- The applicant often refers to temporary construction works, but due to our unique position and that we will be affected by construction activities for around 4 years (including site preparation works) then for us it is not temporary by definition. The conventional acceptance is that temporary is 3-12months although the UK government in referencing temporary work space stipulates 24months max .

1.3 Cumulative Impacts

In response to our question about concurrent activities, the applicant acknowledges there will be concurrent activities but that one construction activity generally dominates the noise climate and that concurrent construction activities are unlikely to result in significant effects.

It is true that the loudest construction activity will dominate but any other construction activities undertaken at the same time will increase, although sometimes only slightly depending on the activity, the overall noise impact.

- **Construction Noise Impacts**

Because the applicant has chosen not to truly assess cumulative noise impacts and ‘even’ though we have serious concerns about the accuracy of the base line and predicted construction noise levels presented, we have used these to evaluate some activities (including some concurrent) for day and evening periods that will impact [REDACTED] against IEMA guidelines for noise impact assessment and those used by the applicant for operational noise assessment.

Base Levels 43dB Daytime and 42dB evenings and weekends			
Activity	Overall Noise Level	Change	Impact
Substation Fabrication	50.79dB Day 50.64dB Evening	+7.79 +8.64	Medium
Substation Foundation and Trenchless	50.93dB Day 50.79dB Evening	+7.93 +8.79	Medium
Substation Foundation and car park construction traffic	52.52dB Day 52.42dB Evening	+9.52 +10.42	High
Substation Fabrication and construction traffic	53db Day 52.91 Evening	+10 +10.91	High

It should also be noted that these figures do not include any cumulative construction works that will be taking place by Awel y Môr, National Grid, or any of the other projects, i.e. Mares interconnector, St Asaph Solar, IPG solar etc., all in and around the same vicinity in relatively close proximity to our property.

It should also be noted that more realistic and accurate noise impacts would push all impacts into High category.

1.3 Assessment Criteria

The applicant has used threshold values only from BS 5228-1 2009+A1:2014 for construction noise impacts citing this is the industry standard and that this approach has been used on other Nationally Significant Projects like Awel y Môr Wind farm, whilst at the same time stating in APP-179 section 1.2.7.3 that “ There are no set standards for the definition of the significance of construction noise effects”.

However:-

- There is guidance on construction noise within the Overarching National Policy Statement NPS –EN – 1 2023 section 5.12.6 stating that assessment should include
 - a prediction of how the noise environment will change with the proposed development in the shorter term, such as during the construction period
 - an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas

‘Predicted change’ is not whether a threshold is reached but the change in ambient noise levels, further supported by:-

- BS5228-1 2009+A1:2014 Annex E3.1 where it states that “ An alternative and / or additional method to determine potential significance of construction noise levels is to consider the change in ambient noise level with the construction noise”
- The applicant has also referred to IEMA Guidelines for Environmental noise Impact Assessment version 1.2 Nov 2014, which states that:-
 - It applies to all stages of development, from construction through to operation and that it applies to Nationally Significant Infrastructure projects
 - With section 7.10 stating that “The judgement that is required is whether or not the change in level B(after) minus A(before) i.e. the noise impact causes a noise effect”
- Finally, we have looked at random other Nationally Significant Projects as to how they have assessed construction noise impacts and found that the approach taken by Mona is not the norm, instead, other projects have used radial effects diagrams of noise bands around the construction site to show and assess the noise impacts.

1.4 Noise Summary

As a result of all of the above we consider a failing by the applicant to truly and accurately assess noise impacts and we therefore conclude and reaffirm that in relation to noise impacts, that at a minimum our:-

- Magnitude to be adverse and Moderate to Substantive
- Sensitivity to be Medium to High
- So that overall impact is Substantial.

