

# MONA OFFSHORE WIND PROJECT

## Notification of Intention to Submit a Change Request Application

Application Reference: EN010137

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29 October 2024

F01



Image of an offshore wind farm

## Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
F01	Notification Change Request Application	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	29 Oct 2024

Prepared by:

**Mona Offshore Wind Ltd.**

Prepared for:

**Mona Offshore Wind Ltd.**

**29 October 2024**

The Planning Inspectorate  
National Infrastructure Directorate  
Temple Quay House, Temple Quay  
Bristol, BS1 6PN

Dear Madam / Sir,

Planning Act 2008

The proposed Mona Offshore Wind Farm

**PINS Reference: EN010137**

**Application by Mona Offshore Wind Limited (“the Applicant”) for a Development Consent Order for the Mona Offshore Wind Project (“the Application”).**

**Notification of the Applicant’s intention to submit requests for changes**

The purpose of this letter is to notify the Examining Authority in writing that the Applicant intends to submit a request to make changes to the Application. This letter is a follow up to the verbal notification of change already provided at Issue Specific Hearing 5 (ISH 5). In summary the proposed changes are:

1. The amendment of the proposed Order Limits to include an existing access track and parcel of land to the west of the onshore substation for temporary construction access during onshore site preparation works and construction of the onshore substation and surrounding works;
2. The amendment and widening of the onshore substation construction access road to aid Abnormal Indivisible Load (AIL) movements, including an amendment to the proposed Order Limits;
3. The amendment of the proposed Order Limits to include additional land adjacent to the onshore substation construction access bellmouth to accommodate a temporary construction drainage attenuation basin;
4. The amendment and widening of the proposed Order Limits to include an area of land to accommodate an area of hardstanding during the construction period to allow establishment of the permanent access road; and

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5. The amendment and widening of permanent access road adjacent to Work No. 28 to aid AIL movements.

These changes and the rationale for them are explained in more detail below.

In submitting this change notification and as discussed at Issue Specific Hearing 5, the Applicant has taken into account the Planning Inspectorate's Advice Note 'Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted' (August 2024) (PINS Change Advice).

The proposed change request is being prepared primarily in response to ongoing early design work, particularly in relation to highway accesses, following ongoing engagement with the local highway authority, landowners and the supply chain.

As noted above, the changes include alterations to the Order Limits in respect of temporary accesses to the onshore substation.

### **Description of and Rationale for the Proposed Changes**

#### **1. Change 1**

Change 1 comprises two new areas of land to be incorporated into the Order Limits which are described here as Change 1a and Change 1b.

Change 1a – Order Limits change to include an existing access track to the west of the onshore substation for temporary construction access during onshore site preparation works and construction of the onshore substation and surrounding works

It is proposed to include a section of the existing access track at the onshore substation at grid reference SJ 01353 73277 within the Order Limits to accommodate temporary construction access.

This existing access track is currently being utilised by the Applicant for ongoing site survey and investigation works. No works or upgrades to the existing track are proposed, it is simply proposed to use the track to take access to Work Nos. 21, 22 and 31 (and other works areas adjacent to Work Nos. 21, 22 and 31).

Change 1b – Order Limits change to include an area to the west of the proposed onshore substation for temporary construction access during onshore site preparation works and construction of the onshore substation and surrounding works.

The area extends from the Work No. 22 to the field boundary where the existing access track (subject of Change 1a) terminates at grid reference SJ 01384 73165.

Changes 1a and 1b will not require a new work number in the draft DCO but will become part of Work No. 27. Changes 1a and 1b will allow temporary access to the onshore substation site (including Work Nos. 21-24 and 27, 29, 32, 33, 34 and 36) for vehicles in relation to onshore site preparation works required at and around the substation, prior to the construction and availability of the new onshore substation construction access from Glascoed Road.

