



Trawsgrifiad Gwrandawriad

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Grandawriad:	Gwrandawriad Mater Penodol 3 (ISH3) – Rhan 1
Dyddiad:	16 Hydref 2024

Sylwer: Bwriad y ddogfen hon yw i gynorthwyo Partion â Buddiant, nid yw'n air am air.

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Hearing Transcript

Project:	Mona Offshore Wind Farm
Hearing:	Issue Specific Hearing 3 (ISH3) – Part 1
Date:	16 October 2024

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FULL TRANSCRIPT (with timecode)

00:00:05:07 - 00:00:17:23

Okay. And in which case. Good morning everyone. Baradar. Okay, so it's now 930 and it's time for this hearing to begin. Could I just confirm that everybody in the room can hear me clearly?

00:00:21:07 - 00:00:26:24

If I could just also ask that everybody here turns all their phones or devices to silent, please, as well.

00:00:28:27 - 00:01:02:29

Could I just confirm with Mr. Stevens that the live streaming and recording has started? Thank you. I'd like to welcome you all to this issue specific hearing, which is issue specific hearing three on environmental matters in relation to the application that is being made by Mona Offshore Wind Limited, who we will refer to as the applicant for an order granting development consent for the Mona Offshore Wind farm. My name is Caroline Jones. I'm a chartered town planner and an examining inspector, and I have been appointed as the lead member of this panel to examine this application, I'm just going to ask the rest of my panel.

00:01:03:01 - 00:01:04:09

To introduce themselves.

00:01:04:28 - 00:01:16:07

Good morning Bada. My name is Julie Ducasse. I'm also a chartered time planner. I've a predominantly appellate background, including major energy and transmission infrastructure.

00:01:17:02 - 00:01:25:18

Good morning everyone and board. My name is Graham Hobbins and I'm a chartered civil engineer with a background in major rail and energy infrastructure.

00:01:27:21 - 00:01:35:26

Good morning. My name is Jessica Powis. I'm a chartered town planner and an examining inspector, appointed as a member of this examining authority.

00:01:37:24 - 00:01:51:12

For the Pope. Good morning, everybody. I'm Jason Rawlins, I'm a chartered civil engineer and the chartered environmentalist with a background in major energy and highways infrastructure.

00:01:52:13 - 00:02:05:23

Thanks, everyone. So together, we constitute the examining authority, and we will be reporting to the Secretary of State for Energy Security and net zero, with a recommendation as to whether development consent should be granted.

00:02:07:08 - 00:02:38:24

The hearing today is going to be following the agenda that we published on the 4th of October. It'd be really helpful if you had a copy of that in front of you. The agenda is for guidance only, and we may add other considerations or issues as we progress today. We'll conclude the hearing as soon as all relevant contributions are made and all questions asked. However, if we can't conclude the discussions today, we may ask you to defer some matters to writing or we may put them in our written questions. Likewise, if you can't answer anything that we ask you today. You're also free to put that in writing to us.

00:02:40:06 - 00:03:18:01

This is a blended event, and that means it comprises an in-person meeting as well as being held on the Microsoft Teams platform. It's both being live streamed and recorded for those people who are observing or participating through teams. If I could just ask that you stay muted throughout the meeting in order to minimize background noise. If you do wish to speak, please use the hands up function or just turn your camera on so that we can see you. Do be patient. We might not get to you immediately, but we will get to you at some point. For anybody watching on the live stream, I do also need to advise you that when we adjourn proceedings for any breaks today, you do need to refresh your browser page to watch the resumed hearing.

00:03:19:26 - 00:03:52:27

A recording of today's hearing will be made available on the moon or offshore Wind Farm section of the National Infrastructure Planning website as soon as practicable after this hearing. With this in mind, please make sure that you speak clearly. And if we could just ask that every time you speak, if you state your name and who you are representing as the digital recording is the only official record of today's proceedings. We provided a link to our privacy notice in our rule six letter, which was sent out before the examination began. And we're going to assume that everybody who is here today has read this.

00:03:55:19 - 00:04:15:17

All the personal data of our customers is handled in accordance with the principles set out in the data protection laws. As this event is recorded and published, it is important that you do not add information to the public record that you wish to be kept private or that is confidential. Your address. For example, please speak to Mr. Stevens if you have any questions about this.

00:04:17:26 - 00:04:45:21

We'll be looking to take a break mid-morning today and obviously lunch at a convenient time. We're aiming to finish no later than 5 p.m. today. I'll just deal with a few preliminary matters. For those of you who are in the room. I am not aware of any fire alarm tests or drills today, Mr. Stevens, is that correct? So if you do hear the alarm, please exit the room via the fire exits, which are at the, uh, the rear of the room and just behind us here.

00:04:48:11 - 00:04:55:10

I believe we have Mr. Cameron here from the press. Hello, Mr. Cameron, do we have anybody else here from the press?

00:04:57:23 - 00:04:58:18

Thank you.

00:05:00:20 - 00:05:31:24

Turning to language, we do have translation facilities here today for this hearing. Mr. Rawlins on the panel is a native Welsh speaker. And Mr. Stevens, our case manager, can also speak Welsh. The rest of us will do our absolute best to pronounce places and names correctly. But we do apologise for any mistakes we make and do feel free to correct us if we do. With that in mind, we do welcome contributions in both Welsh and in English. Do we have anybody with with us that wishes to address us in Welsh today?

00:05:35:01 - 00:05:40:17

I'm not seeing any hands up. So in which case I'm going to hand over to Mrs. Powers to go through some introductions.

00:05:43:06 - 00:06:20:08

Thank you, Miss Jones. I've been provided with a list of those who have expressed a wish to speak today. I'm now going to ask those of you who are participating in today's hearing to introduce yourselves. Um, in the interests of expediency, could I just ask that any party or organization that has more than two people participating this afternoon or sorry, this morning, um, just the main representatives to introduce yourselves would be fine. And then at the relevant points, you can bring in, um, other members of your team, um, please introduce yourself and state your name, who you represent, and, um, if you can, which agenda items you wish to speak on.

00:06:20:10 - 00:06:26:03

And I'll start with those in the room first, and then come to our virtual participants. And in the room I'll start with the applicant.

00:06:28:15 - 00:06:31:16

Florida. Good morning. My name is Liz Dunn. I am a.

00:06:31:18 - 00:06:54:01

Partner at Burgess Salmon and I am representing the applicant, Mona Offshore Wind Limited. Uh, at this hearing today, I will just introduce the two people sitting next to me. So I'm joined by Phil Williamson, who is the onshore consents manager for the applicant, and Paul Carter, who is the consents consent manager for the applicant. Others will introduce themselves as they speak.

00:06:55:03 - 00:07:02:06

Thank you. And I understand, Miss Dunn, that we have a member of your team also operating the documents. So if we need to see something on the screen, then.

00:07:03:25 - 00:07:08:18

Yes, we do. Mr. Griffin Beale, who's sitting next to me on my left.

00:07:10:11 - 00:07:22:24

Thank you very much. And welcome. Okay. Um, and then moving on to others in the room who are joining us, and, um, do we have Councillor Barlow? I thought we had him a moment ago.

00:07:24:15 - 00:07:37:09

Popped out. Okay. Um, we, we we met Councillor Barlow on site yesterday and, um, so he'll probably be popping back in as the hearing progresses this morning. But in that case, I'll come to Mr. and Mrs. Hussey. Would you like to introduce yourselves?

00:07:38:16 - 00:07:41:20

Morning. Uh, Martin Hussey, resident of Cafe Mary Adele.

00:07:44:05 - 00:07:44:20

Morning.

00:07:44:22 - 00:07:46:29

Margaret Hussey, resident of Kevin Mary paddock.

00:07:48:25 - 00:07:56:23

Welcome, and thank you for joining us. Um, and then could I ask for representatives of the Tanner trout fishery, please?

00:07:58:02 - 00:08:03:27

Martin Chambers, the owner and director of North trout fishery. Uh, also chartered environmentalist.

00:08:06:21 - 00:08:13:03

Thank you. And finally, on the list, we have the executors of the late Sir David Watkin Williams. Wynn.

