Awel y Môr Offshore Wind Farm

Category 5: Reports

Report 5.1: Consultation Report

Date: April 2022

Revision: A

Application Reference: 5.1

Pursuant to: Section 37(3)(c) of the Planning Act 2008

REVISION	DATE	STATUS/ REASON FOR ISSUE	AUTHOR:	CHECKED BY:	APPROVED BY:
A	March 2022	Application	GoBe Consultants	RWE	RWE

www.awelymor.cymru

RWE Renewables UK Swindon Limited

Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB
T +44 (0)8456 720 090
www.rwe.com

Registered office:
RWE Renewables UK Swindon Limited
Windmill Hill Business Park
Whitehill Way
Swindon

Executive summary

The Consultation Report

This Consultation Report has been prepared by GoBe Consultants Ltd. and submitted by Awel y Môr Offshore Wind Farm Ltd. (the Applicant) in support of the application for a Development Consent Order (DCO) for the Awel y Môr Offshore Wind Farm (AyM). This Consultation Report has been prepared in accordance with section 37(3)(c) of the Planning Act 2008. It demonstrates how the Applicant has complied with its duties under sections 42, 47, 48 and 49 of the Planning Act 2008. In summary:

- Under section 42 of the Planning Act 2008, bodies prescribed by Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 were consulted. In compiling a full list of section 42 consultees, a range of local authorities, landowners and other statutory organisations was identified for the purposes of consultation;
- Under section 47 of the Planning Act 2008, a Statement of Community Consultation (SoCC) was developed for AyM in consultation with the host local authority. The Applicant also voluntarily consulted the adjacent local authorities and further costal authorities where there was potential for AyM to be visible from their areas on the proposed SoCC. The SoCC was published in the prescribed manner and consultation with the local community was carried out in line with the proposals set out therein;
- Under section 48 of the Planning Act, the proposed development was publicised in the prescribed manner in local newspapers, industry publications and commercial fishing publications. The section 48 consultation occurred in parallel to statutory consultation under section 42 of the Planning Act 2008;
- Under section 49 of the Planning Act 2008, the Applicant has had regard to the relevant responses to all of the consultation and publicity carried out under sections 42, 47 and 48.

In considering the Department of Communities and Local Government (DCLG) Guidance on the pre-application process (DCLG, 2015), the Applicant has undertaken an iterative consultation approach. The consultation undertaken by the Applicant has involved statutory section 42 and section 47 consultation, in addition to early and ongoing non-statutory consultation and engagement with stakeholders.

It is a statutory requirement for promotors of a DCO application to engage in pre-application consultation with local communities, local authorities, and those who may be directly affected by the proposal. As such, the Applicant produced a Preliminary Environmental Information Report (PEIR) to inform consultees about AyM and the likely significant effects associated with construction, operation and decommissioning phases of AyM.

- Early informal consultation with statutory and non-statutory stakeholders in relation to AyM began in 2019 to gain feedback on the initial site design and likely key issues for the Environmental Impact Assessment (EIA) as well as to inform stakeholders of expected timescales and (where appropriate) to seek advice on the suitability of survey strategies.

The Applicant produced a PEIR, adopting a draft Environmental Statement format for the PEIR, that would form the basis of statutory consultation. The PEIR was published on 31 August 2021 for comment to be received from consultees by 11 October 2021.

Following the statutory consultation period, in which the Applicant promoted its consultation and affiliated activities widely through various methods and channels, and as is laid out in this report, responses were collated and considered. In having regard to those responses, the Applicant has incorporated additional information requested into the Environmental Statement (ES), as well as enacting design changes to AyM .

An additional targeted statutory consultation was undertaken with landowners and those with an interest in land with regard to minor onshore cable route amendments and the consideration of an alternative location for the landfall Temporary Construction Compound (TCC).

Additional non-statutory consultation continued throughout the ES drafting period so that stakeholders could continue to be engaged up until the point of application. In the spirit of effective consultation, this will continue as AyM progresses into Examination.

As a result of post-scoping, pre-PEIR non-statutory consultation, the project design was amended in the following ways:

- A single offshore cable route, onshore cable route and landfall location were selected. This led to the avoidance of Constable Bank, a sensitive offshore sandbank feature which was raised by Natural Resources Wales (NRW) in their scoping response;

- A reduction in the size of the offshore array area in consultation with NRW, local authorities and other consultees on the Seascape, Landscape and Visual Impact Assessment (SLVIA); and
- A corresponding reduction in the maximum number of offshore Wind Turbine Generators (WTGs).

As a result of statutory consultation, the project design has been further amended post-PEIR and/ or refined in a number of ways, which can be summarised as:

- The offshore array area has been further reduced in scale;
- The maximum number of offshore WTGs has been further reduced;
- The landfall design has been amended to avoid above-ground permanent works within a valued coastal golf course;
- The onshore cable route has been amended to avoid harm to receptors where practicable, and minimise significance of effect where avoidance is not practicable;
- A number of areas of onshore cable corridor optionality presented within the PEIR have been refined to reduce interaction with sensitive noise, heritage, or recreational receptors;
- The onshore substation area has been reduced from a possible zone considered during PEIR to a proposed location for the substation (whilst necessarily retaining technology flexibility with regards Air or Gas Insulated Switchgear); and
- An alternative location for the landfall TCC was considered to minimise interaction with the planned flood defence works at Ffrith beach.

In this Consultation Report, the Applicant has accurately summarised the various stages of consultation that have been undertaken in order to demonstrate compliance with the requirements of the Planning Act 2008. The report also sets out how the consultation responses provided during the statutory and non-statutory consultation have subsequently influenced the final application.

Crynodeb gweithredol

Adroddiad yr Ymgynghoriad

Paratowyd yr Adroddiad Ymgynghori hwn gan GoBe Consultants Ltd. ac fe'i cyflwynwyd gan Awel y Môr Offshore Wind Farm Ltd (y Ceisydd) i gefnogi'r cais am Orchymyn Cydsyniad Datblygu (DCO) ar gyfer Fferm Wynt ar y Môr Awel y Môr (AyM). Paratowyd Adroddiad yr Ymgynghoriad yn unol ag adran 37(3)(c) o Ddeddf Cynllunio 2008. Mae'n dangos sut mae'r Ceisydd wedi cydymffurfio â'i ddyletswyddau o dan adrannau 42, 47, 48 a 49 o Ddeddf Cynllunio 2008. Crynodeb:

- O dan adran 42 o Ddeddf Cynllunio 2008, ymgynghorwyd â chyrff a ragnodir gan Atodlen 1 i Reoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefnau Rhagnodedig) 2009. Wrth lunio rhestr lawn o ymgyngoreion adran 42, nodwyd ystod o awdurdodau lleol, tirfeddianwyr a sefydliadau statudol eraill at ddibenion ymgynghori;
- O dan adran 47 o Ddeddf Cynllunio 2008, datblygwyd Datganiad o Ymgynghori Cymunedol (SoCC) ar gyfer y prosiect mewn ymgynghoriad â'r awdurdod lleol sy'n cynnal y prosiect. Bu'r Ymgeisydd hefyd yn ymgynghori'n wirfoddol â'r awdurdodau lleol cyfagos a'r awdurdodau arfordirol eraill lle'r oedd potensial i'r prosiect fod yn weladwy o'u hardaloedd ynghylch y Datganiad SoCC arfaethedig. Cyhoeddwyd y Datganiad SoCC yn y dull rhagnodedig, a chynhaliwyd ymgynghoriad â'r gymuned leol yn unol â'r cynigion a nodir ynddo;
- O dan adran 48 y Ddeddf Cynllunio, rhoddwyd cyhoeddusrwydd i'r datblygiad arfaethedig yn y modd rhagnodedig mewn papurau newydd lleol, cyhoeddiadau'r diwydiant a chyhoeddiadau pysgota masnachol. Cynhaliwyd ymgynghoriad adran 48 ochr yn ochr ag ymgynghoriad statudol o dan adran 42 Deddf Cynllunio 2008;
- O dan adran 49 Deddf Cynllunio 2008, mae'r Ceisydd wedi ystyried yr ymatebion perthnasol i'r holl ymgynghoriad a chyhoeddusrwydd a gynhaliwyd o dan adrannau 42, 47 a 48.

Wrth ystyried Canllawiau'r Adran Cymunedau a Llywodraeth Leol ar y broses cyn ymgeisio (DCLG, 2015), mae'r Ceisydd wedi cynnal ymgynghoriad iteraidd. Mae'r ymgynghoriad a gynhaliwyd gan y Ceisydd wedi cynnwys ymgynghoriad statudol o dan adran 42 ac adran 47, yn ogystal ag ymgynghori ac ymgysylltu anstatudol cynnar a pharhaus â rhanddeiliaid.

Mae gofyniad statudol ar hyrwyddwyr cais Gorchymyn Cydsyniad Datblygu i gymryd rhan mewn ymgynghoriad cyn ymgeisio gyda chymunedau lleol, awdurdodau lleol, ac unrhyw un y gallai'r cynigion gael effaith uniongyrchol arnynt. Felly, mae'r Ceisydd wedi llunio Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol i roi gwybodaeth i ymgyngoreion am Awel y

Môr a'r effeithiau arwyddocaol tebygol sy'n gysylltiedig â chamau adeiladu, gweithredu, cynnal a chadw, a datgomisiynu'r prosiect.

- Dechreuwyd ar ymgynghoriad anffurfiol cynnar â rhanddeiliaid statudol ac anstatudol mewn perthynas ag Awel y Môr yn 2019 er mwyn cael adborth ar ddyluniad cychwynnol y safle a materion allweddol tebygol ar gyfer yr Asesiad o'r Effaith Amgylcheddol (EIA), yn ogystal â rhoi gwybod i randdeiliaid am amserlenni disgwyliedig a (lle bo hynny'n briodol) ceisio cyngor ar addasrwydd strategaethau arolwg.

Roedd y Ceisydd wedi llunio Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol, gan fabwysiadu fformat Datganiad Amgylcheddol drafft ar gyfer yr Adroddiad hwnnw, a fyddai'n sail i ymgynghoriad statudol. Cafodd yr Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol ei gyhoeddi ar 31 Awst 2021 er mwyn cael sylwadau gan ymgyngoreion erbyn 11 Hydref 2021.

Yn dilyn y cyfnod ymgynghori statudol, pan fu'r Ceisydd yn hyrwyddo ei ymgynghoriad a'i weithgareddau cysylltiedig yn eang drwy amrywiol ddulliau a sianeli, ac fel y nodir yn yr adroddiad hwn, casglwyd ac ystyriwyd yr ymatebion. Wrth ystyried yr ymatebion hynny, mae'r Ceisydd wedi ymgorffori gwybodaeth ychwanegol y gofynnwyd amdani yn y Datganiad Amgylcheddol, yn ogystal ag wedi gwneud newidiadau i ddyluniad y prosiect.

Cynhaliwyd ymgynghoriad statudol ychwanegol wedi'i dargedu gyda thirfeddianwyr a'r rheini sydd â diddordeb mewn tir mewn perthynas â mân newidiadau i'r llwybr ceblau ar y tir ac ystyried lleoliad arall ar gyfer Compownd Adeiladu Dros Dro y lanfa.

Parhaodd yr ymgynghoriad anstatudol ychwanegol drwy gydol cyfnod drafftio'r Datganiad Amgylcheddol er mwyn gallu parhau i ymgysylltu â rhanddeiliaid hyd at y pwynt ymgeisio. Er mwyn ymgynghori effeithiol, bydd hyn yn parhau wrth i'r prosiect symud ymlaen i'r cam Archwilio.

O ganlyniad i ymgynghoriad anstatudol ar ôl cwmpasu cyn yr Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol, cafodd dyluniad y prosiect ei ddiwygio yn y ffyrdd canlynol:

- Dewiswyd un llwybr cebl ar y môr, llwybr cebl ar y tir a lleoliad glanfa. Arweiniodd hyn at osgoi 'Traethell Constable', sef nodwedd sensitif y cyfeiriodd Cyfoeth Naturiol Cymru ato yn ei ymateb cwmpasu;

- Gostyngiad ym maint yr ardal aráe ar y môr mewn ymgynghoriad â Cyfoeth Naturiol Cymru, awdurdodau lleol ac ymgyngoreion eraill ar yr Asesiad o'r Morwedd, y Dirwedd a'r Effaith Weledol; a
- Gostyngiad cyfatebol yn uchafswm y Generaduron Tyrbinau Gwynt ar y môr.

O ganlyniad i ymgynghoriad statudol, mae dyluniad y prosiect wedi cael ei ddiwygio ymhellach ar ôl yr Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol a/neu wedi'i fireinio mewn nifer o ffyrdd, a gellir crynhoi hynny fel a ganlyn:

- Mae ardal yr aráe ar y môr wedi cael ei lleihau ymhellach;
- Mae uchafswm y generaduron tyrbinau gwynt ar y môr wedi cael ei leihau ymhellach;
- Mae dyluniad y lanfa wedi cael ei ddiwygio i osgoi gwaith parhaol uwchben y tir o fewn cwrs golff arfordirol gwerthfawr;
- Mae'r llwybr ceblau ar y tir wedi cael ei ddiwygio i osgoi niwed i dderbynyddion lle bo hynny'n ymarferol, ac i leihau arwyddocâd yr effaith pan nad yw'n ymarferol osgoi hynny;
- Mae nifer o feysydd dewisol coridor ceblau ar y tir a gyflwynir yn yr Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol wedi cael eu mireinio i leihau'r rhyngweithio â derbynyddion sensitif o ran sŵn, treftadaeth neu hamdden;
- Mae ardal yr is-orsaf ar y tir wedi cael ei lleihau o barth posibl a oedd yn cael ei ystyried yn ystod yr Adroddiad Gwybodaeth Amgylcheddol Ragarweiniol i leoliad arfaethedig ar gyfer yr is-orsaf (gan gadw hyblygrwydd technoleg o reidrwydd o ran Switsys wedi'u Hinswleiddio ag Aer neu Nwy); ac
- Ystyriwyd y byddai lleoliad arall ar gyfer Compownd Adeiladu Dros Dro y lanfa yn lleihau'r rhyngweithio â'r gwaith atal llifogydd arfaethedig ar draeth Ffrith.

Yn Adroddiad yr Ymgynghoriad hwn, mae'r Ceisydd wedi crynhoi'n gywir y gwahanol gamau ymgynghori sydd wedi cael eu cynnal er mwyn dangos eu bod yn cydymffurfio â gofynion Deddf Cynllunio 2008. Mae'r adroddiad hefyd yn nodi sut mae'r ymatebion i'r ymgynghoriad a ddarparwyd yn ystod yr ymgynghoriad statudol ac anstatudol wedi dylanwadu ar y cais terfynol.

Contents

Figures

Tables

Glossary of terms

TERM	DEFINITION
The array	The area where the wind turbines will be located.
AyM	The Awel y Môr Offshore Wind Farm project.
The Export Cable Corridor (ECC)	The area(s) where the export cables will be located.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP) from the relevant Secretary of State (SoS).
Marine Licence	A licence administered under the Marine and Coastal Access Act 2009 for marine works in Welsh waters by the Natural Resources Wales (NRW) Marine Licensing Team (MLT) on behalf of the Welsh Ministers.
Preliminary Environmental Information Report (PEIR)	The PEIR was written in the style of a draft Environmental Statement (ES) and formed the basis of statutory consultation. Following that consultation, the PEIR was updated into the final ES that accompanies the applications for the Development Consent Order (DCO) and Marine Licence.
Environmental Statement (ES)	A document reporting the findings of the Environmental Impact Assessment (EIA) in accordance with the EIA Regulations.

TERM	DEFINITION
Order Limits	The extent of development including all offshore and onshore works areas.

Abbreviations and acronyms

TERM	DEFINITION
APFP	Applications, prescribed forms and procedures (regulations)
AyM	Awel y Mor Offshore Wind Farm
AyMOWFL	Awel y Mor Offshore Wind Farm Limited (the 'Applicant')
BEIS	Department for Business, Energy and Industrial Strategy
DCLG	Department for Communities and Local Government (now the Department for Levelling, Up, Housing and Communities)
DCO	Development Consent Order
Defra	Department for Environment, Food and Rural Affairs
ECC	Export Cable Corridor
EIA	Environmental Impact Assessment
ETG	Expert Topic Group
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
GyM	Gwynt y Môr Offshore Wind Farm
HRA	Habitats Regulations Assessment
IoM	Isle of Man
MCAA	Marine and Coastal Access Act

TERM	DEFINITION
MIEU	Major Infrastructure Environment Unit
MoD	Ministry of Defence
MP	Member of Parliament
MS	Member of the Senedd
MW	Megawatt
NATS	National Air Traffic Service
NPS	National Policy Statement
NRW	Natural Resources Wales
O&M	Operation and Maintenance
OSP	Offshore Substation Platform
PA	The Planning Act 2008
PED	Public Engagement Day
PEIR	Preliminary Environmental Information Report
PINS	The Planning Inspectorate
PWIL	Person(s) with an Interest in Land
SLVIA	Seascape, Landscape and Visual Impact Assessment
SoCC	Statement of Community Consultation
SoS	Secretary of State
TCE	The Crown Estate
WTG	Wind Turbine Generator

1 Introduction

1.1 Overview and purpose of the Consultation Report

1 This Consultation Report has been prepared by GoBe Consultants on behalf of Awel y Môr Offshore Wind Farm Ltd. (AyMOWFL) (hereafter referred to as 'the Applicant'), in support of the application for a Development Consent Order (DCO) under the Planning Act 2008 (hereafter referred to as the 'PA 2008') for the Awel y Môr Offshore Wind Farm (hereafter referred to as AyM or the 'proposed project').

2 As a project that will be situated in Welsh waters, the Applicant also requires a marine licence and is submitting an application for a marine licence under the Marine and Coastal Access Act (MCAA) 2009 in parallel with the application for a DCO.

3 This Consultation Report follows guidance provided by the Department of Communities and Local Government (DCLG) on the pre-application process for major infrastructure projects (DCLG, 2015), which highlights the importance of early involvement of local communities, local authorities and statutory consultees. Paragraph 20 of the DCLG guidance suggests that in order to be of most value, consultation should be:

- Based on accurate information that gives consultees a clear view of what is being proposed including any options;
- Shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and
- Engaging and accessible in style, encouraging consultees to react and offer their views.

4 This report also draws on advice provided by the Planning Inspectorate (PINS) in Advice Note 14: Compiling the Consultation Report (February 2021) (Version 3) (PINS, 2021), which provides developers with guidance on the format and content of the Consultation Report. Further detail on the relevant legislation, guidance and advice followed is presented in Section 2 of this report.

5 In line with the advice presented in Advice Note 14, this document presents an overview of the whole pre-application stage as it relates to the AyM application. The Consultation Report therefore covers both statutory and non-statutory consultation activities. An explanation of the consultation undertaken is presented in a high-level summary form in order to ensure that the information presented is clear and concise from the outset.

1.2 About the Applicant

6 AyM is being developed under a joint venture arrangement, with project partners RWE (60%), Stadtwerke München (30%) and Siemens Financial Services (10%). RWE is leading the development of the proposed project on behalf of the project partners.

7 RWE is already the largest renewable energy operator in Wales, generating one third of all Wales' renewable electricity. As a leading European energy company, RWE has the goal of making a significant contribution towards Welsh Government targets to generate 70% of electricity needs from renewable energy sources by 2030 and to reach net-zero by 2050.

8 RWE's portfolio includes involvement in schemes with an installed capacity of 957 MW in Wales. RWE operates three offshore wind farms off the coast of North Wales: Gwynt y Môr (GyM) (576 MW), Rhyl Flats (90 MW) and the UK's first large-scale Offshore Wind Farm, also built by RWE - North Hoyle (60 MW).

9 RWE also operates Brechfa Forest West Onshore Wind Farm in Carmarthenshire (57.4MW), Mynydd y Gwair Onshore Wind Farm north of Swansea (32.8MW), Rhyd y Groes Onshore Wind Farm on Anglesey (6.6MW), and construction of the Clocaenog Forest Wind Farm (96MW) in North Wales is underway. Also, RWE operates six hydro sites in and around North Wales: Cwm Croesor Hydro (0.505 MW); Cwm Dyli Hydro (9.87 MW); Dolgarrog Low Head Hydro (15 MW); Dolgarrog High Head Hydro (17 MW); Dulyn Hydro (0.5 MW); Garnedd Hydro (0.5 MW). In addition to contributing to reducing carbon emissions and contributing to the decarbonisation of Welsh electricity, these projects have brought significant investment to their neighbouring communities during both the construction and ongoing operational phases.

10 RWE is also developing Pen March, north-east of Merthyr Tydfil (up to 7 turbines; 30MW), which completed a community consultation in Spring 2021, Gaerwen (up to 15 turbines) in Denbighshire and Abertillery (up to 7 turbines, over 10MW) in Blaenau Gwent which both received EIA Scoping Direction in the Autumn, and Alwen Forest (up to 33MW) which underwent a second round of consultation events in early 2020.

11 As a responsible developer, RWE recognises the importance of a future skilled workforce to support the growth of offshore wind and has looked to upskill the future generation through the creation of its Wind Turbine Apprenticeship Programme in partnership with Coleg Llandrillo, Grŵp Llandrillo Menai. The Programme was officially launched in 2012 and has trained over 30 new apprentices to date, with ten additional recruits in the 2021/22 academic year. The programme has consistently produced high quality technicians who are primarily deployed on RWE's offshore and onshore wind farms.

12 As the success of the offshore wind industry has grown, with the Irish Sea region being a key region for that growth, in 2020 RWE made the decision to locate its UK-wide training hub at the North Wales campus in Coleg Llandrillo, placing the region at the heart of the company's country-wide skills and training activities. This ensures opportunities for those that wish to work locally, and in addition, for those who wish to work further afield.

13 Most recently, RWE is supporting plans for a brand-new engineering centre at the College; helping to shape and advise on how the centre and its content can be future-proofed. This will help to ensure that the next generation of skilled workers across the renewables industry comes from and is retained in North Wales.

1.2.1 Project background

14 In February 2017, The Crown Estate (TCE) announced the opportunity for developers to apply for project extensions to operating offshore wind farms. Eight applications were received, including AyM, which met the specified criteria.

15 In August 2019, TCE published a plan-level Habitats Regulations Assessment (HRA) which assessed the potential impacts of the proposed projects on relevant nature conservation sites of the European Natura 2000 network. Seven of the eight extension projects, including AyM, proceeded to the award of leasing rights as part of the 2017 extensions round. The Agreements for Lease (AfLs) for AyM was awarded in summer 2019.

16 On 11 June 2020, the Applicant submitted a Scoping Report (innogy, 2020) for AyM to the Planning Inspectorate (PINS) and received a formal Scoping Opinion (PINS, 2020) on 22 July 2020. Since then, the Applicant engaged in post-scoping consultation with both statutory and non-statutory consultees (including via the Evidence Plan process, a series of regular consultation meetings with key stakeholders on technical matters), as well as with the public through virtual Public Engagement Days (PEDs). This is in addition to the in-person PEDs that were undertaken during the statutory consultation period.

17 On 31 August 2021, the Applicant published its Preliminary Environmental Information Report (PEIR) which formed the basis of statutory consultation. This consultation period ran for 6 weeks, concluding on 11 October 2021. Since then, the Applicant has reviewed the feedback received, sought further engagement with stakeholders on that feedback, and implemented changes in response (including design changes) in preparation for the final application.

