

# MONA OFFSHORE WIND PROJECT

## Response to Conwy County Borough Council and Denbighshire County Council D4 Submission

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Image of an offshore wind farm

**MONA OFFSHORE WIND PROJECT**

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**MONA OFFSHORE WIND PROJECT**

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## MONA OFFSHORE WIND PROJECT

### 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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Term	Meaning
	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).

## MONA OFFSHORE WIND PROJECT

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

## MONA OFFSHORE WIND PROJECT

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### Units

Unit	Description
GW	Gigawatt
km	Kilometres
km <sup>2</sup>	Kilometres squared
kV	Kilovolt
MW	Megawatt
nm	Nautical miles



# **1 Response to Conwy County Borough Council and Denbighshire County Council D4 Submission**

## **1.1 Introduction**

1.1.1.1 The Applicant's response to Conwy County Borough Council (CCBC) and Denbighshire County Council's (DCC) deadline 4 submission is provided below.

## 2 Response to Conwy County Borough Council and Denbighshire County Council D4 Submission – ISH3

Table 2.1: REP4-096 - Conwy County Borough Council (CCBC) and Denbighshire County Council (DCC) ISH3

Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
REP4-096.1	1. Welcome, introductions, arrangements for the hearing	<p>i. Mr Ben Oakman introduced himself as a landscape architect, representing Conwy Borough County Council and Denbighshire County Council in respect of agenda item 4 (onshore). Mr Oakman also identified that he would be representing Isle of Anglesey Council in respect of agenda item 5 (offshore)*.</p> <p><i>[*please note that this document is limited to an account of the representations made by Mr Oakman in respect of CBCC and DCC only, and does not include any information relating to Isle of Anglesey Council representations.]</i></p>	The Applicant notes this response.
REP4-096.2	2. Purpose of the Issue Specific Hearing	i. The Councils did not make submissions on this agenda point.	
REP4-096.3	3. The Application	i. The Councils did not make submissions on this agenda point.	
REP4-096.4	4. The Onshore Substation	<p>i. In response to query from the ExA relating to the code of construction practice, Mr Oakman on behalf of the Councils agreed to an action point for the Councils to make a written response with its views on the document and requirement 9 [see Section 3 of this document]</p> <ul style="list-style-type: none"> <li>• Mr Oakman explained why the Councils are of the view that residual effects at viewpoints two and three would remain significant at year 15, after mitigation is established. Mr Oakman states that the quantum of change achieved by the mitigation as shown in the visualizations does not reduce the amount of harm to the extent where it becomes insignificant. It doesn't change the category of the magnitude of change</li> </ul>	<p>The Applicant notes this point and has provided its response in REP4-096.41.</p> <p>The Applicant's position remains that the landscape planting provided through the Outline Landscape and Ecology Management Plan (REP2-034) will have become established and will be maturing by Year 15 to the effect that the lower infrastructure of the Onshore Substation will be screened.</p>

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		that's been assessed and therefore the visual effects remain significant beyond year 15.	
REP4-096.5	4. The Onshore Substation	ii. Mr Oakman set out that it is agreed that the approach to landscape mitigation within the substation site for direct and indirect landscape and visual mitigation is reasonable and appropriate for the effects identified. However, the Councils consider that there are remaining residual effects that are significant and do justify the need for additional mitigation, potentially offsite.	The Landscape and Visual Resources Chapter (APP-060) concludes no significant cumulative effects and therefore the Applicant considers there is no need for mitigation beyond that secured in the Outline Landscape and Ecology Management Plan (REP2-034) to specifically address cumulative effects.
REP4-096.6	4. The Onshore Substation	iii. Mr Oakman referred to Awel Y Mor Section 106 agreement as an example of the type of measures that could be included to mitigate the residual effects, such as: <ul style="list-style-type: none"> <li>• recreational improvements or upgrades to existing footpath and connectivity where footpaths are severed</li> <li>• interpretation around the development for the local footpath and right of way users</li> <li>• Hedgerow enhancements and other landscape element improvements and tree planting</li> </ul>	As a responsible developer, the Applicant will explore opportunities with other developers in the area (for example, National Grid, Awel y Mor and IGP Solar) in relation to additional landscaping within Work No. 25 (identified on the Works plan – onshore (AS-003)). However, it is not possible to commit the design of this landscaping, or if landscaping will be possible, until the details of all upcoming projects are confirmed. The Applicant welcomes local authority strategic input regarding appropriate landscaping in Work No. 25 as design details for the Mona Offshore Wind Project and the other developments come forward.
REP4-096.7	4. The Onshore Substation	iv. Mr Oakman queried the period of landscape management to be secured in the OLEMP.	The Applicant notes the position set out by Denbighshire County Council and Conwy County Borough Council. The Applicant has submitted a revised Outline Landscape and Ecology Management Plan at Deadline 5 (J22 F03), which includes further detail on the long-term monitoring and management of the landscape and ecology measures.
REP4-096.8	4. The Onshore Substation	v. Following representations from the Applicant, Mr Oakman clarified that it's not the replacement planting period that the Councils are concerned about. It is agreed that a five year period is appropriate for replacement planting. Mr Oakman set out that the concern from the councils is that the Applicant has not yet committed to establish how long the landscape elements will be managed for to achieve their mitigation potential. The Councils' position is that in order to secure the delivery of a 15 year mitigation period, the	

Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
		Applicant needs to commit to manage those measures for that 15 years.	
REP4-096.9	4. The Onshore Substation	vi. Mr Oakman set out that in order to achieve BNG benefits, which rely on a 30-year horizon, the Councils would consider that the Applicant needs to commit to management for a 30-year period.	
REP4-096.10	4. The Onshore Substation	vii. In respect of the Denbighshire Memorial Park and Crematorium, Mr Oakman set out that the Councils consider that the crematorium users are highly sensitive visual receptors which are geographically located in a similar location to other highly sensitive, visual receptors, such as public right of way users, which have been represented by viewpoints. The assessment omitted crematorium uses as receptors and the Councils have requested that this be included. The Councils position is that visual effects on those receptors would be significant based on the assessments carried out for nearby receptors.	The Applicant discussed the potential impacts to the Denbighshire Memorial Park and Crematorium in a meeting on 11 October 2024. The Applicant explained that representative viewpoint 4 (shown in Annex 6.5: Landscape visualisations Part 1 (APP157) was relevant to the views that could be experienced by visitors to the Denbighshire Memorial Park and Crematorium due to its location. The Applicant's position (as set out in REP2-085) was that the views/visual amenity at VP4 have a high sensitivity. To demonstrate its position, the Applicant took photographs from viewpoints within the Denbighshire Memorial Park and Crematorium. It was agreed during the meeting (and in Denbighshire County Council's response to ExA Q1.13.7 (REP3-078)) that the magnitude of impact on views from the Denbighshire Memorial Park and Crematorium would be less than from VP4 due to the distance and the intervening vegetation. It was agreed during the meeting that the significance of effect would be no greater than at VP4, which was reported in paragraphs 6.11.2.39 to 6.11.2.51 of the Landscape and Visual Resources chapter (APP-069) as minor to moderate adverse, which is not significant.
REP4-096.11	4. The Onshore Substation	viii. Mr Oakman set out that through the Statement of Common Ground process, discussions with the Applicant on their further work including a site visit and photographs, has resulted in an agreement that they would provide an annotated set of those photographs at some point during the examination process, and that they would accompany that with an assessment of the effects on the visual effects on of the users of the crematorium.	Mr Oakman requested that the photographs from viewpoints at the Denbighshire Memorial Park and Crematorium were annotated to show the location of the Onshore Substation. The Applicant provided, the annotated photographs at Deadline 4 (REP2-085).

Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
REP4-096.12	4. The Onshore Substation	<p>ix. In response to the ExA's question regarding the effects on the Offa's Dyke path and Clwydian Range and Dee Valley national landscape, Mr Oakman set out that discussion of this matter is rooted in what the Councils consider to be a flawed methodology in the assessment. In particular, the significance threshold is too high. In common practice (and in the main ES), moderate effects are usually considered to be significant or at least on the cusp of significance, where they can be either significant or non-significant. In which case the assessor needs to set out which and why, and whether it's significant or not.</p> <ul style="list-style-type: none"> <li>• In this LVIA moderate is defined as 'demonstrably out of scale or at variance with landscape character or views'. The Councils consider such effects to be significant.</li> </ul>	<p>The Applicant discussed the methodology used in the Landscape and Visual Resources assessment (APP-069) during the meeting on 11 October. The Applicant explained that the methodology followed industry guidance (GLVIA and the NRW Guidance Note (GN) 017: Landscape Sensitivity Assessment guidance for Wales, 2023). It was agreed that split assessment categories were commonly used in landscape assessments and that moderate adverse effects could be not significant or significant. The Applicant met with Mr. Oakman on 27 November and both parties have agreed to continue discussions around this issue and update the relevant Statements of Common Ground at Deadline 6.</p>
REP4-096.13	4. The Onshore Substation	<p>x. Mr Oakman set out that cumulative effects on the users of the Offa's Dyke Path and Clwydian Range and Dee Valley national landscape are considered moderate by the Applicant, but the Councils consider them to be significant.</p>	<p>The Applicant provided cumulative viewpoints from the Offa's Dyke Path and the Clwydian Range and Dee Valley National Landscape at Deadline 3 (REP3-047, REP3-048 and AS-027) which demonstrate that the conclusions reported in the Landscape and Visual Resources chapter (APP-069) are appropriate.</p>
REP4-096.14	4. The Onshore Substation	<p>xi. Mr Oakman queried the number and presentation of lightning conductors as raised by Cllr Barlow. The Applicant confirmed in response the photomontages were updated following hearings in July to include the montages; Mr Oakman acknowledged this clarification.</p> <ul style="list-style-type: none"> <li>• In response to a query from the ExA, Mr Oakman confirmed that the councils would welcome a masterplan approach to infrastructure development, as suggested by the Design Commission for Wales.</li> </ul>	<p>The Applicant believes the Denbighshire County Council is best placed to deliver a landscape-led masterplan for the area, as the Applicant has little to no influence over the landscape mitigation proposals put forward by other developers as part of separate projects.</p>
REP4-096.15	4. The Onshore Substation	<p>xii. In respect of lighting, Mr Oakman noted that the Councils and the Applicant agreed that there would be additional submissions in relation to construction task lighting, but also</p>	<p>At Deadline 4, the Applicant submitted a Lighting Clarification Note (REP4-043), which includes a summary of the assessment of effects from construction and</p>

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		in relation to operational lighting, which is reflected in the statement of common ground. Mr Oakman noted that this is an ecology issue as well as landscape and visual.	operational lighting for both landscape and visual receptors and ecological receptors.
REP4-096.16	4. The Onshore Substation	xiii. In response to a question on noise assessment, Mr Oakman agreed to a hearing action point in which the Councils would comment on whether a soundscape assessment is required [see Section 3 of this document].	The Applicant notes this response and has responded in REP4-096.42.
REP4-096.17	5. Landscape, Seascape and visual	i. The Councils did not make submissions on this agenda point.	The Applicant notes this response.
REP4-096.18	6. Any other business	i. The Councils did not make submissions on this agenda point.	
REP4-096.19	7. Closure of the hearing	i. The Councils did not make submissions on this agenda point.	

### 3 Response to Conwy County Borough Council and Denbighshire County Council D4 Submission – ISH5

Table 3.1 REP4-096 - Conwy County Borough Council (CCBC) and Denbighshire County Council (DCC) ISH5

Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
REP4-096.20	1. Welcome, introductions, arrangements for the hearing	i. Mr David Brown introduced himself as a Chartered Town Planner, present to represent both Denbighshire and Conwy Councils in the ISH.	The Applicant notes this response.
REP4-096.21	2. Purpose of the Issue Specific Hearing	i. The Councils did not make submissions on this agenda point.	The Applicant notes this response.
REP4-096.22	3. Articles and schedules of the dDCO (excluding Schedules 2, 10, 12, 14 and 15)	<p>i. Mr Brown on behalf of the Councils highlighted some concerns with the highway / access provisions within the draft DCO:</p> <ul style="list-style-type: none"> <li>▪ <b>Article 2: Interpretation</b></li> </ul> <p>The Councils confirmed that the Applicant and the Councils are in discussion regarding the implementation of site accesses under site preparation works. He confirmed they are confident agreement can be reached so long as the necessary information to ensure highway safety can be provided by the Applicant.</p> <ul style="list-style-type: none"> <li>▪ <b>Article 12: Temporary restriction of use of streets</b></li> </ul> <p>The Councils noted the ExA's question to the Applicant regarding Article 12 and will consider further the Applicant's justification for temporary stopping up of any street (see Hearing Action Point ISH5 6 in Section 3 of this document).</p> <ul style="list-style-type: none"> <li>ii. <b>Article 8: Application and modification of legislative provisions</b></li> </ul> <p>Mr Brown on behalf of the Councils confirmed discussions are ongoing with the Applicant regarding disapplication of the Land Drainage Act</p>	<p>The Applicant notes the position set out by Denbighshire County Council and Conwy County Borough Council and is continuing to engage with the Councils regarding the delivery of highways accesses.</p> <p>In response to these discussions, the Applicant has updated Requirement 10 of the draft Development Consent Order (C1 F06) such that a final highways access management plan will now be submitted to the relevant local authority for approval prior to those access being delivered. The final highways access management plan will be in accordance with the Outline Highway Access Management Plan (J26.16 F02). The Applicant has submitted a revised Outline Highway Access Management Plan (J26.16 F02) at Deadline 5 to clarify the status of that management plan in this context. The Applicant will continue to seek agreement with Denbighshire County Council and Conwy County Borough Council regarding provision of necessary information to ensure highway safety through the Statement of Common Ground process.</p> <p>The Applicant continues to engage with Denbighshire County Council and Conwy County Borough Council regarding the disapplication of the Land Drainage Act through the Statement of Common Ground process.</p>

Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
REP4-096.23	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>i. Requirement 4: Stages of authorised project</b></p> <p>Mr Brown on behalf of the Councils confirmed discussions had taken place with the Applicant and it was the Councils understanding that the Applicant was happy to provide the details requested as part of the Requirement submission but did not necessarily want this on the face of the DCO. Mr Brown outlined that the Councils were happy with this position if drafted within the SoCG. In response to a question from the ExA, the Applicant confirmed that they agreed with this position and would be updating the SoCG.</p>	<p>The SoCGs with Denbighshire County Council (S_D3_22 F02, paragraph DCC.DCO.2) and Conwy County Borough Council (S_D3_23 F02, paragraph CCBC.DCO.2) have been updated to reflect the agreement on this issue.</p>
REP4-096.24	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>ii. Requirement 7: Provision of landscaping</b></p> <p>Mr Brown confirmed that its request has been that the ongoing management of landscaping is missing from the requirement. The Councils understand that the Applicant is considering this further in relation to updates to the LEMP, and will reserve a position until an update is provided by the Applicant.</p>	<p>The Applicant notes the position set out by Denbighshire County Council and Conwy County Borough Council. The Applicant has submitted a revised Outline Landscape and Ecology Management Plan at Deadline 5 (J22 F03), which includes further detail on the long-term monitoring and management of the landscape and ecology measures. A new limb (c) of Requirement 7(2) has been added to specifically refer to proposed management of landscaping works of which details will then be included in the final landscape and ecology management plan submitted for approval under that Requirement.</p>
REP4-096.25	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>iii. Requirement 10: Highway accesses</b></p> <p>Mr Brown confirmed that the Councils had nothing further to add on Requirement 10 beyond the earlier discussion around pre-commencement works. He outlined that the Councils would consider the position further when the additional information has been provided by the Applicant.</p>	<p>The Applicant notes the position set out by Denbighshire County Council and Conwy County Borough Council. The Applicant has submitted a revised Outline Highway Access Management Plan (J26.16 F02) at Deadline 5 that is tied to the updates of the draft Development Consent Order (C1 F06) Requirement 10 in relation to site accesses. The Applicant will continue to seek agreement with Denbighshire County Council and Conwy County Borough Council regarding provision of necessary information to ensure highway safety through the Statement of Common Ground process.</p>