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The additional area of land required for Changes 1a and 1b amounts to approximately 2611m<sup>2</sup>. Whilst this land was included within the boundary of the Preliminary Environmental Information Report (PEIR) published in April 2023, this land was removed prior to submission of the Application in an effort to reduce overall land take. However, as part of the ongoing early design work, it has become clear that use of this existing access track and associated land is necessary to facilitate onshore site preparation works and for those works to be delivered in a timely manner, in particular time-critical surveys to inform the detailed design of key elements of the onshore substation platform, land reprofiling for landscaping, and temporary and permanent access routes to be delivered from the Glascoed Road as well as other onshore site preparation works in relation to those key elements. In addition, it has become clear that use of this access would lead to additional environmental benefits, in particular reducing impacts on soils and ecological receptors as it will reduce the need for contractors to track equipment around the onshore substation from the temporary construction compound and laydown areas (Work Nos. 23, 24 and 25) to implement the necessary works around the west and south of the onshore substation platform.

## **2. Change 2 – Amendment and widening of the onshore substation construction access road to aid Abnormal Indivisible Load (AIL) movements**

Change 2 comprises two new areas of land which are described here as Change 2a and Change 2b.

Change 2a - Order Limits change to widen the temporary onshore substation construction access road and bellmouth, which follows the alignment of the construction access road previously used by the Gwynt y Môr and Burbo Bank Extension Offshore Wind Projects during their construction, at grid reference SJ 01936 73552 (Work No. 27 on the Works Plans – Onshore (AS-003)).

Change 2b – Amendment to Work No.27 to widen the temporary onshore substation construction access road at grid reference SJ 01911 735518 by including a small area of additional land to the area identified for Work No. 27 (approximately 538m<sup>2</sup>) within the existing Order Limits. This land is currently identified as part of the permanent onshore substation access (Work No. 29) only.

The additional area of land required outside the existing Order Limits for Change 2a amounts to approximately 1212m<sup>2</sup>. Whilst this was included within the boundary of the PEIR published in April 2023, the Applicant's preliminary design works indicated that this land would not be required and it was removed prior to submission of the Application in an effort to reduce land take. However, as part of the Applicant's early detailed design works and investigations into the swept path for the delivery of AILs to the Mona Offshore Wind Project onshore substation, in particular the large transformers required for the substation, it has been identified that additional space at the bellmouth is required in order to make the turning into the onshore substation temporary access road safe. The work has also identified additional space is needed along the temporary construction access road to facilitate the AIL's whilst ensuring adequate space for the fencing requirements outlined in the outline Fencing Management Plan (REP2-048).

It is therefore necessary to extend the Order Limits and Work No.27 in this area to accommodate the safe access and egress of AILs as well as to accommodate the swept path for the access through the proposed bellmouth junction (see Sheet 11 of Street Works and Access to Works Plan (AS-008)).

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### **3. Change 3 – Amendment of the proposed Order Limits to include additional land adjacent to the onshore substation construction access bellmouth to accommodate a temporary construction drainage attenuation basin**

It is proposed to widen the temporary onshore substation construction access road eastward to accommodate an additional temporary Sustainable Urban Drainage System (SuDS) attenuation pond at the northern extent of the onshore substation construction access road.

The additional area of land required for Change 3 amounts to approximately 2350m<sup>2</sup>. Whilst this land was included within the boundary of the PEIR published in April 2023, it was not included upon submission on the basis of the preliminary designs for the onshore substation construction access road. However, the Applicant's early detailed design works for the onshore substation construction access road, including the swept path analysis outlined in Change 2, has identified the need for additional land take. This is in order to deliver attenuation to control the discharge of surface water during construction, in part due to the wider road outlined in Change 2, and also from the requirement for GCN fencing to be deployed, likely resulting in additional drainage pathways. It is proposed to construct a temporary SuDS attenuation basin as a measure to control this additional surface water runoff. The Proposed Change 3 will result in a controlled surface water discharge into an existing drainage channel, reducing the risk of increased flooding downstream.