1.2.2 Project details

18 AyM is a proposed sister project to the operational GyM off the northeast coast of Wales. GyM consists of 160 WTGs and supplies renewable electricity to approximately 400,000 homes annually. At AyM, offshore Wind Turbine Generators (WTGs) will be connected via subsea cables to Offshore Substation Platforms (OSPs) that will transform the voltage and transmit the power generated via subsea cables within the offshore Export Cable Corridor (ECC) to shore east of Rhyl.

19 Connection to the National Grid will be made at Bodelwyddan in Denbighshire via export cables installed underground between the landfall and the grid connection within the onshore ECC. The onshore ECC is a working construction corridor within which the onshore cable circuits will be routed. A new onshore substation will be constructed near to the National Grid's existing substation at Bodelwyddan.

20 More information on the project design is provided in Volume 2, Chapter 1: Offshore Project Description (application ref: 6.2.1) and Volume 3, Chapter 1: Onshore Project Description (application ref: 6.3.1).

1.3 The consultation processes

21 Figure 1 and Table 1 summarise the statutory and non-statutory pre-application consultation undertaken for AyM. Further detail on the approach to non-statutory consultation is presented in Section 3 of this report.

22 The Applicant has also set up and run an Evidence Plan process prior to, during and following, the statutory consultation period. The AyM Evidence Plan process has sought to extend the 'standard' remit of an Evidence Plan beyond consideration of Habitats Regulations Assessment (HRA) matters and also included Expert Topic Groups for many technical EIA topics, including marine ecology, ornithology, historic environment, human environment and Seascape, Landscape and Visual Impact Assessment (SLVIA).

23 The Evidence Plan process was aimed at building agreement between the Applicant and the relevant stakeholders on those matters to be addressed by the EIA and HRA processes, the adequacy of baseline data, methods applied and the assessment conclusions. The Applicant has included an Evidence Plan Report with its application (application ref: 8.2) (further detail is provided in Section 3.5 of this document).

Pre-scoping engagement
Early engagement November – March 2020 in preparation of the Scoping Report

Scoping
Scoping Report submitted to PINS on 11 June 2020
Scoping Opinion from PINS received on 22 July 2020

Post-Scoping and pre-PEIR
Discussion of scoping responses and preparation of the PEIR August 2020 – June/July 2021
Early community consultation November 2020

Statutory consultation
PEIR published on 31 August 2021
Statutory consultation for six weeks until 11 October

Post-PEIR and pre-application engagement
Post-PEIR engagement in preparation of the final application October 2021 – March 2022

Targeted Section 42 consultation
Statutory consultation on pre-application boundary amendments
February 2022 – March 2022

Ongoing non-statutory engagement

Evidence Plan

Non-Evidence Plan consultation

Application
DCO and marine licence applications submitted

Figure 1: Summary of approach to consultation.

Table 1: Summary of consultation activities.

CONSULTATION ACTIVITY	OVERVIEW	KEY STAKEHOLDER GROUPS	KEY DATES	REFERENCE
Pre-Scoping				
Pre-Scoping early stakeholder engagement	Consultation to provide an introduction to the proposed project and to inform the scoping process	Introductory Expert Topic Group (ETG) meetings	November and December 2019	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report.
		Introductory non-ETG meetings	November 2019 and February 2020	Section 3.6 of this report and consultation sections of key ES chapters.
		Pre-scoping ETG meetings	January 2020 to March 2020	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report.
Scoping				
Scoping Report	Activities associated with seeking a formal Scoping Opinion from the Secretary of State	Scoping Report submitted to PINS seeking a Scoping Opinion from the SoS	11 June 2020	innogy, 2020[i]

[i] https://infrastructure.planninginspectorate.gov.uk/projects/wales/awel-y-mor-offshore-wind-farm/?ipcsection=docs

CONSULTATION ACTIVITY	OVERVIEW	KEY STAKEHOLDER GROUPS	KEY DATES	REFERENCE
Scoping Opinion	(SoS) for Business, Energy and Industrial Strategy (BEIS).	Scoping Opinion received from PINS including feedback from SoS and Prescribed Bodies	22 July 2020	Available on the PINS website[ii]
Post-Scoping/ pre-PEIR				
Post-Scoping stakeholder engagement	Consultation to discuss Scoping feedback with stakeholders and engage with the local community as the proposed project progresses	ETG meetings	September 2020 – December 2020	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report
		Non-ETG meetings		Section 3.6 of this report and consultation sections of key ES chapters
Consultation on refinement of the array boundary		SLVIA and Cultural Heritage ETG	January 2021	Evidence Plan report (application ref: 8.2) and relevant sections of Volume 2, Chapter 10: SLVIA (application ref: 6.2.10)

[ii] https://infrastructure.planninginspectorate.gov.uk/projects/wales/awel-y-mor-offshore-wind-farm/?ipcsection=docs

CONSULTATION ACTIVITY	OVERVIEW	KEY STAKEHOLDER GROUPS	KEY DATES	REFERENCE
Early community consultation		The local community	November 2020	Section 3.4 of this report and Appendices D5 and D8.
Preparation of the Statement of Community Consultation (SoCC)	Consultation in advance of PEIR publication to notify stakeholders of forthcoming statutory consultation	Consultation on the draft SoCC with the local authorities identified in Section 5.2.	09/07/2021 – 09/08/2021	Section 5.2 of this report and Appendices D1 and D2.
Pre-PEIR Evidence Plan meetings		ETG meetings	February 2021 – April 2021	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report
		Non-ETG meetings	April 2021 – May 2021	Section 3.6 of this report and consultation sections of key ES chapters
Statutory consultation (sections 42 and 47)				
section 42 consultation	Combined statutory consultation periods	Prescribed bodies, local authorities, landowners and	31 August 2021 – 11 October 2021	Section 4 of this report

CONSULTATION ACTIVITY	OVERVIEW	KEY STAKEHOLDER GROUPS	KEY DATES	REFERENCE
	required under the PA 2008	People With Interest in Land (PWILs)		
section 47 consultation		The local community		Section 5 of this report
Post-PEIR/ pre-application engagement				
Post-PEIR Evidence Plan meetings	Consultation to discuss the feedback from statutory consultation with key stakeholders	ETG meetings	October 2021 – December 2021	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report
Targeted section 42 consultation	Consultation with affected stakeholders following the post-PEIR boundary change	Affected landowners and PWILs	01/02/2022 - 02/03/2022	Section 4.4.4 of this report and consultation sections of key ES chapters
Pre-application stakeholder engagement	Consultation in advance of application to discuss	ETG meetings	November 2021 – March 2022	Evidence Plan report (application ref: 8.2) and Section 3.5 of this report

CONSULTATION ACTIVITY	OVERVIEW	KEY STAKEHOLDER GROUPS	KEY DATES	REFERENCE
	outstanding issues and inform stakeholders of next steps post-application	Non-ETG meetings		Section 3.6 of this report and consultation sections of key ES chapters

1.4 Structure of the Consultation Report

24 This Consultation Report describes the consultation process that the Applicant has followed in terms of both statutory and non-statutory consultation. As noted previously, the report has been structured to take account of the most recent guidance provided in PINS Advice Note 14 (PINS, 2021). The main sections of the report and the content of each align with Advice Note 14 and are outlined below:

- Executive summary (including a Welsh language version);
- Introduction;
- Legislation, policy and guidance;
- Non-statutory consultation;
- Consultation under section 42;
- Consultation under section 47;
- Statutory publicity under section 48;
- Consultation under the Infrastructure Planning (EIA) Regulations 2017 and the Marine Works (EIA) Regulations 2007 (as amended), collectively referred to as the 'EIA Regulations';
- Consultation under the Conservation of Habitats and Species Regulations 2017 (as amended), referred to as the 'Habitats Regulations';
- Summary of responses to statutory consultation and the Applicant's regard to the responses;
- Post-statutory consultation engagement; and
- Conclusions and next steps.

25 The Consultation Report also includes a number of appendices to supplement the information provided, reference to which are made throughout. The appendices are contained in Documents 5.1.1: Consultation Report Appendices A to D and 5.1.2: Consultation Report Appendices E to H (application refs: 5.1.1 and 5.1.2, respectively. Table 2 below outlines the contents of the appendices.

26 Throughout the Consultation Report, references are also made to other Application documents, particularly the ES and draft DCO. Therefore, this report should be read alongside those other application documents, which are particularly important as they demonstrate how regard has been had to the consultation feedback.

Table 2: Consultation Report appendices.

APPENDIX	DOCUMENT TITLE	OVERVIEW
Appendix A: Compliance checklist		
A	Compliance checklist	Overview of how the requirements for statutory consultation have been met by the Applicant. This statement lists out the relevant legislative provisions and explains how they have been complied with.
Appendix B: Section 42 consultation		
B1	Regulation 8 notification	Letter sent to PINS on 02/04/2020 providing Regulation 8 notification.
B2.1	Regulation 11 notification	Letter received from PINS dated 22/07/2020 providing the Regulation 11 list of statutory consultees.
B2.2	Regulation 11 list	List of Regulation 11 statutory consultees as received from PINS.
B3	List of section 42 consultees	Full list of consultees under section 42 of the PA 2008.
B4	Section 42 consultation invitation	Copy of the letter issued to section 42 consultees providing notification of the statutory consultation dated 27/08/2021.
B5	Section 46 notification	Letter sent to the SoS for BEIS on 27/08/2021 providing section 46 notification.

APPENDIX	DOCUMENT TITLE	OVERVIEW
B6	List of targeted section 42 consultees	List of consultees affected by the post-PEIR boundary changes targeted for statutory consultation in February to March 2022 (see also Section 4.4.4 of this report).
B7	Targeted section 42 consultation invitation	Copy of the letter sent to targeted section 42 consultees (see also Section 4.4.4 of this report) dated 28/01/2022 providing notification of the targeted statutory consultation. As noted in Section 4.4.4, this focused on landowners and PWILs, including newly-identified landowners and PWILs, and potential Category 3 claimants. A notification exercise was also undertaken with all section 42 consultees identified in Appendix B3.
B8.1	Description of additional new onshore areas for AyM	Document provided to affected landowners and PWILs to provide a description of the areas where the proposed Order Limits extended beyond those areas identified at the PEIR stage.
B8.2	Plan of additional onshore areas identified for AyM	A map illustrating the differences between the boundary consulted on for PEIR and the final Order Limits for application.
Appendix C: Section 44 consultation (land)		

APPENDIX	DOCUMENT TITLE	OVERVIEW
C1	Survey access request	Letter dated 18/12/2020 sent to landowners and PWILs asking for access to land for surveys.
C2.1	Request for information letter	Letter dated 10/07/2020 sent to landowners asking for a request for information form to be filled out and returned.
C2.2	Land interest questionnaire	Questionnaire sent with the Request for information letter on 10/07/2020 for identified land interests to complete.
C3	Site notice	Copy of the site notice erected in conspicuous locations within the Order Limits.
C4	Site notice evidence	Map of the locations of erected notices and photographs of them *in situ*.
Appendix D: Section 47 consultation		
D1	Draft SoCC	Copy of the draft SoCC that was consulted on with local authorities prior to publication of the final SoCC.
D1.2	SoCC Letter	Letter issued to local authorities consulted on the draft SoCC dated 09/07/2021 (DCC example).

APPENDIX	DOCUMENT TITLE	OVERVIEW
D2	Local authority comments on the draft SoCC and how they were addressed in the final SoCC	Feedback from local authorities on the draft SoCC and a description of how they were addressed in the final SoCC.
D3.1	Final SoCC	Final SoCC for AyM.
D3.2	SoCC Notice	Notice published in the Daily Post on 24/08/2021 addressed to the local community informing of the SoCC publication.
D3.3	SoCC compliance checklist	A list explaining the commitments of the SoCC and a checklist explaining how they were complied with
D4	Social media evidence	Collection of screenshots from the Applicant's social media platforms evidencing publication of consultation online.
D5	Early community consultation questionnaire	Copy of the early consultation questionnaire available to the local community in November 2020.
D6	Statutory community consultation questionnaire	Copy of the consultation questionnaire available to the local community during the statutory consultation.
D7.1	PED posters	Copies of the posters presented at the PEDs.
D7.2	PED project information booklet	Copy of the project information booklet available at PEDs.
D8.1	Newsletter 1	Copy of the project newsletter published in February 2021.

APPENDIX	DOCUMENT TITLE	OVERVIEW
D8.2	Newsletter 2	Copy of the project newsletter published in March 2021.
D8.3	Newsletter 3	Copy of the project newsletter published in July 2021.
D8.4	Newsletter 4	Copy of the project newsletter published in August 2021.
D8.5	Newsletter 5	Copy of the project newsletter published in September 2021.
D8.6	Newsletter 6	Copy of the project newsletter published in October 2021.
D8.7	Newsletter 7	Copy of the project newsletter published in December 2021.
D8.8	Newsletter 8	Copy of the project newsletter published in February 2022.
Appendix E: Section 48 publicity		
E1	Section 48 notice	Copy of the section 48 notice informing of the intent to apply for a DCO.
E2	Section 48 notice evidence	Copies of the section 48 notices as they appeared published in newspapers.
Appendix F: Non-statutory consultation and engagement		
F1.1	Minutes of meetings with commercial fishermen and charter anglers	Collection of minutes of non-statutory consultation meetings (note: minutes from meetings under the Evidence Plan process

APPENDIX	DOCUMENT TITLE	OVERVIEW
F1.2	Minutes of meetings with aviation stakeholders	are included within the Evidence Plan Report (application ref: 5.2.2).
F1.3	Minutes of meetings with MoD/ DIO	
F1.4	Minutes of meetings with Isle of Man Government	
F2.1	Political stakeholder briefings	List of political stakeholder briefing dates and attendees. These briefings were undertaken across the pre-application consultation phase and included both non-statutory consultation and consultation in support of the statutory consultation period.
F2.2	Political stakeholder briefing notes	Notes taken from political stakeholder briefings
F3	Mail out leaflet	Copy of the leaflet sent to >30,000 residents and businesses in Denbighshire, within a 3 km radius either side of the onshore infrastructure and cable route in August 2021.
Appendix G: Transboundary consultation		
G1	Regulation 32 notice	Copy of the published Regulation 32 notice for transboundary consultation published in the London Gazette.

APPENDIX	DOCUMENT TITLE	OVERVIEW
G2	Regulation 32 transboundary screening	Report received from PINS on 27/09/2021 advising on transboundary consultation.
G3	Regulation 32 response (Republic of Ireland)	Regulation 32 response received from the Republic of Ireland government.
Appendix H: Section 42 and 47 responses and Applicant regard		
H1	Responses received from section 42 consultees and Applicant regard	Breakdown of responses received from section 42 consultees during the statutory consultation alongside detailed descriptions of how the Applicant has had regard to those responses.
H2	Responses received from section 47 consultees and Applicant regard	Breakdown of responses received from section 47 consultees during the statutory consultation alongside detailed descriptions of how the Applicant has had regard to those responses.
H3	Responses received from targeted section 42 consultation and Applicant regard	Breakdown of responses received from targeted section 42 consultees during the targeted consultation on those affected by the post-PEIR boundary change (see also Section 4.4.4 of this report) alongside detailed descriptions of how the Applicant has had regard to those responses.

2 Legislation, policy and guidance

27 The requirement for a Consultation Report is set out in Section 37(3)(c) of the PA 2008. Section 37(7) of the PA 2008 defines the Consultation Report as a document giving details of:

- What has been done by the Applicant in order to comply with sections 42, 47 and 48 of the PA 2008 in relation to a proposed application that has since become an application;
- Any relevant responses received to statutory consultation undertaken; and
- The account taken by the Applicant of any relevant responses.

28 The legislative context of these Sections of the Planning Act is further described in this Consultation Report as follows:

- The duty to consult under section 42 is addressed in Section 4;
- The duty to consult under section 47 is addressed in Section 5; and
- The duty to publicise under section 48 is addressed in Section 6.

2.1 Relevant legislation and guidance

29 In developing the approach to pre-application consultation for AyM, the Applicant has given careful consideration to the specific requirements set out in the following legislation and guidance:

- The PA 2008 (as amended);
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended);
- The Infrastructure Planning (Applications, Prescribed Forms and Procedures) Regulations 2009 (as amended) (the APFP Regulations); and
- The Wales Act 2017, which amended the way the PA 2008 operates in Wales;
- The Well-Being of Future Generations (Wales) Act 2015 which includes a requirement to improve the social, economic, environmental and cultural well-being of Wales in accordance with the sustainable development principle; and
- The Environment (Wales) Act 2016 which outlines the need for renewable energy in Wales.

30 In addition, in preparing this Consultation Report, the following guidance and advice notes have been complied with:

- DCLG guidance on the pre-application process (March 2015);
- PINS Advice Note 3 on EIA consultation and notification (August 2017);
- PINS Advice Note 6 on the preparation of application documents;
- PINS Advice Note 7 on the screening, scoping and the PEIR;
- PINS Advice Note 12 on development with significant transboundary impacts consultation (December 2020);
- PINS Advice Note 14 on the Consultation Report (February 2021).

31 The Applicant has also taken into consideration the adopted National Policy Statements (NPSs), specifically the Overarching NPS for Energy (EN-1), the NPS for Renewable Energy Infrastructure (EN-3) and the NPS for Electricity Networks Infrastructure (EN-5) and has had relevant regard to the revised drafts published for consultation by BEIS in autumn 2021.

32 A brief summary of consultation undertaken in accordance with the EIA and Habitats Regulations is included in this report in Section 7, however the primary focus of this Consultation Report is on consultation undertaken in accordance with sections 42, 47 and 48 of the PA 2008.

33 By way of demonstrating how this has been achieved, a compliance checklist detailing how the Applicant has complied with the relevant requirements in the PA 2008, the APFP Regulations, the EIA Regulations and relevant guidance is provided in Appendix A.

3 Non-statutory consultation

3.1 Introduction

34 This section of the Consultation Report sets out the non-statutory consultation that the Applicant has undertaken alongside the statutory consultation activities prescribed by the PA 2008. Consultation undertaken during these periods is referred to throughout the Consultation Report as 'non-statutory consultation' insofar as it refers to the consultation not undertaken under sections 42, 47 and 48 of the PA 2008.

35 The non-statutory consultation has continued throughout the evolution of the project design, in various formats, from early consultation in 2019 through the scoping phase in May – July 2020, and to the point of the statutory consultation, which was undertaken August – October 2021.

36 Upon completion of statutory section 42 consultation on AyM, the Applicant undertook further non-statutory consultation and discussions with a range of consultees on the remaining key issues raised during the statutory consultation period. This non-statutory post-section 42 consultation is considered in Section 9 of this report.

37 The Applicant has considered feedback received during all of the non-statutory consultation and, where relevant and/ or practicable, this has helped to shape the final form of the application alongside those comments received during the statutory consultations.

3.2 Relevant guidance

38 By definition, there is no statutory requirement for non-statutory consultation to be undertaken or reported upon. However, the DCLG guidance on pre-application consultation notes, in paragraph 21, that technical expert input (from key stakeholders) will often be needed in advance of formal compliance with the pre-application requirements and that early engagement with these 'technical' bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process.

39 In addition, paragraph 52 of the DCLG guidance suggests that applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered, as this will be helpful in informing proposals and assisting the Applicant in establishing a preferred option on which to undertake statutory public consultation.

40 PINS also recognises, in Advice Note 14, that applicants may have been engaged in non-statutory consultation in advance of statutory consultation under the PA 2008. It is advised in this guidance that any such consultation, not carried out under the provisions of the PA 2008, is identified separately from statutory consultation in the Consultation Report.

3.3 Non-statutory consultees

41 DCLG guidance (2015) encourages applicants to consult widely on project proposals. The Applicant has an extensive list of consultees that goes beyond those prescribed by section 42 of the PA 2008 and those captured as part of the community consultation process under section 47.

42 Outside of the statutory consultation process, the Applicant also engaged with statutory bodies and key stakeholders before, during, and after the statutory consultation period and Evidence Plan process. This process was aimed at producing a non-binding agreement between the Applicant and the relevant statutory authorities, advisors and other relevant stakeholders on those matters addressed by the EIA and HRA processes, the data that will be used to support the assessments, and the methods to be applied in analysing the data and potential impacts of the proposed development. Further detail on the Evidence Plan process can be found in Section 3.5.

43 Since the development of the operational GyM, the Applicant has been active in the local community and has been able to build up local knowledge and engage with non-statutory consultees through well-established local contacts and groups.

44 The Applicant carried out early community consultation in November and early December 2020, informing local communities and stakeholders of the intention to develop AyM. Please refer to Section 3.4 below for further information on the early community consultation conducted in late 2020.

3.3.1 Non-statutory consultation process

45 Whilst the non-statutory consultation was not carried out under the section 42, 47 or 48 processes, the Applicant considered any feedback, and it has helped to shape the application. Such responses have been treated by the Applicant as non-statutory consultation but are described in this Consultation Report for completeness.

46 This consultation took place by means of the Evidence Plan process, one-to-one meetings, workshops on specific subjects to which several different stakeholders were invited, written correspondence or telephone conversations. Wherever possible, the Applicant endeavoured to minimise the consultation burden on stakeholders by ensuring that, where appropriate, multiple topics were covered in a session, suitable pre-reading was sent in advance, accurate minutes of meetings were produced and agreed by those attending, and an acceptable amount of time was allowed for post-meeting comments to be submitted. Minutes from non-statutory and non-Evidence Plan meetings held throughout the project development is contained in Appendix F1. The meetings on the Evidence Plan are also described in the Evidence Plan Report (application ref: 8.2).

3.4 Early community consultation

47 After receipt of the Scoping Opinion (application ref: 6.8.1) in July 2020, the Applicant launched an online consultation in November 2020 with local residents, businesses, communities and other interested parties. As well as introducing the plans for AyM, the Applicant was seeking feedback on location of key aspects of the onshore infrastructure needed to connect AyM to the National Grid.

48 The Applicant had originally planned for this community consultation to be conducted in-person, but the challenges of the Covid-19 pandemic meant this was not possible, and the consultation was carried out on a wholly virtual basis via an online exhibition. With this approach, the aim was for the consultation to be as far-reaching as possible, using social media, newspaper advertisements, as well as by contacting local community leaders including Members of Parliament (MPs), Members of the Senedd (MSs) and local council leaders to inform others about this informal consultation on AyM's plans.

49 The virtual consultation ran for six weeks in total, ending on 13 December 2020, and including an extension in response to stakeholder comments that prompted an update to one of the onshore ECC options.

50 Over 1,100 unique visitors accessed the online exhibition throughout this six-week period, and over 130 visitors shared feedback via questionnaires and emails. Feedback in response to the comments received during this period was provided in a newsletter update (Appendix D8.1).

3.5 The Evidence Plan

51 The Evidence Plan process was initially developed by the Major Infrastructure Environment Unit (MIEU) of the Department for Environment, Food and Rural Affairs (Defra) to provide a formal mechanism for Applicants and statutory bodies to agree what information and evidence should be submitted in support of an NSIP application, with specific focus on HRA matters. However, in practice, the MIEU advises that topic areas that may be covered in an Evidence Plan can be expanded, at the request of the applicant, to include broader EIA issues as well as HRA issues. For the purposes of the AyM Evidence Plan, the remit has been widened to EIA topics in addition to HRA aspects.

52 The overarching purpose of the Evidence Plan process is to seek agreement on key assessment steps; including the baseline approach, assessment methodology, assessment outcomes, and mitigation. As such, the members need to have a technical and organisational mandate to reach agreement on the key assessment steps.

53 The Applicant identified a number of stakeholders for the Evidence Plan, all of whom agreed to participate in the process (see application ref: 8.2 for further detail).