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REP4-096.26	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>iv. Requirement 14: Construction hours</b></p> <p>Mr Brown reiterated concerns around the proposed construction hours with reference to submissions from the Councils. He explained that the concern was not specific to the Mona project but was partly driven by the other known developments in the locality.</p>	<p>The Applicant provided a response on construction working hours within REP1-049.153 and does not consider the proposed construction hours to be unreasonable and notes that these are in line with typical working hours employed by the construction industry.</p>
REP4-096.27	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>v. Mr Brown highlighted that the Councils had discussed this with the Applicant and were considering if there were specific locations which would benefit from some further restrictions in relation to working hours. Mr Brown confirmed that the Councils were consulting with elected members on this request and would respond as soon as possible.</b></p>	<p>The Applicant updated the drafting of Requirement 14, Schedule 2 of the draft development consent order (REP4-005) at Deadline 4 to clarify that there will be no heavy goods vehicle movements outside of the identified construction hours. The Applicant has further updated Requirement 14 at Deadline 5 (Reference C1 F06) in response to Examining Authorities' Question Q2.16.7.</p> <p>The Applicant welcomes discussion with Denbighshire County Council and Conwy County Borough Council through the Statement of Common Ground process regarding specific locations but notes that the Applicant's current position regarding construction working hours has not changed.</p>
REP4-096.28	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p><b>vi. Requirement 15: Restoration of land used temporarily for construction</b></p> <p>Mr Brown raised concerns in relation to the current drafting of Requirement 15 and acknowledged that the Applicant has committed to reviewing and providing further clarity in relation to how restoration is to be managed through the DCO. He confirmed that the Council would review this information when available.</p>	<p>Requirement 15 provides the absolute obligation on the undertaker to reinstate land within the Order limits ("<i>Any land landward of MLW which is used temporarily for construction of the onshore works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated...</i>"). This is included to ensure that from a planning perspective there is an absolute obligation on Mona to reinstate the land which has been used during construction (unless that land forms part of the permanent works or landscaping/ecological mitigation).</p> <p>The undertaker will use its powers under Article 29 (Temporary use of land for carrying out the authorised project) of the Draft DCO to enter land and carry out works. Once those works are complete, the undertaker is also under an obligation to the landowner to reinstate (within 12 months) the land to the</p>

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			<p>reasonable satisfaction of the landowner after which point (following the end of the 12 months) the land must be returned to the possession of the landowner.</p> <p>These two obligations apply side by side and together they operate to ensure land is reinstated. There is no need to monitor / check that this has been done by Mona as per the obligations under Article 29 and Requirement 15, as non-compliance may give rise to a breach of the DCO so it is within Mona's interests to ensure that these reinstatement works are delivered.</p> <p>There may be circumstances in which, for example, the undertaker has improved an access during construction or has laid some hardstanding, but the landowner does not wish for those elements to be removed through the reinstatement of their land under Article 29. In those cases, the undertaker is obliged to seek approval from the local planning authority for that alternative position by submitting details under Requirement 15 in advance of the 12 months expiring. This is because the position being requested by the landowner does not comply with the absolute obligation to restore the land.</p> <p>The Applicant maintains that it would not be appropriate to include a specific period in which the obligation to seek approval from the relevant planning authority will be sought because this Requirement will apply on a case-by-case basis and the timing of such approval being needed will not be known until the reinstatement is being discussed with the landowner. It will be for the undertaker to ensure that suitable approvals are in place within the 12 months post completion of works if this Requirement is triggered.</p> <p>DCC and CCBC will have already approved code of construction practice and landscape and ecology management plan details for the relevant stages of works which also details of reinstatement the land.</p>

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			<p>The Applicant has updated the drafting as follows to try and provide further clarity on the intent of the Requirement but would welcome further views from the LPAs should the drafting remain unclear:</p> <p><i>15. Any land landward of MLW which is used temporarily for construction of the onshore works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months of completion of the relevant stage of the onshore works in accordance with such details as have been submitted to and approved pursuant to Requirements 7, 9, and 12 in respect of reinstatement, unless alternative details in relation to that land are agreed in writing by the relevant planning authority.</i></p> <p>DCC and CCBC have agreed to the updated wording of Requirement 15 in their respective Statements of Common Ground (REP3-060, paragraph DCC.DCO.9 and REP3-061, paragraph CCBC.DCO.9 and this change to Requirement 15 has been made in the Deadline 5 draft development consent order (C1 F06).</p>
REP4-096.29	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p>vii. <b>Requirement 17: Control of noise during operational stage</b></p> <p>Mr Brown confirmed that the Councils Environmental Health Officer (EHO) had now reviewed the draft Requirement and was happy with the draft.</p>	<p>The Applicant welcomes this response. The agreement has been captured in the Statement of Common Ground with Denbighshire County Council (S_D3_22 F02).</p>
REP4-096.30	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	<p>viii. <b>Schedule 12: Approval of matters specified in requirements</b></p> <p>Mr Brown outlined the Councils' concerns regarding the timescales for discharge under Schedule 12, which are too short given the resource required. The Councils agreed to further consider realistic timescales for the discharge of Requirements.</p>	<p>The Applicant updated the timescales in Schedule 12 within the Deadline 4 version of the draft Development Consent Order (REP4-005).</p>

