Ein cyf/Our Ref: AOS-21167-0032
Eich cyf/Your ref: EN010137
Our Unique Ref: 20048445

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Dyddiad/Date: 14 January 2025

Er sylw / For the attention of: Jake Stephens

Annwyl / Dear Jake,

FFERM WYNT ALLTRAETH MONA / PROPOSED MONA OFFSHORE WINDFARM

CYFEIRNOD YR AROLYGIAETH GYNLLUNIO / PLANNING INSPECTORATE REFERECE: EN010137

EIN CYFEIRNOD / OUR REFERENCE: 20048445

RE: NATURAL RESOURCES WALES' DEADLINE 7 SUBMISSION AND CLOSING STATEMENT

Thank you for your Rule 8 letter, dated 23 July 2024, requesting Cyfoeth Naturiol Cymru / Natural Resources Wales' (NRW) comments regarding the above.

Please find below NRW's Deadline 7 Submission and Closing Statement on the application documents.

These representations and attachments should be read in conjunction with advice previously provided into the examination.

The comments provided in this submission, comprise NRW's response as a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2015 and as an 'Interested Party' under s102(1) of the Planning Act 2008.

For the purpose of clarity, comments from NRW's Marine Licencing Team (NRW MLT) are titled as such and are produced in section 3; all other comments pertain to NRW's advisory (NRW (A)) role.

Should the application receive a Development Consent Order, NRW will continue to work with the Applicant post-consent.

Please do not hesitate to contact Emma Lowe ([redacted]@cyfoethnaturiolcymru.gov.uk) Nia Phillips ([redacted]@cyfoethnaturiolcymru.gov.uk) and Siôn Williams ([redacted]@cyfoethnaturiolcymru.gov.uk) should you require further advice or information regarding these representations.

Yn gywir / Yours sincerely,

[redacted]

Andrea Winterton
Marine Services Manager
Natural Resources Wales

[CONTINUED]

Contents

1 OFFSHORE

1.1 Marine Ornithology

1.1.1 Comments on Mona Revised Assessment for Northern Gannet at Grassholm SPA [REP6-088]

1.1.1.1 Overall comments

1. We welcome the updated Grassholm Special Protection Area (SPA) gannet assessment undertaken by the Applicant in REP6-088, which has been produced to address the concerns raised by NRW (A) in our response at Deadline 6 (see REP6-137).

2. We welcome that in REP6-088, the Applicant has undertaken the in-combination assessment for Grassholm SPA gannet using the colony count that is most contemporaneous with the Mona project site-specific survey data, this being the 2015 count of 72,022 breeding adults (Burnell et al. 2023). We consider that it is important to use contemporaneous data in order to compare like-for-like impacts against populations. This is particularly important should there be a large change in a colony population after baseline surveys have been carried out. For example, the Highly Pathogenic Avian Influenza (HPAI) outbreak caused large numbers of mortalities in 2022 and 2023 with the Grassholm SPA gannet colony having been severely affected: with a 54% reduction between the pre-HPAI baseline (2015) and 2023 counts, or a 57% decline when the 2023 count is compared with the predicted population estimate for 2021, produced using colony-specific average annual rates of change since 2003-05 by Wanless et al. (2023) (Tremlett et al. 2024). This is reflected in Seabird Monitoring Programme (SMP) counts showing 78,584 adults in 2009 and 72,022 in 2015, then just 32,964 in 2023 and 39,398 in 2024. Therefore, comparing mortalities associated with offshore wind farm development calculated using data collected pre-HPAI against colony counts post-HPAI is not appropriate, and is likely to overestimate relative impacts. As is noted by the Applicant, we expect seabird data collected prior to summer 2022 (approx. August) (as is the case for the Mona project survey data) to remain a valid representation of 'typical' seabird distribution and density, as this was before mass mortality events began to take place. Broadly, we expect any changes in abundance at colonies to be reflected proportionately in the at sea data. That is, it is reasonable to assume distribution patterns will remain broadly similar, but densities to change accordingly.

3. We also welcome that the Applicant has presented in-combination impacts for scenarios with and without accounting for macro avoidance of wind farms by gannets.

1.1.1.2 Project Alone Assessment

4. With regard to project alone impacts, our advice remains as set out in our Deadline 4 response [REP4-105], namely that:

   NRW (A) advises that an Adverse Effect on Site Integrity (AEoSI) can be ruled out for predicted collision, displacement and collision plus displacement impacts on the

gannet feature from the Mona project alone for the Grassholm SPA (see Appendix 1 of Annex B of REP4-105).

1.1.1.3 In-combination Assessment

5. In REP6-088 the Applicant has presented in-combination collision plus displacement assessments for three scenarios: with no macro avoidance, considering macro avoidance in the non-breeding season, and considering macro avoidance in all seasons (i.e. annually).