54 The Evidence Plan comprised a series of Expert Topic Groups (ETGs) as follows, some of which were broken down into ETG sub-groups where meetings were required on specific technical areas.

- ETG 1: Shipping and navigation;
- ETG 2: Offshore ornithology;
- ETG 3: Marine mammals;
- ETG 4: Marine ecology;
- ETG 5: Onshore ecology;
- ETG 6: Onshore hydrology and flood risk;
- ETG 7: SLVIA;
- ETG 8: Archaeology and cultural heritage;
- ETG 9: Human environment; and
- HRA ETG.

55 An Evidence Plan report is submitted with the application (application ref: 8.2) which summarises the Evidence Plan process, the roles of those involved including the ETGs listed above, the aims and objectives of the Evidence Plan, and summaries of the meetings and consultation undertaken with the ETGs. ETG meetings have taken place at regular intervals, to coincide with key project milestones and/ or important phases of data collection. Rounds of ETG meetings were therefore held:

- During the alternatives consultation during the Scoping phase;
- Prior to submission of the project Scoping Report;
- On receipt of the Scoping Opinion;
- On the landfall and cable route alternatives;
- To feed back to stakeholders on the proposed changes to the scheme;
- In advance of the PEIR finalisation; and
- On receipt of the statutory consultation responses.

56 The phase between receipt of the Scoping Opinion and PEIR finalisation coincided with the majority of baseline surveys being designed and agreed under the auspices of the Evidence Plan process.

57 Consultation undertaken during the Evidence Plan process has resulted in significant changes being made to the offshore array boundary, firstly, in between the scoping and PEIR phases, reducing the boundary to align with SLVIA sensitivity buffers identified by Natural Resources Wales (NRW), and then again between PEIR and final application to further reduce the geographic spread of the turbines and their number. Consultation also facilitated early agreement on a number of matters including, but not limited to:

- Proposed locations for underwater noise modelling;
- Scope and extent of ecological surveys;
- Adequacy of baseline environmental reports for fish and shellfish; and
- Parameters of ornithological collision risk modelling.

3.6 Non-Evidence Plan consultation

58 Throughout the development of AyM, the Applicant has also engaged in bi-lateral consultation with a number of organisations outside of the Evidence Plan process from a very early stage. Consultation activities undertaken outside of the formal Evidence Plan process were undertaken with several stakeholders or interest groups, including:

- Isle of Man Government (IoM);
- Ministry of Defence (MoD);
- National Air Traffic Services (NATS);
- Oil and gas platform operators and helicopter operators;
- Ports and operators of regular shipping routes; and
- Local fishermen and fisheries groups.

59 Consultation with these organisations was undertaken to ensure key elements of the assessment were agreed with the relevant stakeholders. This included consultation with IoM, to ensure the EIA focussed appropriately on Manx interests, and NATS to ensure appropriate mitigation measures could be secured as part of the project design.

60 A summary of these consultation activities is provided below in Table 3, and minutes from these meetings can be found in Appendix F1.

Table 3: Summary of non-statutory, non-Evidence Plan consultation.

STAKEHOLDER AND DATE	PURPOSE OF MEETING
Aviation working group	
13/07/2021	Meeting with NHV Helicopters, who operate helicopter support to ENI oil and gas operations north of AyM
Commercial fisheries working group	
28/01/2020	Regular update meeting
28/09/2020	Charter angling EIA meeting
29/09/2020	Commercial fisheries EIA meeting
08/12/2020	Regular update meeting
27/04/2021	Regular update meeting
26/07/2021	Regular update meeting
07/10/2021	Commercial fisheries and charter angling EIA meeting
20/01/2022	Regular update meeting
02/02/2022	Regular update meeting
Military and defence working group	
25/05/2021	Meeting with DIO to discuss potential impacts to military operations and military radar.
IoM meetings	
16/12/2020	Post-scoping meeting with IoM Government to discuss data adequacy and specific consideration of Manx interests and data sources in the EIA.

STAKEHOLDER AND DATE	PURPOSE OF MEETING
08/12/2021	Post-PEIR meeting to discuss IoM feedback on the PEIR.

3.7 Fisheries liaison

61 Since the development of GyM, the Applicant has developed a good working relationship with local fishermen and in accordance with the Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) guidance (FLOWW, 2015). As such, local fishermen have been included in consultation activities from an early stage. During the pre-application phase, there were opportunities for fishermen to provide their views on the proposed development and the approach to assessment, both formally and informally through liaison meetings and one-to-one interviews.

62 Fisheries liaison has focused on gathering information about the types of fishing activity that take place, and where those activities take place. As part of the application, the Applicant has also included an outline Fisheries Liaison and Coexistence Plan (application ref: 8.5) which sets out the procedures to facilitate co-existence between the proposed development and local fishing interests during the construction, Operation and Maintenance (O&M) and decommissioning of AyM. The outline plan was produced with the aim of providing local fishermen with confidence in the extent and mechanisms of liaison and was consulted on from an early stage. Details of this consultation are provided in Volume 2, Chapter 8: Commercial Fisheries (application ref: 6.2.8) and Volume 4, Annex 8.2: Commercial Fisheries Consultation Record (application ref: 6.4.8.2).

63 Meetings were held with the commercial fisheries working group on the dates described in Table 3.

4 Consultation under section 42 of the PA 2008

4.1 Introduction

64 This section sets out the activities undertaken by the Applicant to comply with its duty to consult under section 42 of the PA 2008. It provides the information relevant to section 42 consultation as required under Section 37(7)(a) of the PA 2008 and associated guidance (summarised in Section 2). The Applicant carried out this statutory consultation to ensure that prescribed consultees were engaged and had opportunities to comment.

65 The Applicant aligned its section 42 and section 47 consultation to the same period, running from 31 August 2021 to 11 October 2021, in order to simplify the processes and allow consultees an opportunity to comment simultaneously.

4.2 Legislative context

66 Section 42(1) of the PA 2008 requires applicants to consult the following about the proposed development:

- a) such persons as may be prescribed;
- aa) the Marine Management Organisation (MMO) (if the project is in English waters);
- b) each Local Authority that is within section 43 of the Act;
- c) the Greater London Authority if the land is in Greater London; and
- d) each person who is within one or more categories set out in section 44 of the Act.

67 In the case of AyM, the MMO and the Greater London Authority have not been consulted as the development falls outside the jurisdictions of those authorities.

68 For the purposes of section 42(a) of the Planning Act, the persons prescribed are those listed in column 1 of the table in Schedule 1 to the APFP Regulations.

69 For AyM, relevant local authorities are county councils or county borough councils in Wales. A full list of consultees identified in accordance with section 42(1) is included in Appendix B3.

70 For the purposes of section 42(d), a person is within section 44 of the PA 2008 if the Applicant knows (after making diligent inquiry) that the person is:

- An owner, lessee, tenant, or occupier of the land (Category 1, section 44(1));
- interested in the land or has the power to sell and convey the land, or to release the land (Category 2, section 44(2); or
- entitled to make a relevant claim if the Order sought by the proposed application were to be made and fully implemented (Category 3, section 44(4)).

71 There is a duty on the Applicant, when consulting a person or organisation under section 42, to notify them of the deadline for receipt of comments to the consultation (section 45(1)). This must be a minimum of 28 days, commencing on the day after the day on which the person receives the consultation documents (section 45(2)). Consultation documents must be supplied to the person by the Applicant for the purposes of the consultation (section 45(3)). During statutory consultation, the Applicant provided consultees with six weeks to respond to the consultation materials, occurring from 31 August 2021 to 11 October 2021. This was longer than the required period (minimum of 28 days, as directly above), accounting for any overlap with the school summer holidays and for uncertainty caused by the COVID-19 pandemic which demanded a greater reliance on virtual (as opposed to in-person) consultation.

72 Aligned with statutory consultation under section 42 is the requirement for the Applicant to notify the Secretary of State of the proposed application under section 46. This must be done on or before commencing consultation under section 42 (section 46(2)) and the relevant Secretary of State must be supplied with the same information as is proposed to be supplied to the Applicant's section 42 consultees. A section 42 notification was sent to the Secretary of State for BEIS on 27 August 2021 (Appendix B4).

4.3 Identification of section 42 consultees

73 The following sections provide details on how the Applicant identified section 42 consultees for the statutory consultation under the following three categories:

- Prescribed bodies;
- Local authorities; and
- Landowners and persons with an interest in land (PWILs).

74 For the remainder of the Consultation Report, consultees identified under these three categories are referred to collectively as 'section 42 consultees'. A full list of section 42 consultees is provided in Appendix B3.

4.3.1 Prescribed bodies

75 Prescribed bodies cover the main statutory bodies that are to be consulted under section 42. They comprise bodies with specific expertise and/ or statutory responsibility for a given discipline(s).

76 The starting point for identifying the prescribed bodies relevant to AyM was the list of consultees prescribed in Schedule 1 of the APFP Regulations. This list of consultees was then augmented with additional bodies who were notified of the proposed application by PINS under Regulation 11(1)(a) of the EIA Regulations (the Regulation 11 list) (Appendix B2.2). The production of this list was in response to the Applicant notifying PINS that it proposed to provide an ES in respect of the development under Regulation 8(1)(b) of the EIA Regulations (Appendix B2.1).

4.3.2 Local authorities

77 In order to identify the section 43(1) local authorities, the land for the proposed development was defined as the area within which the onshore infrastructure would be located. The onshore ECC, onshore substation, TCCs, accesses, as well as land required for ecological compensation and enhancement, are all proposed to be situated on land within the jurisdiction of Denbighshire County Council (DCC) and DCC is therefore the 'host authority' for AyM. The Applicant is required to:

- Consult the 'host authority' on the project under section 42; and

- Consult the 'host authority' on the contents of the SoCC under section 47(2).

78 Local authorities under section 43 also include those that share a boundary with the host authority. PINS Advice Note 3 (PINS, 2018) recommends that developers also consult local authorities that may be visually impacted by the offshore elements of the proposals, even if they are not captured within the definitions set out under section 43 of the PA 2008. The local authorities identified under section 43 are listed in Table 4.

79 At the time of Scoping, both DCC and CBCC were identified as host authorities. However, the onshore cable route selection post-scoping meant that infrastructure would no longer be placed within the CBCC boundary and therefore DCC was identified as the sole host "B" authority.

Table 4: Local authorities identified under section 43.

LOCAL AUTHORITY	REASON FOR CONSULTING
Denbighshire County Council	The host authority.
Flintshire County Council	Shares a border with the host authority.
Conwy County Borough Council	Shares a border with the host authority.
Isle of Anglesey County Council	Non-prescribed consultee that may be visually impacted by the offshore elements of AyM.
Gwynedd Council	Shares a border with the host authority.
Snowdonia National Park Authority	Largest National Park Authority in Wales and may be visually impacted by AyM.
Wrexham County Borough Council	Shares a border with the host authority and in recognition of Wrexham as North Wales' largest town.
Powys County Council	Shares a border with the host authority.

4.3.3 Landowners and PWILs

80 Section 42(1)(d) of the PA 2008 states that applicants must consult each person who is within one or more categories set out in section 44. These include any landowner, lessee, tenant, occupier, any person with an interest in the land or who has power to sell and convey the land and any person entitled to make a relevant claim. Landowners and PWILs have been consulted under section 42 and negotiations are ongoing.

81 The Applicant appointed Dalcour Maclaren to carry out the land agency work, including land referencing, managing communications with identified landowners and arranging access as might be required.

82 Dalcour McClaren undertook an initial engagement in July 2020 (Appendix C2.1) with identified land interests and issued them with a questionnaire (Appendix C2.2) requesting information on:

- Contact details;
- Details of the landowner and or/lessees;
- The nature of the interest in land;
- Details of the use of the land; and
- Information that the landowner would want the Applicant to be made aware of.

83 Dalcour Maclaren also liaised with landowners over requesting access for intrusive surveys (Appendix C1) and erected the site notices regarding the proposed project (Appendices C3 and C4).

84 Under Part One of the Land Compensation Act 1973, landowners may be entitled to compensation for the Compulsory Acquisition of land. Landowners may be identified by the Applicant within Category 3 of section 44 of the PA 2008 after making diligent inquiry if their land might suffer a depreciation in value as a result of physical factors caused by the works. Dalcour Maclaren, on behalf of the Applicant, has undertaken diligent inquiry to identify the relevant land interests under section 44 via searches of the land registry, questionnaires, and identification of potential Category 3 claimants. Potential Category 3 interests were identified and are listed in the Book of Reference (application ref: 4.3).

85 The identification of potential Category 3 interests was an iterative process, and further potential Category 3 interests were identified in preparation of the targeted section 42 consultation (see Section 4.4.4).

86 Responses to landowner comments are detailed in Appendix H. It should be noted that discussions are ongoing with several landowners and PWILs, and that the comments received, and the Applicant's response to them, represent a point in time during the first statutory consultation in Summer 2021, and the targeted consultation in February 2022.

4.3.4 Key non-statutory consultees considered alongside section 42 consultees

87 Although technically non-statutory consultees, a number of stakeholders (including The Wildlife Trusts (TWT), North Wales Wildlife Trust (NWWT) and the Royal Society for the Protection of Birds (RSPB)) were identified as likely to have an interest in the proposed project, as well as offering valuable advice and, as such, were effectively treated as section 42 consultees. These organisations were engaged through the Evidence Plan process and other non-statutory consultation.

4.4 Undertaking consultation under section 42

4.4.1 Notifying the Secretary of State under section 46

88 Prior to commencing statutory consultation, the Applicant notified the Secretary of State of its intention to submit an application for development consent under section 46 of the PA 2008. This notification was sent in a letter on 27 August 2021 (Appendix B4).

89 In accordance with section 46(1), the notification to the Secretary of State was accompanied by the same information that was provided to section 42 consultees, consisting of hard copies of a cover letter (which included a link to the online exhibition and a notification of the deadline for receipt of comments) and copy of the Applicant's section 48 notice, and the PEIR and associated consultation documents uploaded to a USB stick.

90 The Applicant is aware that the notification and enclosed information as sent to the Secretary of State has not been passed to PINS. Section 46 requires that the Applicant must 'supply' the Secretary of State with the same information as must be supplied to a section 42 consultee, that was supplied by post as above.

91 PINS will commonly place both the section 46 notification letter and its acknowledgment thereof on its website for the proposed project. As the notification letter was not passed to PINS in this case, PINS has requested that this report set out why the Applicant considers that there is no prejudice to any person.

92 The Applicant notes that there is no statutory obligation to notify PINS directly under section 46 and no obligation on PINS to publish that notification. That PINS routinely publishes these is a matter of practice not law; the notification is not deficient without this and the requirements of section 46 have been complied with.

93 As is set out in this report and summarised below, the Applicant has carried out a comprehensive and extensive consultation process using a range of promotional activities in support of the statutory consultation to seek to reach interested persons. These included, but were not limited to, the following:

- Six-week consultation period: two weeks beyond the 28-day statutory minimum;
- 14 political stakeholder briefings (June – August 2021): held in the weeks leading up to statutory consultation, providing project updates and details regarding the statutory consultation to relevant councillors and Members of the Senedd (MS) and Members of Parliament (MP) in north Wales;

- Three AyM project newsletters: released to a database of approximately 500 stakeholders in advance of, and during, statutory consultation (July, August, September). The newsletters promoted the mobile consultation events, online information sessions, availability of consultation materials (both on- and offline) and the online exhibition. The project team also released an October newsletter, thanking stakeholders and members of the public for attending events and for providing feedback. The newsletter also provided information on the next steps in the consenting process. In December, a 'bumper edition' of the newsletter was published, summarising key design changes made in response to statutory consultation, and advising on other imminent project matters;
- Online exhibition and materials: made available online throughout the statutory consultation period on the Applicant's website and online exhibition;
- Deposit locations for consultation materials: provided across north Wales (as set out in the AyM Statement of Community Consultation (SoCC) agreed with the relevant Local Planning Authority (LPA) consultees);
- Nine mobile consultation events: run across ten days along the onshore cable route and within the vicinity of the landfall and substation zones, and along coastal north Wales;
- Three online information sessions: run during the statutory consultation period;
- Press releases and news coverage: including radio coverage and interviews, please refer to Appendix D4;
- Targeted social media campaign: promoting our mobile consultation events, please refer to Appendices D and F;
- Social media messaging and promotion of statutory consultation activities by key stakeholders: e.g. LPAs, Councillors and others including MSs/MPs, contacted their own databases to promote participation in statutory consultation on behalf of AyM, *please refer to Appendix D4; and*
- Planning Inspectorate (PINS) and AyM case management teams meetings: held on 24 June 2021 (to discuss project updates and the forthcoming start of statutory consultation), and on 8 November 2021 (to discuss project updates and completion of statutory consultation). PINS published meeting notes on the AyM project pages of its website thereafter.

94 Consequently, persons interested in the proposed project would have had many opportunities to be aware of the consultation without publication of the section 46 notice on PINS's website, not least by registering directly with the project website to receive updates. As summarised above, the consultation was widely publicised and ran for a period in excess of the statutory minimum. PINS's publication does not include providing the consultation documents to the public who would still have to visit the project website, contact the Applicant or attend a deposit point to engage with the consultation.

95 To summarise, there can be no prejudice to any person through PINS not receiving the section 46 notice as, in addition to all the relevant statutory requirements for consultation being complied with, considerable notice of the consultation was given to the public. The Applicant took all reasonable steps to ensure that any person with an interest in AyM would have been made aware of the consultation.

4.4.2 Consultation with Community Councils

96 On 13 April 2022, it was brought to the Applicant's attention that PINS had not included the following community councils in its Regulation 11 notification (Appendix B2.2) at the time the Scoping Opinion (application ref: 6.8.1) was issued:

- Bodelwyddan Community (Town) Council (BCC);
- Trelawnyd and Gwaensygor Community Council (TGCC); and
- Llanasa Community Council (LCC).

97 PINS advised (in their email dated 13 April 2022) that as the application was due to be submitted imminently, PINS would not notify these bodies under Regulation 11(a), and that reference should be made in the Consultation Report regarding ensuring engagement with all relevant bodies.

98 As noted in Section 4.4.1 above, the Applicant undertook a series of political stakeholder briefings throughout the pre-application consultation phase, which included engagement with community and town councils (see Appendices F2.1 and F2.2), including Bodelwyddan Town Council and Llanasa Community Council.

99 The draft Order Limits for the PEIR and statutory consultation did not include land within either TGCC or LCC's areas. Despite this, LCC along with BCC was emailed (along with all other identified community councils) informing of the start of the statutory consultation on 31 August 2021. The email included links to the online exhibition, details of how to submit responses to the consultation, and the deadline for doing so.

100 As noted above in the bullet points following paragraph 93, the Applicant has carried out a comprehensive and extensive consultation process using a range of promotional activities in support of the statutory consultation to seek to reach all interested parties.

101 Of the three community councils identified above by PINS, the AyM Application Order Limits do not overlap the boundaries of either TGCC or LCC.

102 In summary, the relevant community councils have had many opportunities to be aware of the consultation, despite being absent from the Regulation 11 notification, not least by being invited to and attending political stakeholder briefings and receiving project emails and newsletters from the Applicant. The consultation was widely publicised and ran for a period in excess of the statutory minimum duration. Therefore, it is not considered that there is any prejudice from the aforementioned community councils being absent from the Regulation 11 notification, since the Applicant has taken all reasonable steps to ensure that any person with an interest in AyM would have been made aware of the consultation, provided with access to the consultation documents and invited to submit representations.

4.4.3 Statutory section 42 consultation

103 On commencement of the statutory consultation period, a newsletter was sent to all newsletter recipients (which includes a number of statutory consultees and north Wales residents, among numerous others), and its list of political stakeholders (including MSs, MPs, and county, city, town and community councils along the proposed cable route and further west in potential sight of the offshore array) on 31 August 2021 providing advanced notification of the upcoming consultation (Appendix D8.4).

104 All consultees listed in Appendix B6 were invited to provide comments on the proposed application under section 42. These consultees were provided with a letter dated 27 August 2021 containing a link to the online exhibition, a USB drive containing the consultation documents, a copy of the section 48 notice and a notification of the deadline for receipt of comments (Appendix B4).

105 The consultation documents consisted of:

- A non-technical summary of the PEIR (including a Welsh language version);
- The full PEIR in eight volumes, including visualisations;
- The draft Report to Inform Appropriate Assessment (RIAA);
- The draft DCO and an explanatory note; and
- Section 48 and community consultation notices.

106 Since statutory consultation under sections 42 and 47 of the PA 2008 were undertaken simultaneously, documents and activities employed under section 47 also formed the suite of documents and activities employed under section 42. The statutory consultation period ran for six weeks (31 August 2021 – 11 October 2021, inclusively).

107 In total, 59 section 42 responses were received, including 17 from landowners and PWILs. Of these, 16 were received after the deadline (including eight collated responses from landowners/ PWILs). All responses were given full consideration regardless of whether they were received late or by the deadline (the final response considered was received on 2 December 2021).

4.4.4 Targeted section 42 consultation on post-PEIR boundary changes

108 Following statutory feedback received during the 31 August to 11 October consultation period, design amendments were made to refine the Order Limits, in order to address key concerns. These changes were:

- A new beach access route was identified for vehicles to access Rhyl beach and promenade. This included a beach works TCC and accesses;

- New areas for temporary placement of cable installation vessel anchors on Rhyl beach; and
- Along the onshore ECC, several minor new areas were identified for access and environmental mitigation works.

109 The Applicant ran a targeted section 42 consultation with identified and potentially impacted stakeholders from 1 February to 2 March 2022 (inclusive) to provide an opportunity for further feedback to be taken into account prior to submitting the application for development consent.

110 These changes were communicated with stakeholders via a consultation invitation letter (Appendix B7) and accompanying description and plan (Appendices B8.1 and B8.2) with the identified stakeholders listed in Appendix B6. The update was also communicated more broadly in the February newsletter (Appendix D8.8), through a series of briefings offered in late January 2022 to AyM's county, town, city and community councillors and several of its MSs and MPs, and through an informal, virtual drop-in session offered to AyM's ETG members on Tuesday 22 February.

111 Due diligence was undertaken in the form of site and property visits to confirm the owners of any identified unregistered properties. In addition, Land Interest Questionnaires (Appendix C2.2) were sent to those properties, followed by site visits and door-knocks.

112 In addition to this, an invitation letter was sent in February to those stakeholders within the vicinity of the newly-proposed alternative TCC and accesses, and those identified as new land interests more broadly also, to attend a drop-in information session run by the project team at Festival Church, Prestatyn, on Saturday 19 February 2022.

113 Four formal responses were received from this consultation exercise, including one from NRW, two from landowners/ PWILs and one from NWWT. Information is provided in Section 9.2 and Appendix H3 on how due regard was had to the responses received.

5 Consultation under section 47 of the PA 2008

114 The Applicant carried out statutory consultation under section 47 of the PA 2008 to ensure that section 47 consultees were engaged from an early stage in the development of AyM and had multiple opportunities to comment. A SoCC was prepared (Appendix D3) which set out how the Applicant proposed to consult the local community under section 47 and subsequently delivered on the proposals as set out in Section 5.4.

5.1 Legislative context

115 Section 47(1) of the PA 2008 requires an applicant to prepare a SoCC which should set out how it intends to consult the local community on the proposed application. There is a duty on applicants to consult the relevant local authorities in respect of the content of the SoCC (section 47(2)) because their knowledge of the local area can helpfully inform decisions on the geographical extent of consultation and the methods that will be the most effective in the local circumstances.