### **4. Change 4 – Amendment and widening of the proposed Order Limits to include an area of land to accommodate an area of hardstanding during the construction period to allow establishment of the permanent access road**

It is proposed to extend the Order Limits at grid reference SJ 01935 73551 to include the site of proposed Change 4. Proposed Change 4 will comprise a temporary area of hardstanding to be constructed immediately to the north of the existing road providing access to the National Grid substation and Gwynt y Mor OFTO substation. This hardstanding will be in place during the construction period only and is necessary to facilitate the establishment of the permanent access road (Work No. 29). In providing this temporary hardstanding disruption to the users of the existing road will be reduced by removing the need to temporarily close the road for construction purposes.

The additional area of land required for Change 4 amounts to approximately 126m<sup>2</sup>. Whilst the land required for proposed Change 4 was included within the boundary of the PEIR published in April 2023, it was not included upon submission on the basis of the preliminary designs for the onshore substation area. As with the other changes set out above, the need for the extension to the Order Limits at this location has subsequently arisen as a result of the Applicant's early detailed design works and as a consequence of ongoing landowner engagement. The landowner has expressed a preference to implement the permanent access road at the furthest possible point along the alignment of the existing access road and this change is necessary to facilitate that option. For the avoidance of doubt, despite this proposed Change 4, the Applicant needs to retain the access route optionality in this area (as shown on sheet 11 of Works Plans – Onshore (AS-003)) due to the complex nature of the constraints within these areas – utilities (including a high pressure gas main), drainage infrastructure, export cables, desire for continuity of access over the existing road, amongst others. The preferred option will be selected during the detailed design process.

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## **5. Change 5 – Amendment and widening of permanent access road adjacent to Work No. 28 to aid AIL movements**

The swept path analysis of the access and egress of AILs to the onshore substation (undertaken as part of the early design work for the onshore substation access) has also demonstrated a need to make an amendment to Work No. 29 to increase the width of the permanent access road along the eastern route alignment. This additional area of approximately 210m<sup>2</sup> overlaps with Work No. 28 (grid reference SJ 01977 73607) for a temporary construction compound and laydown area connected with the construction of the temporary onshore substation access off Glascoed Road (Work No. 27).

Whilst this change does not result in an extension of the Order Limits, it does result in a change of use of this area of land from temporary to permanent to allow permanent access rights to be maintained over the widened access.

### **Compulsory Acquisition**

As set out above, Changes 1 to 4 would involve the addition of some small areas of land around the site of the onshore substation to be brought within the Order Limits and for which additional powers of temporary possession will be necessary. Change 5 will also slightly increase the area over which powers of permanent acquisition of rights are sought (but within the existing Order Limits). The changes would not introduce additional landowners as all the land upon which the proposed changes are situated is owned by the Executor of the Estate of the Late David Watkin Williams-Wynn BT (otherwise referred to as the Cefn Estate) or Betty May Jones and Glyn Jones.

The Cefn Estate's land agents (Carter Jonas) were notified of the proposed changes by telephone on 23 October 2024 with written follow up on 24 October 2024. The agents of Betty May Jones and Glyn Jones were informed by telephone and in writing on 23 October 2024. Given the limited time available and the Cefn Estate's and the Jones' current position on the Application, the Applicant does not consider it will be able to obtain the relevant landowner consent to the proposed changes. On that basis, the Applicant accepts that The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations) are engaged and has set out below under 'Consultation, Timing and Procedures' how it considers the CA Regulations can be complied with before the close of Examination.

### **Environmental Impact Assessment**

The Applicant notes that each of the proposed changes fall within the PEIR boundary and consequently are covered by the existing datasets and surveyed areas used to inform the conclusions of the Environmental Statement (ES). In accordance with the requirements of The Infrastructure Planning (EIA) Regulations 2017 (as amended) (the EIA Regulations), the Applicant has undertaken a review of its Environmental Impact Assessment (EIA) and the conclusions set out within the ES in relation to each of the proposed changes (Changes 1 to 5) to consider whether any of the proposed changes would result in any new or different likely significant environmental effects.

