

MONA OFFSHORE WIND PROJECT

Response to Forsters on behalf of The Executors of the Late Sir David Watkin Williams-Wynn BT D4 Submission

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Image of an offshore wind farm

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Prepared by:

Dalcour Maclaren

Prepared for:

Mona Offshore Wind Ltd.

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Glossary

Term	Meaning
Applicant	Mona Offshore Wind Limited.
Appropriate Assessment	A step-wise procedure undertaken in accordance with Article 6(3) of the Habitats Directive, to determine the implications of a plan or project on a European site in view of the site's conservation objectives, where the plan or project is not directly connected with or necessary to the management of a European site but likely to have a significant effect thereon, either individually or in-combination with other plans or projects.
Bodelwyddan National Grid Substation	This is the Point of Interconnection (POI) selected by the National Grid for the Mona Offshore Wind Project.
Competent Authority	Regulation 6(1) defines competent authorities as "any Minister, government department, public or statutory undertaker, public body of any description or person holding a public office".
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Statement	The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project.
Evidence Plan Process	The Evidence Plan process is a mechanism to agree upfront what information the Applicant needs to supply to the Planning Inspectorate as part of the Development Consent Order (DCO) applications for the Mona Offshore Wind Project.
Expert Working Group (EWG)	Expert working groups set up with relevant stakeholders as part of the Evidence Plan process.
Inter-array cables	Cables which connect the wind turbines to each other and to the offshore substation platforms. Inter-array cables will carry the electrical current produced by the wind turbines to the offshore substation platforms.
Interconnector cables	Cables that may be required to interconnect the Offshore Substation Platforms in order to provide redundancy in the case of cable failure elsewhere.
Intertidal access areas	The area from Mean High Water Springs (MHWS) to Mean Low Water Springs (MLWS) which will be used for access to the beach and construction related activities.
Intertidal area	The area between MHWS and MLWS.
Landfall	The area in which the offshore export cables make contact with land and the transitional area where the offshore cabling connects to the onshore cabling.
Local Authority	A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils.
Local Highway Authority	A body responsible for the public highways in a particular area of England and Wales, as defined in the Highways Act 1980.
Marine licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for a 'deemed' marine licence as part of the DCO process. In addition,

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	licensable activities within 12nm of the Welsh coast require a separate marine licence from Natural Resource Wales (NRW).
Maximum Design Scenario (MDS)	The scenario within the design envelope with the potential to result in the greatest impact on a particular topic receptor, and therefore the one that should be assessed for that topic receptor.
Mona 400kV Grid Connection Cable Corridor	The corridor from the Mona onshore substation to the National Grid substation at Bodelwyddan.
Mona Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, offshore export cables and offshore substation platforms (OSPs) forming part of the Mona Offshore Wind Project will be located.
Mona Array Scoping Boundary	The Preferred Bidding Area that the Applicant was awarded by The Crown Estate as part of Offshore Wind Leasing Round 4.
Mona Offshore Cable Corridor	The corridor located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables will be located.
Mona Offshore Cable Corridor and Access Areas	The corridor located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables will be located and in which the intertidal access areas are located.
Mona Offshore Transmission Infrastructure Scoping Search Area	The area that was presented in the Mona Scoping Report as the area encompassing and located between the Mona Potential Array Area and the landfall up to MHWS, in which the offshore export cables will be located.
Mona Offshore Wind Project	The Mona Offshore Wind Project is comprised of both the generation assets, offshore and onshore transmission assets, and associated activities.
Mona Offshore Wind Project Boundary	The area containing all aspects of the Mona Offshore Wind Project, both offshore and onshore.
Mona Offshore Wind Project PEIR	The Mona Offshore Wind Project Preliminary Environmental Information Report (PEIR) that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project.
Mona Offshore Wind Project Scoping Report	The Mona Scoping Report that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project.
Mona Onshore Cable Corridor	The corridor between MHWS at the landfall and the Mona onshore substation, in which the onshore export cables will be located.
Mona Onshore Development Area	The area in which the landfall, onshore cable corridor, onshore substation, mitigation areas, temporary construction facilities (such as access roads and construction compounds), and the connection to National Grid substation will be located
Mona Onshore Transmission Infrastructure Scoping Search Area	The area that was presented in the Mona Scoping Report as the area located between MHWS at the landfall and the onshore National Grid substation, in which the onshore export cables, onshore substation and other associated onshore transmission infrastructure will be located.
Mona PEIR Offshore Cable Corridor	The corridor presented at PEIR that was consulted on during statutory consultation and has subsequently been refined for the application for Development Consent. It is located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables and the offshore booster substation will be located.