00:08:13:26 - 00:08:44:02

Uh, yes. That's correct. My name is Edward Sample. I'm a chartered surveyor, acting as managing agent for cottage owners. And on behalf of the executors, I am joined by Daryl Spittal to my right, providing specialist advice on the matter. Um, I will refer to what they call the Kevin estate rather than the executors of the late throughout the process. So when I refer to the Kevin estate, that implies that I'm talking about the interests and it relates to onshore matters.

00:08:44:06 - 00:08:44:21

Thank you.

00:08:45:23 - 00:09:01:12

Thank you. Um, I haven't stuck to what I already said, which was, um. Could I have a list of which agenda items you want to speak on? So I'm assuming you're mainly interested in item four, which is the onshore substation. Could I just ask, um, Mr. Chambers, which item you were hoping to speak in connection with?

00:09:03:02 - 00:09:11:06

The item I'm concerned with isn't actually on the agenda, ma'am. Um, it's rather to do with water supplies and their security.

00:09:12:12 - 00:09:30:22

Okay, so obviously we're aware of your written submissions. Um, what we'll do is find a way to hear you today. Um, it may be that we pick it up on under item for, which is about the onshore substation. So that's likely to be this morning. I just can't tell you exactly where that's going to be until we'll probably break and find a time to fit you in. Does that sound acceptable?

00:09:31:20 - 00:09:32:29

That's perfectly fine. Thank you.

00:09:33:01 - 00:09:38:04

Thank you. Is there anybody else present in the room today who wishes to speak?

00:09:40:26 - 00:09:57:15

Okay, in that case, then we'll move over to our virtual participants. And, again, if you wish to introduce yourself, please could you just let us know your name, who you represent and which items you would like to speak against? I'll bring in good, uh, Natural Resources Wales first, please.

00:10:04:18 - 00:10:14:08

Good morning ma'am. My name is Andrew Byas. I'm a barrister instructed by Natural Resources Wales. Um, and together with Mr. Jeff Cork. Uh, we'll be speaking to item five.

00:10:17:14 - 00:10:26:09

Thank you very much. We have some other members of the NLP team on our list, but I will presume that you will just introduce them if you need to bring them in at any point. Is that correct?

00:10:26:15 - 00:10:28:22

Yes, ma'am. Thank you, thank you.

00:10:29:25 - 00:10:38:10

And then I will move on to the councils. And I understand that they're collectively being represented. Um, well, that's con we, Denbighshire and the Isle of Anglesey.

00:10:40:17 - 00:11:04:01

Hi. Good morning. All right. Um, Ben Oakman here. Um, as you say, rightly representing Isle of Anglesey in respect of offshore items. Um, and that'll be talking to item five on the agenda and also representing um Conway and Denbighshire in respect of the onshore aspects, uh, to item four. And my background is I'm a landscape architect.

00:11:05:15 - 00:11:06:00

Thank you.

00:11:06:09 - 00:11:19:21

Thank you very much. And welcome. Thank you for joining us. Um, I have the Welsh Government on my list, but I'm not entirely clear whether they're actually with us virtually yet. Is there anybody here joining us from the Welsh Government?

00:11:22:03 - 00:11:31:28

Not at the moment. Okay. We'll see. Um, whether they join us later in the day. Is there anybody else joining us virtually today who I haven't already asked to introduce themselves?

00:11:37:11 - 00:11:47:01

It seems we have everybody. Uh, and in that case, then, um, I'll just say welcome. Thank you for your time today. And I'll hand back to Miss Jones, who's going to take us to item two of our agenda.

00:11:48:12 - 00:12:26:23

Thank you, Mrs. Powers. I just want to run through what the purpose of today's hearing is. Today will be a structured discussion led by the examining authority. We are familiar with everything that you've already submitted to us. So you don't have to repeat at length anything that you've already put to us in writing. Everything carries equal weight, regardless of the way you submit it to us. If you do refer to any documents today, it would be really helpful if you can give us the correct examination library reference number. Also, please try to avoid using acronyms as anybody who is watching or in the rooms might not be as familiar with them as we are.

00:12:28:13 - 00:12:54:29

We're holding this hearing today to address matters and questions about the environmental effects of the proposed development, particularly those effects relating to the proposed onshore substation site and those effects relating to landscape and seascape. Those matters have been identified to us through our site inspections, and do a reading of the application and all of your submissions to date. Does anybody have anything they wish to raise on what I've just outlined?

00:12:57:16 - 00:13:31:02

Okay. In which case we will move to agenda item three, which is the application. We've put this item on the agenda because we are at the halfway point of the examination. So we thought would be beneficial for us to take stock of where we are and what's left to come in the examination. Firstly, we would like to thank the applicant, um, for some of their submissions, including the resubmission of the the progress tracker, which uh, which helpfully took on board some of the points that we discussed at the preliminary meeting.

00:13:31:20 - 00:14:04:02

Um, I know that you had some doubts as to the the content of the tracker, but actually what's come back to us is in a much better format and set out in a way that's actually really useful to us. Um, similarly, the, um, cumulative effects assessment table that you've given us, that's also really helpful for us to see that all in one place as well. Um, we obviously had the accompanied site inspection yesterday. That was extremely valuable. Again, and thank you for marking out the areas of the proposed substation and the and the, um, temporary compound areas. That was also extremely useful to us.

00:14:05:13 - 00:14:43:12

However, I can't really let the examination progress without just making a few comments on the quality of some of the submissions that we have had to date. Um, as of deadline three, we've now got a 51 page errata document, uh, set out in table form. We've had additional errata clarification notes, we've got schedules of changes for documents for the ES and the Habitats Regulations assessment as well. Uh, we're all human, and I don't think we would ever expect that to be them, to be completely error free when you're handling such volumes of information, and how many pages are involved in them.

00:14:43:15 - 00:15:17:06

I'm basing this on my own experience of no examinations on that of of my colleagues, but it does appear that the number of errors within this application is particularly high, uh, especially given we're only at the halfway point. Now, there are particular areas where those errors are more prevalent. Um, I think we're all aware that offshore ornithology, for example, is one area where we found a lot of errors and discrepancies. I do not want to repeat the comments that we've received from the statutory parties. Um, but they have found the application documents very difficult to analyze because of those errors in the discrepancies.

00:15:17:08 - 00:15:55:18

And we do share that view as well. Uh, I do appreciate that you've submitted that. It doesn't affect any of the conclusions drawn, and we appreciate that. Um, but I think the volume of errors and disparity, as well as some factually incorrect statements within some of the documents, does somewhat undermine the credibility of the evidence and some of the confidence that we can have in what before us is correct. I think we made it clear at the preliminary meeting that we weren't overly enamored with the way you wanted to approach Arata, and I think having got to this point, that view is probably strengthened now.

00:15:56:19 - 00:16:29:19

Um, I think we've reached a point where it's almost unreasonable to expect us and other parties to have to read across so many documents and follow such a large paper trail. And I think, if I'm honest, that's compounded by the way the errata has been set out by deadline rather than topics. So even if you're trying to look for a topic, you have to then, you know, go down the table to work out where you're looking for that. And I think it's just a little disappointing. And at this stage, my worry is that given the large number, it might prejudice, um, interested parties ability to access that information if we're having difficulties.

00:16:29:21 - 00:17:04:29

And I can only imagine that they are too. I know we did discuss this at the preliminary meeting before. But just in light of what I've just said, I'd quite like to revisit the way in which you intend to approach Arata going forward. Um, both for the remainder of the examination and at the close, just so that we can be absolutely clear in our minds how that's going to be presented to us, um, in the final documents and also those documents which will be certified in the final DCO. So just in light of what I just said, can I sort of hand over to the applicant if they have any suggestions and maybe how we could tackle this?

00:17:05:13 - 00:17:40:01

Thank you. Madam Li's done. On behalf of the applicant, I am pleased that the progress tracker is going the right way. And, um, that that that's helpful. And we are aware of, um, obviously of the of the, uh, errata that have come to light, the applicant has sought to, um, identify those and address them as quickly as possible so that there isn't there isn't prejudice to parties in the examination. We've also sought to be very clear where those errata have come up, a lot of which are just transpositions of numbers across documents.

00:17:40:04 - 00:18:23:18

Um, as to whether that changes the conclusions of the environmental impact assessment. So we've sought to present it, um, as clearly as possible to parties as we've gone along. Um, we've sought to do it in a way that was that we felt was easy to, to understand and to read and appreciate that that may not have achieved the desired purpose. Um, I think the best thing for us is to take that away today, noting the points around updating documents. Um, we're also keen, I think, as I said at the outset of the examination, that there aren't significant volumes of documents being produced again and again and again providing those updates if, let's hope we're at the end of picking these up.