6. If we consider the worst case scenario from these of no consideration of macro avoidance in Collision Risk Modelling (CRM), and 80% displacement and 10% mortality, then the predicted in-combination collision plus displacement total is 231 adult gannets from the SPA per annum, which equates to 3.96% of baseline mortality of the colony, as shown in Table 1-5 of REP6-088 (based on the adult 2015 colony count and adult mortality rate of 8.1% from Horswill & Robinson (2015)).

7. The results from the Applicant's Population Viability Analysis (PVA) for this worst case scenario (no macro avoidance, 80% displacement and 10% mortality) suggest that for an impact of 231 adult gannets per annum from the SPA, the population of the SPA will be able to continue growing even with the additional impact from the offshore wind farms (OWFs), as indicated by a growth rate above 1, and the Counterfactual of Growth Rate of 0.996 (see Table 1-13 of REP6-088). This suggests that even at this extreme worst-case scenario of 80% displacement and 10% mortality plus collisions, there will be only a small impact on the growth rate in comparison to baseline conditions.

8. This assessment can be considered overly precautionary for a number of reasons:

    - Evidence suggests that gannets show strong macro-avoidance of offshore windfarms (e.g. Dierschke et al. 2016; Pavat et al. 2023). Therefore, the assessments where there has been no consideration of macro-avoidance should be considered precautionary.
    - As we noted in our Deadline 6 response [REP6-137], tracking data (e.g. from Votier et al. 2010) and utilisation distributions (e.g. Wakefield et al. 2013) suggest that gannets have been shown to display spatial segregation between colonies and that it is unlikely that gannets from Grassholm SPA will forage in the North Irish Sea/Liverpool Bay area. This is shown by the Applicant in Figures 1.1 and 1.2 of REP6-088. Therefore, we consider that the breeding season apportionment values calculated by the Applicant for the wind farms located in the Liverpool Bay/North Irish Sea - and hence the apportioned in-combination collision, displacement and therefore combined collision plus displacement impacts to the colony in their assessment - are overly precautionary. We welcome that this is acknowledged by the Applicant in paragraph 1.5.1.4 of REP6-088.
    - As was noted in our Deadline 6 response [REP6-137], the gannet has a large foraging range (mean-maximum of 516.7km for Grassholm SPA, Woodward et

al. 2019) and has a high habitat flexibility (Furness & Wade 2012) suggesting that displaced birds would readily find alternative habitats including foraging areas. Therefore, it is considered unlikely that in-combination displacement mortality rates would be at the top of the range considered and may be more likely to be towards the lower end of the range.

9. Therefore, based on the above factors, we consider it is more likely that the in-combination collision plus displacement mortality would be more likely to be close to or just below 1% of baseline mortality of the colony (as is seen in the Applicant's assessment considering macro-avoidance annually, but not considering the over precaution in the breeding season apportionment rates for OWFs located in Liverpool Bay/north Irish Sea in Table 1-11). This, together with the PVA outputs suggesting the colony can continue to grow, even for the extreme worst case scenario of in-combination collision plus displacement (i.e. no macro avoidance, 80% displacement and 10% mortality), allows us to conclude that the Conservation Objective for the SPA population could be met and an **AEoSI can be ruled out beyond reasonable scientific doubt for in-combination collision, displacement an collision plus displacement.**

1.1.2 Comments on Mona Update on Offshore Ornithology Principal Matters [REP6-098]

10. We note from REP6-098 that the Applicant intends to make updates at Deadline 7 with respect to the following offshore ornithology documents. This is for purposes of clarity and consistency and is welcomed.

    - Volume 2, Chapter 5: Offshore Ornithology
    - Habitats Regulations Assessment (HRA) Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: SPAs and Ramsars

11. We also note from paragraph 1.3.1.19 of REP6-098 that in light of the comments received from the Ørsted Interested Parties (IPs) and for completeness, the Applicant will include, at Deadline 7, indicative gap-fill numbers for both the Barrow and North Hoyle offshore wind farm (OWF) projects, where relevant, into updated cumulative and in-combination assessments within the updated documents listed above. We note that these two additional projects are included within the updated Grassholm SPA gannet in-combination assessment presented by the Applicant in REP6-088, and as such our Deadline 7 advice on this document includes consideration of these projects. With regard to inclusion of these two additional historic projects in the in-combination assessments for the other features of relevant Welsh SPAs and the cumulative assessments for relevant species and SSSIs, the Applicant has provided the updated figures they intend to submit at Deadline 7 to NRW (A) via email on 08 January 2025. We have reviewed this information and note that whilst the updated cumulative and in-combination total numbers (which the Applicant intends to submit) increase slightly with the inclusion of these two additional historic projects, the additions are so small that they would not alter our conclusions made for all species and site/feature combinations as detailed in our Deadline 6 response, REP6-137. Therefore, subject to these figures being identical to those intended to be submitted as part of the updated cumulative and in-combination assessments at Deadline 7, we maintain our position that a

significant adverse effect (from an Environmental Impact Assessment (EIA) perspective) can be ruled out for all species except great black-backed gull cumulative collision and kittiwake cumulative collision for the Great Orme's Head SSSI. We also maintain our position that an adverse effect on site integrity (AEoSI) can be ruled out for in-combination impacts for all seabird qualifying features of the Skomer, Skokholm and seas off Pembrokeshire SPA and of the Aberdaron Coast SPA from a HRA perspective. However, should the updated assessments submitted by the Applicant at Deadline 7 differ from that presented to us on 08 January 2025, our advice may change.