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At this time, the Applicant's review indicates that the proposed changes will have no effect on the conclusions set out within the ES. For the avoidance of doubt, the Applicant does not therefore consider that any additional mitigation measures will be required as a result of the proposed changes.

The Applicant will submit with its formal change request a report to outline its review of the EIA and ES in further detail and to evidence why it does not consider any new or different likely significant effects will arise as a result of the proposed changes.

Whilst the Applicant acknowledges that it is for the Examining Authority to decide whether the proposed changes constitute material changes, it has considered the statutory guidance on materiality contained within the Planning Act 2008: Guidance on Changes to Development Consent Orders (DCLG, December 2015) and accepts that the Examining Authority is likely to determine that the change requests are material on the basis that the CA Regulations are engaged. However, the Applicant considers, and would hope that the Examining Authority will be able to agree following receipt of the formal change request, that the proposed changes are otherwise minor. The additional areas of land within the Order limits (Changes 1 – 4) are required for temporary purposes only, Change 5 only results in a small area of additional land being subject to the acquisition of permanent rights and none of Changes 1 – 5 will result in any new or different likely significant environmental effects. Overall, therefore the Applicant does not consider that the proposed changes would result in a materially new or materially different impacts and they are capable of being accepted as an in-Examination change to the Application.

### **Consultation, Timings and Procedure**

The Applicant is making its change request at the earliest opportunity having undertaken early detailed design as part of its ongoing engagement on the Application. The Applicant recognises that there is limited time remaining to accommodate the change request within the existing Examination timetable given the engagement of the CA Regulations and indeed that the ability to do so relies heavily upon the Examining Authority's swift acceptance of the proposed change request and its willingness to deal with the proposed change request expeditiously.

Whilst the Applicant acknowledges that the acceptance of its proposed change request and programme for the examination of that is a matter for the Examining Authority, the Applicant has set out an example timetable for the proposed change request in the table below setting out how it considers the change request can be accommodated before the close of Examination, where, in the worst case scenario an additional hearing on the change request is required in January 2025:



Date	Step	Comments
Friday, 1 November 2024	Submission of formal change application	
Friday, 8 November 2024	Examining Authority decision on change request	<p>The Applicant acknowledges that this only gives the Examining Authority 7 days in which to respond to the formal change request whereas the CA Regulations provide for up to 28 days. The Applicant hopes that the Examining Authority will consider itself able to meet this timeframe on the basis that the proposed changes are relatively minor in nature. Whilst Changes 1 to 4 involve additional areas of land, these are small areas in a localised area around the site of the onshore substation and no new landowners are affected.</p> <p>The Applicant notes that there are examples of other projects where the relevant Examining Authority has been amenable to providing its response to a change request application in a significantly shorter period than 28 days including recently on the Byers Gill DCO, Cottam Solar Park DCO and the Sheringham and Dudgeon Extension Projects DCO.</p>
Monday, 11 November 2024	1 <sup>st</sup> newspaper notice publication and notices to be issued to consultees by post	<p>Publication will be in:</p> <ul style="list-style-type: none"> <li>• The Daily Post;</li> <li>• The Guardian; and</li> <li>• London Gazette</li> </ul> <p>The notice will request that relevant representations, written representations and requests to be heard at a further CA hearing on the change request are submitted before the end of the consultation period (see below).</p>
Monday, 18 November 2024	2 <sup>nd</sup> newspaper notice publication	Publication will be in The Daily Post.
w/c 9 December 2024	Hearings scheduled	Whilst this falls within the consultation period, the Applicant suggests that the Examining Authority could cover the change request during one of the hearings scheduled for the w/c 9 December to provide an opportunity for interested and affected persons to make initial verbal representations and to allow the Examining Authority to raise its own initial questions on the change request.
Thursday, 19 December 2024	End of consultation period and new procedural deadline 6.	<p>Deadline for submission of:</p> <ul style="list-style-type: none"> <li>- relevant representations on the change request;</li> <li>- written representations on the change request; and</li> <li>- early notification of any requests for an additional hearing.</li> </ul> <p>A consultation period of only 28 days is required under the CA Regulations, however this allows for a 30 day consultation period to align with the consultation time frame that would be required under the EIA Regulations in the event supplementary environmental information were required.</p>