00:18:23:20 - 00:18:57:24

But but, you know, if there are further things that are picked up later down the line. So I suggest we take that one away today. I'm happy to update either after the hearings tomorrow or perhaps next week when we have the offshore matters. Um, as to sort of setting out how we think, um, would be a helpful way to sort of take that forward, and then, um, we could have some discussion or feedback on it. I think that would be very helpful from, from the panel's perspective, so that we know that what we're preparing is actually what you need and, and what we feel the examination needs as well.

00:18:58:06 - 00:19:17:13

I think that would be helpful. Obviously, I appreciate that. I've just sprung that on you just now. Um, so I don't, um, expect you to have an answer for straightaway, but I think if we can, if we can come to some sort of solution before these sets of hearings have finished, that would be helpful for everybody so that we know and you know, and everybody else knows how that's going to work.

00:19:18:12 - 00:19:38:15

Yes, ma'am, I think so. I think probably the, um. Sorry, Liz, done on behalf of the applicant. Um, I think probably if we picked it up, maybe as the first item on the offshore agenda for next It's a week today, isn't it? Um. Then we'll be able to to. I'll be able to present it and talk it through, and then we can we can sort of go on from there.

00:19:38:21 - 00:19:39:27

That's fine. Thank you.

00:19:42:27 - 00:19:46:00

Does anybody else have anything they wish to say just before I move on?

00:19:48:06 - 00:20:06:20

Um, so moving on from from that, just given that we are at the halfway stage, um, just to the applicant, is there anything that you're, that you have concerns about or that you want to make us

aware of, that you feel, uh, issues that might not be capable of any resolution during the remaining time of the examination.

00:20:09:20 - 00:20:15:14

I don't expect to talk in detail about individual topics that we will have in the hearing, but.

00:20:15:20 - 00:20:36:26

That's done on behalf of the applicant. Um, there's nothing that is raising alarm bells with us at the moment. Obviously there are. We're making progress. Um, often progress at the start of the examination is slower than progress at the end of the examination. Um, but we are making progress with key issues and, um, updating, um, as we need to.

00:20:39:07 - 00:21:09:09

Okay. And just before we move into the next agenda item, there is just a few remarks I'd quite like to make, um, about the, uh, the role of what is critical national priority policy, which is within M1, which I'll now refer to is um, CNP. Um, and it's just if I can make a few remarks about the application of CNP in the examination and the decision making stage.

00:21:09:11 - 00:21:44:23

Um, there are a few instances within the application and subsequent submissions by the applicant, um, which concern us slightly. So I just want to make sure that everybody's clear on how CNP works and how it operates. Um, the remarks that I'm referring to refer to CNP being the starting point. Um, and how CNP we start with CNP before we get to do almost get to residual effects. And there is no disagreement that as an offshore wind farm, the CNP policy would apply to this development.

00:21:45:09 - 00:22:24:18

However, as set out in NPS m one that does not create an additional or cumulative need case or weighting to that which is already outlined for each individual infrastructure type. The CNP policy is not the starting point. It applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy, which is to avoid, mitigate and compensate. So as such, it is relevant to any residual impacts that have been identified, but only after these have been properly considered and not before.

00:22:25:12 - 00:22:39:09

It's not a green light for development, and it's not a reason to avoid proper assessment or mitigation or compensation, and it certainly does not absolve applicants of properly consideration considering the impacts of the development.

00:22:40:26 - 00:23:15:03

Obviously, each case will be assessed on its own merits and the examining authority, and ultimately, the Secretary of State must be satisfied that the applicant's assessment demonstrates how the application meets the requirements in the national policy statements, how the mitigation hierarchy has been properly applied, as well as any other legal and regulatory requirements that might be required for individual issues or topics. I would draw party's attention to figure two, which is on page 56 of Empson, one which I think is quite helpfully demonstrates in a flow diagram.

00:23:15:10 - 00:23:37:27

The application of CMP in the decision making process. So just having said that, I just want that everybody to bear that in mind for us, for parties and for the applicant, that we still need to be looking at the policy requirements. We still need to be looking at that mitigation hierarchy. And the CMP does not trump that, the proper consideration of those elements.

00:23:39:12 - 00:23:41:27

Is there anything the applicant wishes to say on that?

00:23:43:07 - 00:24:13:18

Let's stand on behalf of the applicant. Uh, no, ma'am, I. It's clear from the national policy statements that, um, the critical national priority, um, infrastructure, uh, the I think there is an added need case for CNP infrastructure above, um, above other types of, of need. And it's, it's very clear for a renewable energy infrastructure, but, um, it is the applicant's position. And that may not be clear in the documents that you have to have gone through the mitigation hierarchy.

00:24:13:20 - 00:24:44:15

It isn't that you say we're a critical national priority infrastructure project and therefore anything goes. And that is not the position that the applicant has taken as part of this application. Um, parties can see the extent to which, um, there has been an identification of likely significant issues impacts the mitigation that has been applied to those to seek to reduce those, the provision of mitigation where necessary. Um, so it's absolutely the approach that the applicant has followed through the application.

00:24:44:23 - 00:25:09:15

Uh, I think the the focus is on where those residual impacts, uh, arise, that that's where the critical, the CNP, um, presumption comes into play, which is that, uh, under the national policy statements, there are very few circumstances in which those residual impacts will outweigh the need for the project. And I think that's very clearly set out in Ian one.

00:25:10:23 - 00:25:42:13

That's fine. I think I think as Alexei, we would say that the environmental statement very it does clearly set out where you where you've identified, um effects and how you propose to mitigate them. So I think we're in no doubt that you have followed that within your environmental statement. I think it's just in a few instances of subsequent submissions, maybe in response to our questions, the way it's come across, um, in answering those questions is almost an answer of, well, CNP will trump this anyway. Um, and that might not be what you've intended, but it's certainly the way it sometimes is reading.

00:25:42:25 - 00:26:01:28

Um, and yes, you are correct that CNP will come. It comes to the planning balance, and that's for us as an examining authority to to apply if and when we get to that point and subsequently for the Secretary of State rather than for the applicant. Okay. Does anybody else have anything they wish to raise on that matter?

00:26:04:09 - 00:26:36:12

Okay. In which case I will move on to agenda item for, uh, the proposed onshore substation. And the first item within this section is alternatives and site selection. In the first instance. Could we start by asking the applicant to give us a brief overview of this site selection process for the onshore substation we have read is chapter four, volume one. So there's no need to repeat word for word what is in there? Just a synopsis will suffice.

00:26:37:11 - 00:27:25:16

Please stand on behalf of the applicant before I hand over to Mr. Williamson, who's going to talk you through that? I thought it would actually be helpful just to set the context of both the policy and the legislation requirement around the consideration of alternatives. I will keep it short, but I think it is important that that we look at it in that context. Um, so National policy statement in one paragraph, 4.3. 20, sorry, 4.3.9. Um, confirms what is the legal position under the Environmental Impact assessment regulations? Um, that 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 case, a matter of law, and then it says this.

00:27:25:18 - 00:28:02:14

NPS does not contain any general requirement to consider alternatives or to establish whether the proposal. The proposed project represents the best option from a policy perspective. 4.3. 15 then says applicants are obliged to include in their environmental statement information about the reasonable 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.

00:28:03:16 - 00:28:38:17

Um, and then when you look at the environment environmental impact assessment regulations and here it's the infrastructure planning, environmental impact assessment regulations they refer to at um, uh regulation 14 two. They require an environmental statement to include, again, a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking account the effects of the development on the environment.

00:28:38:19 - 00:29:09:01

And then that's um, broadly, um, repeated in schedule four, paragraph two of those regulations. But that also uh mentions so this is what needs to be covered in um, so excuse me in an environmental statement that adds that also, as well as the main reasons, there is supposed to be a comparison of the environmental effects. So this is the framework within which the applicant has undertaken, um, its assessment of um, of alternatives to the project.

00:29:09:03 - 00:29:18:15

And Mr. Williamson is now going to go through the very comprehensive, robust and thorough site selection process that the applicant has undertaken.