1.2 Marine Mammals

12. NRW (A) are satisfied with the documents submitted at deadline 6 for marine mammals. As stated during the examination process, we will continue to work closely with the Applicant on the refinement of the Underwater Sound Management Strategy (UWSMS) and associated plans, post-consent.

1.2.1 Comments on REP6-096 Response to NRW D5 Submission

13. REP5-098.43 – 47: With regard to our previously raised concerns on the use of static radii in assessing disturbance from underwater sound from vessels to marine mammals, following the Applicant's response at Deadline 6 (REP6-06) NRW (A) can confirm that this issue is now considered closed.

14. REP5-098.48 – 51: NRW (A) welcomes the confirmation that the Applicant intends to adhere to the requirements and recommendations as set out in ISO18406:2017 (Measurement of radiated underwater sound from percussive pile driving) and ISO18405:2017 (Underwater acoustics Terminology). We consider this issue closed.

15. REP5-098.60-62: NRW (A) acknowledges the Applicant's response. We confirm that as per our previous submissions, our view remains that all UXO clearance is restricted to low-noise methods only, and that high order clearance should only be used in exceptional circumstances. We therefore confirm that the updates to the Development Consent Order (DCO) made at deadline 5 and 6, and the staged hierarchy approach are acceptable. Please also see comments made by NRW Marine Licensing Team at section 4.3.4.

1.2.2 Comments on REP6-097 Response to NRW ExQ2 Submission

16. REP5-100.9: We confirm that NRW (A) are in full agreement with the Applicant over the issue raised by the Examining Authority (ExA) with respect to the means of securing the UWSMS across consents. We do not query that the UWSMS applies to both the generation and transmission infrastructure. We highlight that our response to this ExA Question was simply to clarify a previous statement that we had made.

17. We have no further comments to make with regard to marine mammals.

1.3 Fish and Shellfish

18. We have reviewed submissions made at Deadline 6 with regard to fish and shellfish. NRW (A) confirm that we are satisfied with the submissions and have no further comments to make.

19. As stated throughout the examination process, we will continue to work closely with the Applicant on the refinement of the UWSMS post-consent.

1.4 Physical Processes

20. Following review of submissions made at Deadline 6, we are now satisfied that all concerns previously raised have been addressed with regard to Physical Processes and have no further concerns or comments. In developing their proposals, we will continue to work closely with the Applicant post-consent.

1.5 Benthic Subtidal and Intertidal Ecology

21. In our Deadline 6 submissions [REP6-137], we noted a minor recommendation at paragraph 54 with respect to Horizontal Directional Drilling (HDD) entry/ exit pits in the outline Landfall Construction Method Statement (oLCMS). NRW (A) received correspondence from the Applicant on 13 January 2025 indicating that the reference to drill exit pits located seaward of MLWS will be removed from the oLCMS, and that control measures for the drill exit pits, including measures to manage drilling mud, will be captured in the Offshore Construction Method Statement. Subject to this amendment being submitted by the Applicant at Deadline 7, as per the email NRW (A) received on 13 January 2025, we consider all benthic issues resolved.

22. Following review of the documents submitted by the Applicant at Deadline 6, we confirm that we have no further comments to make from a benthic subtidal and intertidal ecology perspective. We will continue to work closely with the Applicant post-consent.

1.6 Marine Water and Sediment Quality (MW&SQ)

23. NRW (A) confirms that there are no outstanding issues and no remaining disagreements with the Applicant regarding the assessment of the impact of the proposal on the water and sediment quality of the marine environment in Wales. We have no further comments to make or issues to discuss with respect to the submissions received at Deadline 6 and we consider all MW&SQ matters closed. We will continue to work with the Applicant post-consent.

1.7 WFD: Coastal and Transitional Water Bodies – Offshore works

24. NRW (A) confirms that there are no remaining issues regarding the assessment of compliance for the marine aspects of the proposed development with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. We have no further comments to make or issues to discuss with respect to the submissions received at Deadline 6 and we consider all WFD matters relating to

the offshore works in coastal and transitional water bodies, closed. We will continue to work with the Applicant post-consent.

2 ONSHORE

2.1 Designated Landscapes

25. We have reviewed the documents submitted by the Applicant at Deadline 6 with respect to Designated Landscapes and our comments are as follows.