		<p>Where time remaining in Examination is limited, there is precedent for running the relevant representation and written representations period for a change request in tandem. This approach was recently taken on the Cottam Solar Project DCO.</p> <p>Whilst the Applicant notes that the PINS Advice note recommends formal consultation in advance of making a change request, given the limited time available, the Applicant will not be consulting in advance of making the change request. However, there are also numerous examples of formal consultation on change request applications only taking place once following submission of a change application where the CA Regulations are engaged, this is even where supplementary environmental information is submitted as the EIA and CA Regulation consultations run in tandem (see for example, Sheringham and Dudgeon Extension Projects DCO). This is considered a proportionate approach to consultation as it avoids consultee confusion and fatigue arising from being consulted on the same materials twice.</p>
<b>Friday, 20 December 2024</b>	Deadline 7 (currently deadline 6) and submission of Certificates of Compliance (CA Regulation 9)	This deadline will include all items currently identified for submission under deadline 6 and will also include submission of the Applicant's certificates of compliance and any initial responses to points or questions raised on the change request during the hearings that are scheduled for the week commencing 9 December.
<b>Monday, 23 December 2024</b>	Examining Authority issues revised timetable, notices of hearings (including providing deadline for additional affected/interested persons to request a hearing) and initial assessment of principal issues relating to the change request (CA Regulation 11)	The Applicant notes that under Regulation 11 the Examining Authority has up to 21 days to make an initial assessment of the issues. However, the Applicant hopes that, with the opportunity for the change request to be covered at the hearings during the week commencing 9 December, the Examining Authority will be in a position to expedite this step to ensure the change request can be fully examined before the close of Examination including provision of 21 days for additional affected/interested persons to provide notification of a request for an additional hearing and at least 21 days' notice of a further hearing (if it is required).
<b>Tuesday, 31 December 2024</b>	New procedural deadline 8	This additional deadline could be added to allow the Examining Authority to raise any further questions on the change request.
<b>Tuesday, 7 January 2025</b>	New procedural deadline 9	<p>This additional deadline would cover:</p> <ul style="list-style-type: none"> <li>- Applicant's responses to change request relevant representations and written representations</li> <li>- Additional affected /interested person comments on written representations on change request</li> <li>- Applicant and additional interested/affected persons responses to Examining Authority further questions on change request.</li> </ul>
<b>Monday, 13 January 2025</b>	Deadline for additional affected persons to notify	

	Examining Authority of a request for an additional hearing in relation to the change request.	
<b>Tuesday, 14 January 2025</b>	Time reserved for additional hearing on change request, if required.	This is currently deadline 7 in the timetable. The Applicant suggests that the current deadline 7 is moved to the last day of Examination to facilitate the holding of an additional hearing if that is subsequently considered necessary by the Examining Authority.
<b>Thursday, 16 January 2025</b>	New Deadline 10 (currently deadline 7)	This deadline will include all items currently identified for submission under deadline 7 and will also include: <ul style="list-style-type: none"> <li>- The Applicant's comments on affected /interested persons' comments on (i) written representations on the change request and (ii) responses to the Examining Authority's questions on the change request</li> <li>- Interested/affected persons' comments on the Applicant's responses to (i) change request relevant representations and written representations: and (ii) the Examining Authority's further written questions on the change request.</li> </ul>

Whilst the Applicant is aware that there is very limited time between the provision of this notification and the submission of the formal change request application, the Applicant would be grateful for any initial feedback the Examining Authority may be able to provide on the proposed timetable for examination of the change request.

Yours faithfully,



Paul Carter  
Mona Consents Lead