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Planning Inspectorate Ref. No.	Agenda No. and Item	Submission comment	Applicant's response
REP4-096.31	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	ix. Mr Brown acknowledged the Applicants suggestion of increasing the timescale for further information from 10 to 15 days and welcomed this change in line with the Council's written submissions.	
REP4-096.32	4. Schedule 2 and Schedule 12 of the dDCO (Requirements and approval of matters specified in requirements)	x. The Councils also highlighted potential drafting errors and inconsistencies with regard to the period for consultation within Schedule 12, Part 5. The Applicant agreed to review this Schedule.	
REP4-096.33	5. Schedule 10 of the dDCO (Protective Provisions)	i. The Councils did not make submissions on this agenda point	The Applicant notes this response.
REP4-096.34	6. Schedule 14 (Deemed Marine Licence)	i. The Councils did not make submissions on this agenda point	
REP4-096.35	7. Schedule 15 (Documents and Plans to be Certified)	i. The Councils did not make submissions on this agenda point	
REP4-096.36	8. Consents, Licences and Other Agreements	i. The Councils did not make submissions on this agenda point	
REP4-096.37	9. Statements of Common Ground relevant to the DCO	i. The Councils did not make submissions on this agenda point	
REP4-096.38	10. Review of issues and actions arising	i. The Councils did not make submissions on this agenda point	
REP4-096.39	11. Any other business	i. The Councils did not make submissions on this agenda point	
REP4-096.40	12. Closure of the hearing	i. The Councils did not make submissions on this agenda point	

## 4 Response to Conwy County Borough Council and Denbighshire County Council D4 Submission – Hearing Action Points (HAPs)

Table 4.1: REP4-096 - Conwy County Borough Council (CCBC) and Denbighshire County Council (DCC) HAPs

Planning Inspectorate Ref. No.	HAP Ref. No.	Hearing Action Point	Party	Submission comment	Applicant's response
REP4-096.41	ISH33	Review Requirement 9 and provide comments as to the acceptability of the Code of Construction Practice [REP2-038]	The Councils	<p>The Councils have no concern in principle with Requirement 9 and its wording. Comments on specific content within the CoCP and its appended plans have been identified and discussed with the Applicant through the Statement of Common Ground (SoCG) process. For example, in relation to construction hours (also reflected under Requirement 14) and comments provided on the arboricultural method statement.</p> <p>The Councils note that given the number of appended management plans and method statements, the submission under Requirement 9 is likely to be substantial and wide-ranging, requiring consultation and input from a range of technical teams in their determination by the Councils. This represents a potentially significant demand on resource. The Councils have to date raised concern regarding the timescales of discharge as currently proposed in the draft DCO, both through the SoCG process and through the ISH5 on the draft DCO.</p> <p>The Councils would therefore welcome discussion with the Applicant on how it is intended for Requirement 9 to be discharged, particularly with reference to the stage plan under Requirement 4. The Councils consider that careful thought needs to be given to the staging and its implications on Requirement 9, taking into consideration which aspects of the CoCP would be scoped into a discharge per stage. Where possible, the Councils would welcome a scheme-wide submission which seeks to discharge the CoCP and its associated plans for all onshore works. The Councils consider that this should be feasible for most, if not all, aspects of the CoCP.</p>	<p>The Applicant welcomes discussion with Denbighshire County Council and Conwy County Borough Council regarding discharging Requirement 9. It is anticipated that this will be clarified through the discharge of Requirement 4 of the draft Development Consent Order (C1 F06).</p> <p>The Applicant presented an indicative staging plan at Deadline 1 (REP1-014) that gave an idea of how the Project could be broken up to facilitate discharge of requirements. Requirement 4 requires that the discharging authority agree the staging plan in advance of any submission of discharge document and therefore the Applicant believes the local authorities have appropriate controls where appropriate.</p>