116 Local authority responses to consultation on the content of the SoCC should be received by the Applicant within a 28-day period (commencing on the day after the day on which the local authority receives the request for comments).

117 A draft SoCC must be provided to the local authority at this stage, providing information which allows the authority to make an informed response to the SoCC consultation (sections 47(3) and 47(5) of the PA 2008 requires applicants to have regard to any response provided by the local authority that is received within the 28-day period).

118 In developing the SoCC, regard must be had to the EIA Regulations and relevant guidance about pre-application procedure. Regulation 12 of the EIA Regulations stipulates that the SoCC must set out whether the proposal is an EIA development and, if so, how the Applicant intends to publicise and consult on the PEIR.

119 Once the SoCC has been finalised, applicants must make the SoCC available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land (section 47(6)(a)), publish a notice stating where and when the SoCC can be inspected (section 47(6)(b)), and applicants must also carry out consultation in accordance with the proposals set out in the SoCC (section 47(7)).

5.2 The SoCC

120 As set out in PINS Advice Note 14 (PINS, 2021), the Consultation Report should provide evidence of how applicants have complied with the SoCC preparation process. The note also advises that evidence should be submitted which shows which local authorities were consulted about the content of the draft SoCC, what comments were received from local authorities, confirmation that they were given 28 days' notice to provide comments, and a description of how applicants have had regard to comments received.

121 Section 47(2) of the PA 2008 states that, before preparing a SoCC, applicants must consult with each local authority that is within section 43(1) regarding its content. DCC is the host local authority that was consulted on a draft of the SoCC (Appendix D1) in July 2021. Although not a statutory requirement, the SoCC consultation was extended to include other coastal local authorities (Flintshire County Council, Conwy County Borough Council, Gwynedd Council, Isle of Anglesey County Council) as well as the Snowdonia National Park Authority (given potential visual impact) and Wrexham County Borough Council (in acknowledgement of their status as north Wales' largest town). Comments received on the draft SoCC (Appendix D1) were taken into consideration when drafting the final SoCC (Appendix D3). A summary of how those comments were addressed is also contained within Appendix D2.

5.3 Undertaking consultation in accordance with the SoCC

122 The purpose of statutory consultation was to allow those within the local community who may be affected by AyM to consider the proposal and offer their feedback, as well as to gather information about the local community to help refine the consultation process.

123 The statutory section 47 consultation coincided with the section 42 consultation, commencing on 31 August 2021 and ending on 11 October 2021.

124 Section 47(7) of the PA 2008 states that applicants must carry out consultation in accordance with the proposals set out in the SoCC. The following sections set out how the section 47 consultation was carried out, in terms of the information that was sent to consultees, the virtual and in-person consultation events that were held, and the mechanisms employed for making communities aware of the consultation.

5.3.1 Consultation documents

125 The Applicant sought to ensure that as many people as possible could get involved with the consultation. To do so, the Applicant made sure the PEIR was available via the online exhibition which contained virtual information boards, posters and videos in an interactive format. Hard copies of select consultation materials, including copies of the PEIR's Non-Technical Summary (NTS) were also available at a number of local deposit locations across north Wales, and at PEDs.

126 The following methods were available to provide feedback to the Applicant during the consultation period:

- By filling out an online questionnaire;
- By filling out a printed questionnaire (available on request, at the PEDs and at the local deposit locations described in Table 5);
- By emailing the project inbox;
- By writing to the project postal address;
- By submitting a message on the project website under the 'contact us' section; and

- By attending PEDs and submitting responses in person.

127 The public were also able to find out more about AyM via the following routes (from which they were advised how to submit a formal response as above):

- By calling the project office by phone; and
- By attending online information sessions (where attendees could chat with project team members online).

5.3.2 Making communities aware of the consultation

128 The relevant consultation documents were made available via deposit in local libraries as described in Table 5. Communities were made aware of the consultation via the methods described in Table 5 below.

5.3.3 PEDs, local deposit locations, the project website and online information sessions

129 As a result of the Covid-19 pandemic and associated constraints on public gatherings, the Applicant adopted a hybrid approach to consultation. This comprised virtual methods to publicise the consultation and engage with the local community online (available 24/7), combined with face-to-face events planned flexibly around evolving Covid-19 guidance. By running these events entirely outdoors, with the aid of a mobile exhibition vehicle, the Applicant was able to provide a series of successful 'in person' consultation sessions.

130 The mobile exhibition vehicle supported nine days of outdoor events in locations close to AyM's proposed landfall, onshore cable route and substation zone, and along the North Wales coast. Sites for the events were chosen in conversation with the Local Planning Authorities based on being accessible and visible, such as visitor attraction car parks and local community centres. The mobile consultation events were advertised on the project website, in the August and September project newsletters (Appendices D8.4 and D8.5 and listed in Table 5), associated press releases and through a targeted social media campaign to relevant local communities.

131 At these events, people were encouraged to ask questions of the project team and to provide feedback by completing the consultation questionnaire (Appendix D6). AyM's project team supported the events using the project information booklet (Appendix D7.2) and matching information boards (Appendix D7.1). The events were attended by approximately 900 members of the public across the 6-week consultation period.

132 Hard copies of the consultation materials (including the non-technical summary, SoCC and consultation questionnaire) were also on hand at the mobile consultation events and deposited at the locations set out in Table 5.

133 As described in Table 5, the project team hosted online information sessions where attendees were able to ask questions and chat with members via online chat sessions. These online information sessions were advertised via the project newsletters (see Appendix D8), in local press coverage and through social media platforms also (including shared messaging by key AyM stakeholders such as the proposed project's local planning authorities). The project website was accessed by approximately 3,500 unique visitors during the six-week consultation period.

Table 5: Consultation methods, PEDs, local deposit locations and online consultation events.

METHOD/ LOCATION	DETAIL	REFERENCE
Consultation methods		
Project website	Dedicated AyM project website, where all consultation materials were available to view and respond to throughout the consultation (including the PEIR and the consultation questionnaire).	The dedicated project website[iii]
Virtual exhibition	Online exhibition, accessible 24/7 throughout the consultation period via the project website. It included digital features to engage the public, including interactive fly-overs focused on the onshore cable route, video montages and other features.	The virtual exhibition website[iv]
Stakeholder briefings	AyM hosted a series of virtual briefings with project stakeholders, including MSs, MPs, a number of locally elected members from within Denbighshire and other local planning authorities across North Wales, plus county, city, town and community councils along the proposed cable route and further west in sight of the offshore array. AyM also advised stakeholders about the consultation and how to participate, and encouraged its	Appendix F2

[iii] www.awelymor.cymru
[iv] www.exhibition.awelymor.cymru/

METHOD/ LOCATION	DETAIL	REFERENCE
	stakeholders to share information regarding the consultation with its own contacts and constituents.	
Project newsletters	The AyM newsletters have been regularly sent out to a mailing list of organisations and individuals, usually every quarter. In the run up to the statutory consultation, the newsletters were published more frequently in line with events. The newsletters have updated stakeholders about the proposed project and promoted participation in the statutory consultation. The mailing list was kept up-to-date and the newsletters were also available on the project website.	Appendices D8.1 to D8.8.
Mobile exhibition vehicle	Flexible, safe and accessible in-person consultation was available at a series of locations between 24 September 2021 to 3 October 2021 (nine days of events across a ten-day period).	Appendix D.
Mail-out exercise	AyM sent a leaflet to residents and businesses (30,000+) in Denbighshire within a 3 km radius of the onshore infrastructure (including the cable route). The leaflet signposted the project's online exhibition and dedicated website, for any consultation activity updates, as well as information on how to respond to the statutory consultation.	Appendix F3

METHOD/ LOCATION	DETAIL	REFERENCE
Community magazine publication	AyM advertised the consultation in a local community magazine (Local Dragon) that is delivered directly to households and businesses within parts of north Denbighshire and other North Wales coastal communities, including parts of Conwy and Anglesey.	Appendix E2
Online information sessions	AyM staff hosted a series of online information sessions on the proposed project and the statutory consultation. These took place at various times of day, on three separate days, in order to make them accessible for as many people as possible. People were able to sign up to these via the project website.	See the bottom three rows of this table.
Statutory notices	Statutory notices announced the publication of the SoCC and the statutory consultation itself both locally and nationally. Notices were published in the Daily Post, the Guardian, the London Gazette, Lloyd's List and Fishing News. The notices directed stakeholders to the project website for further information about the statutory consultation.	Appendix E.
Social media	AyM used its social media platforms and mailing list to promote participation in the consultation. The Applicant also encouraged stakeholders to pass on the message via their own social media	Appendix D4

METHOD/ LOCATION	DETAIL	REFERENCE
	platforms and mailing lists. The social media platforms are as follows: - Web: uk-ireland.rwe.com - LinkedIn: @RWE_UK - Twitter: @RWE_UK - Instagram: @rwe_uk	
Posters	AyM produced posters promoting participation in the consultation and supplied copies to all deposit locations listed in the SoCC and found in "Local deposit locations" listed below. AyM also wrote to all of its political stakeholders (councillors, MSs, MPs) with a copy of its statutory consultation poster, asking them to distribute to their key contacts and constituents in advance of the consultation also, highlighting key aspects of the consultation within the correspondence. Some of these stakeholders used the poster to promote the statutory consultation on their social media platforms. The AyM project team also displayed the poster in local venues in vicinity of the mobile consultation events, as they made their way through Denbighshire and along coastal north Wales (including local cafés, supermarkets and shops).	Appendix D7.2
PEDs/mobile consultation events: 24 September – 3 October 2021		

METHOD/ LOCATION	DETAIL	REFERENCE
Friday 24 September (10am-6pm)	Bodelwyddan (Church View car park)	Appendix D7
Saturday 25 September (10am-6pm)	Rhyl (East Parade, adjacent to SeaQuarium)	
Sunday 26 September (10am-6pm)	Talacre (Talacre Community Centre car park)	
Monday 27 September (10am-6pm)	Rhuddlan (Vicarage Lane car park)	
Wednesday 29 September (10am-6pm)	Pensarn Promenade & Colwyn Bay promenade (*split day*)	

METHOD/ LOCATION	DETAIL	REFERENCE
Thursday 30 September (10am-6pm)	Llanfairfechan promenade car park	
Friday 1 October (10am-6pm)	Llandudno north shore promenade	
Saturday 2 October (10am-6pm)	Bangor High Street	
Sunday 3 October (10am-6pm)	Beaumaris Green car park	
Local deposit locations		
Prestatyn Library	Kings Avenue, Prestatyn LL19 9LH, UK	See the SoCC (Appendix D3)
Rhyl Library	11A Church Street, Rhyl LL18 3AA, UK	
Rhuddlan Library	9 Vicarage Lane, Rhuddlan, Rhyl LL18 2UE, UK	
St. Asaph Library	The Roe, Saint Asaph LL17 0LU, UK	

METHOD/ LOCATION	DETAIL	REFERENCE
Holywell Library	Holywell Leisure Centre, North Road, Holywell, Flintshire, CH8 7UZ Flintshire	
Colwyn Bay Library	Woodland Road West, Colwyn Bay LL29 7DH	
Llandudno Library	48 Mostyn Street, Llandudno LL30 2RP	
Abergele Library	Market Street, Abergele LL22 7BP	
Llanfairfechan Library	Village Road, Llanfairfechan LL33 0AA	
Bangor Public Library	Gwynedd Road, LL57 1DT	
Llyfrgell Porthaethwy Library	Wood Street, Menai Bridge LL59 5AS, United Kingdom	
Beaumaris Library	Grammar School Lane, Beaumaris LL58 8AL	
Rhyl Tourist Information Centre	West Parade, Rhyl, LL18 1HZ	Additional local deposit location not described in the SoCC.
Online information sessions		

METHOD/ LOCATION	DETAIL	REFERENCE
Session 1	Tuesday 21 September 2021, 19:00 – 20:30.	Advertised in project newsletter (Appendix D8), in select press coverage and through various social media handles too
Session 2	Wednesday 6 October 2021, 13:00 – 14:30.	
Session 3	Saturday 9 October 2021, 10:00 - 11:30.	

5.4 Compliance with the SoCC

134 In accordance with section 47(7) of the PA 2008, consultation was carried out in accordance with the proposals set out in the SoCC, and no inconsistencies were identified between the SoCC and the ways in which community consultation was undertaken.

135 Compliance with the SoCC commitments is summarised below (the following commitments were fulfilled during the statutory section 47 consultation):

- A draft SoCC (Appendix D1) was prepared which sets out how the Applicant proposed to deal with the relevant local authorities in whose area the proposed development lies (section 47(2));
- Statutory consultation on the draft SoCC with the relevant local authorities ran from 9 July – 9 August 2021, allowing a period of 30 days for responses (section 47(3));
- The consultation documents comprised the draft SoCC (section 47(4)), and were supported by a cover email and more detailed cover letter, which set out information regarding the formal consultation process;
- The Applicant considered all relevant responses received on the draft SoCC (section 47(5)) (see Appendix D2);
- Notice of the final SoCC was published in a local newspaper (The Daily Post), and copies of the final SoCC were made available on the project website and at local deposit locations (section 47(6));
- The consultation process was carried out in accordance with the SoCC (section 47(7)) and a compliance checklist highlighting how the SoCC commitments have been complied with is contained in Appendix D3.2 of this document;
- The SoCC stated that the application comprised an EIA development and described how the Applicant intended to publicise and consult on the PEIR (Regulation 12 of the EIA Regulations); and
- The Applicant has regard to the DCLG guidance (DCLG, 2015) on the pre-application process (Section 50).

6 Statutory publicity under section 48 of the PA 2008

6.1 Introduction

136 This section of the Consultation Report sets out the activities undertaken by the Applicant to comply with its duty to publicise the proposed application under section 48 of the PA 2008. It provides the information relevant to section 48 publicity as required in the Consultation Report under Section 37(7) and the relevant parts of PINS and DCLG guidance.

6.2 Legislative context

137 Section 48(1) of the PA 2008 requires applicants to publicise a proposed application at the pre-application stage. Regulation 4 of the APFP Regulations prescribes the manner in which an applicant must undertake this publicity. Regulation 4(2) sets out what the publicity must entail, including the publishing of a notice, and Regulation 4(3) provides detail of the matters which must be included in that notice.

138 In developing and publishing the notice, regard must be had to the EIA Regulations and relevant guidance about pre-application procedure. Regulation 13 of the EIA Regulations stipulates that, where the development is an EIA development, applicants must at the same time as publicising the notice of the proposed application under section 48(1), send a copy of the notice to the consultation bodies and to any person notified to the applicant by PINS in accordance with Regulation 11(1)(c) of the EIA Regulations.

139 Guidance provided by PINS and DCLG pertinent to section 48 publicity can be summarised as follows:

- PINS Advice Note 14 on Pre-Application Stages notes that it would be helpful if the published deadlines for receipt of views on the application set out in the section 48 notice are as close as possible to deadlines given in the section 42 consultation; and

- DCLG Guidance on Pre-Application Consultation notes in paragraph 41 that section 48 publicity is an integral part of the local community consultation process and, where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in secondary legislation, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.

6.3 The AyM section 48 notice

6.3.1 Development of the notice

140 The section 48 notice was prepared in accordance with the above legislation and guidance documents. A copy of the final notice is provided in Appendix E1. Appendix E2 evidences the publication of the notices.

6.3.2 Timing and publicising the notice

141 The Applicant publicised (in accordance with the requirements of section 48) the application to coincide with the statutory section 42 and 47 consultations.

142 Regulation 4(2) of the APFP Regulations requires the s48 notice to be published as set out below.

143 Applicants must publish a notice, which must include the matters prescribed by paragraph (3) of this Regulation, of the proposed application –

a) For at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;

b) Once in a national newspaper;

c) Once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and

d) Where the proposed application relates to offshore development –

i) Once in the Lloyd's List; and

ii) Once in an appropriate fishing trade journal.

144 The first section 48 notice was published in the Daily Post on 24 August 2021. The remaining notices appeared in the press between 24-31 August, to coincide with the start of the section 42 and 47 consultation period on the 31 August 2021, and copies of the notice were sent to all consultation bodies (listed in Appendix B3) on 27 August 2021. A copy of the notice was sent to the required consultees with the consultation documents and with a formal request for comment on the proposed application after its first publication. The Applicant was not notified by PINS of any persons under Regulation 11(1)(c) of the EIA Regulations to which copies of the notice and the consultation materials should be sent.

145 The letter accompanying the consultation materials (Appendix B4) included reference to the section 48 notice and a USB stick containing the full suite of PEIR documentation. The letter also confirmed that, as previously advised, the deadline for responses to consultation was 11 October 2021. The notice was also made available on the project website and appeared in the following newspapers:

- The Daily Post (24 and 31 August 2021);
- The Guardian (24 August 2021);
- The London Gazette (24 August 2021);
- Lloyd's List (24 August 2021); and
- Fishing News (26 August 2021).

146 Several local and regional newspapers and news websites, including the Daily Post and the North Wales Pioneer, ran articles during the statutory consultation period regarding the proposed project. These included details of PEDs, online information sessions and links to the project website.

7 Consultation under the EIA Regulations and the Habitats Regulations

7.1 EIA consultation

147 The Applicant requested a formal Scoping Opinion (pursuant to Regulation 10 of the EIA Regulations) from PINS on 16 March 2020, which was accompanied by a Scoping Report (innogy, 2020) containing the relevant information required under Regulation 10(3) of the EIA Regulations. A Scoping Opinion (PINS, 2020) was received from PINS on 22 July 2020.

148 Scoping responses received from stakeholders have been considered during the development of the PEIR and subsequently the ES, with detail described within the consultation sections of the topic-specific ES chapters.

149 The EIA Regulations contain provisions that are relevant to pre-application consultations. These may be summarised as follows:

- **Regulation 8** requires that applicants, before carrying out consultation under section 42, must notify the Secretary of State that they propose to provide an ES in respect of the proposed development (in the case that an applicant has not chosen to seek a screening opinion). *The Applicant notified PINS in its letter dated 2 April 2020 (Appendix B1)*;
- **Regulation 10** sets out matters relating to the request for a Scoping Opinion;
- **Regulation 11** sets out the procedure to facilitate preparation of ESs and includes provisions for the notification of the consultation bodies of their duties in providing information to facilitate the ES, the provision of a list of those bodies so notified to the applicant and notifying the applicant of those persons considered likely to be affected or have an interest in the project or unlikely to become aware of the proposed development by other means set out in Part 5 of the PA 2008. *Regulation 11 letter (Appendix B2.2) was received from PINS on 22/07/2020 with an accompanying list of consultation bodies and interested persons;*

- **Regulation 12** requires that the SoCC prepared under section 47 should identify whether the proposed application constitutes an EIA development and how the Applicant intends to publicise and consult on the PEIR. *The SoCC (Appendix D3) has provided relevant detail as required;*
- **Regulation 13** requires that the Applicant, at the same time as publishing notice of the proposed application under section 48, must send a copy of that notice to the 'consultation bodies' and to any person notified to the Applicant under Regulation 11(1)(c). *The Applicant issued a copy of the section 48 notice (Appendix E1) to the relevant consultation bodies after the first publication of the section 48 notice (24 August 2021)*; and
- **Regulation 32** deals with matters relating to transboundary effects.

150 Guidance on matters relating to the EIA Regulations is provided in PINS guidance as follows:

- **Advice Note 14** (PINS, 2021) refers to the EIA Regulations and states that applicants may wish to draw attention to consultation responses received under the EIA process, but any reference to this consultation should be kept separate from the statutory consultation carried out under the provisions of the PA 2008; and
- **Advice Note 14** (PINS, 2018) also suggests that the Consultation Report should confirm any steps taken by the Applicant to comply with Regulation 13 of the EIA Regulations.

7.2 Transboundary consultation

151 Being located off the coast of North Wales in the Irish Sea, AyM is relatively distant from UK international boundaries. Nevertheless, the Applicant produced a transboundary screening report that was included with the PEIR. This identified that AyM has the potential to have interaction outside the UK Exclusive Economic Zone (EEZ), potentially in territorial waters around the Isle of Man and the Republic of Ireland.

152 PINS is duty-bound to comply with Regulation 32 of the EIA Regulations regarding potential transboundary effects on non-UK states and published a Regulation 32 notice (Appendix G1) on 24 September 2021. A Regulation 32 response was received from the Republic of Ireland on 30 September 2021.

153 A transboundary effects assessment has been included in each of the ES chapters where the transboundary screening (application ref: 6.1.3.2) identified that potentially significant transboundary effects could occur. The transboundary effects assessments are focused on shipping and navigation, commercial fisheries, marine mammals, aviation, offshore ornithology and HRA matters.

7.3 Compliance with the Habitats Regulations

154 In accordance with DCLG guidance (DCLG, 2015), the Applicant consulted the relevant statutory and non-statutory bodies in order to gain evidence to inform the Report to Inform Appropriate Assessment (RIAA) which accompanies the application (application ref: 5.2).

155 On the basis of the information available when undertaking HRA screening, it was determined that AyM had the potential to (either alone or in-combination with other plans, projects and activities) have a likely significant effect (LSE) on a number of sites that form part of the UK National Site Network designated under the Habitats Regulations. An Appropriate Assessment (AA) of the implications of AyM will therefore need to be undertaken by the Secretary of State in respect of the conservation objectives applicable to the relevant sites.

156 HRA screening for AyM was undertaken in 2020 and a draft RIAA accompanied the PEIR. Further consideration of responses received during the statutory consultation, as well as consultation since that period, has taken place and a final RIAA has been submitted as part of the application (application ref: 5.2).

8 Summary of responses to pre-application (statutory) consultation and applicant regard

8.1 Introduction

157 This section of the Consultation Report includes summaries of the responses received to the statutory consultations and sets out how the Applicant has complied with its duty under section 49 of the PA 2008 to have regard to consultation responses received under sections 42, 47 and 48.

158 The following sections summarise the key issues that were raised during consultation and how the Applicant has taken account of these responses (described alongside the key comments in italics). In some instances, this has resulted in changes to the project design. Where no changes have been made to aspects of the project design, this is clearly explained.

159 In most cases, consultation has been an iterative process taking place over extended time periods. As the purpose of this Consultation Report is to demonstrate how the Applicant has consulted under sections 42, 47 and 48 of the PA 2008, and in line with PINS and DCLG guidance, the Applicant has drawn out key issues with focus on the statutory consultation. Information on non-statutory consultation is, however, contained within this report (Sections 3 and 9), within the consultation sections of the topic-specific ES chapters and within the Evidence Plan Report (application ref: 8.2).

160 The responses are summarised below by their relevance to each of the PEIR documents submitted. Care has been taken to ensure that responses are categorised into subjects appropriately. Tables of all responses to the statutory consultation, and the regard had to those responses in detail, are contained in Appendix H of this report.

161 Regard has been had to consultation responses in a number of different ways. In most cases, comments have been addressed through provision of further information or clarification provided either in the ES chapters submitted with the application or through post-PEIR stakeholder engagement. In a few cases, such as development within the Rhyl Golf Course, a design decision was made in direct response to consultation responses.

8.1.1 Legislation and guidance

The PA 2008

162 Section 49(2) of the PA 2008 requires the Applicant to have regard to relevant responses to the consultation and publicity that has been undertaken under sections 42, 47 and 48. A relevant response is defined in section 49(3) as:

(a) a response from a person consulted under section 42 that is received by the Applicant before the deadline imposed;

(b) a response to consultation under section 47(7) that is received by the Applicant before any applicable deadline; and

(c) a response to publicity under section 48 that is received by the Applicant before the deadline imposed.