- *Cumulative Zone of Theoretical Visibility at 1:50,000 Scales (F01) [REP6-127]*

26. We welcome the cumulative Zone of Theoretical Visibility (ZTV) analysis for the proposed development and Awel-y-Môr which has been re-presented at a larger scale (1: 50,000). As highlighted in our previous comments[1], the previous ZTV figures were illegible due to the small scale at which they were presented within the SLVIA document. In the case of the cumulative ZTV for Awel y Môr, this was previously presented at a scale of 1:199,000[2] making it difficult to interrogate the results.

27. The updated ZTV supports our previous advice to the ExA that the proposed turbines would be visible along the entire northern coastline of the Isle of Anglesey and that there would be combined and sequential cumulative impacts with Awel-y-Môr, given both schemes would be visible at many of the same locations. As anticipated, the impacts would not be limited only to the viewpoint locations presented within the Seascape Landscape and Visual Impact Assessment (SLVIA), but would be experienced at locations all along the coast, including the coast path, beaches, public rights of ways inland from the coast, roads, and settlements. Similarly, combined cumulative impacts would be experienced within the northern part, and mountain summits, of Eryri National Park.

28. We recommend the updated cumulative ZTV figures are viewed alongside our previous advice to the Examination regarding the cumulative impacts upon nationally designated landscapes in North Wales.

- *GN 017 and the Mona Landscape and Visual Impact Assessment (F01) [REP6-128]*

29. We advise that GN 017 is not directly applicable to LVIA methodology. The express purpose of GN 017 is to inform strategic sensitivity appraisals for future spatial planning not to inform the assessment of detailed proposals for specific sites (GLVIA3 is the relevant guidance in that case).

[1] Raised in paragraph 267 of our Written Representations [REP1-056]
[2] Refer to SLVIA Figure A.10: Cumulative ZTV of Mona and Awel y Môr.

30. As explained in GN 017 under '*what is landscape sensitivity assessment?*' the guidance states[3]:

> *Landscape Sensitivity Assessments are strategic appraisals of the relative sensitivity of landscapes to development or land use changes. They are an important tool to help guide development to the least sensitive locations in the early stages of spatial planning, before individual development proposals come forward on specific development sites. As such, Local Planning Authorities often use them when preparing their Local Development Plans.*

31. Sections 3.2, 3.3 and 3.4 of GN 017 provide further detail and explain the difference between:

- Landscape sensitivity assessment, which is the focus of the guidance, and
- LVIA, which is required for an application such as Mona.

32. The guidance explains that landscape sensitivity assessment is typically used for strategic forward planning whilst LVIA is typically used for the assessment of specific development proposals. GN 017 was prepared on that basis, not on the basis of being used by Applicants to support an assessment of effects of a specific development proposal.

2.2 WFD Compliance Assessment: Onshore Works

33. NRW (A) notes that the final Code of Construction Practice [REP6-034] and the underpinning Method Statements and Management Plans must be submitted to and approved by the Local Planning Authority (LPA) (Requirement 9). We agree with this approach and consider that WFD impacts will be appropriately managed and suitable mitigation measures will be adopted. We have no further comments to make on the Deadline 6 submissions.

2.3 Air Quality

34. NRW (A) notes that the final Code of Construction Practice [REP6-034] and the underpinning Method Statements and Management Plans must be submitted to and approved by the LPA (Requirement 9). We agree with this approach and consider that impacts on air quality will be appropriately managed and suitable mitigation measures will be adopted. We have no further comments to make on the Deadline 6 submissions.

2.4 Ecology (Terrestrial)

35. The Applicant provided NRW (A) with an updated Outline Landscape and Ecology Management Plan (oLEMP) on 08 January 2025. We have reviewed the updated oLEMP (J22 F05); the Applicant's responses to our previous advice and the Applicant's Deadline 6 submission. We advise that we have no further concerns. However, should the updated documents submitted by the Applicant at Deadline 7 differ from that presented to us on 08 January 2025, then our advice may change.

[3] Landscape Sensitivity Assessment guidance for Wales Guidance note Reference number: GN 017, Page 6

NRW (A) notes that the final LEMP [J22 F05] and the underpinning Method Statements and Management Plans must be submitted to and approved by the LPA (Requirement 12). We agree with this approach and consider that impacts on ecology will be appropriately managed and suitable mitigation measures will be adopted.

2.5 Water Quality (Surface and Groundwater)

36. NRW (A) notes that the final Code of Construction Practice [REP6-034] and the underpinning Method Statements and Management Plans must be submitted to and approved by the LPA (Requirement 9). We agree with this approach and consider that impacts on water quality (both surface and groundwater) will be appropriately managed and suitable mitigation measures will be adopted. We have no further comments to make on the Deadline 6 submissions.