00:29:20:09 - 00:29:58:03

Hillary Williamson, on behalf of the applicant. Um, I'll make reference to various documents as I as I talk through, um, you've made reference to the to the chapter which is as 016. Um, the areas of search

identification, which is app 8081 and the site selection rank report, which is app 082. Uh, as Miss Dunn explained, uh, we believe that the applicant has undertaken a robust site selection process, which we believe has followed recognised processes and approach to both consideration of alternatives and the ultimate choice of the location for various infrastructure elements.

00:29:58:05 - 00:30:14:00

Obviously, I'll be discussing the onshore substation. I do want to say at the outset that we've undertaken a site selection presentation with the Design Commission for Wales as part of our site selection process, and they stated that the site selection process was comprehensive and thorough.

00:30:15:21 - 00:30:47:24

Uh, our process was staged and designed to provide several opportunities for engagement and feedback from stakeholders, landowners, and the public through non-statutory and statutory consultation prior to each key decision point. And that being the the ultimately identification of the substation zone and then the final choice of the location within that zone. We have sought to engage affected landowners throughout and land interests, including tenants, to discuss the proposals and seek specific feedback on them.

00:30:48:03 - 00:31:32:09

And to date, that feedback has been limited. But we do welcome the The Substation onshore substation landowners agreement to meeting soon after these hearings. The onshore substation site selection process starts with the National grid identification of bodies within as a point of interconnection through the ND. So the holistic network design process, which was in 2022, and therefore we only considered that site as part of the detailed site selection process. And the high level approach was to define a search area and dividing that search area into zones, which were areas of common constraints and complexity, and creating a short list of zones and identifying land parcels within those zones.

00:31:32:26 - 00:31:48:15

We undertook an internal brag assessment of those land parcels. Sorry, black, red and the green assessment, which is a common site selection process, which is detailed. The process is detailed in the site selection report and also the chapter.

00:31:50:18 - 00:32:32:11

We are. We identified guiding principles for the onshore substation site selection within the chapter as 016. Um, I'll list those out the economic and efficient grid connection as as close as possible to the national grid connection point following the Horlock rules, which were adopted by National Grid electricity Transmission in 2003 and summarized in table 4.6 of A01 six. Um, avoiding key sensitive features where possible and where not to ensure mitigation of impacts can be delivered so that there is capacity for mitigation within a site and minimize the disruption to, and therefore the impact on populated areas and accommodating a range of technology solutions within that.

00:32:34:23 - 00:33:05:22

Our area of search used um indicative parameters as defined in table 1.1 of app 081. And this is obviously at the outset of the onshore substation site selection process, with a footprint of up to 125,000m² for the indicative onshore substation structures up to 20m tall, and then the onshore

substation compounds, the temporary construction compounds of up to 250,000m². So you will note those are significantly larger than what we have refined it down to within the application.

00:33:06:19 - 00:33:37:06

That initial area of search was five kilometres from the grid connection point a model within. And I do want to, um, draw your attention to the fact that a five kilometer search area is larger than most, um, onshore substation search areas for projects of this type. We initially started with three kilometres, but then through internal review and challenge of our engineers were able to widen that to five kilometres for our 400 kV connection. So I kilovolt connection between the potential site of the substation and the National grid substation.

00:33:37:09 - 00:34:17:08

Anything further than five kilometres, we believe, would minimise the, um, the cable, the cable reactive power, basically losses within the 400 kV cable. Any further than that would start to impact on the generation transfer to the grid. That zone. Sorry. The five kilometre search area was divided into zones based on hard constraints such as infrastructure, uh, landfill, all roads, railways and that division of the zones resulted in five zones. The reason for doing that was if you take a five kilometer area search and you identify every single land parcel, you would end up with over 100 substation locations.

00:34:17:10 - 00:34:27:20

And it's not reasonable or appropriate to assess that many potential locations or alternatives, when most of them would be ruled out by the constraints that are within those definition of the zones.

00:34:30:17 - 00:35:05:02

So we ultimately settled on a single zone for retention, and further detail of that zone is available in the Site Selection and Consideration Alternatives chapter and annex. The Area of Search Annex, which I mentioned at the start. I won't go into the details of each single zone and why those were removed within that zone that was chosen within the five KM area, 17 options were identified for potential onshore substation options. All 17 of those options were assessed using the black, red amber green appraisal method and are outlined within the site Selection rank report.

00:35:06:23 - 00:35:23:07

At this stage, we began a consultation with our statutory consultees and outlined to them the brag process. So the black, red and the green process. And again, I won't go into the details of what constitutes the black, red, amber, green. But the categories are defined within the site selection report.

00:35:25:01 - 00:36:07:26

Of those 17 options, seven of those alternative options were removed for a variety of reasons. Options nine, ten, 11 were removed due to an outline planning application on the land that was identified. Option 12 was removed as it was the hourly. More substation land options 13 and 14 were removed due to location on a ridgeline with steep gradients and therefore inability for construction feasibility, and option 15 was removed as it was too similar to options 16, but had potentially greater Elvia impacts, had a more settled rural character, therefore, that resulted in ten options which were taken forward as part of the medium list, and at that point we engaged formally Formerly with a site Selection Expert working group, which included um.

00:36:08:13 - 00:36:39:29

Kudu Natural Resources Wales, the North Wales North and mid-Wales Trunk Road Agency. Um and I can't remember the acronym for CPAP please. My apologies right now. Um, the Clyde Powis Archaeological Trust. Thank you. Um, the local will state that the local authorities were invited to the site selection expert working group, but were unable to attend following that engagement and comments received by stakeholders. Um, three alternative options were removed.

00:36:40:07 - 00:37:31:27

Um, primarily due to option eight and its proximity to residential properties, with no potential for mitigation due to the topography. In other words, those houses were overlooking the substation. Um, options 16 and 17 access constraints would require new routes from an existing hire race, which would not be feasible to build. Um, due to the quality of the road, the topography and the need to route the traffic through Saint Asaph, which at an early stage the project made a commitment not to do based on the engagement with our with the Trunk Road Agency, with Highways Agency and more made a similar commitment due to the pressures in Saint Asaph and the existing road network that resulted in seven options being taken forward to a shortlist in that short list form, the basis of a targeted consultation.

00:37:32:03 - 00:37:42:14

Excuse me, I don't know why it's doing that. Apologies. Um, in autumn of 2022, uh, which was fully reported in the consultation report app 037

00:37:44:04 - 00:38:18:22

um within that targeted non-statutory consultation that ran from 26th of September to the 7th of November, um. And that followed three events, sorry, two events in model one and Village Hall, where we had 24 visitors at the first and four visitors at the second. We also held an online webinar to go through exactly the same information. We had ten registrations and six attendees. Information about that consultation was published online using the consultation website, and it covered that consultation launched on the 26th of September, 2022.

00:38:19:03 - 00:38:23:18

I won't go through all the ways in which that was published, but again, that's in the consultation report.

00:38:26:09 - 00:38:58:12

Um, a total of 34 pieces of feedback were received formally in writing. And again, those are summarized in the consultation report at a high level. Um, the consultation that we received on the seven options, we received significant comment back from Denbighshire County Council, predominantly commenting on the size of the infrastructure, um, about the location and the semi-rural part of the county and alteration of the character. We received responses from Natural Resources Wales, um, and also um.

00:39:00:27 - 00:39:21:17

We received comment from obviously a large number of members of the community. Those were mixed, mostly dependent on, um, where the community was based and potentially their impact on on

where on how unsure substation options related to them. Um, so it was um, primarily primarily driven by location of the comment.

00:39:23:11 - 00:39:54:14

Following that, five alternative options were removed. Um, option one was removed as it overlapped with the Saint Asaph solar farm footprint. Um, and a request was received from the landowner through part of our engagement in December 2022 that we do not site on top of that potential, um, development. Um, option three was removed as it required significant excavations due to the topography, and it was in a similar location to to option two. Uh, option four also overlapped with Saint Asaph Solar Farm.

00:39:55:06 - 00:40:13:13

Option five was located on quite steep gradients, but a significant distance from the existing highway network, and also had landscape visibility which stretched across the valley. Um. Option six was on a ridgeline with steep gradients, and the Z TV would be visible from the other side of the valley similarly.