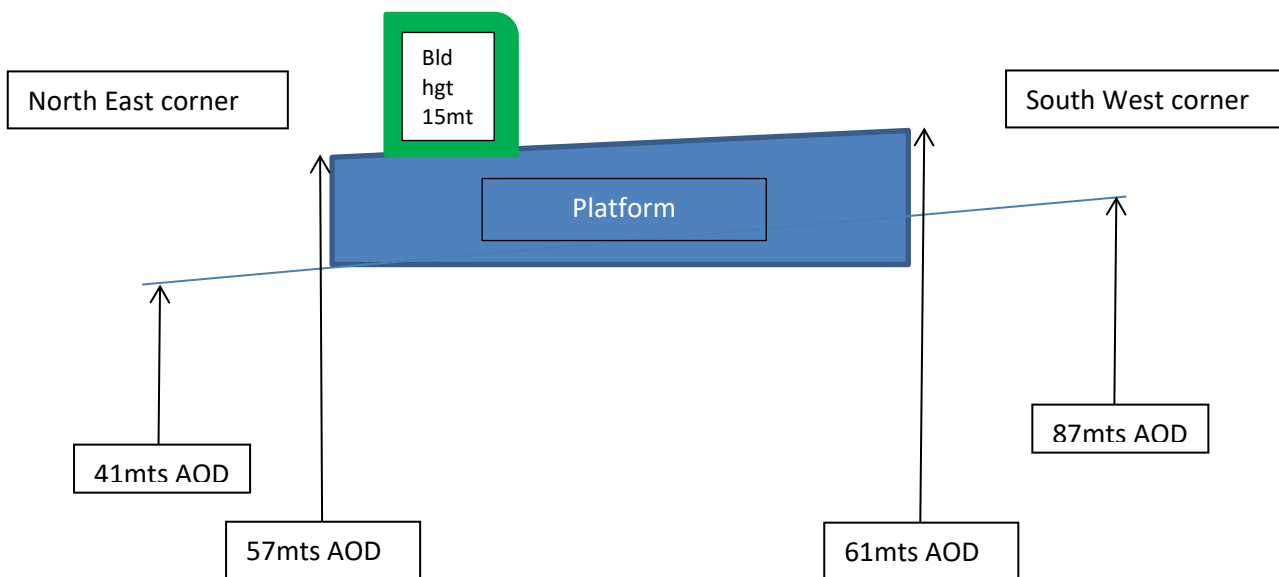
Section 2.0 Visual

In our concerns regarding views from our property as not accurately reflecting the true impact and our offer at the time to take more representative images (which were declined). The applicant states that it is not usual to take views from inside residential properties, it may not be usual but having been offered, it would have been a more accurate representative viewpoint than those presented . The applicant did take photographs from within the curtilage of our property but actively chose to only take views from the South West corner, completely ignoring our principal ground floor view and the North Eastern curtilage where we often sit outside, both of which offer more realistic and relevant views for us of the proposed substation.

In our question about worst case scenario and substation platform height we acknowledge our error in the anticipated platform height referenced in APP-189 of 57mts to 61mts as being AOD (above ordinance datum)

However this does not really answer the question as to worst case scenario being used in visualisations, since the applicant states that the AOD of the proposed substation site is currently 87mts at highest point and 41mts at lowest point

If the existing land is 41mts AOD at lowest point towards North Eastern corner and the platform slopes from 61mts to 57mts for hydrological reasons (drainage) and the lower height of the platform is assumed to be towards the North Eastern corner as indicative drawings show and information given to land users then:-



With the substation being built towards the North Eastern lower ground area and if platform height is anticipated as being 57mts AOD at its lowest end then the visualisations which the applicant reaffirms as being the realistic worst case scenario simply cannot be accurate showing only a platform height of ≤ 1 mt but is more realistically likely to be around 10mts. This would mean that the height of the buildings would be more like 25mts above current ground levels and Lightning conductors would be more like 40mts above current ground levels.

The applicant therefore needs to be more open and transparent in its estimations of platform height and reassess the visual impacts based on real worst case scenario.

In response to our comments about true and accurate visual comparisons years 1 and years 15 where the applicant has directly compared worst case, year 1 with best case, year 15, the applicant has said that this is usual.

We have looked at other Nationally Significant Projects (again at random) to find that this is not necessarily the norm where other projects have in fact shown both direct summer and winter comparisons , in line with Landscape Institute guidelines, with a number of examples also showing year 0 (current view) comparison. In this case the applicant has declined to do so and we remain concerned about the selective and biased visualisations in favour of the applicant and the way they have been presented.

When questioned about winter visualisations at ISH2 and in the applicants response at deadline 2 they refer to the 'twigginess' of the woodland planting providing a substantial screening.

This reference to twigginess is a totally subjective opinion and the visualisations presented (although not showing the twigginess) appear to show woodlands over grounds where the applicants underground cabling will be situated and under existing overhead electricity lines, both of which are clearly areas where woodland would not be planted, we therefore do not accept this totally grey area of subjectivity by the applicant.