2.6 Flood Risk

37. NRW (A) notes that the final Code of Construction Practice [REP6-034] and the underpinning Method Statements and Management Plans must be submitted to and approved by the LPA (Requirement 9). We agree with this approach and consider that flood risk impacts will be appropriately managed and suitable mitigation measures will be adopted. We have no further comments to make on the Deadline 6 submissions.

2.7 Materials and Waste

38. NRW (A) notes that the final Site Waste Management Plan [REP6-052] will be approved by the LPA. We agree with this approach and consider that waste will be appropriately managed. NRW (A) should be consulted on the final Site Waste Management Plan [REP6-052] as part of the Code of Construction Practice [REP6-034] prior to discharge of Requirement 9. We have no further comments to make on the Deadline 6 submissions.

3 MARINE LICENSING

3.1 Comments on Deadline 6 Submissions

39. Within REP5-098 NRW's Marine Licensing Team (MLT) set out outstanding matters in relation to the drafting of the Development Consent Order (DCO) and deemed Marine Licence (dML). In addition, a number of drafting matters in relation to the Applicant removing the provision for high order UXO clearance were also highlighted within REP6-137.

40. NRW MLT have reviewed the Applicant's Deadline 6 submission which included an updated draft DCO [REP6-016]. NRW MLT welcome amendments made to Schedule 14 para 17(2) in relation to dropped objects to address concerns raised in REP5-098 section 3.4 and consider this matter resolved.

41. However, save from the above, NRW MLT consider that outstanding matters as summarised in REP5-098 and REP6-137 remain. These have been summarised within NRW's Closing Statement in section 4.

4 NRW Closing Statement

4.1 OFFSHORE

4.1.1 Marine Ornithology

We welcome the work that the Applicant has undertaken throughout the Examination to address issues relating to offshore ornithology. This work has led to NRW (A) being able to reach final conclusions regarding levels of significance of effects and site integrity from the project alone for both EIA and HRA scale respectively and also cumulatively (EIA scale) and in-combination (HRA scale) with other plans and projects.

We have been able to agree that there would be no significant adverse effects at EIA scale for the project alone and cumulatively for all species with the exception of great black-backed gull cumulative collisions and kittiwake collision for the Great Orme's Head Site of Special Scientific Interest (SSSI) both alone and cumulatively - please see **Table 1**. However, as we have noted previously, we are content that the Applicant has provided proportionate mitigation (through the air draught height) for these species and site (see REP4-105 and REP5-098).

We have also been able to agree that there would be no adverse effect on site integrity (AEoSI) from the project alone and in-combination for any features of any Welsh SPA/Ramsar with offshore ornithological designated features - please see Table 1 (see also REP4-105, REP6-137 and our Deadline 7 responses above to REP6-088 and REP6-098). We therefore consider all issues regarding offshore ornithology to be resolved.

Table 1 Summary of conclusions for assessments of the Mona project alone and cumulatively ta EIA scale and in-combination for HRA scale with other plans and projects for relevant species

EIA species/site (for SSSIs)	Mona Project Alone	Mona cumulatively with other plans & projects
Gannet: collision	No significant adverse impact	No significant adverse impact
Gannet: displacement	No significant adverse impact	No significant adverse impact
Gannet: collision + displacement	No significant adverse impact	No significant adverse impact
Kittiwake: collision	No significant adverse impact	No significant adverse impact
Lesser black-backed gull: collision	No significant adverse impact	No significant adverse impact
Herring gull: collision	No significant adverse impact	No significant adverse impact
Great black-backed gull: collision	No significant adverse impact	Unable to rule out significant adverse impact

Guillemot: displacement	No significant adverse impact	No significant adverse impact
Razorbill: displacement	No significant adverse impact	No significant adverse impact
Puffin displacement	No significant adverse impact	No significant adverse impact
Manx shearwater: displacement	No significant adverse impact	No significant adverse impact
Great Orme's Head SSSI, guillemot: displacement	No significant adverse impact	No significant adverse impact
Great Orme's Head SSSI, razorbill: displacement	No significant adverse impact	No significant adverse impact
Great Orme's Head SSSI, kittiwake: collision	Unable to rule out significant adverse impact	Unable to rule out significant adverse impact
HRA species and site	**Mona Project Alone**	**Mona in-combination with other plans & projects**
Skomer, Skokholm & seas off Pembrokeshire (SSSP) SPA, Manx shearwater: displacement	No AEoSI	No AEoSI
SSSP SPA, Puffin: displacement	No AEoSI	No AEoSI
SSSP SPA, Lesser black-backed gull: collision	No AEoSI	No AEoSI
SSSP SPA, European storm petrel	No AEoSI	No AEoSI
SSSP SPA, guillemot (named component of seabird assemblage): displacement	No AEoSI	No AEoSI
SSSP SPA, razorbill (named component of seabird assemblage): displacement	No AEoSI	No AEoSI
SSSP SPA, kittiwake (named component of seabird assemblage): collision	No AEoSI	No AEoSI