00:40:15:06 - 00:40:53:23

So by process of elimination, this meant that we settled on two options for the onshore substation option two and option seven. And those two options were included in the Preliminary Environmental Information Report and consulted on as part of the statutory consultation in spring summer 2023. We included two options, which is typically not undertaken for a preliminary environmental Information report to draw out views on our two options. It was felt as a as a responsible developer, that we had not had the same significant engagement that we would usually have as part of a site selection program process with the local authority or authorities.

00:40:54:05 - 00:41:06:18

Um, and very little local context to challenge our site selection process, and we felt it was appropriate for us not to not make a decision without having this engagement. And so we included two options to to essentially force that.

00:41:09:20 - 00:41:21:09

Indicative construction layouts were produced to aid the ongoing consultation with landowners. Those are included in figure 1.6, um of the onshore substation, sort of the site selection. Bragg report.

00:41:24:15 - 00:41:56:26

Following the commentary that we received up here from the Preliminary Environmental Information Report and a number of decisions were taken post, um, that included, um, a reduction in the size of the onshore substation, um, mostly due to the comments received by Denbighshire County Council on the size of the infrastructure and in order to facilitate reduction in that size, the project took a decision to to um to commit to a gas insulated switchgear transformer, which reduces the size of the onshore substation.

00:41:56:28 - 00:42:34:16

That reduced it from 125,000m² at the start of the site selection process down to 65,000m², which is nearly half the size. Alongside that commitment, because of our engagement with the supply chain,

we're able to commit dropping the maximum building height from 20m to 15m and the land required for a temporary construction compound from 250,000 to 150,000m². Option two and option seven were both rebranded Re black Amber green for further technical assessment work, and that's presented in table 1.4 of the site selection report.

00:42:35:15 - 00:43:05:21

And then following statutory consultation and further technical assessment work. The preferred location was selected as option two and the statutory consultation received on the options was limited. Based on what we received back at pier and the majority of community consultation from pier was also mixed either in favor or objection, depending on the responders proximity to the onshore substation location. There was a general theme of objecting to the size, and therefore obviously that reduction in our size was fed into that as well.

00:43:06:00 - 00:43:34:11

Natural Resources Wales provided a strong indication, probably one of the strongest indications of responses we received in the site selection, that a preference was to option two, as it was, um, less visible from the Marine National Park. Um, and therefore is likely to be preferable from A-Z TV. Sorry, a zone of theoretical visibility perspective. In addition, the option seven required a realignment of a tributary of the river LV, and they stated that they were generally not in support of that.

00:43:36:20 - 00:44:13:27

Option seven therefore was discounted. As I said, we chose to select option two, primarily driven by the construction feasibility and limiting the spread of the construction footprint. You'll note in the figure I made reference to figure 1.6 that for option seven the spread went across an existing public highway track. Um, and the potential landscape impacts associated with that, the potential significant loss of riparian habitat, uh associated with the the channel that which I mentioned that would require realignment, as well as the potential ecological and hydrological impacts associated with that location.

00:44:14:24 - 00:44:27:24

So the decision to go forward with option two was presented to the Site Selection Expert Working Group and announced via newsletter and online publication in August 2023, um, alongside an announcement regarding the preferred onshore cable route.

00:44:30:01 - 00:44:51:01

Following that selection, we were able to undertake further electrical design work internally regarding the location and orientation of the onshore substation, and therefore it was able to be microsited to take account of site specific features and the constraints around it. The location and orientation therefore differ slightly in the application to what was in the site selection process,

00:44:52:25 - 00:45:27:03

and the location and orientation was slightly altered to place it as far away from possible as residential receptors, and also maintaining appropriate distances from the ancient woodland to the north, as well as avoiding the national grid overhead lines. Similarly, the temporary construction compound associated with the onshore substation was located to the north of the onshore substation site to make it to place as far as practicable from residential receptors, whilst also utilising the available screening

of the woodland to the north to screen works on Glasgow Road, which was one of the main main benefits of the site that was chosen.

00:45:29:24 - 00:46:04:07

The siting principles, which inform that micro siting and ongoing work, um, are defined in our design principles, which is app 189 that includes avoiding key sensitive features where possible, minimise disruption to populated areas. Reduce encroachment into high value agricultural land where possible. Maximize distance to residential receptors. Minimize direct and indirect effects on onshore ecology. Minimize direct and indirect effects on cultural heritage. Minimize noise levels at nearby receptors and minimize landscape impacts and utilize existing screening.

00:46:04:16 - 00:46:22:25

And the design principles will be the forum to inform the design guide, which obviously then informs the ultimate design, which is secured by requirement, are a requirement within the development consent order. I can't remember which one of the top of my head apologies, just.

00:46:27:01 - 00:46:40:02

Sorry, I correction, uh, in relation to the Natural Resources Wales response on option two, I stated our area National Park when I should have said the area of outstanding natural beauty National landscape. Sorry.

00:46:42:11 - 00:46:45:17

It's the Clwyd. Okay. Sorry, I'm being corrected. Live.

00:46:47:27 - 00:46:55:22

So it's the Clwyd, Clwyd in range and D Valley and the national landscape. Apologies.

00:46:57:12 - 00:47:04:06

And it is a requirement six of the DCO which secures the detailed design principles. Apologies.

00:47:15:11 - 00:47:50:14

Thank you. Thank you very much. I just have a few, uh, follow up questions, uh, if I may. Um, one of the things that you said is that when you got further down the line, you, um, you reduced the site or the proposed size of the onshore substation footprint from, I think, 125,000m² to around about 65,000m². If if you'd been able to do that earlier in the process, if you decided that earlier in the process, would it have mean that more and more of the sites that you discounted would have potentially, uh, been counted in at an earlier stage.

00:47:53:02 - 00:48:33:26

Phil Williamson, on behalf of the applicant. Um, we have undertaken an assessment, a retrospective assessment of whether, um, using 65,000m² would have changed the conclusions of our site selection process. Um, it would have brought in potentially additional sites, uh, which were previously not available and obviously would have included all of the ones that we did. It would not have changed the conclusions of the black, red, amber green assessments that were undertaken, which are driven by those constraints. Whilst it might have have increased some space and therefore created capacity for

mitigation, um, where um, an option was scoring a black that wouldn't be changed by the size of the onshore substation.

00:48:34:00 - 00:48:42:20

If you did that retrospectively, that's what you're saying. You went back over and had a look once it had been refined down to 65,000m².

00:48:44:00 - 00:48:48:29

Phil Robbins, on behalf of the applicant, we have done an internal. To validate our decision making.

00:48:50:25 - 00:48:55:12

And is there anything that you could put into the examination that would demonstrate that?

00:48:57:26 - 00:49:29:04

Is done on behalf of the applicant. The applicant is very aware of the sort of continuing obligation to review, um, site selection decisions, whilst also realizing that we are at a stage in the process, and therefore it would only be if something very obvious had come forward that performed as a, as a was an obvious site that we had, we had discounted that became available, um, that there may be an obligation on us to continue to do that. So that is a that is an internal, as Mr.

00:49:29:09 - 00:50:11:03

Williamson has said, is an internal review that has taken place. We can put in a note just to confirm where we've got to on that. But it is um, it is very much about, um, that sort of back checking of the process. And I think it's also really important to note that, um, save in relation to, um, the discussions around the sort of final two sites and I know there have been representations on those. No party has actually presented an alternative site, um, outside of the final zone that was chosen by the applicant to say, actually, this this would perform better and therefore we should be considering that site.

00:50:11:14 - 00:50:11:29

Okay.

00:50:14:21 - 00:50:35:09

Um, just if I can get just these are more sort of clarification questions. Just following on from what you said, zone two in your initial, uh, zones that you identified, was that zone only discounted because of the the solar park, which was subsequently then refused, so no longer became an issue. Was that the only reason that zone two was discounted?

00:50:38:26 - 00:50:45:27

Phil Williamson on behalf of the applicant, can I just double check? You mean zone two in relation to the five kilometer search area? Yes.

00:50:45:29 - 00:50:46:24

The wider area.

00:50:47:07 - 00:51:20:08

Um, it, uh. So zone two doesn't actually have the, the, um, the solar farm which you're referring to. That's, that's kind of cut across zone one. That was, at the time part of our consideration for, for zone one, uh, zone two was, was primarily discounted because it required us to cross the alleyway in order to, to do that. And it was essentially going the we'd have to double back on ourselves. We'd have to take the cable route significantly or, uh, kind of covering three sides of a square in order to get back into the location.

