

MONA OFFSHORE WIND PROJECT

Response to National Farmers' Union D4 Submissions

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Image of an offshore wind farm

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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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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).

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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 National Farmers' Union D4 Submissions

1.1 Introduction

1.1.1.1 The Applicant has responded to National Farmers' Union Deadline 4 Submissions below.

2 Responses to National Farmers' Union D4 Submission - CAH1 Post Hearing Submission

Table 2.1: REP4-123 - National Farmers' Union CAH1 Post Hearing Submission

Planning Inspectorate Ref. No.	Written Submission Comment	Applicant's response
REP4-123.1	<p>1.0 Introduction</p> <p>1.1 Submissions on behalf of the National Farmers Union ("NFU") in respect of the application for a Development Consent Order (DCO) by Mona Offshore Wind Ltd. The NFU is making a case on behalf of its members. This submission is submitted to highlight issues of concern which have been raised by NFU on behalf of NFU members and landowners represented by LIG who will be affected by this project and were raised at the compulsory acquisition hearing on 17th October 2024.</p>	<p>The Applicant has noted and responded to the submission below.</p>
REP4-123.2	<p>2.0 Rights in perpetuity</p> <p>2.1 Land and Rights Proposed are Necessary and Proportionate: Rights in perpetuity: Whether the Secretary of State could be satisfied that the rights proposed to be acquired are no more than is reasonably necessary and proportionate for the purposes of the proposed development. Under the voluntary negotiations within the heads of terms the Applicant is not prepared to agree to a time limited easement.</p> <p>To seek permanent rights over land in order to deliver a Project that has a limited duration exceeds what is reasonably required and amounts to a disproportionate interference with the rights of the landowners. The Project has a limited duration only: the Applicant's lease with the Crown Estate; the operational life of the Mona offshore windfarm; and licenses granted to OFTOs. The exact periods of these agreements are not known on this Project although on other projects these periods have been for less than 60 years.</p>	<p>As set out in the Applicant's response to National Farmers' Union ExQ1 Responses (REP4-074), powers in the Planning Act 2008 apply the longstanding compulsory purchase regime legislation through the Compulsory Purchase Act 1965 and Acquisition of Land Act 1981 (s125 PA). It is not possible for the Applicant to seek rights for a term of years under the current compulsory acquisition legislation.</p> <p>The Applicant can confirm that template heads of terms have been agreed with the Land Agent Group (LAG) with the easement rights in perpetuity of which have been agreed with the majority of landowners represented by this group.</p>

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Planning Inspectorate Ref. No.	Written Submission Comment	Applicant's response
	<p>The Applicant has not provided to the NFU or LIG any justification as to why the rights needed with landowners is needed for more than 99 years. Should the applicant need to extend the Term this should be undertaken through negotiations as would be the case with other affected stakeholders.</p> <p>A time limited easement of 99 years has been agreed in voluntary negotiations with other developers of offshore windfarms where underground cables are required and so the NFU does not understand why BP and EnBW are not willing to agree to a time limited easement.</p>	
REP4-123.3	<p>3.0 Occupiers Interest</p> <p>3.1 Occupiers negotiations: The lack of meaningful negotiations with occupiers, no real discussions to progress matters direct with the occupiers especially addressing compensation if the project is implemented. There has been limited discussions with NFU and LIG on commercial terms within an Occupiers Heads of Terms. More input is required from the Applicant regarding the lasting impact of the proposed development on the farming businesses and more specifically where land take is proposed for the substation given its size and the impact on an agricultural occupier.</p>	<p>The template occupiers consent document was first issued to the LAG for review and comment on 7th February 2024. Initial comments were received on the terms from the LAG on the 23rd February 2024, and a response was issued on the 22nd March 2024. The terms were reissued to the LAG for comments on the 22nd August 2024, and as no further comments were provided, populated documents were issued to the occupiers on the 31st October, in most cases. The Applicant has been chasing for a response on the terms issued and welcomes dialog on the terms to progress to completion.</p>