SSSP SPA, seabird assemblage: collision and displacement	No AEoSI	No AEoSI
Grassholm SPA, gannet: collision	No AEoSI	No AEoSI
Grassholm SPA, gannet: displacement	No AEoSI	No AEoSI
Grassholm SPA, gannet: collision + displacement	No AEoSI	No AEoSI
Aberdaron Coast & Bardsey Island SPA, Manx shearwater: displacement	No AEoSI	No AEoSI
Liverpool Bay SPA: red-throated diver	No AEoSI	No AEoSI
Liverpool Bay SPA: common scoter	No AEoSI	No AEoSI

4.1.2 All other offshore receptors

A final Statement of Common Ground (SoCG) has been agreed with the Applicant. All matters across the offshore have been resolved and are either agreed; agreed with caveats or not agreed but with no material impact. There are no outstanding areas of disagreement. We will continue to work closely with the Applicant post-consent.

4.2 ONSHORE

4.2.1 Designated Landscapes

- *Onshore works*

NRW (A) and the Applicant agree the onshore works are unlikely to cause significant adverse effects on receptors within statutory designated landscapes in North Wales, although some adverse effects would occur. For details refer to page 97 onwards in WRs [REP1-056].

- *Offshore works*

Disagreement remains on the extent to which the offshore works (Mona Array) would cause significant adverse effects. Specifically, NRW (A) advise the Mona Array would cause significant adverse effects on the following receptors relevant to statutory designated landscapes in North Wales, and these effects would not be mitigated. These effects are due to the scale of the development (height of turbines, blade diameter, and number of turbines), proximity to designated landscapes, the sensitivity of these landscapes, and the changes they would cause to valued aspects which are

sought to be protected. The Applicant considers there would be no significant effects on these receptors.

- Landscape/seascape character within the Isle of Anglesey National Landscape (IoA NL). For details refer to page 97 onwards in WRs [REP1-056] and page 2 onwards in REP4-107.

- Special qualities of the IoA NL. For details refer to page 99 onwards in WRs [REP1-056] and page 2 onwards in REP4-107.

- Views and visual amenity experience by people within the IoA NL. For details refer to page 94 onwards in WRs [REP1-056].

- Views and visual amenity experience by people within ENP. For details refer to pages 100 onwards in WRs [REP1-056].

NRW (A) and the Applicant agree the Mona Array would cause harm to the following receptors but, the harm caused by the Mona Array individually is unlikely to be significant:

- Landscape/seascape character within Eryri National Park (ENP). For details refer to page 101 onwards in WRs [REP1-056] and page 4 onwards in REP4-107.

- Special qualities of ENP. For details refer to page 102 onwards in WRs [REP1-056] and page 4 onwards in REP4-107.

- Landscape/seascape character within the Clwydian Range and Dee Valley NL. For details refer to page 103 in WRs [REP1-056] and page 4 onwards in REP4-107.

- Special qualities of the Clwydian Range and Dee Valley NL. For details refer to page 103 in WRs [REP1-056] and page 4 onwards in REP4-107.

In relation to the impacts signposted above, NRW (A) understand the Isle of Anglesey (IoA) Council have reached a similar conclusion to NRW (A) regarding the significance of the harm to the IoA NL.

- *Offshore – Cumulative*

NRW (A) and the Applicant agree the Mona Array would cause significant harm to the special qualities of the ENP as a result of its cumulative impact with other offshore wind turbine projects, notably Awel y Môr (AyM). For details refer to page 105 onwards in WRs [REP1-056] and page 21 onwards in REP4-105.

We advise the Mona Array would cause significant adverse cumulative effects on landscape and visual receptors within the IoA NL. For details refer to page 105 onwards in WRs [REP1-056]. The Applicant considers there would be no significant cumulative effects on the IoA NL.

We advise there would be a significant increase in the influence of offshore wind turbine development on the north coasts of Anglesey from the combination of the Mona Array and the consented AyM Array, with each development extending the horizontal field of view affected by the other. The proposal would increase the baseline of offshore wind farms affecting designated landscapes along the North Wales coast, such that significant adverse effects would be widespread across this area. As a result of both the Mona and AyM schemes in combination, people will have to travel ever further west along the north coast of Wales – and in effect to the western coast of Anglesey - to be afforded coastal views unaffected by large scale offshore wind turbine development.