00:51:20:16 - 00:51:25:20

Um, and that did not code, uh, did not align with our cable routing principles.

00:51:26:08 - 00:51:36:09

Thank you. Um, it might be helpful if we could just have table 4.21 of s chapter four on the screen.

00:51:39:14 - 00:51:59:16

Nope. That was fast. Thank you. Um, just if I could just pick out some of the points that that are within this just so I can have a better understanding option. Uh, one, uh, says it was rated low on negative aspects identified, um, by residents. Could you just expand on that a little bit?

00:52:00:25 - 00:52:03:18

Phil Williamson, on behalf of the applicant. Um.

00:52:04:23 - 00:52:05:08

Thank you.

00:52:05:21 - 00:52:39:29

The, um, so this table is a summary of, um, as many comments that we could gather in, in this. And, and you might gather that the wording used by responders, we didn't particularly want to change that wording. We wanted to try and represent those views as much as possible. Um, so those particular residents, um, in relation to option one, which is in a similar location to the um, the, the selected option, um, The low on negative aspects.

00:52:41:02 - 00:52:57:05

I'd have to go back and double check the consultation report. Specifically what that that means. Um, the the the negative aspects primarily there would be the proximity to the, the, um, the properties towards the east, I believe. So, you.

00:52:57:07 - 00:53:08:00

Mean. Sorry. This is my misunderstanding. You mean it's it's rated low as in negatively from the residents, not as in it's there's a low rating of negative responses.

00:53:08:02 - 00:53:13:10

I would want to double check what they say. Um, I don't know, off the top of my head, but I can take that back to.

00:53:13:12 - 00:53:21:18

Us on that. That's fine. Um, and would that option of being further away from residential properties than the proposed substation site?

00:53:28:01 - 00:53:33:12

Maybe. I think I think actually it might just be above table 4.21 in the chapter is that they.

00:53:33:17 - 00:53:36:13

I think so I was just trying to get one up through Williamson.

00:53:37:02 - 00:53:39:01

Somewhere might have. Might be a page or two.

00:53:39:03 - 00:53:42:02

Above Phil Williamson. Yeah. Yeah.

00:53:42:08 - 00:53:43:03

Um, there you go.

00:53:43:15 - 00:54:16:01

It would, um, it would, it would change proximity, but it would be a similar, I think, perhaps closer distance to existing residential properties. Um, so you'll note that there is a property immediately to the west, so that is closer than our preferred site now. Um, and again, there's a, there's a site immediately to the east of it as well, which I think is the farmstead which we went past or yesterday. Um, you'll note that underneath is the blue, which is the Saint Asaph solar farm.

00:54:16:10 - 00:54:22:24

Um, which, as I mentioned, the landowner asked us not to site. Um, on, on on top of that development.

00:54:23:02 - 00:54:33:29

So, so further away from some of the, the current, uh, existing residential properties that are close to the current proposed site, but then further away from them, but then closer to where there's.

00:54:34:01 - 00:54:35:06

Yes, yes, there is.

00:54:35:08 - 00:54:41:07

A planning balance or a balance in the science selection where upon who we might be affecting.

00:54:42:14 - 00:54:49:24

And it was option one wasn't discounted purely in terms of the distance from the National Grid substation. There were other. There were other reasons as well.

00:54:50:00 - 00:55:12:25

Philip Williams, on behalf of the applicant. Uh, no, it was not purely due to that. Um, I would say one of the strongest steers was the landowner preference that we do not site on top of the solar farm. Um, the, the distance from the national grid, it being a compare it within the same sort of catchment as the one that we have preferred it being further away, it lends itself to the one that was closer when we considered the solar farm as well. Okay.

00:55:14:28 - 00:55:31:05

Again, this might be one that you might have to come back to me on option five. In table 4.21, it states that, um, negative responses were received. And I was just going to ask you to sort of elaborate on what those negative responses were. But if that's something you need to come back to us on as well, that's fine.

00:55:32:04 - 00:56:04:09

Uh, Phil Philip Williamson on behalf of the applicant. I know this one slightly better. Um, we did walk in this vicinity yesterday. Um, it was essentially at the end of the cow track where we were. Um, the comments that we received, again, from a negative perspective were from, um, from landowners, uh, sorry, residents on the road slightly to the north of there. Um, so the substation would be overlooked by the properties, um, on that road. Um, so I know that they commented negatively on that. Um, I think the main driver for the deselection of this work was twofold.

00:56:04:15 - 00:56:24:19

Um, it was about the access to this location. Um, so you'll note that it's significantly distant from the Glasgow Road, which is the main highway connection. Um, but also it's, um, it's on one side of the valley, and therefore the views from the other side of the valley would be significant towards the substation. It would have quite a large zone of theoretical visibility because of that.

00:56:25:05 - 00:56:26:20

Okay. Thank you.

00:56:29:00 - 00:56:29:15

Um.

00:56:29:26 - 00:56:59:07

I did have questions on when it came down to option two and option seven as to exactly why you, you know, you chose one over the other. And I think you've gone into a lot more detail today than we have currently in the environmental statement. If I'm if I'm honest. So just so that I have a better understanding when it came down to those sort of final two, two options, it really came down to the environmental effects that option two, in your opinion, had, um, a lesser degree of environmental effects than option seven.

00:57:00:29 - 00:57:46:13

Hillary Williamson, on behalf of the applicant, I think once we looked at the construction feasibility of option seven and there and the need to realign the watercourse, um, the access requirements from uh, into that, um, in terms of the balance, it compared less favorably to option two. One of the things I didn't mention was the access to option seven. Um, and I think there have been representations about the fact that there is an existing track immediately adjacent to it. Um, I did consider flagging this

yesterday when we're in the minibus, but you will have noted, perhaps, that when we turned off that track, the access into that track was, um, at an over 90 degree turn and therefore would not be suitable for heavy goods vehicles unless they were coming through Saint Asaph.

00:57:46:27 - 00:58:32:19

Uh, as I said, we committed to not taking traffic through Saint Asaph, and therefore that turned down towards option seven. Wouldn't be possible via that access track. We would have to build out a new access track, most likely coming from where the national grid access point is, and then heading east, um, across to option seven. Um, it is in figure 1.6 of the site selection brand. You can see where we've mapped out the potential access route. Um, but that alongside the environmental considerations, the increased visibility as mentioned by an and local residents, um, and generally the sort of layout of the construction, um, being across the road spreading quite wide we didn't believe was as favorable as assumption two.

00:58:38:03 - 00:58:43:24

It would be really helpful if all of this is included in the post hearing submissions as well. Um,

00:58:45:09 - 00:59:06:00

we have quite a lot of infrastructure around there proposed and existing. So I'm going to ask the question, would it have been possible to co-locate the proposed substation with any of the existing infrastructure or proposed infrastructure that's there? So I'm thinking, uh, the Quincy Mall or Burbank or even our Lemoore as well. Was that considered at all?

00:59:20:04 - 00:59:51:16

Lori Williamson, on behalf of the applicant. Um, so, um, co-location with existing assets was a consideration. We did look at option 12, which is where the hourly more substation site is. That was discounted because simply there isn't enough room for our project and that project. Um, ignoring the, um, the rights issue and the order limits that we were encroaching into. Uh, we also considered option eight, which was on the on the hourly, more onshore cable route.

00:59:51:26 - 01:00:22:16

That was discounted due to visibility from, um, I believe Gosford Marlow. Um, I don't believe we identified a site immediately adjacent to the National Grid substation or extension. Again, there was not enough room for us to fit into that that area. It would also be on top of the hourly, more 400 kV cables, and therefore that would be a significant constraint. So co-location was considered um, with Quincey Moore or even barebow.

01:00:22:21 - 01:00:58:27

Uh, again, there was not enough room for our onshore substation to fit into those areas. Um, I would also say though, um, that co-location and um, conflation of infrastructure was a consideration in the siting rather than spreading it into other areas. For example, option six. Um, it was believed that from a landscape and visual perspective, it is, um, more preferable to co-locate infrastructure in the same area as close as possible. We tried to do that, and we believe that option two does do that by being as close as possible to the National Grid substation and the existing overhead pylon lines.