163 Section 37(7) states that the Consultation Report should, *inter alia*, give details of:

(a) relevant responses to the statutory consultation and publicity under sections 42, 47 and 48 of the PA 2008; and

(b) the account taken of any relevant responses.

Guidance

164 The following paragraphs of the DCLG guidance are relevant to this section of the Consultation Report:

- **Paragraph 61** – The Consultation Report should, among other things:
  - Set out a summary of relevant responses to consultation;

    - Provide a description of how the application was influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed; and
    - Provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts.
- **Paragraph 62** - it is important to show how the information received by applicants during consultation has been used to shape and influence the proposed project;
- **Paragraph 87** - during the pre-application stage applicants should have regard to relevant responses to publicity and consultation. Promoters should therefore be able to demonstrate that they have acted reasonably in fulfilling the requirements of section 49 of the PA 2008; and
- **Paragraph 94** - Applicants should be able to demonstrate that they have acted reasonably in fulfilling the requirements of the Planning Act, to take account of responses to consultation and publicity although the Government recognises that applicants and consultees will not always agree about whether or how particular impacts should be mitigated.

165 PINS Advice Note 14 (PINS, 2021) on compiling the Consultation Report, states that the report should draw together a summary of the relevant responses to the separate strands of consultation, and the account taken of the responses in developing the application from proposed to final form, as required by section 49(2). The note also states that a summary of responses by appropriate category should be included together with a clear explanation of the reason why they have led to no change, including where responses have been received after deadlines set by the applicant.

8.1.2 Overview of responses

166 All responses from the statutory consultation are detailed in this Consultation Report and are summarised below. Section 42 consultees such as prescribed bodies, local authorities and landowners or PWILs have been considered separately to section 47 consultees such as members of the public (MoPs) and non-statutory organisations.

167 The Applicant has categorised issues raised in responses according to the corresponding ES topic it relates to, allowing the presentation of responses by appropriate category in both the main Consultation Report and associated appendices. It is important to note that each issue raised is given equal importance, regardless of the frequency with which it was raised, or who raised it.

168 Many responses received contained comments relevant to more than one topic. In these instances, the response has been broken down and separated across the relevant topics as appropriate.

169 All comments have had due regard paid to them by the Applicant. In many cases this has resulted in amendments to the project design and/or changes or additions to the application documentation (e.g. the ES or DCO) or has led to further discussion and agreement with the relevant consultees.

170 In total, 59 section 42 responses were received, including 17 from landowners and PWILs. Responses were categorised according to the topic area(s) they covered and are considered by ES topic in the subsequent sections.

171 In addition, 17 direct section 47 responses were received, as well as 232 section 47 responses via the consultation questionnaire. Responses are categorised according to the topic area(s) they concerned and are considered by ES topic in the subsequent sections. The responses to the consultation questionnaire are also considered separately in Section 8.33.

172 Where consultees raised issues that were relevant to multiple topics, these are discussed in detail within the most relevant topic area, with cross references provided within the section(s) of other relevant topic area(s) in order to avoid unnecessary repetition.

173 Some comments received related to formatting, typographic errors and incorrect references, rather than relating directly to a specific subject area. Any such issues raised have been amended in the relevant final application document(s). Comments were also received that requested clarifications on terminology and definitions, which have similarly been resolved in the relevant final application document(s)

8.1.3 Changes to AyM made as a result of statutory consultation

174 As a result of responses received from stakeholders during the statutory consultation, a number of changes and/or refinements to the project design have been implemented and are summarised in Table 6.

Table 6: Design changes adopted as a result of statutory consultation.

MEASURE	DESCRIPTION	JUSTIFICATION	REFERENCE
Project design refinements			
Refinement of project boundaries	Refinement of the offshore array area and corresponding number of WTGs: - Area: reduced from 106 km² at scoping, to 88 km² at PEIR, to 78 km² at application; - Number of turbines: reduced from 107 at scoping, to 48 large/91 small at PEIR, to 34 large/50 small at application. The maximum rotor diameter of the smaller turbines was increased from 220 m to 250 m	In response to extensive post-scoping, pre-PEIR, statutory consultation and post-statutory consultation engagement (in particular via the SLVIA ETG) regarding concerns over the significance of visual effects from AyM on the North Wales coastline, including designated landscapes. The maximum rotor diameter of the small turbines was increased in response to evolving market conditions around the linear increase in available turbine models expected to be available in future around the time of procurement.	Section 8.12 of this report and the consultation section of Volume 2, Chapter 10: SLVIA (application ref: 6.2.10); and Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).

MEASURE	DESCRIPTION	JUSTIFICATION	REFERENCE
	Refinement of onshore cable corridor	In response to statutory consultation, the decision was made to remove the option to have above ground cable infrastructure within the Rhyl Golf Course. Further to this, a number of areas of optionality have been refined following consultation: these include a significant reduction in the onshore ECC at the A55 crossing, and a single option being progressed south of Rhyl.	Section 8.12 of this report and Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).
	Refinement of the Other Wind Farm Infrastructure Zone (OWFIZ) where the met mast could be located from the north-west corner to a smaller area further south.	In response to navigational safety concerns from MCA and THLS regarding navigational safety around the met mast as an isolated structure.	Section 8.11 of this report and the consultation section of Volume 2, Chapter 9: Shipping and Navigation (application ref: 6.2.9); and

MEASURE	DESCRIPTION	JUSTIFICATION	REFERENCE
			Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).
Refinement of offshore piling parameters	Concurrent piling removed (except in the instance of pin piles at the same jacket).	To reduce potential effects from underwater noise associated with offshore piling of foundations and primarily in response to NRW concerns over the approach to modelling of concurrent piling.	Sections 8.8 and 8.9 of this report, the consultation sections of Volume 2, Chapter 7: Marine Mammals (application ref: 6.2.7) and Volume 2, Chapter 6: Fish and Shellfish Ecology (application ref: 6.2.6); and Volume 2, Chapter 1: Offshore Project Description (application ref: 6.2.1).

MEASURE	DESCRIPTION	JUSTIFICATION	REFERENCE
	Refinement of maximum piling scenario: - Soft-start/ramp-up profile refined; - Max duration of monopile piling at max energy reduced from 5.5 to 4 hours; - Maximum duration of piling per day reduced from 12 to 10 hrs; and - Number of monopiles to be installed within one day reduced from 8 to 4.	To reduce potential effects from underwater noise associated with offshore piling of foundations in response to NRW concerns regarding these issues.	Sections 8.8 and 8.9 of this report, the consultation sections of Volume 2, Chapter 7: Marine Mammals (application ref: 6.2.7) and Volume 2, Chapter 6: Fish and Shellfish Ecology (application ref: 6.2.6); and Volume 2, Chapter 1: Offshore Project Description (application ref: 6.2.1).
Aviation lighting requirements	Commitment to CAA-mandated aviation lights that dim to 200 cd (from 2,000 cd at maximum intensity) when visibility is >5km.	To mitigate significant night-time effects on designated landscapes and visual receptors from lighting at the offshore array addressing concerns raised by NRW, local authorities and others with an interest in SLVIA.	Section 8.12 of this report, the consultation sections of Volume 2, Chapter 10: SLVIA (application ref: 6.2.10) and Volume 2, Chapter 13: Military and Civil Aviation (application ref: 6.2.13).

8.2 Introductory chapters (PEIR Volume 1)

8.2.1 Key stakeholders

175 There were very few comments received relating to the introductory chapters of the PEIR (Introduction, Policy and Legislation, EIA Methodology, Site Selection and Alternatives (and their associated technical annexes)) and therefore these have been grouped together under a single heading. Comments were only received on PEIR Volume 1, Chapter 2: Policy and Legislation and PEIR Volume 1, Chapter 4: Site Selection and Alternatives. The key consultees on these introductory topics were NRW and DCC.

176 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on these introductory topics, as well as the regard had to them, are also described within the consultation tables of the relevant chapters of the ES (Volume 1, Chapters 1 to 4).

8.2.2 Section 42 responses and Applicant regard

Policy and legislation (PEIR Volume 1, Chapter 2)

177 NRW raised that key Local Development Plans (LDPs) were referenced in the chapter, but the policies of National Parks and Areas of Outstanding Natural Beauty (AONBs) were not. NRW also highlighted that the European Landscape Convention was not referenced in the chapter, but acknowledged it was referred to within PEIR Volume 2, Chapter 10: SLVIA. *The Applicant has referred to these highlighted areas within the policy and legislation chapter (Volume 1, Chapter 2: Policy and Legislation (application ref: 6.1.2).*

178 DCC highlighted that they support the principle of renewable energy generation and recognised the contribution of AyM towards Welsh Government renewable energy targets. However, DCC noted that several significant effects were identified and consideration should be given to scaling back the geographic spread of the wind farm and the size of the turbines. *The Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1: application ref: 6.2.1)*.

179 Flintshire County Council (FCC) highlighted that they are broadly supportive of opportunities to develop offshore wind capacity but are limited in their ability to do so due to aircraft safeguarding restrictions. *The Applicant has noted this feedback and welcomes the support in developing offshore wind capacity*.

Site selection and consideration of alternatives (PEIR Volume 1, Chapter 4)

180 NRW noted that some refinement of the development had already taken place in developing AyM at the point of PEIR and advised that further refinements would be necessary to minimise adverse effects on the Isle of Anglesey AONB and the Snowdonia National Park. In their response, NRW stated that they did not consider the proposal to have adequately minimised effects in terms of SLVIA. *The Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1) (application ref: 6.2.1)*.

181 NRW suggested that full descriptions of ETG consultation be included within the Site Selection and Alternatives chapter (PEIR Volume 1, Chapter 4) in relation to the refinement of the array. *The Applicant has referred to these highlighted areas within the policy and legislation chapter (Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4)*.

182 NRW noted that two Maximum Design Scenarios (MDSs) had been considered in relation to SLVIA, with MDS A consisting of the largest turbines, and MDS B consisting of the smallest, most numerous turbines. In relation to this dual assessment, NRW highlighted that there does not appear to be a substantial difference in terms of effect significance between the two scenarios, and therefore a reduction in effect significance would necessitate a substantial reduction in the area of the array and/or the scale of turbines. T*he Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1: application ref: 6.2.1). The reduction in the number of turbines is 53% when compared to the proposed design at the Scoping phase*.

183 In relation to PEIR Volume 1, Annexes 4.1 and 4.2 (SSA Identification of Area of Search Report and Shortlisting Outcomes Report), NRW considered the 50 km Area of Search (AoS) for SLVIA to be appropriate. *This agreement has been noted and is welcomed by the Applicant*.

Cumulative effects assessment (PEIR Volume 1, Annex 3.1)

184 DCC considered that the enabling works at the National Grid substation undertaken by National Grid should be included within the assessment of cumulative effects onshore. *These have since been included within the cumulative effects assessments of the relevant ES chapters*.

185 DCC also provided an extensive list of schemes currently in planning in Denbighshire that DCC asked to be included within the cumulative assessments in the ES. *The CEA long list of projects has been updated to include the suggested list of schemes provided, and these have been subsequently included within the cumulative effects assessments within the relevant ES chapters*.

186 DCC requested that pre-assessed areas for Wind Energy no. 1 and 2 as defined in Future Wales: The National Plan 2040 (Welsh Government, 2021) should also be included within the cumulative assessments. *This feedback was noted and the requested pre-assessed areas for wind energy have since been included within the cumulative effects assessments of the relevant ES chapters*.

8.2.3 Section 47 responses and Applicant regard

Site selection and consideration of alternatives (PEIR Volume 1, Chapter 4)

187 The Wildlife Trust suggested it would be helpful for the Applicant to consider statements made by BEIS in the Energy White Paper (BEIS, December 2020) regarding co-ordination, site selection and the assessment of alternatives. *The Energy White Paper has been referred to in the Site Selection and Alternatives chapter and is also referenced (as relevant) throughout the ES.*

8.3 Offshore project description (PEIR Volume 2, Chapter 1)

8.3.1 Key stakeholders

188 Very few comments were received specifically in relation to PEIR Volume 2, Chapter 1: Offshore Project Description). Most comments received around this topic are considered in the context of the relevant assessments (e.g. SLVIA). Further comments were received in relation to PEIR Volume 3, Chapter 1: Onshore Project Description which are discussed in Section 8.17. Comments were received from DCC and Trinity House Lighthouse Service (THLS).

189 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 1 (application ref: 6.2.1).

8.3.2 Section 42 responses and Applicant regard

190 In relation to MDS A and MDS B, DCC had no objection to the application of the design envelope approach but were concerned that the PEIR did not clearly explain why a smaller array area or smaller turbines had not been considered. *Since then, further consultation with DCC via the Evidence Plan (see also application ref: 8.2) has been undertaken to communicate the need for flexibility in the design envelope approach. The design evolution, including the reduction in the size of the proposed project since PEIR, is described in* Table 6.

191 THLS highlighted that the proposed layouts (whilst not yet finalised) have the potential to adversely affect the current lines of orientation of the operational GyM site and welcomed further consultation on this matter as soon as possible. *Further consultation with both THLS and MCA has been undertaken as AyM develops its layout principles. This is discussed in detail in ES Volume 4, Annex 9.1: Navigation Risk Assessment (application ref: 6.4.9.1).*

8.4 Physical processes (PEIR Volume 2, Chapter 2)

8.4.1 Key stakeholders

192 Comments received related to the PEIR Volume 2, Chapter 2: Marine Geology, Oceanography and Physical Processes and its associated annexes. NRW was the only consultee to respond directly in relation to this topic.

193 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 2 (application ref: 6.2.2).

8.4.2 Section 42 responses and Applicant regard

194 Overall, NRW stated that it was happy with the physical processes assessment but made several comments and recommendations (below). *This comment was noted and welcomed by the Applicant.*

195 In relation to potential changes to Constable Bank and Rhyl Flats as a result of dredging/ disposal induced bed-level changes and the associated modification of waves, tides and sediment transport, NRW suggested a better understanding of the transport links between Constable Bank/ Rhyl Flats and the coast would be required before NRW could agree on the assessment for waves. *Further information on baseline sediment transport on and around Constable Bank and Rhyl Flats (as well as adjacent nearshore waters) has been presented in Volume 2, Chapter 2 the ES*.

196 NRW was also concerned that dredging spoil deposits could form persistent mounds and could alter prevailing hydrodynamics of the seabed. NRW suggested further investigation was necessary to assess the recovery of these spoil mounds. *In response to this, an assessment of the degree to which any spoil mounts will persist on the seabed has been presented in Volume 2, Chapter 2 the ES*.

197 NRW raised concern over the potential for long-term changes to the coast arising from the use of cable protection at the landfall itself, and over the presence of rock berms further offshore which could influence hydrodynamics. They suggested that impacts to the coast be re-assessed (as well as in the context of the WFD assessment) following a more detailed analysis. *Further assessment of the potential for rock berms to interfere with sediment transport and beach morphology has been added to the ES.*

198 NRW stated that the removal of scour and/or cable protection was not considered in the assessment of decommissioning phase activities. *In response, an assessment of the potential impacts associated with the removal of rock protection around infrastructure during the decommissioning phase has been presented in the ES.*

8.5 Marine water and sediment quality (PEIR Volume 2, Chapter 3)

8.5.1 Key stakeholders

199 Comments received on this topic were mainly in relation to PEIR Volume 4, Annex 3.1: Water Framework Directive Assessment, rather than the PEIR Volume 2, Chapter 3: Marine Water and Sediment Quality (though comments were received on both). NRW was the key consultee on this topic, and one comment was received from a landowner/ PWIL.

200 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 3 (application ref: 6.2.3).

8.5.2 Section 42 responses and Applicant regard

201 NRW noted that risks from works near water had been recognised by the Applicant, however the potential for spills near water needed to be considered more broadly in the PEIR. *Additional text was added to the ES chapter explaining how guidance for works and maintenance in or near water will be used in developing the Project Environmental Management Plan. The Code of Construction Practice (CoCP) also contains detail on how works near water will be controlled.*

202 NRW agreed that sediments within the array are unlikely to contain elevated levels of anthropogenic contaminants, and they have no concern with respect to AyM regarding this matter. *This was noted and welcomed by the Applicant*.

203 NRW clarified that the Marine Lake bathing water is connected to the sea via tidal gates and could be filled with seawater if the tidal gates are opened to allow water to enter on a flood tide. *Marine Lake bathing water has now been included within the ES chapter and the WFD Assessment.*

204 NRW requested clarification on the timings of landfall works to better understand the impacts that may occur on local bathing waters before being able to agree that impacts on bathing waters would not be significant. *Additional clarification was added to the ES chapter and the WFD Assessment regarding the potential impacts to bathing waters from sediment plumes during construction*.

205 NRW agreed that most of the sediment disturbed by construction activities would remain localised and that suspension would be short-lived. However, they highlighted that some of the finer sediments would remain in suspension for longer time periods. NRW suggested that assessment of the Prestatyn bathing water (BW) should be conducted. *Additional consideration has been given in the ES regarding the potential impacts to bathing waters from SSC plumes and the Prestatyn bathing water has now been included in the WFD Assessment*.

206 NRW agreed that no assessment of the impacts from release of sediment-borne contaminants was necessary. NRW also agreed with the conclusions of the WFD assessment in that there will be no deterioration in the ecological status of the Clwyd transitional waterbody as a result of the development in terms of biological status, or to the ecological status of the North Wales waterbody in respect of Marine Invasive and Non-Native Species (MINNS). *These comments were noted and welcomed by the Applicant.*

207 NRW suggested that the Dee Estuary Special Area of Conservation (SAC) should also be screened into the WFD Assessment. This has now been included within the WFD Assessment (ES Volume 4, Annex 3.1: Water Framework Directive Assessment (application ref: 6.4.3.1), with further reference made to the RIAA (application ref: 5.2).

208 NRW advised that the consideration of lower sensitivity habitats should also include mussel beds and *Sabellaria alveolata* reef, in addition to the saltmarsh habitats of the River Clwyd already considered. *Text was added to the WFD Assessment to include those higher sensitivity habitats which were assessed.*

209 NRW did not agree that cumulative and in-combination effects were appropriately considered in the WFD assessment. Whilst the cumulative effects were assessed for each specialism in the relevant EIA chapters (each of which concluded non-significant effects), NRW advised a summary of these conclusions should be presented in the WFD assessment since the EIA does not assess each activity acting cumulatively on WFD waterbodies specifically. *The cumulative effects assessment was updated to reflect the potential cumulative impacts to WFD waterbodies.*

210 NRW advised that the Marine Lake BW be included in the WFD assessment. Following further engagement with NRW via the Evidence Plan process, Marine Lake BW has now been included within the WFD Assessment.

211 NRW noted that in relation to Heavily Modified Waterbodies (HMWBs), the waterbodies assessed are not modified for the purpose of renewable energy, however the AyM project should be considered as a new modification. *The WFD assessment was updated to reflect this comment, including consideration of potential impacts to mitigation measures*.

212 A landowner/ PWIL asked whether there are any studies that model changes to water and sediment movements caused by the presence of turbines. *Extensive hydrodynamic modelling and assessment has been undertaken to determine the scale of impacts from the presence of infrastructure on the hydrodynamic regime, including waves and sediment transport. These are presented within Volume 2, Chapter 2: Marine Geology, Oceanography and Physical Processes (application ref: 6.2.2) and its associated annexes.*

8.6 Offshore ornithology (PEIR Volume 2, Chapter 4)

8.6.1 Key stakeholders

213 Comments received on the topic of offshore ornithology were received on PEIR Volume 2, Chapter 4: Offshore Ornithology and its associated annexes (baseline characterisation, Collision Risk Modelling (CRM) and displacement). Ornithology-related comments also featured heavily in responses to the draft RIAA (these are considered separately in Section 8.29). The key consultees for offshore ornithology were NRW, the Joint Nature Conservation Committee (JNCC), Natural England, and RSPB. Comments were also received from the IoM Government and landowners/ PWILs.

214 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 4 (application ref: 6.2.4).

8.6.2 Section 42 responses and Applicant regard

215 NRW noted that whilst the full 24 months of aerial survey data was included with the PEIR, the ornithology assessment was based on 18 months of aerial survey data and the assessment would be revisited with the full 24 months of data in the final ES.

216 NRW raised concerns over the gradient approach to the red-throated diver assessment and stated they would like to discuss it further. NRW advised that displacement of red-throated diver should be estimated out to 8 km rather than the 4 km buffer considered in the PEIR, however NRW agreed with the use of displacement and mortality rates presented within the 4 km buffer. *This was subsequently discussed at a post-PEIR ETG meeting on 12/11/2021 and a gradient approach has now been considered out to 8 km.*

217 NRW requested clarification on why species that were identified as being present were not considered further in the assessment, such as puffin, shag, black guillemot, red-breasted merganser and great-crested grebe. *Additional referencing was added to the chapter to make it clear that all species recorded during surveys are described, and an evaluation of species to be considered further as potential receptors is also given*.

218 Regarding the displacement analysis, NRW requested clarity on why certain species were excluded from assessment despite being present in the aerial surveys. NRW advised that Manx shearwater should be included in the displacement assessment based on evidence of avoidance at the North Hoyle windfarm, as well as the fact that they are features of several designated sites in Wales. It was also suggested that displacement matrices be included for each species within the displacement annex. *Manx shearwater has now been included within the assessment of potential disturbance and displacement*.

219 NRW also requested further rationale be provided on why certain species were excluded from the CRM analysis and advised that CRM be undertaken for fulmar, common gull and lesser black-backed gull so the cumulative effects of other wind farms can be investigated further. NRW also advised migratory CRM be undertaken for tern species and waders utilising the British Trust for Ornithology (BTO) SOSS migration model or APEM's own MigroPath tool. *Migratory CRM has since been undertaken, details are provided in ES Volume 4, Annex 4.4: Migratory Collision Risk Modelling (application ref: 6.4.4.4)*.

220 NRW and JNCC requested clarity in terms of how 'trivial' numbers of individuals are determined to be too low to warrant detailed species accounts. *Further clarity has been added to the ES chapter in line with terminology defined in the methodology section*.

221 NRW welcomed the use of the Biologically Defined Minimum Population Scales (BDMPS) but advised that all impacts should be considered against each bio-season, and then totalled for a year. NRW requested clarifications on how the breeding BDMPS populations had been calculated for several species. *The ES was updated with revised calculations and amended regional populations are now presented*.

222 In relation to the displacement assessments, NRW noted the PEIR only considered the mean peak seasonal abundances, however advised that the upper and lower 95% confidence intervals could be presented in the ES. *Mean peak seasonal abundances have been presented in the ES, however it is not considered appropriate to use 95% confidence intervals for assessment of AyM. Further detail can be found in ES Volume 2, Chapter 4: Offshore Ornithology (application ref: 6.2.4).*

223 Regarding mortality rates, NRW advised that a range of mortality (1% - 10%) should be presented alongside the displacement rates. *For full transparency, displacement matrices have been presented in Volume 4, Annex 4.2: Offshore Ornithology Displacement (application ref: 6.4.4.2), showing a range of displacement and mortality rates*.

224 NRW advised that, for displacement-sensitive species such as common scoter and red-throated diver, consideration should be given to pressures such as aggregate dredging and cable laying in the context of the cumulative effects assessment. *Aggregate dredging, disposal and cable laying are considered within the cumulative effects assessment*.

225 NRW agreed with the approach of using the more precautionary Band Option 2 for great black-backed gull collision risk. Further assessment of how predicted great black-backed gull collision may affect the regional population has been undertaken, including Population Viability Analysis (PVA), presented in Volume 4, Annex 4.5: Population Viability Analysis (application ref: 6.4.4.5).