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Term	Meaning
Mona PEIR Offshore Wind Project Boundary	The area presented at PEIR containing all aspects of the Mona Offshore Wind Project, both offshore and onshore. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent.
Mona Potential Array Area	The area that was presented in the Mona Scoping Report and in the PEIR as the area within which the wind turbines, foundations, meteorological mast, inter-array cables, interconnector cables, offshore export cables and OSPs forming part of the Mona Offshore Wind Project were likely to be located. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent.
Mona Proposed Onshore Development Area	The area presented at PEIR in which the landfall, onshore cable corridor, onshore substation, mitigation areas, temporary construction facilities (such as access roads and construction compounds), and the connection to National Grid infrastructure will be located. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent.
Mona Scoping Report	The Mona Scoping Report that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project.
National Policy Statement (NPS)	The current national policy statements published by the Department for Energy Security & Net Zero in 2024.
Non-statutory consultee	Organisations that an applicant may choose to consult in relation to a project who are not designated in law but are likely to have an interest in the project.
Offshore Substation Platform (OSP)	The offshore substation platforms located within the Mona Array Area will transform the electricity generated by the wind turbines to a higher voltage allowing the power to be efficiently transmitted to shore.
Offshore Wind Leasing Round 4	The Crown Estate auction process which allocated developers preferred bidder status on areas of the seabed within Welsh and English waters and ends when the Agreements for Lease (AfLs) are signed.
Pre-construction site investigation surveys	Pre-construction geophysical and/or geotechnical surveys undertaken offshore and, or onshore to inform, amongst other things, the final design of the Mona Offshore Wind Project.
Point of Interconnection	The point of connection at which a project is connected to the grid. For the Mona Offshore Wind Project, this is the Bodelwyddan National Grid Substation.
Relevant Local Planning Authority	The Relevant Local Planning Authority is the Local Authority in respect of an area within which a project is situated, as set out in Section 173 of the Planning Act 2008. Relevant Local Planning Authorities may have responsibility for discharging requirements and some functions pursuant to the DCO, once made.
the Secretary of State for Business, Energy and Industrial Strategy	The decision maker with regards to the application for development consent for the Mona Offshore Wind Project.
Statutory consultee	Organisations that are required to be consulted by an applicant pursuant to the Planning Act 2008 in relation to an application for development consent. Not all consultees will be statutory consultees (see non-statutory consultee definition).

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Term	Meaning
Wind turbines	The wind turbine generators, including the tower, nacelle and rotor.
The Planning Inspectorate	The agency responsible for operating the planning process for NSIPs.

Acronyms

Acronym	Description
AfL	Agreement for Lease
BEIS	Department for Business, Energy and Industrial Strategy
BNG	Biodiversity net gain
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EnBW	Energie Baden-Württemberg AG
EWG	Expert Working Group
HVAC	High Voltage Alternating Current
IEF	Important Ecological Feature
IEMA	Institute for Environmental Management and Assessment
ISAA	Information to support the Appropriate Assessment
MDS	Maximum Design Scenario
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
NBB	Net Benefits for Biodiversity
NRW	Natural Resources Wales
NSIP	Nationally Significant Infrastructure Project
NTS	Non-Technical Summary
OSP	Offshore Substation Platform
PDE	Project Design Envelope
PEI	Preliminary Environmental Information
PEIR	Preliminary Environmental Information Report
POI	Point of Interconnection
SAC	Special Area of Conservation
SoCC	Statement of Community Consultation
SPA	Special Protection Area
TCE	The Crown Estate
WTW	Wildlife Trust Wales
TWT	The Wildlife Trusts

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Units

Unit	Description
GW	Gigawatt
km	Kilometres
km ²	Kilometres squared
kV	Kilovolt
MW	Megawatt
nm	Nautical miles

1 Response to Forsters on behalf of The Executors of the Late Sir David Watkin Williams-Wynn BT D4 Submission

1.1 Introduction

1.1.1.1 The Applicant has responded to Fortsers on behalf of The Executors of the Late Sir David Watkin Williams-Wynn BT Deadline 4 submission below.