01:01:04:10 - 01:01:08:28

Thank you. I believe my colleague, Mr. Hobbins has a question for you.

01:01:09:05 - 01:01:23:10

Yes. Thank you. Um, you mentioned the Design council, um, excuse me, design commission for Wales earlier on and their comments on the process. And I would just like to know, did they comment on the, um, final choice of the site or was it more in the process for selection?

01:01:24:19 - 01:01:56:28

Theory. Williamson on behalf of the applicant. They they neither supported nor criticized the site. They commented that it was a robust process and that they believed it was comprehensive and thorough. Um, their focus at that time was more about the, the design elements rather than the site selection. So it was more of a comment on, on that we'd gone through an appropriate process. Um, I will add that we have, um, agreed with the Design Commission for Wales to have a follow up review in mid-November, and we are awaiting dates for when that will happen, where we will communicate.

01:01:57:00 - 01:02:06:11

Obviously, the latest position with the Design Commission for Wales, um, and again seek feedback on the design principles as they currently are leading to towards the design guide.

01:02:06:23 - 01:02:19:15

Okay. Thank you. And just a quick question on the, um, temporary construction compound. So it wasn't quite clear. Um, were they included in the site selection process earlier on in the process or did that come later?

01:02:20:21 - 01:02:55:19

Phil Williamson, on behalf of the applicant. The detail of how the construction compounds would be arranged wasn't considered at that level. At the early stages, we were mostly looking for available land around which we could operate. Sorry, construct the onshore substation. Um, the, um, the arrangements of the construction compounds, I believe, was in figure 1.6 of the site selection brag, but was only broken down into that level of detail for the consideration between options two and seven.

01:02:56:00 - 01:03:04:06

Um, because it's impossible to undertake a full construction design layout on. I mean, even two sites was was difficult to to get that done for that process.

01:03:04:08 - 01:03:05:11

Okay. That's fine. Thank you.

01:03:07:10 - 01:03:20:16

Okay. Thank you. That is that's the end of my follow up questions. Mr. sample, I believe that you indicated you might wish to speak on this agenda item in relation to alternatives in particular. Option one.

01:03:23:22 - 01:04:00:08

Um, there are various points throughout, uh, throughout this whole process we'd like to speak on if you'd like us to address the matter of site selection. I'll do that now. Yes. I think the the issue

immediately when we were approached back in 2022 over the matter was, was, um, lack of information available and understanding the true scale of of what the project has, has become. We were given indicative at ideas throughout 2023, but it didn't truly become apparent about the full scale until 31st of January, 2024.

01:04:00:29 - 01:04:25:25

Um, our client was really concerned about the cumulative cumulative impact of, of of the proposals, um, he had on the estate already, as you referenced, the Quinta mall and the Dong substations and was of the view sort of. When is enough? Enough? Um, and the scale of it and the lack of

01:04:27:10 - 01:04:35:07

availability of information just as a size was, was a real, real issue. Um,

01:04:36:27 - 01:05:09:08

we feel possibly, um, really concerned about the subsequent final decision, um, concerning severance. Um, the estate is is is broken up quite substantially as a result of the, the final, uh, decided option and that, um, uh, that was raised with, with the applicant at, uh, at a number of times and we can go in to the, the detail on severance at a, at a later point.

01:05:09:10 - 01:05:19:23

But, uh, I think it was lack of clarity of scale that was, was, was available to us. Uh, despite requesting on numerous occasions for that information.

01:05:20:26 - 01:05:35:16

That's fine, thank you. We might come back to it later. But also, I think I believe that you are attending our compulsory acquisition hearing later on in the week. So some of your points may be more relevant to bring to that hearing rather than an environmental matters hearing. Yeah.

01:05:37:11 - 01:05:42:25

Fair enough. Yeah. And we have detailed issues on the environmental points later on. That's fine. Thank you.

01:05:45:08 - 01:06:38:00

Excuse me. Phil Williamson, on behalf of the applicant, if I may respond. Um, just just, um, just in terms of, uh, the point on lack of information and potentially engagement, I just want to reiterate the points that I made as I was explaining the consultation process that, um, we began, our non-statutory consultation was launched on the 26th of September, 2022, and that was when we presented seven sites. Um, before that point, um, I mentioned that we, um, had engaged partly we'd had steer from the landowner in December of 22, uh, in relation to the Saint Asaph solar farm, which means that the, um, we had presented footprints onshore substation footprints to, uh, to the caffeine estate at that point and repeatedly asked at that stage for, for some engagement to meet with them and discuss these points.

01:06:38:10 - 01:07:00:06

Uh, the preliminary environmental information report was in the spring of summer 2023, which, uh, demonstrated options two and seven. And again, we did seek feedback from the caffeine estate at that

point. And after that point, um, and throughout 2023, we we sought engagement with the caffeine estate and do have a record of of that those requests.

01:07:02:15 - 01:07:22:26

Um, and so do want to, um, disagree that um, information with regard to the layout and scale and the size of the infrastructure was not available until the 31st of January, 2024. When we had presented construction layouts with impair and obviously try to engage throughout 2023 as well.

01:07:23:02 - 01:07:23:17

Okay.

01:07:23:19 - 01:07:24:28

Thank you for confirming that.

01:07:27:29 - 01:07:34:18

All right. Is there anybody else in the room who wishes to raise points on alternatives before we move on? Yes. Councillor Barlow.

01:07:35:19 - 01:07:57:21

Martin Barlow, Kevin Marietta community council. Um, the applicant, in mentioning the rejection of one site in favor of another, um, referred to. Well, I'll use the his phrase was a more settled rural character. Um, so one site was rejected because it had a more settled rural character.

01:07:59:08 - 01:08:05:14

May we know what a more settled rural character is, and especially compared to the site that was eventually chosen.

01:08:07:23 - 01:08:10:22

For Hillary Williamson and on behalf of the applicant. So I'm going to ask.

01:08:10:24 - 01:08:11:09

You to.

01:08:11:21 - 01:08:57:23

Go through Williamson on behalf of the applicant. I believe you're referring to options 16 and 17, which are quite close to one another. Um, I would have to defer to my landscape specialist, or certainly I would need to want I would want to go back into the site selection bank report, uh, in relation to to how those were, were bragged, um, in comparison to the selected site. Um, I would note about the, um, co-location with existing infrastructure and how their varies between a more settled rural rural landscape versus where we have selected, which is obviously in close proximity to the existing Quincy Moore Burbank extension, National grid extension and overhead lines, and which obviously does constitute less of a, um, what you might call a settled rural landscape.

01:09:02:13 - 01:09:26:10

To answer your question, Councillor Barlow. Okay. Thank you. Okay. Um, I think that brings us to the end of that particular item. items. So, uh, in which case we will move on to B, which is the outline

code of construction practice. And it might be helpful if people had a copy of that in front of them. And that is rep 2038 from the examination library reference.

01:09:29:09 - 01:10:01:15

Now obviously the code of construction practice does relate to more than just the substation site. It applies across, uh, all of the order limits. Um, but construction effects will be controlled via via that, that document. Um, but that doesn't preclude anybody from raising any, any issues with the code of construction practice that applies to wider than just the substation site. Um, now, we'll likely come on to sort of individual methods, uh, and issues on control for particular topics further on in the agenda.

01:10:02:17 - 01:10:24:00

Um, but I just wondered, just because of the way we have the outline plans controlled via Requirements nine. And the code. Could you just talk me through exactly how that will operate in practice, how you see that operating in practice, how that requirement then ensures that the development of the construction effects are controlled via the outline management plans.

01:10:30:01 - 01:11:07:09

This is done on behalf of the applicant. I, I will talk through sort of how the development consent order works. I know we're not dealing with that. And then Mr. Williamson will, um, will hopefully fill in the details on that. So, um, the code of construction practice is secured by a requirement nine of the draft development consent order, which says that no stage of the onshore works may commence until for that stage, a code of construction practice has been submitted and approved, submitted to and approved by the relevant planning authority following consultation with Natural Resources Wales and the relevant Highways Authority.