226 NRW noted that the PEIR stated an assessment of common tern migration would be included in the final ES but suggested this be expanded to include other tern species (arctic tern, Sandwich tern and roseate tern). *Tern species have been included within the migratory CRM (application ref: 6.4.4.4)*.

227 NRW agreed that any effects associated with the decommissioning of AyM are likely to be similar to those generated during construction, however advised that further consultation should be undertaken closer to the time with the SNCBs. *This was noted, and a final decommissioning plan will be developed, consulted on and agreed closer to the point of decommissioning*.

228 In relation to the cumulative assessment, NRW welcomed the inclusion of operational projects. However, NRW advised that for offshore energy projects, the Zone of Influence (ZoI) should be expanded to account for the mean-maximum foraging range plus one standard deviation. They also advised that collision risk from the Morlais tidal energy scheme be included in the cumulative assessment. *The cumulative effects assessment has been updated and now includes the consented Morlais project.*

229 JNCC noted that the PEIR was based on 18 months of aerial survey data, and that the final 6 months of data was presented but not included in the analyses. They acknowledged that the final ES would be updated to include the full 24 months of aerial survey data. JNCC commented that they were content to comment on the PEIR but would reserve the right to alter its conclusions once the full dataset is reviewed. *This was noted, the assessment presented at ES includes analysis of the full 24 months of survey data.*

230 Similarly to NRW, JNCC noted species that were present within the baseline surveys that were not listed as key receptors. This included collision risk species such as common gull, lesser black-backed gull, Sandwich tern, common tern, arctic tern and fulmar. JNCC suggested that, without seeing the numbers of individuals seen within the proposed array area, common gull, lesser black-backed gull, fulmar and terns should be included in CRM analyses. *In the ES, an evaluation of valued ornithological receptors and the associated rationale for considering those species has been included.*

231 JNCC requested further justification on the scoping out of indirect effects through effects on prey species and habitats. *Justification for this was added to the ES chapter.*

232 JNCC disagreed with the red-throated diver assessment in terms of the displacement rates and mortality rates applied, recommending that results using a 10% mortality rate be presented and displacement be considered beyond 4 km, out to 8 km. *The red-throated diver assessment has now been updated to consider a gradient approach out to 8 km.*

233 For a number of species, JNCC requested that further evidence be presented for the mortality rates used. *Further evidence was added to the ES chapter in response to this*.

234 JNCC highlighted that the estimates of mortality above the baseline for great black-backed gull is over 0.5% and therefore a consideration of cumulative impacts on regional populations would be required. Further consideration of this, including the completion of a PVA, has been provided in the ES chapter. See also application ref: 6.4.4.5.

235 JNCC advised that a quantitative inter-related effects assessment should be undertaken for each phase (construction, O&M, decommissioning) and for each effect. *This has been noted, however it is considered that a quantitative inter-related effects assessment is not proportionate to the EIA. A qualitative inter-related effects assessment is provided in Volume 2, Chapter 14: Inter-related Effects (application ref: 6.2.14)*.

236 JNCC advised that for displacement-sensitive species such as common scoter and red-throated diver, consideration should be given to pressures such as aggregate dredging and cable laying in the context of the cumulative effects assessment. *These types of development and activity have been given consideration through the cumulative effects assessment*.

237 IoM recommended that Manx populations of guillemot, red-throated diver, common scoter and Manx shearwater should be explicitly considered within the assessment. *Manx populations have been given specific consideration within the ES, and Manx shearwater have now been included within the displacement analysis*.

238 IoM highlighted that the eponymous Manx shearwater has an important breeding colony on the Calf of Man and requested additional consideration of this species, recommending that the Applicant contact the relevant island organisations in relation to specific ornithological interests. *Additional consideration to this species as now been given through inclusion within the displacement analysis*.

239 A landowner/ PWIL raised concerns over how AyM could impact migratory birds that utilise reserves in North Wales. Further consideration of migratory species has been given through the completion of a migratory CRM, presented in application ref: 6.4.4.4.

8.6.3 Section 47 responses and Applicant regard

240 RSPB suggested that the conservation value of species be described with specific reference to both UK and Welsh conservation status by including species listed under section 7 of the Environment (Wales) Act 2016. *The ES has now been updated to take account of conservation status in terms of the species of principle importance listed under section 7*.

241 RSPB noted that the minimum blade tip height was given at 22 m above Mean High Water Springs (MHWS) and suggested that the air gap be increased to lower the risk of mortality from collisions. *This was noted; however the minimum blade tip height remains 22m for application*.

242 RSPB suggested that the ornithology chapter be updated to include a section identifying the relevant designated sites for nature conservation, including Special Protection Areas (SPAs) and Sites of Special Scientific Interest (SSSIs), in line with the information presented within the onshore biodiversity and nature conservation chapter. *A full list of designated sites considered is provided within the RIAA (application ref: 5.2) as well as the onshore biodiversity and nature conservation chapter (application ref: 6.3.3)*.

243 RSPB highlighted that the list of projects included within the cumulative effects assessment appeared to exclude Round 4 offshore wind projects (such as the Morgan and Mona offshore wind farms). *The cumulative effects assessment has been updated to reflect the current status of projects within the planning system. It is noted that the Morgan and Mona Round 4 projects are not currently in the planning system and therefore there is no information available to undertake a meaningful assessment of their potential cumulative effects*.

244 RSPB requested clarity on whether the estimates of flight heights derived from aerial surveys would be presented in the ES. *This is presented in ES Volume 4, Annex 4.3: Collision Risk Modelling (application ref: 6.4.4.3)*.

245 RSPB disagreed with the use of a 4 km buffer in the red-throated diver displacement assessment, highlighting that a 10 km buffer may be more appropriate given recent evidence. *The red-throated diver assessment has been updated to consider a gradient approach out to 8 km.*

246 RSPB welcomed the use of the Stochastic CRM tool but noted that it was being used deterministically and therefore would not properly account for variability. They recommended that the tool be used stochastically, subject to the publication of revised guidance from the SNCBs on this matter. *The sCRM tool has been run deterministically in line with NRW advice*.

247 RSPB requested that Manx shearwater be included within the CRM analysis. Based on available flight height data, manx shearwater are not considered to be at high risk of collision to warrant inclusion in the CRM. However, they have now been included within the displacement assessment.

248 RSPB also suggested that consideration should be given to gannet avoidance rates, and an additional avoidance rate of 98% within the breeding season should be presented. *For species such as gannet which are sensitive to both displacement and collision, a precautionary combined assessment has been undertaken and therefore it is not considered appropriate to consider an additional avoidance rate.*

249 National Trust noted that it is the owner of land at Cemlyn, which is the site of an important breeding site for Sandwich tern and suggested future engagement on this matter. *This was noted, and the Applicant would be happy to engage further with National Trust on this matter*.

8.7 Benthic subtidal and intertidal ecology (PEIR Volume 2, Chapter 5)

8.7.1 Key stakeholders

250 Responses on this topic are primarily related to the benthic subtidal and intertidal ecology PEIR chapter and associated baseline reports and annexes. NRW was the key section 42 consultee on matters relating to benthic ecology. TWT also raised a number of comments relating to benthic ecology as a section 47 consultee.

251 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 5 (application ref: 6.2.5).

8.7.2 Section 42 responses and Applicant regard

252 Overall, NRW was happy with the benthic ecology assessment presented in the PEIR but did provide a series of detailed comments. NRW was satisfied comments raised previously had been addressed in the PEIR. NRW commented that the baseline description was well researched and clear, and agreed with the impacts assessed through the phases of the development. NRW was also pleased to see the incorporation of the latest post-construction monitoring survey data from GyM. *These comments were welcomed by the Applicant*.

253 NRW noted that for the SACs considered in the benthic assessment, only the qualifying features that are a primary reason for the selection of the sites were explicitly assessed and suggested other Annex I habitats that are present (even if not the primary reason for selection) should be included and assessed. T*his has now been considered in the ES chapter and figures presenting the designated features against the modelled Suspended Sediment Concentration (SSC) plumes have been included. Reference in the chapter has also been made to the RIAA where those sites and their designated features are considered in further detail*.

254 NRW advised that the UK Biodiversity Action Plan (UKBAP) is no longer applicable to Wales following the UK post-2010 Biodiversity Framework and suggested that references to UKBAP habitats should be amended to section 7 of the Environment (Wales) Act 2016 throughout the benthic chapter. *References to the UKBAP have been removed in the ES chapter and replaced with references to section 7 of the Environment (Wales) Act 2016.*

255 NRW suggested that, in the context of increased SSCs and deposition, it would be helpful for designated features of the Menai Strait and Conwy Bay SAC and the Dee Estuary SAC to be presented against the modelled SSC plumes. NRW also noted that the features were distant from the AyM array (approximately 11 km) and therefore sediment plumes would be unlikely to interact with the features. T*his has now been considered in the ES chapter and figures presenting the designated features against the modelled SSC plumes have been included. Reference in the chapter has also been made to the RIAA where those sites and their designated features are considered in further detail.*

256 Although NRW agreed that the effects of both long-term habitat loss due to the presence of infrastructure and the increased risk of introduction of MINNS would not be significant (in EIA terms), they advised that magnitude and sensitivity classifications should be applied consistently. *This has been reviewed in the ES chapter and updated accordingly.*

8.7.3 Section 47 responses and Applicant regard

257 TWT suggested that a breakdown of the figures for habitat loss from the various project activities (presence of foundations, cable protection etc.) should be provided in order for regulators to assess the impact significance. *The ES chapter has been updated to provide a breakdown of the worst-case scenario for habitat loss.*

258 TWT raised concern that less sampling appeared to have been undertaken in the western part of the site than the east and were therefore not satisfied that sufficient sampling had been done to characterise the benthos of the whole site. *Using information gathered from existing data sources, supplemented with site-specific survey data, it is considered that there is good data coverage across the AyM site and the wider study area. All data sources have now been compiled in a single map to address the apparent lack of coverage that was interpreted through these datasets being presented separately*.

259 TWT were concerned that, within the ZoI, fine particles in suspension could settle between sandwave rows on neap tides. Information on the deposition of fine sediment is presented in the hydrodynamic modelling report (application ref: 6.4.2.2). The physical processes assessment also noted that fine sediments that do settle are likely to be subject to further erosion and tidal dispersion.

260 TWT provided further descriptors to characterise the baseline benthic environment in the proposed array and ECC. *Further descriptors have now been included within the benthic chapter*.

8.8 Fish and shellfish ecology (PEIR Volume 2, Chapter 6)

8.8.1 Key stakeholders

261 Responses received in relation to fish and shellfish ecology primarily related to PEIR Volume 2, Chapter 6: Fish and Shellfish Ecology and its associated baseline report, as well as the underwater noise technical report that supported the underwater noise assessments. Comments were also received in relation to the draft RIAA that are addressed separately in Section 8.29. Comments on this topic were received from NRW, TWT and IoM. JNCC also provided comments on the underwater noise technical report (PEIR Volume 4, Annex 6.1) that was annexed to the fish and shellfish ecology chapter.

262 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 6 (application ref: 6.2.6).

8.8.2 Section 42 responses and Applicant regard

263 NRW highlighted that, as agreed in ETG meetings pre-PEIR, the baseline report presented a thorough and comprehensive review of the data available and drew robust conclusions on the fish and shellfish Valuable Ecological Receptors (VERs) present. However, NRW was not content that the fish and shellfish chapter had adequately considered the agreed VERs in a structured or transparent way. NRW suggested a table of VERs should be included in the chapter, with a list of the impacts of concern for each, together with the sensitivities of VERs to those impacts. *This suggested change has been made, and all VERs have now been tabulated, with reference to them throughout the assessments*.

264 NRW also advised that the way spatial and temporal MDSs are presented (in the context of underwater noise) was not clear. *Specific reference to both the temporal and spatial MDSs has now been made throughout the assessment*.

265 In general, NRW did not agree that the use of modelling outputs for fleeing fish receptors were realistic or conservative or were adequately evidenced. Therefore, NRW considered the static receptor modelling outputs to represent a more precautionary scenario. *The assessment has considered both fleeing and static receptors as a way of presenting a range of potential effects that may occur, depending on individual flee speeds (or static response) of specific fish receptors*.

266 NRW advised that it was not clear how the vulnerability, recoverability and importance had factored together to produce overall sensitivity and requested further justification of this in the chapter. *Additional clarification on how the vulnerability, recoverability and importance of receptors are considered in order to determine their sensitivity to the impacts considered has been provided in the ES chapter, following post-PEIR ETG engagement on this matter and provision of a clarification note that provided the requested justification*.

267 NRW did not agree that the approach used to establish the impact ranges from concurrent piling of monopiles represented a worst-case. *Since publication of the PEIR, a design change has been adopted to remove the option to pile at two foundation locations simultaneously*.

268 NRW requested further information on the approach used to determine the affected spawning potential before agreeing or disagreeing with the conclusions of impacts to spawning grounds from underwater noise. *The areas of fish spawning grounds considered relevant to the spatial and temporal MDS were subsequently provided through the calculation of spawning potential. Clarification on this approach was provided post-PEIR via the Evidence Plan process*.

269 NRW did not agree that there was sufficient evidence to say that Atlantic salmon and sea trout follow a coastal migration path (in relation to impacts on them from cofferdam piling at the landfall). However, NRW did agree that the low levels of noise would mean the risk to fish receptors from this activity would be low. *This response was noted*.

270 NRW noted the intention to fully assess the impacts from Unexploded Ordnance (UXO) detonation as part of a marine licence application at a later stage (if required) and welcomed the use of mitigation methods that would be applied for marine mammals, in that they would also provide protection for fish and shellfish receptors. *This was noted*.

271 NRW agreed that the impact to fish receptors as a result of temporary increases in SSC and deposition would likely be low, however in line with comments above regarding the VER approach, requested further clarification on which species are considered sensitive to this impact pathway. *The VERs identified in the fish and shellfish ecology baseline characterisation have each been addressed under the impact of increases to SSC and deposition, with further reference made to the assessment of individual VERs identified*.

272 IoM acknowledged that specific reference to consultation with the IoM had expanded the contextual information for this topic area and had led to greater confidence in the consideration of its interests. IoM sought reassurance that sufficient consideration of the potential impacts on sessile, commercially important fisheries species had been adequately considered, and provided references to studies specifically in relation to scallop. *This has been addressed via the commercial fisheries assessment (Volume 2, Chapter 8: Commercial Fisheries (application ref: 6.2.8))*.

Underwater noise technical report (PEIR Volume 4, Annex 6.2)

273 NRW welcomed the approach of including modelling fish as static receptors as a worst-case, however raised concerns over the maximum sustainable swim speeds considered in the fleeing receptor model. NRW requested that the assessment be updated to incorporate alternative flee speeds, or that the assessment be based on a worst-case scenario assuming fish are static receptors. *The assessment has considered both fleeing and static receptors as a way of presenting a range of potential effects that may occur, depending on individual flee speeds (or static response) of specific fish receptors.*

274 NRW raised similar concerns in the context of marine mammals and questioned whether the assumed swim speeds were appropriate for fleeing animals in terms of maximum sustainable swim speed and the assumed trajectory of the fleeing activity. *As described above, the fleeing and static receptor models have been used to present a range of receptor responses that may occur. Marine mammals are considered in Volume 2, Chapter 7: Marine Mammals (application ref: 6.2.7)*.

275 Whilst NRW agreed that the north-west and south-east locations modelled for underwater noise represented a suitable range of conditions for the site, allowing for a range of noise propagation distances to be predicted, NRW was not satisfied that modelling in the case of concurrent piling using these two locations represented a realistic worst-case for noise modelling. *Following statutory consultation on the PEIR, a design change has been adopted to remove the option to pile at two foundation locations simultaneously.*

276 NRW requested that a rationale for the location chosen for modelling sheet piling associated with the installation of a cofferdam in the shallow subtidal area around the landfall be provided. *The ES chapter and underwater noise technical report have been updated to include this rationale. In short, the location chosen represents the deepest area in which sheet piles could be installed, and therefore the location with the greatest potential for noise propagation*.

277 NRW suggested that the origin of maximum, minimum and mean ranges for Permanent Threshold Shift (PTS) and Temporary Threshold Shift (TTS) should be more clearly explained to account for any underestimate of noise levels at greater ranges. *These parameters are further explained within the underwater noise technical report (application ref: 6.4.6.2). The full noise contours are also presented within the fish and shellfish ecology assessment, irrespective of the mean, maximum and minimum ranges*.

278 In relation to the estimation of underwater noise propagation from UXO detonation, NRW requested additional explanation to support the assumption that animals near the water surface experience lower exposure to noise than animals lower in the water column. *This justification has been added to the underwater noise technical report; however it should be noted that the model itself does not take account of these effects and is therefore precautionary*.

279 JNCC also raised concerns about the marine mammal flee speeds applied and suggested that applying a more precautionary flee speed would account for changes in flee trajectory and pauses in fleeing. *The flee speeds considered in the marine mammal assessment are considered to be appropriate for modelling purposes. A fleeing receptor will experience the greatest noise exposure at the start of the noisy activity, where its flee speed is also expected to be the greatest. As a receptor moves farther from the activity, its exposure will be reduced and therefore the flee speeds are considered to be conservative*.

280 JNCC noted that the number of piling days assessed does not appear to account for contingency in the event that piling is delayed (e.g. in the event of pile refusal) and suggested that contingency in the numbed of piling days should be accounted for. *The marine mammal assessment has been updated to take account of this, with the maximum number of days on which piling could occur being raised to account for these contingencies*.

281 Similarly to NRW, JNCC were not satisfied that the north-west and south-east locations represented the worst-case locations for the modelling of concurrent piling events. *Following statutory consultation on the PEIR, a design change has been adopted to remove the option to pile at two foundation locations simultaneously*.

8.8.3 Section 47 responses and Applicant regard

282 TWT did not agree with the noise sensitivity assessment regarding herring and recommended further mitigation be put in place to reduce impacts to herring concerning their spawning grounds. TWT acknowledged that AyM does not interact with the IoM spawning grounds, but that the site does overlap with key areas of habitat suitability for herring and identified nursery grounds. *Further information has been added to the ES chapter in response to this, including further justification of the sensitivity assessment and a consideration of spawning potential. The chapter also presents historic and site-specific sediment data in the context of habitat suitability for herring*.

283 TWT also advised that commercial fishing activity has the potential to impact fish and shellfish ecology, and therefore should not be considered a baseline activity and should be assessed cumulatively as a result. *In line with industry guidance, commercial fishing is considered to form part of the baseline environment as an existing activity*.

8.9 Marine mammals (PEIR Volume 2, Chapter 7)

8.9.1 Key stakeholders

284 Comments relating to marine mammals were primarily received on PEIR Volume 2, Chapter 7: Marine Mammals, as well as its baseline annex and the Marine Mammal Mitigation Protocol (MMMP). Comments were also received in relation to marine mammals on the RIAA, which are considered separately within Section 8.29. Responses were received from NRW, JNCC and IoM, as well as TWT and the Angel Bay Seal Volunteer Group.

285 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2 Chapter 7 (application ref: 6.2.7).

8.9.2 Section 42 responses and Applicant regard

286 NRW did not agree with the PTS sensitivity scores attributed to grey seal or cetaceans in the assessment. In response, the definition of sensitivity was updated to take into consideration the significance of the effect in question.

287 NRW highlighted that they do not support the use of Effective Deterrent Ranges (EDRs) in the assessment. NRW considered that there was uncertainty in the evidence underpinning the EDR approach in relation to impacts from UXO detonations and suggested it would be appropriate to use a dose-response approach (or similar). *A range of disturbance thresholds in relation to disturbance from UXO have now been presented, including the EDR approach and TTS onset as a proxy for disturbance*.

288 NRW did not consider there to be sufficient evidence to scope out common dolphin from the assessment and suggested that common dolphin should be scoped into the assessment. *Following PEIR, common dolphin has been scoped into the assessment*.

289 NRW did not consider it to be sufficient to use a 6 km coastal buffer in which to capture the area of greater bottlenose dolphin density based on information in the PEIR. As such, NRW advised that the Cardigan Bay density estimate should be applied within the 20 m depth contour as the most robust approach. *In response, the surface density has been revised in line with NRW's suggestion*.

290 NRW was concerned that the number of piling days assessed did not offer contingency for delays, and therefore any delays could result in a greater number of piling days occurring. *Further assessment of disturbance has now been included, taking account of delays and contingency, resulting in an increase in the assumed number of days on which piling could occur*.

291 NRW suggested that additional justification should be provided in support of the approach to apply the harbour seal dose response curve to grey seal. *Additional information on dose-response curves and their applicability to other species has been provided in the underwater noise technical report (application ref: 6.4.6.2)*.

292 NRW considered that the expert elicitation for grey seal should justify a sensitivity score of 'low' rather than 'negligible' for grey seal to PTS. *The sensitivity scores have been revised in line with this feedback*.

293 NRW advised that cumulative PTS be considered and explained clearly in the assessment. Further information has been presented within Volume 4, Annex 7.3: Marine Mammal Quantitative Assumptions (application ref: 6.4.7.3). This has also been discussed extensively post-PEIR through the Evidence Plan process.

294 As per previous comments on the fish and shellfish ecology assessment and the underwater noise technical report, NRW does not consider concurrent piling at the north-west and south-east locations in the array to represent a worst-case scenario in terms of noise generated from concurrent piling activities. *Following statutory consultation on the PEIR, a design change has been adopted to remove the option to pile at two foundation locations simultaneously.*

295 NRW requested that further detail be provided on the dose-response methodology in order to demonstrate the suitability of the approach to the specifics of AyM. *Additional information on dose-response curves and their applicability to other species has been provided in the underwater noise technical report (application ref: 6.4.6.2).*

296 In relation to harbour porpoise, NRW recommended the most precautionary density values be used to calculate numbers of individuals impacted when assessing impacts. *Further detail on the Sea Watch Foundation density estimate has been provided in the marine mammal baseline report.*

297 NRW requested clarity on how the temporal extent of cofferdam sheet piling has been considered. *This was clarified within the marine mammal ES chapter.*

298 NRW agreed that adherence to suitable codes of conduct for vessels would aid in mitigating the risk of collision between marine mammals and construction vessels, however the detail of which codes will be followed and how they will be secured should be provided in the ES. *Adoption of best practice vessel handling protocols has been addressed as an embedded mitigation measure (see also the Schedule of Mitigation (application ref: 8.11)).*

299 NRW considered that, in the PEIR, there was insufficient detail in the outline MMMP to rule out AEOSI and the potential for injury to European Protected Species (EPS). NRW highlighted that there are challenges with finalising a MMMP in the absence of final project details and suggested that the document would need significant development before NRW can be confident that it rules out AEOSI and injurious effects on EPS. NRW requested that the outline MMMP should be more detailed to cover the predicted PTS impact ranges so it can be considered to provide robust mitigation sufficient to justify a conclusion of negligible effect significance on marine mammals. *The outline MMMP (application ref: 6.4.7.2) has been updated with further consideration of the PTS ranges provided in Volume 4, Annex 7.3: Marine Mammal Quantitative Assumptions (application ref: 6.4.7.3)*.

300 Specifically, NRW requested that at-source noise reduction measures, including noise abatement, be considered as potential mitigation options within the outline MMMP. In relation to the impact ranges for cumulative PTS, NRW were not satisfied that ADDs alone could be utilised to mitigate the ranges predicted. *The outline MMMP has been updated to include specific reference to noise abatement as part of the suite of mechanisms that could be applied to the final design post-consent*.