At most viewpoints within the IoA NL, the turbines within the proposed Mona Array and the AyM Array would appear broadly similar in size, but the Mona Array would occupy a greater extent of the horizon (or horizontal field of view (HFoV)). This is evidenced in the Applicant's cumulative wirelines, which, alongside the represented cumulative ZTV analysis [REP6-127], show:

A. The Mona Array is potentially visible at locations within the IoA NL where the AyM Array would not be visible, for example at:

- Viewpoint 57: Trwyn Cemlyn [REP3-046]

B. The Mona Array would occupy more than double the HFoV occupied by the AyM Array at:

- Viewpoint 1: Mynydd y Garn trig point [REP3-046]
- Viewpoint 2: Llanlleiana Head [REP3-046]
- Viewpoint 3: Mynydd Eilian [APP-112]
- Viewpoint 24: Bull Bay, Amlwch [REP3-046]
- Viewpoint 55: Trwyn Eilian (Point Lynas) [REP3-046]
- Viewpoint 56: Caer y Twr on Holyhead Mountain [REP3-046]

C. The Mona Array would occupy approximately double the HFoV occupied by the AyM Array at:

- Viewpoint 25: Moelfre Headland [REP3-046]
- Viewpoint 26: Yr Arwydd trig point [REP3-046]
- Viewpoint 28: Penmon Point [APP-112]. The HFoV impacted would be similar if it were not for Puffin Island, which screens a large part of the AyM array at this location.
- The Mona Array would occupy a slightly larger HFoV comparted to the AyM Array at:
- Viewpoint 4: Bwrdd Arthur trig point [REP3-046]

- *Reasons for Differences in Judgement between Applicant and NRW (A)*

We consider differences in judgement between NRW (A) and the Applicant in so far as they relate to the receptors above are likely to have been caused by (*inter alia*):

- The Applicant's underestimation of the value of receptors within National Parks and National Landscapes. Best practice guidance is clear[4] that these landscapes, and receptors within these landscapes, should be treated as having the highest value (Refer to REP5-098). We consider the Applicant has taken a different approach and regards the value of these nationally protected landscapes to be reduced. Refer to Page 5 onwards in REP4-107.

- Methodological flaws in the Seascape, Landscape and Visual Impact Assessment (SLVIA). In particular the matrix used to determine significant effects is weighted towards finding non-significant effects. Refer to Page 5 onwards in REP4-107.

- The Applicant's non-acceptance of specific guidance within NRW's Landscape Sensitivity to Offshore Wind studies (White Reports). Specifically, the guidance on anticipated levels of impact from different heights of offshore wind turbines at different distances from the shore, as relevant to designated landscapes within Wales. NRW (A) considers this evidence to be relevant and supportive of the conclusions that NRW (A) has reached on this specific application. Please refer to REP1-056 and REP4-107.

- Our understanding that meteorological conditions affecting visibility were taken into account as part of the SLVIA (reducing the magnitude of change) despite best practice advising against this, and despite the Applicant's statements within the SoCG that judgements were based on excellent visibility. Please refer REP4-105.

- The Applicant's apparent non-acceptance regarding the extent to which the turbines would be visible and noticeable from the IoA NL. For example, the Applicant considers that blade movement would be difficult to discern at 30km, when independent evidence demonstrates blade movement is visible as great as 42km offshore for considerably smaller turbines than those which are proposed. Please refer to REP3-090, particularly paragraphs 192 onwards. Turbines of the scale proposed, and proximity, would be obvious to people along the coast of the IoA NL.

- Issues with the presentation of information relied upon by the Applicant. In our view, initially photography / visualisations were not taken in suitable weather conditions, cumulative wirelines were absent for most viewpoints, mapping e.g. of ZTVs was presented at a high scale such that it was mostly illegible, and hard copies of the visualisations appear to downplay the scale of elements within the view. Although the first three issues have been addressed during

[4] Page 12 Landscape Institute *Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3)* (TGN 2024/01) Available online: LITGN-2024-01-GLVIA3-NC_Aug-2024.pdf

the course of the Examination, NRW (A) continue to have concerns regarding the accuracy of the visualisations. Please refer to page 23 of REP3-093.

- The SLVIA's strategic approach to the assessment of effects, omitting local landscape and seascape character areas, and instead restricting the scope of the assessment only to national landscape/seascape character areas. Please refer to paragraph 16 onwards in REP4-107. Although a local assessment has since been submitted during the course of the Examination, we do not agree with its findings, which we consider to underestimate the impacts on landscape character within the IoA NL, in particular.

- *Landscape Enhancement*

Although the Applicant does not agree with our findings or those reached by the IoA County Council, the Applicant has, following our request[5], agreed to provide an enhancement package for the IoA NL and ENP on a secured basis. The Applicant submitted a final Heads of Terms (HoT) to NRW (A) and the IoA on 8 January 2025 for our consideration. Following discussions and feedback, NRW (A) are satisfied with the final HoT for the landscape enhancement package We subsequently confirmed our acceptance of the HoT and the landscape enhancement package (ref: S_D7_30) on 14 January 2025 and our acceptance of a DCO requirement to secure the proposals.