Finally, we cannot accept the logic that our sensitivity to visual impacts would only become significant if we drive several miles away and view the development from afar, it cannot be justified in our minds that an occasional or infrequent visitor to the Clwydian range be more significant than we are seeing the views day in day out. This stance cannot be fair.

Section 3.0 Engagement

During the early stages of this project the active positive engagement by the applicant was fully appreciated, visiting us at our property on numerous occasions, responding to any queries and questions promptly. The applicant expressed a desire to act differently compared to other developments by not just adhering to the letter of the law, instead treating people fairly and prepared to do the right thing. We have noticed now the proposed development is at the examination stage we have been directed to formally raise our concerns with yourselves as examiners rather than simply get clarifications by corresponding with the applicant direct.

We did attempt to get clarification following deadline 2 responses to the issue of construction during the hours of darkness to which we emailed the applicant on 12th August asking:-

"I note your response listed in Errata Sheet S_PD_1 F02 for document ref APP-069 table 6.2 in relation to that 'during the construction phase no work will be undertaken during the hours of darkness' and the response that ' The text should be deleted as the potential impacts of working during hours of darkness has been included in the assessment'

I would be grateful if you could indicate where and in which document I can find this particular assessment as to potential impacts of working during hours of darkness.

Please advise”

To date we have had no response at all to our query and the desire to act differently and treating people fairly, doing the right thing morally and ethically has not materialised.

We get the feeling that because we are individuals and not a company or statutory body then they can adopt a cavalier attitude, provide political type answers that don't necessarily answer our questions, referring to Awel y Môr (perhaps influenced by the fact that lead members and other representatives were actively involved in the Awel y Môr scheme), however this development is not an extension of that project and is irrelevant

Section 4.0 In summary

We find it incomprehensible and illogical that anyone can honestly state that this project will not have major and significant detrimental adverse effects on ourselves.

Our concerns raised at deadline 1 remain almost entirely unchanged as a result of the applicant's responses namely:

The continued concern over our baseline noise levels.

Our experiences of disturbance to date where occasional works have been undertaken in close proximity.

The highly questionable construction noise impact assessments

The long construction hours with 3 ½ to 4 years prolonged exposure 6 days a week, which with current working hours proposed (including mobilisation) equates to disturbances of 75% of our waking time.

That being retired we will have no respite and no escape

That the area is a quiet environment where any construction noise will be noticeable, disruptive and a substantive effect.

That one of us suffers with [REDACTED]

That we will need to change our behaviour.

That there will be periods of 24 hour working in close proximity to our property.

That the applicant proposes to use trenchless techniques (higher noise levels and potential for 24 hour workings) in close proximity to our property.

The real lack of cumulative and concurrent noise assessments and the unique position of our property within the construction zones.

The types of heavy duty industrial construction equipment that will be used in close proximity:

CAT 360 excavators/Rock breakers/Concrete munchers/ Piling/Hammers/HDD etc.

That we will suffer noise level increase, disturbance and significant effects over our current ambient noise for periods >10 or more working days in any 15 consecutive days and >40 days in any 6 consecutive months.

The failure to accurately assess our visual impacts.

That our health linked to the levels of residential amenity we enjoy will be significantly affected.

That this development would negatively impact our property value.

The detrimental impacts on our quality of life and wellbeing.

The clear and obvious cumulative impacts.

We continue to firmly believe that no amount of mitigation can adequately protect and shield us from the significant detrimental impacts that this development will cause, have little or no faith in the applicant doing the honest and right thing, therefore:

We again ask that if yourselves as Planning Inspectors cannot reject this application then in line with;

BS5228-1:2009+A1:2014 That if noise levels generated by site activities for residential properties result in disturbance and interference with activities or sleep for a significant extent of time e.g. in excess of 6 months, then there might be advantages in offering permanent rehousing

BP Project Consultation Brochure summer 2022 where project director Richard Haydock stated “Committed to making sure we deliver it in a way that works for people that live and work in the areas that these projects are located”

BP Code of conduct – Core principles setting out standards for how to do the right thing

Wanting to help improve people’s lives

Committed to doing the right thing when engaging with communities

Wanting to be a trusted neighbour

Putting themselves in other people’s shoes

That through no fault of our own and being in this regrettable and unenviable position, the only right, fit and proper option is to recommend that the applicant purchases our property as part of this scheme should the development be granted Development Consent Order.