301 In relation to Marine Mammal Observers (MMObs), NRW highlighted that it is only possible for them to be effective in good weather conditions. Therefore, NRW suggested that the Applicant should consider the use of Passive Acoustic Monitoring (PAM) to detect when animals are within the mitigation zone during adverse weather conditions (such as where visibility is reduced or at night). *The use of PAM has now been included in the outline MMMP*.

302 JNCC were content for the TTS assessment to be qualitative in nature, on the basis that injury is defined as the onset of PTS, not TTS. JNCC also noted the use of the EDR approach and highlighted their preference for the use of this method. *This was noted*.

303 Based on the expert elicitation for cetaceans, JNCC disagreed with the PTS sensitivity score of 'low' and suggested it should be revised to 'medium' and deferred to NRW on the matter in relation to grey seal. *In response, the sensitivity score was revised*.

304 JNCC requested clarification on how repeat exposure to piling events is considered in the context of the assessment of the number of piling days and the number of animals impacted. *Further clarification in relation to cumulative exposure has been provided in Volume 4, Annex 7.2: Marine Mammal Quantitative Assumptions*.

305 JNCC highlighted that, given the predicted PTS ranges, a commitment to developing a MMMP is not sufficient to rule out the need for an EPS licence. *This was noted*.

306 JNCC acknowledged that the final details of the MMMP will be agreed once the project design has been finalised, however suggested that the information provided in the PEIR was not sufficient to support the assessment conclusion that a MMMP will reduce effects to negligible levels. JNCC advised that consideration of at-source noise reduction measures, or noise abatement, should be considered. *The outline MMMP has been updated to include specific reference to noise abatement as part of the suite of mechanisms that could be applied to the final design post-consent*.

307 JNCC supported the commitment to repeat noise modelling once the design was finalised post-consent and agreed that the final choice of Acoustic Deterrent Device (ADD) could not be decided at this stage. *This was noted*.

308 IoM noted that Manx MPAs do not feature within the baseline annex for marine mammals and therefore it was not clear if they had been considered in the assessment as a transboundary issue. It was acknowledged that the marine mammal baseline report makes use of Manx marine mammal data, however it was not clear if these receptors were specifically considered in the PEIR. *It has been clarified within the transboundary assessment that the predicted effects of AyM do not extend to Manx waters and, therefore, there are no predicted transboundary effects. However, as noted, Manx marine mammal nature reserves have been referenced in the context of regional baseline characterisation*.

8.9.3 Section 47 responses and Applicant regard

309 TWT noted that proposed offshore wind farms had been considered within the cumulative effects assessment, but also flagged that other schemes, such as the Morlais tidal energy project, should be included. *The list of schemes including in the cumulative effects assessment has been reviewed and expanded to include the Morlais tidal scheme*.

310 Reflecting comments on the fish and shellfish ecology assessment, TWT suggested that commercial fishing should be considered specifically within the cumulative effects assessment. *In line with industry guidance, commercial fishing is considered to form part of the baseline environment as an existing activity*.

311 TWT suggested that the Sea Watch Foundation sightings database should be included within the marine mammal baseline characterisation. *The Sea Watch Foundation data has now been included within the baseline characterisation and has been used to inform surface density estimates*.

312 TWT were pleased to find that the Angel Bay haul-out site was mentioned within the baseline characterisation, however suggested that Cofnod (North Wales Records Centre) should be included as a data source as it holds data on the haul-out. *This data has now been obtained and is presented in the baseline characterisation*.

313 The Angel Bay Seal Volunteer Group similarly highlighted that reference had been made to the Angel Bay haul-out site but were disappointed to find a lack of data presented on this site and suggested that the Applicant contact the group to obtain data. The volunteer group helpfully attached an extract of their annual report with grey seal counts from the site with their response. *This data has now been obtained and is presented in the baseline characterisation*.

8.10 Commercial fisheries (PEIR Volume 2, Chapter 8)

8.10.1 Key stakeholders

314 Comments relating to commercial fisheries were mainly received on the commercial fisheries chapter (PEIR Volume 2, Chapter 8) and its associated baseline report, as well as elements of the infrastructure and other users chapter (PEIR Volume 2, Chapter 12) which included assessment to charter angling interests, and the chapter's associated baseline annex. Responses were received from the Welsh Fishermen's Association (WFA-CPC), the IoM Government and individual fishermen.

315 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 8 (application ref: 6.2.8).

8.10.2 Section 42 responses and Applicant regard

316 IoM requested that the commercial fisheries documentation be updated to reflect data sources specific to Manx waters and Manx-registered fishing vessels since the study area overlaps with Manx waters, in order to reassure IoM that Manx fishing interests have been fully considered. *IoM fleet activity has been presented in the ES chapter and baseline technical report. It was noted that Vessel Monitoring System (VMS) and landings data from the MMO also includes vessels registered to the IoM*.

317 IoM advised that further assessment of scallop fishery displacement effects in the context of Manx waters should be included, as well as further consultation. *The potential for displacement is assessed in the commercial fisheries chapter, including displacement of scallop dredging in the context of the wider Irish Sea*.

318 IoM requested that the Manx Fish Producer's Organisation be included as a relevant consultee in the development of the Fisheries Liaison Plan. *It was noted that the Manx Fish Producers' Organisation was included on the AyM fisheries stakeholder distribution list and was invited to attend group meetings and respond to requests for engagement on an individual basis*.

8.10.3 Section 47 responses and Applicant regard

319 WFA-CPC requested inclusion of VMS data for all vessels over 12 m in length, in consideration of the fact that the majority of vessels in the Welsh fishing fleet are less than 12 m in length. *Clarification has been added to the commercial fisheries assessment further describing the limitations of the data sources, which has been supplemented with extensive stakeholder engagement, including consultation on an individual basis*.

320 WFA-CPC noted the absence of aquaculture from the commercial fisheries assessment with respect to aquaculture developments on the North Wales coast. *It was noted that a review of aquaculture sites had been undertaken, and further consultation had resulted in the identification of future aquaculture sites in the vicinity of AyM*.

321 WFA-CPC raised concerns over cumulative effects on commercial fisheries interests from the areas identified for Round 4 offshore wind development north of AyM and requested more detailed consideration of these projects in the cumulative assessment. *These projects were considered in the cumulative effects assessment screening, however since these projects have not yet entered the planning system, it is not considered that there is sufficient information available or certainty about them to enable detailed consideration in the CEA*.

322 WFA-CPC disagreed with the use of data from FishMap Mon and the Welsh National Marine Plan and requested they be removed from the assessment. *Reference to these data sources has been retained, which are used to indicate areas of likely fishing activity. They are used alongside other baseline data sources and consultation outputs to inform characterisation of the existing environment*.

323 WFA-CPC highlighted that scallop fishing in the Irish Sea is a seasonal activity, and displacement could cause gear conflicts between the scallop and potting fleets during construction. *The seasonality of the scallop dredge fishery has been acknowledged and described within the baseline characterisation. The potential for exclusion and displacement impacts during construction has been assessed within the commercial fisheries chapter*.

324 WFA-CPC raised concerns over the safety of displacing fishing activities further offshore. Impacts to navigational safety have been considered within Volume 4, Annex 9.1: Navigation Risk Assessment (application ref: 6.4.9.1).

325 WFA-CPC commented that, whilst demersal trawling is discussed in the baseline report, it is not adequately assessed in the main chapter. *It was clarified in the chapter that the baseline description presented in the ES chapter presents a summary of the extended baseline presented in the baseline annex. It was noted that limited trawling activity was identified, however the future baseline acknowledges the potential for trawling opportunities to be realised in future.*

326 WFA-CPC requested further formal engagement with fishermen concerned to provide confidence in the assessments produced. Further engagement has been undertaken with WFA-CPC and individual fishermen who requested engagement post-PEIR (see also Section 3.7).

327 WFA-CPC disagreed that all fishing (including mobile fishing) would be able to resume within the array post-construction and suggested that for mobile gears, the development would represent a loss of fishing grounds. *The potential for reduced access and displacement in the operational phase is assessed within the commercial fisheries ES chapter, in which it is recognised that not all fishing gears may be deployed in the array during the operational phase*.

328 Regarding mitigation, WFA-CPC noted that, at the time of writing, mitigation measures for the potting fleet were undetermined, and therefore should not be used to pre-emptively reduce the significance of effect. *The potential for a significant effect in relation to the temporary exclusion of potting vessels from fishing grounds is acknowledged and the Applicant is committed to developing mitigation that will address these effects via the Fisheries Liaison and Co-existence Plan (application ref: 8.5)*.

8.11 Shipping and navigation (PEIR Volume 2, Chapter 9)

8.11.1 Key stakeholders

329 Responses relating to shipping and navigation were primarily received on the shipping and navigation chapter (PEIR Volume 2, Chapter 9) and the Navigation Risk Assessment (PEIR Volume 4, Annex 9.1). Responses were received from the IoM Government, THLS and UK Chamber of Shipping (CoS). MCA noted via email post-section 42 that they did not have any serious concerns and did not wish to comment further on the proposals until the application was submitted.

330 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2 Chapter 9 (application ref: 6.2.9).

8.11.2 Section 42 responses and Applicant regard

331 IoM highlighted that in terms of navigational safety, the IoM Steam Packet Company was content with the project proposals as they stand and no longer need to be involved in future consultation. *This was noted and welcomed by the Applicant*.

332 CoS advised that, in terms of turbine layout, two lines of orientation across the array should be considered in respect of Search and Rescue (SAR) capabilities. *The final layout will be agreed with the MCA and THLS, and these discussions will include consideration of both surface navigation and SAR capabilities*.

333 CoS also noted concern over the proposal for an isolated met mast structure outside the main array with regard to safety of traffic transiting to and from Point Lynas. *As described in Volume 4, Annex 9.1: Navigation Risk Assessment (application ref: 6.4.9.1), the OWfIZ has been refined post-PEIR to move the potential met mast location further south. It was noted that, in line with the final WTG layout, the final met mast position will be agreed post-consent with MCA and THLS*.

334 CoS did not agree that several of the impacts assessed would be 'extremely unlikely' regarding navigational safety and advised these be revised to 'unlikely'. *The rankings assigned to the impact assessment are based on various inputs, including the baseline assessment, quantitative modelling through the NRA, and the level of stakeholder concern. It is considered that these impact assessments give due consideration to the frequency of both realistic and worst-case consequences*.

335 THLS welcomed further consultation regarding the proposed layouts as they could adversely affect the current lines of orientation within the operational GyM site. THLS also attached relevant navigational conditions (used for projects in English waters) for consideration. *As noted above, the final layout will be agreed with MCA and THLS, and preliminary consultation has already been undertaken.*

8.12 Seascape, landscape and visual impact assessment (PEIR Volume 2, Chapter 10)

8.12.1 Key stakeholders

336 Comments relating to SLVIA were primarily received on the SLVIA chapter (PEIR Volume 2, Chapter 10) and its associated annexes, including figures and visualisations. Comments relating to onshore LVIA are discussed separately in Section 8.12. A number of comments were received from NRW, the North Wales Local Authorities (including AONBs and the Snowdonia National Park), as well as local residents and landowners.

337 The NWLA (North Wales Local Authorities) commissioned a review of the SLVIA by an independent consultant (Land Use Consultants (LUC)) and submitted a joint response.

338 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within Volume 4, Annex 10.2: SLVIA Summary of Consultation (application ref: 6.4.10.2).

8.12.2 Section 42 responses and Applicant regard

339 It was noted in the NWLA response that the LUC review considered the SLVIA to be a thorough and comprehensive assessment of the key seascape, landscape and visual receptors within the local authority planning areas and designated landscapes. However, LUC highlighted issues with the application of methodology and judgements made. *This was noted. Responses to the issues highlighted are provided below*.

340 It was noted by the NWLA that the LUC report recommended that the application of magnitude of change criteria to the assessment of effects on views be further explored, in addition to the extent to which significant effects are found to occur across receptors, particularly in the case of effects on settlements where sea views may be affected across the settlement, not just on the sea front. *This was noted. The assessment methodology has been revised to include further granularity in terms of the magnitude of change*.

341 In terms of mitigation, the NWLA acknowledged that no mitigation would be feasible to reduce significant effects other than further changes to the project design and recommended a further reduction in the extent of the array to achieve effective mitigation. *The Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1: application ref: 6.2.1).*

342 The NWLA noted that the LUC report identified the assessment had considered two MDSs at each end of the turbine size scale, however the review of these assessments found that the findings of significant effects did not vary according to which MDS was considered and therefore the same spread of significant effects would be found regardless of the turbine scale within the design envelope. However, the NWLA suggested that a reduction in turbine height should not be discounted. *In accordance with the acceptance recognised in the NPS (paragraph 2.6.43) and draft NPS, the Applicant has not been able to limit the design with regards turbine height, due to the current understanding of the manufacturer pipeline and trajectory of turbine design, but the Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1; application ref: 6.2.1).*

343 Within the NWLA response, Isle of Anglesey County Council (IoACC) acknowledged that the reduced extent of the array presented in the PEIR had potentially reduced significant effects to the north-east coast of the IoA, however considered that effects needed to be reduced further. *In accordance with the acceptance recognised in the NPS (paragraph 2.6.43) and draft NPS, the Applicant has not been able to limit the design with regards turbine height, due to the current understanding of the manufacturer pipeline and trajectory of turbine design, but the Applicant has responded to these highlighted areas by introducing a design change, reducing the spread and number of turbines, as confirmed in the Project Description Chapter (Offshore) (Volume 2, Chapter 1; application ref: 6.2.1).*

344 Within the NWLA response, Conwy County Borough Council (CCBC) highlighted concern that the scale of individual turbines and the extent of AyM would result in a significantly greater visual impact from a number of viewpoints than already experienced from the presence of existing offshore wind farms. They also noted the proximity of AyM to the Great Orme Heritage Coast and highlighted that the cumulative assessment lacked consideration of the pre-assessed areas for wind energy identified in Future Wales: The National Plan 2040 (Welsh Government, 2021). *The cumulative effects assessment now takes account of the pre-assessed areas for wind energy*.

345 In the NWLA response, DCC disagreed with the assessment findings in terms of the lack of identified significant effects on viewpoints within Denbighshire, highlighting viewpoints at Rhyl Aquarium, the settlement of Rhyl itself, and the Vale of Clwyd Seascape Character Area (SCA). DCC also raised concern that the significance of effect on the Clwydian Range and Dee Valley AONB had been underestimated. *The assessment has been reviewed and it has been noted that, although adverse effects are recognised, these are considered to be non-significant*.

346 Within the NWLA response, FCC acknowledged that AyM is fairly distant from Flintshire and therefore the development would be unlikely to have significant seascape, landscape or visual effects on Flintshire. However, from a regional perspective, FCC considered that there were outstanding issues with the assessment and that, based on the LUC review, significant effects may have been under-reported in the PEIR. *This was noted. The SLVIA chapter provides detailed responses to the LUC commentary*.

347 Within the NWLA response, Gwynedd Council noted their agreement with the LUC review and considered that the SLVIA methodology was comprehensive. However, concerns were raised over impacts to the viewpoint at Penrhyn Castle Terrace and that significant effects may have been under-reported in this location. *This was noted. The assessment has been reviewed against the comments received from LUC as described in Volume 2, Chapter 10*.

348 Within the NWLA response, Snowdonia National Park noted their agreement with the findings of the LUC review, whilst Wrexham County Borough Council did not have any further comments to make. *This was noted*.

349 The Dee Valley and Clwydian Range AONB highlighted effects to viewpoints within the AONB itself and suggested that MDS B (in addition to MDS A already considered) should be assessed and presented in visualisations to investigate effects on the AONB further. *The final list of viewpoints, including the MDS presented for those viewpoint locations, has been agreed via the SLVIA ETG.*

350 NRW noted general agreement with the methodology of the SLVIA, however raised concerns regarding how the methodology and some judgements were applied in the PEIR, particularly in relation to the assessment of sensitivity and the extents of some effects. *This was noted. Responses to specific points are detailed below*.

351 NRW highlighted that the reduction of the array extent from scoping to PEIR was likely to have reduced visual effects to a degree, but the reduction was not sufficient to reduce effects on the IoA AONB and the Snowdonia National Park. NRW therefore advised that a substantial reduction in the array area and/ or scale of turbines be considered to minimise adverse effects on the IoA AONB and the Snowdonia National Park. *A further reduction in the extent of the array area has been adopted since the boundary that was consulted on for PEIR*.

352 NRW disagreed that effects had been adequately minimised in the context of the high sensitivity Seascape Sensitivity Assessment zone and a further reduction in the number of turbines within this area was necessary to achieve this. *In response to this, a further reduction in the size of the array area has been made, as well as a corresponding reduction in the proposed number of turbines*.

353 NRW commented that there appeared to be some underestimation of both sensitivity and significance in the seascape assessment, noting that there had been no consideration of views from at-sea receptors to the land (e.g. recreational vessels). NRW considered that AyM would have significant adverse effects on seven SCAs and would occur over a greater extent than indicated in the PEIR and recommended that visualisations be presented in the ES at representative at-sea viewpoints. *This was subsequently discussed at post-PEIR ETGs and a digitally created viewpoint was added along the Liverpool to Dublin ferry route, north of Conwy Bay*.

354 In relation to the IoA AONB, NRW considered that there would be likely significant effects on at least eight viewpoints, as well as likely significant effects on the community of Moelfre and potentially Beaumaris within the AONB, four sections of the Wales Coast Path, four Landscape Character Areas (LCAs) and three relevant special qualities of the AONB. *This was noted, and the SLVIA has been reviewed in response to this feedback*.

355 Regarding Snowdonia National Park, NRW considered that there would be likely significant effects at five viewpoints and a section of the Wales Coast Path within the National Park. In addition, NRW also considered there would be significant effects to one LCA. *This was noted, and the SLVIA has been reviewed in response to this feedback*.

356 NRW commented that they agreed there would be no significant effects on the relevant special qualities of the Snowdonia National Park. NRW highlighted that AyM would likely have adverse night-time visual effects on some views within the National Park due to the visibility of high intensity aviation lights present atop WTGs, however agreed there would be no adverse effects on the Core Areas of the Snowdonia Dark Skies Reserve. *This has been noted and since receiving this feedback, the Applicant has committed to deploying aviation lighting that reduces in intensity under high visibility conditions to reduce night-time visual effects to the Snowdonia National Park*.

357 Regarding the Dee Valley and Clwydian Range AONB, NRW agreed that there would be no significant effects on viewpoints, the Offa's Dyke path, LCAs or the special qualities of the AONB. *This was noted*.

358 In terms of the cumulative effects assessment, NRW advised that the Morlais tidal energy scheme be included in the assessment. NRW also flagged that the cumulative assessment should consider pre-assessed areas for wind energy development as part of Future Wales: The National Plan 2040 (Welsh Government, 2021) and the identified Round 4 areas for offshore wind development. *The Morlais tidal energy scheme (as consented) has since been included within the cumulative effects assessment*.

8.12.3 Section 47 responses and Applicant regard

359 Mostyn Estates commissioned an independent review of the SLVIA by Bright Associates and raised concerns regarding how guidance on SLVIA (GLVIA 3 (2013)) had been applied in the PEIR and the underestimation of significant effects. Overall, Mostyn Estates did not agree that the SLVIA complied with GLVIA3 because it did not clearly differentiate between the range of significant effects predicted to occur. *It was noted that the GLVIA3 guidance does accept the approach used at PEIR, nevertheless the methodology for ES has been amended to include all levels of significance*.

360 Three responses from MoPs were received relating directly to SLVIA (not including questionnaire responses). These responses were varied but in general acknowledged the necessity of renewable energy development whilst highlighting concern over visual impacts, including night-time effects. *The feedback from MoPs has been noted, and since receipt of concerns over significant SLVIA effects, a further reduction has been made to the proposed project both in terms of the size of the array area and the number of individual turbines proposed*.

8.13 Offshore archaeology and cultural heritage (PEIR Volume 2, Chapter 11)

8.13.1 Key stakeholders

361 Responses received on the topic of offshore archaeology were received in relation to the offshore archaeology chapter (PEIR Volume 2, Chapter 11) and its associated desk-based assessment annex. Responses specifically on the offshore archaeology topic were fairly limited and were received from DCC (by reference to the appended Clwyd-Powys Archaeological Trust (CPAT) response) and Cadw. Following the statutory consultation, Cadw were contacted again and noted that they did not have any substantive comments to make on the matter except for those already raised regarding the intertidal area.

362 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 11 (application ref: 6.2.11).

8.13.2 Section 42 responses and Applicant regard

363 Cadw raised concern that the intertidal walkover appeared to be incomplete at the PEIR stage and requested it be completed before the impact on the offshore historic environment could be completely understood. *This has now been undertaken and is described in the onshore archaeology and cultural heritage assessment (Volume 3, Chapter 8; application ref: 6.3.8)*.

364 DCC and CPAT raised similar concerns and recommended that a further intertidal walkover survey be completed so that any current surface features could be mapped. It was noted that sand cover in this area can shift rapidly and uncover features that were previously buried. They also suggested it would be preferable for the sub-surface potential of the intertidal to be evaluated by a geo-archaeologist to help understand the potential impacts to this area. *This has now been undertaken and is described in the onshore archaeology and cultural heritage assessment (Volume 3, Chapter 8; application ref: 6.3.8). Mitigation via the onshore Written Scheme of Investigation (WSI) is described in Volume 5, Annex 8.5: Outline Onshore WSI; application ref: 6.5.8.5)*.

8.14 Other marine users and activities (PEIR Volume 2, Chapter 12)

8.14.1 Key stakeholders

365 Responses received on the topic of other marine users and activities were primarily in relation to the other marine users chapter (PEIR Volume 2, Chapter 12). It is noted that the charter angling baseline report annexed to this chapter (PEIR Volume 4, Annex 12.1) was developed to inform the assessment of impacts to the recreational angling community and comments on that document are reflected in Section 8.10 which considers commercial fisheries. A response was received from North Hoyle Wind Farm Limited (NHWFL), who owns and operates nearby North Hoyle offshore wind farm. Owners of other assets in the area (notably other wind farm operators and oil and gas interests) were contacted again after the statutory consultation for comment but did not submit formal responses.

366 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 12 (application ref: 6.2.12).

8.14.2 Section 42 responses and Applicant regard

367 NHWFL requested that an Independent Energy Yield Assessment be undertaken highlighting any impacts on yield to NHWFL. It was also recommended that a cable crossing agreement be established for the crossing of the North Hoyle export cable route, containing the details of any compensation for loss of access during construction. *This was noted by the Applicant, who are committed to engaging in commercial discussions for crossing arrangements as AyM develops*.

8.15 Military and civil aviation (PEIR Volume 2, Chapter 13)

8.15.1 Key stakeholders

368 Comments were received on the military and civil aviation chapter (Volume 2, Chapter 13) from the IoM Government, the MoD and NATS.

369 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 13 (application ref: 6.2.13).

8.15.2 Section 42 responses and Applicant regard

370 IoM provided confirmation that Ronaldsway Airport on the IoM was satisfied that AyM would not pose any operational issues for the airport and requested that the airport be kept informed should further amendments be considered. *This was noted*.

371 MoD confirmed that it did not anticipate that MoD radar systems would be affected by AyM, highlighting the potential of the wind farm to be within Radar Line of Sight (LoS) of systems at RAF Valley and Great Dun Fell. MoD confirmed that no operational impacts on either of these radar systems were anticipated. *This was noted and welcomed by the Applicant*.

372 MoD also confirmed that AyM does not interact with any military Practice and Exercise Areas (PEXA) and therefore did not anticipate any concerns relating to maritime military activities. *This was noted*.