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Planning Inspectorate Ref. No.	HAP Ref. No.	Hearing Action Point	Party	Submission comment	Applicant's response
REP4-096.42	ISH3 14	As authorities who must have regard to the Noise and Soundscape Plan for Wales 2023- 2028 in exercising their functions, do the Councils consider that a soundscape assessment is required from the Applicant or is the information already provided by the Applicant sufficient?	The Councils	The Councils acknowledge that the Environment (Air Quality and Soundscapes) (Wales) Act came into force in April 2024, which was after the DCO application was submitted and accepted for Examination. The Councils have had regard to the policies in the Noise and Soundscape Plan for Wales 2023-2028 in reviewing the DCO application, and are content that the information provided by the Applicant via ES Chapter 9 [APP-072] is sufficient to be compatible with the requirements of the Noise and Soundscape Plan for 2023-2028. No further information in respect of this aspect of the noise assessment is required.	The Applicant welcomes this response. The agreement has been captured in the Statements of Common Ground with Denbighshire County Council (S_D3_22 F02) and Conwy County Borough Council (S_D3_23 F02).

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Planning Inspectorate Ref. No.	HAP Ref. No.	Hearing Action Point	Party	Submission comment	Applicant's response
REP4-096.43	ISH3 15	With reference to NPS EN-1 para 4.3.19, is it possible that even if considered acceptable in their own right with mitigation measures in place, the various effects arising as a result of the onshore substation could add up to have a significant effect on the community or the environment either as a result of the project alone or cumulatively with other proposed developments?	Applicant and all Interested Parties	The Councils have set out in its Local Impact Report [REP1-049], and through oral representations made at ISH3, its concerns with the landscape and visual assessment, which include concerns that there are cumulative effects which are significant and not mitigated for. The Councils consider that further mitigation is required for residual and cumulative effects and in accordance with the mitigation hierarchy, and that this would best take the form of offsite enhancements and compensation in the local landscape. The Councils have also raised concern more broadly with the Applicant's approach to undertaking and reporting the cumulative effects assessment in the DCO application, as reflected in the SoCGs with each Council [REP3-060/61], in which the Councils remain unclear on the conclusions of the assessment and how mitigation is secured. The Councils consider therefore that there is potential for significant effects cumulatively with other proposed developments. The Councils would welcome further discussion with the Applicant regarding their proportionate contribution to off-site compensation and enhancement measures to offset direct landscape and visual and cumulative effects.	<p>The Applicant notes the Council's points regarding the landscape and visual cumulative effects assessment. The Applicant's position is that no significant cumulative effects are predicted to arise (as set out in APP-069) and that no additional mitigation is required specifically to address cumulative effects above that secured in the Outline LEMP (J22 F03). As set out in its response to Q1.13.2 (REP4-058), the Applicant will explore opportunities with other developers in the area in relation to additional landscaping, however it is not possible to make any further commitments at this stage for the reasons explained in the response to Q1.13.2.</p> <p>The Applicant confirms that its approach to assess potential cumulative effects with other developments is in accordance with Planning Inspectorate guidance and is confident in the conclusions of its assessment.</p> <p>The Applicant welcomes the opportunity for ongoing discussions with the Council.</p>

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Planning Inspectorate Ref. No.	HAP Ref. No.	Hearing Action Point	Party	Submission comment	Applicant's response
REP4-096.44	ISH5 6	Article 12(1): explain in Explanatory Memorandum (EM) why the article includes any street and whether this is justified and proportionate / Council to consider wording	Applicant/Council	The Councils would welcome clarification from the Applicant as to why it is necessary for Article 12(1) to allow for stopping up of any street. Whilst the need for stopping up a street is understood in the context of the works within the Order Limits, it is not clear to the Councils why this would be required in any other location. The Councils will provide further comment upon review of the updated Explanatory Memorandum and following discussion with the Applicant	An updated Explanatory Memorandum (C3 F04) has been provided at Deadline 5 including further information with regards to Article 12.