01:11:07:12 - 01:11:40:13

Before I go on to what's contained within the Code of construction practice, I just refer you also to requirement four of the Draft Development Consent Order, which which prevents the commencement of the onshore works um, until notification has been submitted to the relevant planning authority. Uh, here. That would be both Conway and Denbighshire, because they're both relevant planning authorities detailed detailing whether the onshore works will be constructed in a single stage, i.e.,

01:11:40:15 - 01:12:30:03

there'll be one code of construction practice that covers all of the work. So that will be landfill, cabling and substation. Uh, I don't want to prejudge what that notice will say, but I think it's very unlikely that there will be a single code of construction practice to cover everything. The likelihood is that the, uh, that the code of that, the, um, the project will be, will be effectively, uh, Uh, constructed in stages, and therefore the code of construction practice would be, uh, would be, uh, submitted to and approved for a relevant stage, uh, and then, um, the obviously then the details of the stages under requirement for paragraph two, uh, the details of the stages then have to be submitted to and approved by the relevant authority.

01:12:30:05 - 01:13:01:03

So effectively that's saying, uh, there'll be a say there's a stage of landfill works, maybe the cable corridor. And this is all hypothetical. Uh, but maybe there are two maybe more stages of the onshore cabling works, and then the substation works as a separate stage. So if that's the case and there are

separate stages, um, for each of, uh, for the onshore works, then, uh, requirement nine operates to say that effectively that there would need to be a code of construction practice.

01:13:01:05 - 01:13:43:02

If we're talking in the context of the substation and the works around the substation that is a single stage. There will be a code of construction practice for that stage which will be submitted to. This will be Denbighshire because it's within Denbighshire rather than Conway. Um, which will then insofar as the um the other matters are listed in paragraph two of requirement nine are relevant to that. Um, to that, uh, that part of the works, uh, there will be a separate plan as part of the code of construction practice that will sit within, uh, will be signed off by the local authority as part of that.

01:13:43:04 - 01:14:08:09

So example there of one that for the onshore substation would not be approved is obviously the landfill construction method statement. So if you were signing off the code of construction practice for the substation, uh, it's likely I'm just looking through all of them at the moment. It's likely to include most of these, but it very definitely won't include a landfill construction method statement or vision.

01:14:10:29 - 01:14:48:10

Yeah. And and potentially. Sorry, I've just been flagged to public rights of way management plan. There aren't any public rights of way around the substation that would be affected. So it would be the plans that are relevant to that part of the work. And, um, those would be submitted to the local authority. It is clear from the requirement that there would need to be consultation with Natural Resources Wales and the Highways Authority in advance of submission of that plan to to the local authority. Um, it is not something we have discussed with them, but there will the likelihood is there'll be quite a lot of engagement with them in advance of that.

01:14:48:12 - 01:15:04:17

In respect of the plan, when the formal, uh, plan is submitted, uh, sorry, code of construction practices submitted to the local authority. They then have a period to review that and approve it. And then works need to be carried out in accordance with it.

01:15:05:06 - 01:15:36:02

That's really helpful. Thank you. I think my concern at the minute is whether the wording is tight enough, either within the requirement or maybe wording within the actual code of construction practice itself to ensure that, um, the, the final plans are in, in accordance with the outline plans. I don't feel at the minute the requirement itself explicitly says that, and neither does the code of construction practice. I don't feel strongly either way. I just think it needs to be, um, somewhere.

01:15:36:09 - 01:15:39:15

And sorry. I'll let you speak on that first, and then I'll come to another point.

01:15:39:27 - 01:16:10:22

Uh, listen, on behalf of the applicant, I noted, and I think that's something will it is the intention and as we've said previously, the outline plans are, um, or have been proposed to set out what the applicant is proposing, will, will be in the sort of the framework of those matters. Um, and clearly the final

plans, unless, you know, there's a reason for them to be otherwise, will be in accordance with those with those outlines.

01:16:10:24 - 01:16:14:06

So if that isn't, if we'll have a look at the wording of requirements.

01:16:14:08 - 01:16:52:18

And I mean, maybe it's just an extra, um, I think because of the way it's been submitted in the examination, we've got the outline code of construction practice, and then we have all these separate other documents, which are outlines which are supposed to be appendices to the Code of construction practice because of the way they've been submitted. They're all separate at the minute. So I think even just maybe a tiny bit of extra wording in requirement nine, which could say something like an in general accordance with those with those plans or something along the lines. So um, which, which does sort of follow on to another point, I think within the code of construction practice, as is sort of noting, I don't know whether it would be potentially it's been written by different people for each of the different topics.

01:16:52:20 - 01:17:19:10

Just a bit of consistency. Perhaps if you could look through sort of section 1.10, a little bit of consistency just between the top picks in terms of how those outline plans would work. We know it's requirement nine, so there's no reason why requirement nine couldn't actually be written into that. I think it is for I think it is for highway management, for example. But they're not for noise and vibration. So there's no just a bit of consistency. If you could just have a little look at section 1.10.

01:17:20:20 - 01:17:26:00

Is done on behalf of the applicant. Very happy to do that and to align those as, as as far as need be.

01:17:26:19 - 01:17:39:09

Sorry, I do apologize. Section 1.1, section 1.8 and 1.1. I think I've made notes of sort of consistency between how it's worded in terms of how it will all work going forward for the for the final plans.

01:17:42:26 - 01:18:16:04

So Phil Williamson, on behalf of the applicant, and just to your initial point about the general accordance point, just to to highlight that that was one of the questions, I think, raised by the examining authority to review the statement, general accordance or accordance to the Code of Construction practice is going to be updated in line with that believe. In section 1.3, it states that the outline um the outline appendices will be. So the discharged will be in line with the outline appendices. But take your point that that's not on the face of the DCO. Um, and yeah, we'll take away the the other points.

01:18:16:15 - 01:18:45:15

Thank you for that. Um, similarly, I think for for within requirement nine, which relates to onshore site prep work, there's a similar comment. Uh, again, it just refers to, um, the outline code of construction practice being, you know, the onshore works will be carried out in accordance with the details set out in the outline code of construction practice. I think you also mean and, um, outline plans appended to. So again, maybe just a bit of extra wording in there.

01:18:46:02 - 01:19:06:06

Les, down on behalf of the applicant. Just a note that um, to save having to list out every single one of those plans, know the purposes of of that paragraph for the outline code of construction practice is a defined term which does include where relevant. Each of those plans will look at how the wording works together, but I think the point point's taken.

01:19:19:01 - 01:19:39:20

Um, just yet, before we move on, I think we've probably take a break. Actually, it might be a good, convenient point to take a break just after this before we go into the substation effects. Um, we have the the council on the teams meeting. Is there anything that the council wishes to raise on the Code of construction practice, or are you content with the

01:19:41:11 - 01:19:51:08

with the application of requirement nine and how that works with the code of construction practice is it is the local authorities that will have to discharge this requirement and monitor it.

01:19:54:03 - 01:20:07:24

And Ben Aikman here on behalf of, uh, Denbighshire and Conway. Um, uh, I haven't reviewed that myself, to be honest. I've looked mainly at landscape and visual, uh, aspects. I don't think there's anybody else on the call from either of the councils or could be wrong.

01:20:09:25 - 01:20:18:04

Okay. Thank you, Mr. Owen. Could we, in that case, set an action point, perhaps for the councils to come back to us on that matter?

01:20:20:12 - 01:20:35:15

Yeah. I think in the statement of common ground, they do say they're happy with the code of construction practice. But then there are other sort of, maybe contradictory remarks about other elements within the code of construction practice along the lines of the the outline plans themselves.

01:20:36:00 - 01:21:04:13

Yeah. Phil Williamson, on behalf of the applicant. Yes, we do have we are making progress with the local authorities on the statement of common ground. And yes, your point that they generally agree with the principles of the Code of construction practice, but there are details that we need to discuss with them that is ongoing. Um, we we are seeking that engagement on our topic by topic basis, in line with the appendices. Um, so that that that is ongoing and we hope to provide an update at deadline five.

01:21:10:22 - 01:21:16:22

Okay. Is there anything anybody else in the room who wishes to raise any points on the code of construction practice?

01:21:18:13 - 01:21:20:27

No. Uh. Nobody online?

01:21:24:05 - 01:21:30:08

No. And in which case, I think we will take a break. Yes, Mrs. Powers?

01:21:33:10 - 01:21:34:10

Yeah, that was fine.

01:21:38:09 - 01:21:45:04

I think, uh, we'll take 15 minutes and the will resume at 1110. Okay. Thanks, everyone.