3 Response to National Farmers' Union D4 Submission - ISH5 Post Hearing Submission

Table 3.1: REP4-124 - National Farmers' Union ISH5 Post Hearing Submission

Planning Inspectorate Ref. No.	Written Submission Comment	Applicant's response
REP4-124.1	<p>1.0 Introduction</p> <p>1.1 Submissions on behalf of the National Farmers Union ("NFU") in respect of the application for a Development Consent Order (DCO) by Mona Offshore Wind Ltd. The NFU is making a case on behalf of its members. This submission is submitted to highlight issues of concern which have been raised by NFU on behalf of NFU members and landowners represented by LIG who will be affected by this project and were raised at the draft DCO hearing on 24th October 2024.</p>	<p>The Applicant notes this response.</p>
REP4-124.2	<p>2.0. DCO Articles</p> <p>2.1.1 Article 17: Authority to survey and investigate the land 17.—(1) The undertaker may for the purposes of this Order enter on any land shown within the Order limits or any land which may be affected by the authorised project and—</p> <p>The NFU raised at the hearing that they would like further clarity on what land may be 'any land which may be affected by the authorised project'. The NFU believes that this is too wide an area and that this needs to be tighter so that landowners and occupiers will have an idea as to what land might be impacted.</p> <p>The NFU raised that the word 'adjacent' should be included in the wording at 17.1 and that there should be a definition of adjacent included in the DCO.</p>	<p>As discussed during Issue Specific Hearing 5, the drafting of Article 17 is deliberately flexible and applies to land outside the Order limits. As set out in row HAP_ISH5_08 of the Mona Response to October Hearing Action Points (REP4-036) this is necessary because there may be circumstances in which it is necessary to exercise that power in relation to land that is neither within nor immediately adjacent to the Order limits in order to gather necessary information to, for example, inform detailed design.</p> <p>At Issue Specific Hearing 5, the Applicant noted that an example of where surveys and investigations on land outside the Order limits may be required is the Tan-y-Mynydd Trout Fishery (see paragraph 36 of Hearing Summary (ISH5) dDCO (REP4-036). The trout fishery is not located within or immediately adjacent to the Order limits but it is a location where site investigations have been required and where there continues to be ongoing ground and surface water monitoring as described in row REP1-080.5 of Response to Written Representations (REP2-078).</p> <p>It is therefore imperative that the flexibility as drafted remains. It would not be appropriate or workable in practice to limit the wording in Article 17 further by using the word 'adjacent'.</p>

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Planning Inspectorate Ref. No.	Written Submission Comment	Applicant's response
		<p>Furthermore, the drafting is entirely in accordance with precedent in other made Orders that include this power and also in line with other equivalent legislative provisions such as s172 of the Housing and Planning Act 2016 which provides for a wide power to enter and survey land <i>'in connection with a proposal to acquire an interest in or right over land'</i>.</p>
<p>REP4-124.3</p>	<p>2.1.2 The NFU would like the following wording to be included in the draft DCO at 17(3) the notice required under paragraph (2) must indicate the nature of the survey or investigation that the undertaker intends to carry out.</p> <p>The Applicant confirmed at the hearing that they would consider this wording be included in the DCO at Article 17.</p>	<p>As confirmed in row HAP_ISH5_07 of the Mona Response to October Hearing Action Points (REP4-036), Article 17(2) has already been updated to specify that if certain activities are proposed as part of the surveying or investigation of land, details of those activities will be included within the notice to be served, in advance, on landowners and occupiers. See Deadline 4 Submission – C1 Draft Development Consent Order F05 (REP4-005).</p>
<p>REP4-124.4</p>	<p>2.2. Article 29: Temporary Possession of Land: (2) Not less than 28 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land and explain the purpose for which entry is taken in respect of land specified under paragraph (1)(a)(iii).</p> <p>The NFU at the hearing raised that they would like to see this notice period being for 3 months before entering and taking temporary possession. The Mona scheme will be impacting livestock farms, in particular some dairy farms and a written notice of only 28 days is simply not enough time for a farming business to plan whether livestock will need to be sold, implications on forage and feed required for livestock while construction is taking place.</p> <p>It is impossible for a farmer to change operations/cultivations or make arrangements to do something different on an area of land whether crops or livestock within 28 days. It might be that orders for feed, fertilisers, sprays etc have to be changed and there is a greater chance of a change being possible if a 3 month notice is given rather than 28 days</p>	<p>At Issue Specific Hearing 5, the Applicant confirmed that the 28-day period for notice to landowners under articles 29 and 30 is a standard period and highlighted that this is a minimum period of not less than 28 days. The Applicant also clarified at Issue Specific Hearing 5 that the temporary possession powers are a last resort where it has not been possible to reach voluntary agreement with landowners in respect of accessing land and articles 29 and 30 provide for compensation payments. The Applicant confirmed that timing of entry onto land will be done in such a way as to minimise the impacts to landowners and minimise compensation likely to be payable. See paragraph 36 of Hearing Summary (ISH5) dDCO (REP4-036). The minimum 28 day notice period is therefore considered reasonable in terms of balancing potential impacts on individual landowners against delivery of the Mona project without unnecessary programme delays.</p> <p>Furthermore, the Applicant notes that the 28 day notice period aligns with recent precedent including the Hornsea Four Offshore Wind Farm Order 2023 and the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024.</p>

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Planning Inspectorate Ref. No.	Written Submission Comment	Applicant's response
REP4-124.5	<p>2.3 Article 30: (3) Not less than 28 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.</p> <p>The same as above the NFU believes the notice period should be 3 months.</p>	See response to REP4-124.5 above.