NRW (A) consider enhancements represent compensation and/or offsetting and not mitigation for adverse effects, as any enhancements would not be directly related to the impacts. Notwithstanding this, the enhancement scheme submitted by the Applicant for the IoA NL and ENP is welcomed as it would contribute to compensation for the adverse effects of the Mona Array in a manner consistent with the Mitigation Hierarchy outline in the Overarching National Policy Statement for Energy EN-1, and, within the Welsh National Marine Plan 2019, Welsh Government's encouragement of seeking opportunities for the enhancement of designated landscapes as part of development proposals (Policy SOC-06).

4.2.2 All Other Onshore topics

A final Onshore Statement of Common Ground (SoCG) has been agreed with the Applicant. All matters are now considered agreed and we will continue to work closely with the Applicant post-consent.

[5] Refer to Written Representations Page 66 [**REP1-056]** and Page 7 of NRW's Post Hearing (ISH3) Submission **[REP4-107].**

4.3 MARINE LICENSING

NRW's Marine Licensing Team (MLT) welcome a number of amendments that have been made by the Applicant to the draft Development Consent Order (DCO) throughout the examination. However, NRW MLT provide the following comments on matters we consider remain outstanding.

4.3.1 Part 1 of DCO Interpretation

NRW MLT maintain, as detailed within REP3-090, that the correct reference should be Mean High Water Springs (MHWS) not Mean High Water (MHW). This is consistent with other Development Consent Orders including AyM and Hornsea 4. This also accords with relevant primary and secondary legislation. See: Section 42 of Marine and Coastal Access Act 2009. As currently drafted within the DCO, Mean High Water is used to define Work Number 3 and 8. This could lead to a potential discrepancy between the boundaries of works within the transmission marine licence and the DCO.

4.3.2 Transfer Provision of the deemed Marine Licence (Article 7 of the DCO and also Schedule 14 paragraph 7)

Para 7 of Schedule 14 (deemed Marine Licence) of the draft DCO proposes to amend the provisions under section 72 of the Marine and Coastal Access Act (MACAA) 2009 for the transfer of the Marine Licence. Specifically, the Applicant proposes that the powers to transfer should be given to the Secretary of State instead of the Licensing Authority. As is set out in REP1-056, NRW MLT maintain our concerns surrounding the lawfulness for such a provision. Secondly, as set out in REP1-056 and REP4-108, NRW MLT have concerns that inclusion of such provision deviates from established practice in Wales. The inclusion of such a provision would result in differing arrangements for the transfer for the generation/transmission licences for this project. As well as differing arrangement to all other marine licences in Wales including those for other offshore wind projects (e.g. AyM windfarm). In our view the established and correct approach would be for the transfer of the deemed Marine Licence to be considered under section 72 of the MACAA 2009 by the Licensing Authority.

4.3.3 Schedule 14 Para 11 (4), Para 12, Para 19 (2), Para 20 (3) and Para 21 (3) – Time Limits for Approval of Plans

Para 11 (4), Para 12, Para 19(2), Para 20(3) and Para 21(3) of Schedule 14 (deemed Marine Licence) provides that NRW must determine an application for approval made of specified plans within a period of four months commencing on the date the application is received by NRW. NRW MLT maintain our position set out in REP1-056 and REP4-108. NRW MLT does not consider there are provisions under the MACAA 2009 for such time limits. NRW MLT considers that the deemed Marine Licence should not set provision/requirements that deviate from what would be seen in other Marine Licences in Wales. NRW MLT have concerns that inclusion of such provision deviates from established practice which does not seek to constrain its determination to a defined period. The inclusion of such provision would provide for regulatory divergence with all other Marine Licences in Wales including other offshore wind projects (e.g. AyM windfarm). It is important to note that NRW MLT will not be including such provision in respect of the Transmission Marine Licence required for this project. NRW

MLT maintains that clarity has not been provided surrounding the enforceability/consequence should NRW MLT fail to determine within a given period.

4.3.4 Schedule 14, Condition 20 – Underwater Sound Management Strategy (UWSMS)

As set out in REP06-137, NRW MLT raised concerns that the condition was amended at Deadline 5 in a manner that no longer requires the UWSMS to be submitted and approved prior to UXO clearance taking place. The outline UWSMS [REP5-028] provided by the Applicant at Deadline 5 contains detail relating to both piling and UXO clearance which is proposed to be finalised post consent. Therefore, it would appear that the Strategy should require approval prior to UXO clearance taking place. NRW MLT previously advised that the condition should therefore be amended accordingly.

In written correspondence with the Applicant since Deadline 6 the Applicant has confirmed that Schedule 14, Condition 20 will be amended to reinstate the requirement for approval of the UWSMS prior to UXO clearance. We would welcome such amendments which would address our concern.

4.3.5 Schedule 14, condition 2 (f) and condition 13 (8), (9) low order unexploded ordinance clearance

As set out in REP06-137, NRW MLT would advise a minor amendment take place to the drafting of the above provision. Rather than reference to "*clearance of low order unexploded ordinance*" we consider drafting should be in line with the definition provided, that is "*low order unexploded ordinance clearance*".

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