2 Response to Forsters on behalf of The Executors of the Late Sir David Watkin Williams-Wynn BT D4 Submission

Table 2.1: REP4-119 - Forsters on behalf of The Executors of the Late Sir David Watkin Williams-Wynn BT

Planning Inspectorate Ref. No.	Submission comment	Applicant's response
REP4-119.1	<p>Lack of meaningful negotiation and engagement with our client by the Applicant</p> <p>The Applicant have not shown true effort to reach a voluntary agreement. There is no evidence to demonstrate reasonable endeavours. In the context of the DCO - the substation is the only above ground infrastructure, and as such, arguably the most essential piece of the project where a voluntary agreement is required. Developers for other projects generally prioritise these agreements as they are the most controversial given the diminution in value. Although an Option plan was sent with the HOTs on 10 Feb 2024, a link to the appropriate/ more detail mitigation plans was not provided until after the DCO was submitted, on 27 March 2024. It should also be noted that the owner or the Estate (late David Watkin Williams-Wynn) sadly passed away, less than 3 months (Feb 2024) before the DCO was submitted. Our client has still engaged with the Applicant despite the difficult times and despite probate not having been granted.</p> <p>Our client is reasonable and has historically negotiated three additional substation agreements on their land: Gwynt-y Mor (RWE); Burbo Bank Extension (Dong, now Orsted/ Diamond Transmission Partners BBE Limited) and the National Grid extension. These were agreed by mutual consent under appropriate lease terms and with reflective capital payments. Our client is familiar with energy operators and the negotiation process to reach voluntary agreements. The lead agent, who currently acts for the Applicant, was involved with the negotiations for the Dong substation (now part of Orsted), and should be aware of our client's capability to negotiate.</p> <p>A timeline of the correspondence between our client and the Applicant can be found at Appendix 1</p>	<p>The Applicant has set out the meaningful engagement undertaken with the land agents acting on behalf of the Executors of the Late Sir David Watkin Williams-Wynn BT in the response to their representation at Deadline 4 (REP4-084).</p> <p>The Applicant acknowledges the unfortunate passing of the Late Sir David Watkin Williams-Wynn and wherever possible has sought to assist by, for example, providing additional time for the representatives to respond to proposals, including the extension of the statutory consultation period from the 4th June 2023 to the 14th July 2023.</p> <p>Although the Applicant is unable to respond fully as the script from the Compulsory Acquisition Hearing 1 (CAH1), referenced in the Hearing Action Points (EV8-006,) has not been submitted by the estate, the Applicant would highlight a number of elements missing from the timeline of correspondence between the Applicant and the representatives of the Late Sir David Watkin Williams-Wynn as follows:</p> <p>13/9/2022 – during the call the initial substation locations were shared with the estate to obtain high level comments.</p> <p>21/12/2022 – a teams call was held with the estate to advise that the substation locations 2 and 7 from the initial list of 7 would be taken forward following the consultation period.</p> <p>9/3/2023- letter issued requested a meeting with the estate ahead of statutory consultation.</p> <p>17/4/2034 – an email was issued to the estate with a further request for a meeting to discuss the project proposals.</p> <p>20/4/2034- email correspondence from Ed Sample (agent for the Estate) advising his client did not want to meet.</p>

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Planning Inspectorate Ref. No.	Submission comment	Applicant's response
		<p>3/7/2023 – a letter was sent extending the statutory consultation period from the 4th June 2023 to the 14th July 2023 and offering a meeting to discuss.</p> <p>1/3/2024 – following the email from Forsters LLP, a meeting was requested, response from Ed Sample that a letter would be issued from Forsters LLP.</p> <p>14/3/2024 – despite the letter being dated 29/2/2024, the Applicant's agents only received the letter on 14/3/2024.</p> <p>27/3/2024 – A response to the letter dated 29/2/2024 was issued back to Forsters on the 27/3/2024 which provided answers to the questions asked, including those regarding land take and documents submitted as part of the DCO application.</p> <p>June/ July 2024 – Multiple emails requesting a meeting to Ed Sample so the tenure of property rights could be discussed but the meeting was refused by Ed Sample.</p> <p>August/ September/ October – multiple emails with Ed Sample chasing availability for a meeting to discuss the project proposals. Meeting arranged for the 21/10/2024. Meeting was postponed by Ed Sample and rearranged for the 11/11/2024.</p> <p>The Applicant met with the representatives of the executors of the Late Sir David Watkin Williams-Wynn on 11 November 2024 to discuss the project and the land being sought. The Applicant issued updated Heads of Terms on the 7th November 2024 to reflect the request made ahead of the 11th November 2024 meeting, and the Applicant will continue to negotiate the terms for a voluntary agreement with aim of agreeing heads of terms by the close of examination.</p>
REP4-119.2	<p>The scale and tenure of the land sought is not justified and the site selection process has not been adequate</p> <p>The Applicant has taken an aggressive approach by applying for compulsory powers for freehold acquisition of an area of land which is disproportionate to scheme plans. A total of 137 acres (over 55 hectares) of land is included within the Option area. Of this, over 20 acres is proposed as permanent operational land, with a further 37 acres proposed to be acquired as non-operational land. Compared with 4.76 acres for the RWE substation and 3.82 acres for the Dong substation. Not only is this vast scale not justified, the</p>	<p>The Applicant refers to its response of REP3-117.1 regarding freehold acquisition contained in document REP4-084.</p> <p>The size of substation which a generating station requires relates directly to its capacity. Burbo Bank Extension Offshore Wind Farm has an installed capacity of 258 MW and the Gwynt Y Mor Offshore Wind Farm has an installed capacity of 576MW. For comparison, the Mona Offshore Wind Project is seeking an approximate installation capacity of 1500MW which correlates with the size of the substation and therefore whilst the two</p>

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	<p>acquisition of freehold rights is not appropriate. The acquisition of a long leasehold would be more appropriate and reasonable in this scenario.</p> <p>Re-considering the scale and design, as well as committing to a long leasehold, would not result in the permanent sterilisation of land and impacting future developments/ therefore blighting our client's ability to pursue other opportunities on their land. In respect of the site selection process, the Applicant admitted, during the ISH:3 hearing, that they did not formally re-evaluate potential appropriate sites after it had been decided that a smaller substation was required. As such, the Applicant cannot confirm that there are no other sites that would be acceptable for the substation.</p>	<p>aforementioned projects are associated with offshore wind developments, they are not comparable with regards to size and land take requirements.</p> <p>At the request of the Examining Authority, the Applicant has submitted a Site Selection and Consideration of Alternatives Re-evaluation Summary Note [S_D5_20] which includes details of the internal re-evaluation of potentially appropriate sites after the reduction in size of the onshore substation. The exercise previously concluded, as is presented in the summary note, that the reduction in area of the onshore substation did not alter the conclusion of the site selection process and in particular the choice of Location 2 for infrastructure.</p>
REP4-119.3	<p>Lack of available information</p> <p>Information on the design of the substation and extent of the land take has not been shared willingly. It has been left for the landowner to obtain themselves on the website. The detail provided has been patchy and lacking in detail. This is unacceptable for a substation of this size and scale, more so as it is not located adjacent to the existing substations and instead completely industrialises a previously rural area of the farm to the south of the existing infrastructure/ substations (detailed above).</p>	<p>Correspondence was sent to the representatives of the estate on 30th May 2023 that included specific reference to the sections of the Preliminary Environmental Information Report (PEIR) documentation that included detail on the proposed land take.</p> <p>A meeting was scheduled on 14th August 2023 to obtain comments and feedback on the proposals which the Applicant hoped would help shape the final footprint and mitigation land take, however the meeting was cancelled by the estate and no further feedback was provided. The Applicant therefore sought to design the project on the feedback received at PEIR and information received through the site selection process.</p> <p>Plans showing the acquisition type and land take were shared with the representatives of the estate on 31st January 2024. Further correspondence from the representatives suggested there would be a series of questions on the proposals which were provided by letter dated 14th March 2024 to which the Applicant responded on 27th March 2024. Between January and March 2024, the Applicant's agents repeatedly requested feedback and engagement on the heads of terms for the rights and freehold acquisition sought along with the associated plans sent and has requested meetings to discuss the proposals and land rights sought throughout the examination period as detailed in the land rights tracker (REP4-091).</p>
REP4-119.4	<p>Design of the substation</p> <p>As already noted, three other substations have been developed on the Estate. Existing infrastructure was designed so as not to be visible from other areas of the Estate. The Applicant has not taken the same considerations as</p>	<p>The Applicant has sought to obtain feedback from the representatives of the estate throughout the pre application and examination process as detailed in REP4-084 in response to REP3-117.4.</p>

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	<p>the proposed substation and any additional infrastructure will result in severe visual impacts that cannot be mitigated. Our client has requested, multiple times, information regarding the design and the responses received to date have not been adequate. The Applicant has failed to take into consideration any input from our client. For example, the proposed access route is deemed to be not appropriate and there are other sensible alternatives that should be considered. In addition, the landowner can provide on the ground insights e.g. there is little need to sever multiple fields especially since no justification for doing so has been given.</p> <p>With reference to page 84 on Outline Landscape & Ecology Management Plan (APP-208 – J22). When the plans were finally available – February 2024 – the DCO had already been submitted, with no opportunity for my client to input into the design.</p> <p>At Deadline 4, the Applicant announced that there was a proposed change to substation designs, with the introduction of an additional access route into the substation design. This has not featured in any consultations and demonstrates the Applicant's disordered approach to both the design of the substation and engagement with the affected landowner on such matters.</p>	<p>Due to the nature of the proposed infrastructure, it will not be possible to completely screen the Onshore Substation, however the outline landscaping scheme has been designed in accordance with the vision outlined in the Design Principles (J3 F03) to provide:</p> <ul style="list-style-type: none"> • visual screening to residential properties, road users and walkers. • visual screening to users of the public bridleway to the northeast of the Mona Onshore Substation site and the public footpath to the west of the Mona Onshore Substation • a woodland context for the Mona Onshore Substation site that compliments the long-established woodland of the area, including the woods found on Cefn Meiriadog. • greater connectivity between the existing woodlands, retained hedgerows and field boundary trees. <p>Further details can be found in the Outline Landscape and Ecology Management Plan (J22 F03).</p> <p>The changes referred to have been identified as a result of early design work undertaken by the Applicant. The additional access (referred to as Change 1a in the change request documentation) will only be required for onshore site preparation works. A further parcel of land has been included (Change 1b) to facilitate access to the wider substation area during onshore site preparation works and provide a means of access around the north-western corner of the substation during construction. The justification for all changes proposed in the change request are provided in the Change Request Report (CR1-001). The change request areas were included within the PEIR boundary at section 42 consultation which ran between 19th April and 4th June 2023. The Estate were first notified of Change 1 which impacts the estate through a phone call to the representatives on 23rd October 2024 and a plan was circulated on 24th October 2024.</p>
REP4-119.5	<p>To conclude, the Estate is willing to engage on reasonable commercial terms, and welcomes the opportunity to negotiate a voluntary agreement. The Estate requested (via email) that a revised set of Heads of Terms is circulated on a long leasehold basis, however, as at Deadline 4, this has not yet been received. The Estate hopes these revised Heads of Terms are received prior to the scheduled meeting on 11 November 2024 to allow</p>	<p>The Applicant welcomes the opportunity to negotiate the voluntary agreements for the rights required and is hopeful a further meeting can be arranged following the meeting on 11th November 2024 to further progress the negotiations.</p>

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	sufficient time for the Estate to review beforehand and therefore contribute towards a productive meeting.	