373 NATS identified an unacceptable impact on its infrastructure, specifically the St. Annes and Great Dun Fell Primary Surveillance Radars (PSR) and discussions were ongoing between NATS and the Applicant to secure funding for mitigation. NATS noted that, whilst no agreement was currently in place, they did not have reason to believe that this would not be forthcoming in future and as soon as formal agreement is reached, the objection could be withdrawn. *This is welcomed by the Applicant, who is committed to ongoing commercial discussions with NATS*.

8.16 Inter-related effects (PEIR Volume 2, Chapter 14)

8.16.1 Key stakeholders

374 Comments on this topic were primarily received in the context of each individual PEIR chapter rather than the inter-relationships chapter (PEIR Volume 2, Chapter 14) specifically. However, NRW did provide limited comments specifically on the chapter.

375 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 2, Chapter 14 (application ref: 6.2.14).

8.16.2 Section 42 responses and Applicant regard

376 NRW highlighted disagreements with the conclusions presented in PEIR Volume 2, Chapter 6: Fish and Shellfish Ecology and therefore similar disagreements with the inter-related effects assessment. NRW also advised that further evidence be provided to support the statements made in relation to inter-related effects, such as effects being mutually exclusive. *This was noted. The inter-related effects chapter has been updated to take account of this feedback by providing further evidence*.

377 NRW reflected comments on PEIR Volume 2, Chapter 7: Marine Mammals on the inter-related effects assessment regarding the sensitivity of cetaceans and grey seals to PTS and suggested the sensitivity assessments be revised. *The sensitivity assessments of cetaceans and grey seals have been updated in the inter-related effects chapter in line with changes made to the marine mammals chapter*.

8.17 Onshore project description (PEIR Volume 3, Chapter 1)

8.17.1 Key stakeholders

378 Responses specifically on the onshore project description (PEIR Volume 3, Chapter 1) were received from DCC and landowners/ PWILs. It should be noted that this section considers the responses specific to the onshore project description chapter, however comments on the project description more generally were received on multiple topics across the PEIR.

379 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3 Chapter 1 (application ref: 6.3.1).

8.17.2 Section 42 responses and Applicant regard

380 DCC raised concerns over AyM's proposed use of the Rhyl Golf Club and how the AyM works would interact with the proposed new flood defence works at this location. DCC was also concerned that AyM could harm the long-term viability of the golf club itself. DCC therefore objected to the siting of Transition Joint Bays (TJBs: where the marine and onshore cables meet) within the golf course and considered they should be sited on land south of the North Coast rail line. *The Applicant has responded to these concerns by removing design optionality within the Rhyl Golf Course, and instead committing to Horizontal Directional Drilling (HDD) underneath it. This design commitment will avoid harm on the medium to long-term viability of the golf course*.

381 DCC raised concerns over the need to temporarily stop up or divert public rights of way along the onshore ECC, suggesting that every effort should be made to minimise the need for closures and, where necessary, ensure they are re-opened at the earliest opportunity. *Access has subsequently been discussed at post-PEIR ETGs and further detail on the need to temporarily stop-up PRoWs is discussed in Volume 3, Chapter 4; application ref: 6.3.4)*.

382 Regarding the onshore substation, DCC stated they did not support its location on agricultural land which is away from the St. Asaph business park and existing electrical infrastructure. *In response, further detail has been provided on the selection of the substation site, including consultation with landowners, together with a range of technical, electrical, engineering and human environment studies*.

383 DCC requested that details of landscaping, appearance of buildings, boundary treatments and access should be more clearly defined in the final application. *It was noted in the project description chapter that, although the details cannot be finalised at this stage, information has been provided in the Design Principles document (application ref: 8.8) on the process that will guide the detailed design of the onshore substation.*

384 DCC noted the refinement of the offshore infrastructure since scoping and, subject to further refinement post-PEIR, queried whether any reduction in the scale of offshore infrastructure would correspond to a reduction in the land requirements for the onshore infrastructure. *It was clarified that the corridors for onshore infrastructure are not representative of the final footprint of the design, and that the reductions in the scale of offshore infrastructure does not necessarily correspond with a reduction in requirements for onshore infrastructure*.

385 SP Energy noted that they had no objection in principle to the proposed development, subject to required measures to protect their assets and ensure safe working around the affected electricity network. *This was noted. Further engagement with all interested parties will continue*.

386 The Cwbyr Partnership commented that the proposed onshore ECC could have impacts on the businesses at Cwbyr Fawr. *This was noted and is discussed in further detail in Volume 3, Chapter 3: Socioeconomics (application ref: 6.3.3)*.

8.18 Landscape and Visual Impact Assessment (LVIA) (PEIR Volume 3, Chapter 2)

387 Comments on the LVIA (PEIR Volume 3, Chapter 2) and its associated annexes were received from DCC, NRW and landowners/ PWILs.

388 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 2 (application ref: 6.3.2).

8.18.1 Section 42 responses and Applicant regard

389 DCC acknowledged that landscape and visual effects associated with the landfall and onshore ECC would be temporary in nature, however raised concerns over the location of the substation being located on agricultural land. DCC noted that, whilst the site is close to the St. Asaph business park, the rural character of the site may result in an industrial development encroaching into the open countryside. *The LVIA acknowledged the impact to the rural character of the substation site and reference was added to landscaping that would be secured through the outline Landscape and Ecological Management Plan (LEMP) (application ref: 8.4)*.

390 DCC also noted the proximity of the substation site to the Denbighshire Memorial Park and Crematorium and raised concerns that AyM could affect the tranquil setting currently afforded to the crematorium. *This was also acknowledged, and the Denbighshire Memorial Park and Crematorium has been included as a visual receptor in the LVIA*.

391 DCC was unable to agree that the effects on residential receptors would be mitigated in the long-term due to landscaping until the proposals for landscaping were better defined. *The proposals for landscaping have now been described in detail in the outline LEMP (application ref: 8.4)*.

392 NRW considered that visual effects on the Dee Valley and Clwydian Range AONB would be significant due to the presence of the onshore substation and suggested that an additional viewpoint be considered from an elevated position within the AONB. *It was noted in the LVIA chapter that, following further consultation with NRW post-PEIR, a further viewpoint was included to assess visual impacts to the AONB.*

8.19 Socioeconomics (PEIR Volume 3, Chapter 3)

393 Comments on the socioeconomic assessment were received from FCC, IoACC, Rhyl Town Council and several landowners/ PWILs and local residents.

394 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3 Chapter 3 (application ref: 6.3.3).

8.19.1 Section 42 responses and Applicant regard

395 FCC acknowledges that RWE has a history of supporting affected local communities through community benefit funds and noted the Applicant planned on holding a consultation on this matter in early 2022. FCC welcomed further consultation in relation to community benefits. *This was noted and welcomed by the Applicant*.

396 IoACC suggested the ES should include a further breakdown of jobs expected to be created by the AyM scheme by sector over the duration of the construction period in order to allow councils to identify the skills requirements for each stage and allow local people and companies to target opportunities. *Further detail was added to the socioeconomics chapter including reference to a skills and employment strategy that would be developed post-consent in the detailed design phase*.

397 IoACC re-iterated its position that a significant number of construction jobs should be sought from the workforce in the local region and encouraged the Applicant to consider these opportunities from an early stage to allow companies to pre-emptively upskill and train workforces. *As described above, further detail was added to the chapter and reference was made to a skills and employment strategy which will be developed post-consent*.

398 Rhyl Town Council noted that it was not aware of the Community Benefit Fund associated with AyM, in respect of similar schemes that were in place from previous local offshore wind projects. *The Applicant is committed to developing a community benefits package and consultation with the public on this was undertaken between 21 February – 4 April 2022*.

399 A landowner/ PWIL highlighted concerns over the onshore aspects of AyM proposals and the potential for impacts to future economic development in the area. *As above, it is noted that the Applicant will develop a skills and employment strategy in the post-consent phase*.

400 The Cwbyr Partnership also raised concerns about the TCCs along the onshore ECC and the onshore substation zone in relation to future economic development opportunities and incomes of the partnership. *This was noted and further consultation with affected landowners and PWILs has been undertaken, including through the targeted section 42 consultation (see Section 4.4.4)*.

8.19.2 Section 47 responses and Applicant regard

401 Mostyn Estates suggested that the socioeconomic assessment did not adequately consider impacts of the offshore infrastructure on the wider tourism and leisure industry and instead focused on jobs associated with the onshore construction activities. *It was clarified in the ES chapter that the PEIR focused on the economy, including the tourism economy and community facilities at a broad scale, rather than specific businesses*.

402 Mostyn Estates acknowledged the potential employment benefits during construction but raised concern over the longer-term adverse impacts on the tourism economy of coastal towns, particularly surrounding the heritage of Llandudno where Mostyn Estates' interests are most concerned. *It was noted that impacts to heritage are specifically considered within the onshore LVIA and cultural heritage assessment (Volume 3, Chapter 3; application ref: 6.3.3)*.

8.20 Tourism and recreation (PEIR Volume 3, Chapter 4)

403 Comments on the tourism and recreation assessment were received from DCC, FCC, IoACC, CCBC, Rhyl Town Council, National Trust and a member of the local community.

404 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3 Chapter 4 (application ref: 6.3.4).

8.20.1 Section 42 responses and Applicant regard

405 DCC raised concerns that the visual impacts of the offshore elements of the scheme could impact the tourism value of the local area and requested that a detailed assessment on the tourism economy should be included in the assessment. *Visual impacts of the offshore scheme are considered in the SLVIA chapter of the ES (application ref: 6.2.10). The EIA has concluded that the proposed project will not have a significant effect on the tourism economy of Denbighshire, as discussed in the tourism and recreation chapter (application ref: 6.4.3)*.

406 DCC also re-iterated concerns over the proposal to site TJBs within the Rhyl Golf Club and the effects this may have on the long-term viability of the golf club. *Since PEIR, a design change has been made to commit to no above ground works within the Rhyl Golf Glub*.

407 FCC also relayed concerns that the scheme may have a negative impact on tourism for the region. They highlighted that reduced visitor numbers to Anglesey, Snowdonia, Gwynedd and Conwy may in turn affect visitor numbers, many of whom pass through Flintshire and use local services. *The EIA has concluded that AyM will not have a significant effect on the tourism economy of Flintshire, as discussed in the tourism and recreation chapter (application ref: 6.3.4), both in terms of visitors to destinations within Flintshire and other destinations along the coast*.

408 IoACC noted that the IoA is a popular destination for visitors with a large tourism economy and appeared to disagree with the PEIR assessment concluding impacts on the tourism economy would be 'low' or 'negligible'. *It was noted that Anglesey offers a high-quality environment which is valued by visitors, however the distance from Anglesey to the AyM project reduces the potential for negative effects on visitors and the tourism economy of Anglesey*.

409 CCBC comments echoed those from other local authorities that there was concern over how the AyM development could impact the tourism economy. They highlighted that it was unclear whether the PEIR conclusions on the assessment of impacts to the tourism economy considered the demographics of visitors or to the distinctive heritage and character which the council noted are critical in its attractiveness to visitors. *Justification was added to the ES chapter surrounding the available research on the relationship between wind farms and visitor numbers. Heritage impacts are considered separately in Volume 3, Chapter 8 (application ref: 6.3.8)*.

410 CCBC also raised concern for the Llandudno promenade and how any reduction in the number or value of hotel bookings could affect future investment in the local tourism industry. *Justification was added to the ES chapter explaining studies that have shown the development of offshore wind farms near seaside towns has not been associated with a decline in tourism employment*.

411 Rhyl Town Council highlighted concern over the proposed use of the Rhyl Golf Club to site TJBs and the club's concern that this could force the club to permanently close. Furthermore, the council highlighted the club as an important hub in the local community and suggested that the Applicant reconsiders this option and instead site TJBs south of the mainline railway so the club could continue to operate. *Since consultation on the PEIR, the Applicant has adopted a design change committing to no above ground infrastructure within the Rhyl Golf Club*.

8.20.2 Section 47 responses and Applicant regard

412 National Trust welcomed future discussions on how mitigation specific to tourism and recreation could be developed prior to submission and highlighted the concerns raised by local authorities on this matter. *This was noted by the Applicant and engagement with the National Trust has continued via the Evidence Plan process*.

413 A MoP noted the benefits of AyM for the UK as a whole but highlighted the need to consider local businesses and residents, many of whom rely on the tourism industry to thrive. *This was noted by the Applicant*.

8.21 Onshore biodiversity and nature conservation (PEIR Volume 3, Chapter 5)

414 Comments relating to onshore biodiversity and nature conservation were received from NRW, DCC, TWT and RSPB. It should be noted that ecology in the intertidal zone is considered under offshore topics (including benthic ecology) and seabirds are considered under the offshore ornithology topic.

415 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 5 (application ref: 6.3.5).

8.21.1 Section 42 responses and Applicant regard

416 NRW advised that there have been historic issues associated with blow-out of HDD drill fluid in the River Clwyd and therefore this potential impact should be considered. *This was discussed via the Evidence Plan process post-PEIR, where monitored levels of drill fluid were shared with NRW, and it was agreed that there is no pathway for a meaningful effect at the HDD depths proposed by the Applicant*.

417 Regarding Great Crested Newt (GCN), NRW agreed with the assessment made and highlighted that this part of Denbighshire in the vicinity of the proposed onshore ECC and substation exhibits a high pond density landscape. NRW also noted that the proposed approach to further survey requirements for GCN was satisfactory and that, because NRW considers the area to support a nationally important population of GCN, modelling could be used to inform the relative importance of ponds from a habitat connectivity perspective. *Measures to address the potential impacts on protected species and notable species have been outlined in the Outline LEMP (application ref: 8.4)*.

418 NRW did not fully agree with the definition of mitigation, compensation and enhancement in the assessment, and advised that restoration may be required for the purpose of evidencing the Favourable Conservation Status (FCS) test where the current conservation status of a species or habitat is unfavourable. *It was noted in the ES chapter that conservation status is considered in the determination of significant effects, with further details provided regarding the assessment methodology*.

419 NRW advised the consideration of incidental capture and killing during the O&M and decommissioning phases of development and restoration activities in order to demonstrate no likely detriment to the maintenance of FCS where the current status is unfavourable. *It was noted that detailed engineering design will be concluded post-consent with final details supplied later on in the planning process and would be included in the European Protected Species Licence (EPSL)*.

420 DCC recommended that the Applicant should continue to engage with the DCC Ecology Officer and NRW on the development of necessary mitigation and compensation measures to ensure they are sufficient to offset identified significant and non-significant effects. *This was noted and further consultation was undertaken post-PEIR. Further detail is provided in the Outline LEMP (application ref: 8.4)*.

421 DCC also highlighted that, in addition to mitigation and compensation, the proposal is required to demonstrate a Biodiversity Net Gain (BNG) and therefore enhancement should also be embedded into the development. *Further engagement with NRW and DCC has been undertaken on this matter post-PEIR*.

8.21.2 Section 47 responses and Applicant regard

422 TWT noted that the proposed onshore ECC generally avoids Local Wildlife Sites (LWS) and with good design it should be possible for there to be no significant long-term effects on the Clwyd Estuary and Adjacent Fields LWS. *An outline Soil Management Plan (SMP) which sets out mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and re-instatement has been included with the application (application ref: 8.13.5)*.

423 TWT also stated that the proposed onshore ECC passes near the Bryn Cwnin Wetland and highlighted the importance of avoiding damage or disruption to the hydrology of this site. *Mitigation to minimise the potential impacts has been added to the outline LEMP (application ref: 8.4)*.

424 RSPB noted the limitations and further survey recommendations of the PEIR and, in acknowledgement of this, reserved further comment on onshore biodiversity and nature conservation until the ES is submitted. *This was noted*.

8.22 Ground conditions and land use (PEIR Volume 3, Chapter 6)

425 Comments received on ground conditions and land use were received primarily from concerned landowners/PWILs, as well as local councils and NRW.

426 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3 Chapter 6 (application ref: 6.3.6).

8.22.1 Section 42 responses and Applicant regard

427 One landowner highlighted that their land would be affected by the TCCs and onshore ECC and would cause disruption to their farming business. Therefore, it would be beneficial to reduce the size of the TCCs to minimise the loss of productive farmland. The landowner also raised concern over impacts to land drains and the need for these not to be disrupted. Finally, it was highlighted that access to land is required at all times and therefore disruption to access should not be restricted. *This was noted and further consultation has been undertaken with landowners post-PEIR*.

428 Another landowner raised concerns that soil improvement works to their land could be affected by the proposals. They also raised concern over permanent loss of land to the development and increased flood risk. The landowner suggested amendments to the boundary that would, in their view, allow for greater land use during construction (and any future maintenance works). *This was noted and further information has been added to the ES. See also the flood risk assessments in application refs: 6.5.7.1 and 6.5.7.2*.

429 One landowner raised that the onshore ECC crosses high yielding arable land and would eliminate the use of a land parcel during construction. They also highlighted the importance of land drains in managing flood risk and were concerned about disruption to those land drains. The landowner stated their preference for less invasive HDD methods of cable installation rather than open-cut installation to minimise disruption to the land. *This was noted and further information has been added to the ES. See also the flood risk assessments in application refs: 6.5.7.1 and 6.5.7.2*.

430 Another landowner raised their concerns over the impacts to their farming business in terms of access to land and impacts to the land itself. They requested that if the development crosses the affected land, appropriate livestock fencing should be installed, and watering facilities should not be interrupted (suggesting alternative temporary watering facilities should be installed if they are affected). The landowner highlighted that any reduction in the size of the development would be beneficial in terms of mitigating losses to the farm. *This was noted by the Applicant. Ongoing liaison with all landowners will continue as the protect develops through the post-consent phase to put specific arrangements in place*.

431 The Cwbyr Trust were concerned that the development would have impacts to land at Cwbyr Bach, highlighting large land takes from the TCC which would take valuable agricultural land out of production. They requested that the area used for the TCC be minimised or moved to an alternative location to minimise disruption. Cwbry Trust also requested that temporary crossing points and routes be adapted to maintain access to farmland. *An alternative location for the TCC has been included (see Volume 3, Chapter 1: Onshore Project Description (application ref: 6.3.1))*.

432 Cefn Meiriadog Community Council suggested that the substation not be built on large areas of agricultural land and should instead use a smaller area or a brownfield site. *This was noted by the Applicant. The substation location has been chosen on the basis of a rigorous site selection process*.

433 NRW noted that the onshore ECC has potential to cross ground historically affected by contamination, particularly around the road and rail crossings, and would expect targeted ground investigations to be completed in these areas. *This is noted. A detailed assessment has been undertaken in ES Volume 3, Chapter 6 (application ref: 6.3.6) and further information is provided in the groundwater risk assessments (application refs: 6.5.7.3 to 6.5.7.6)*.

8.23 Hydrology, hydrogeology and flood risk (PEIR Volume 3, Chapter 7)

434 NRW was the key consultee on hydrology, hydrogeology and flood risk. Comments were also received from local councils, Network Rail and landowners.

435 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3 Chapter 7 (application ref: 6.3.7).

8.23.1 Section 42 responses and Applicant regard

436 NRW highlighted that Prestatyn Bathing Water should be regarded in the assessment and noted that Clwyd transitional waterbodies did not appear to have been included. *These waterbodies have been included in the WFD Assessment (application ref: 6.4.3.1)*.

437 NRW noted that the Groundwater Regulations 2009 have been superseded and absorbed into the Environmental Permitting Regulations 2010 and 2016 and advised any reference to the Groundwater Regulations be removed. *This was noted and amended in the ES chapter*.

438 NRW recommended that a groundwater risk assessment be completed for each section of HDD to ensure all risks are assessed and any mitigation measures are outlined and implemented during construction and O&M. *This has been provided in Volume 5, Annex 7.3 to 7.6: Groundwater Risk Assessments (application refs: 6.5.7.3 to 6.5.7.6)*.

439 NRW noted there are no discharge consents listed in the assessment and that if they are required, these should be included in the ES. *These have now been provided in the ES chapter*.

440 NRW advised that Technical Advice Note (TAN) 15 (2021) should be referred to rather than the 2004 publication of guidance on development and flood risk. NRW advised that from 1 December 2021, the advice of TAN 15 and associated flood maps for planning should be applied. *This was noted and the assessment has been updated with the latest guidance*.

441 NRW stated their preference for the landfall to be made as far east as possible within the Order Limits away from Rhyl Pumping Station and associated culverted main river. *This was noted in the chapter and the cables will be installed using HDD or other trenchless crossing techniques in this area and will not affect the pumping station, which is located outside the onshore ECC*.

442 NRW recommended that a copy of JBA Consulting's Point of Ayr to Pensarn Tidal Flood Risk Assessment (2017) be obtained from NRW and referenced in the assessment. *NRW and DCC data has been used to inform emerging design, flood consequence assessment reporting and the assessment of effects on the water environment from any flood risk impacts identified*.

443 NRW noted that they were generally satisfied with the embedded mitigation measures to manage flood risk during construction, O&M and decommissioning, however each main river crossing would be subject to the requirements of Flood Risk Activity Permits (FRAPs) issued by NRW under the Environmental Permitting Regulations 2016. *This was noted and confirmed within the ES chapter*.

444 NRW advised that the assessment of likely flood risk effects be expanded to clarify that the stockpiles of excavated materials could also affect fluvial flood risk from main rivers as well as tidal flood risk, and not just block overland flow of surface water. *This was noted and confirmed in the ES chapter*.

445 DCC deferred to NRW as the statutory flood risk authority but noted that the proposed landfall is close to existing and proposed sea defences and would need to be installed underneath them via HDD. *It has been confirmed that the cables will be installed underneath the flood defences using HDD or another trenchless technique*.

446 Rhyl Town Council noted that the East Rhyl area was subject to extensive flooding in 2012 when the sea defence failed and raised concern that landfall works could undermine the sea defences already completed and affect the delivery of planned sea defence works in the area. *Co-ordination with the planned flood defence works is being sought so that the two operations do not interfere with each other*.

447 Network Rail stated requirements for drainage, surface water storage and discharge. *It has been confirmed in the ES chapter that the requirements will be followed*.

448 One landowner was concerned that AyM could adversely affect natural drainage and enhance the potential for flooding. Flood risk assessments have been completed in Volume 5, Annex 7.1 and 7.2 for the onshore ECC and onshore substation area (application refs: 6.5.7.1 and 6.5.7.2).

449 The Cwbyr Partnership also stated that the land benefits from existing land drains and details of the pre- and post-construction drainage scheme are required to give confidence that these will not be adversely affected. *This was noted in the ES chapter*.

8.24 Onshore archaeology and cultural heritage (PEIR Volume 3, Chapter 8)

450 In relation to archaeology and cultural heritage, comments were received from local councils, Cadw, CPAT, GAPS, landowners/PWILs and the local community. It should be noted that the offshore archaeological environment is considered separately in Section 8.13 and there is crossover with the SLVIA and LVIA considered in Section 8.12 and 8.18, respectively.

451 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 8 (application ref: 6.3.8).

8.24.1 Section 42 responses and Applicant regard

452 Cadw raised concern that AyM will have an adverse effect on the settings of Beaumaris Castle and Conwy Castle, which are both nationally important scheduled monuments and part of the Castles and Town Walls of King Edward in Gwynedd World Heritage Site (WHS), in addition to Penrhyn Castle, which is a Grade I listed building set in a Grade II registered historic park. It was recommended that the assessments of the impacts of the proposed development on these historic assets, along with the impact on the WHS, be re-done in the final ES. *A response to this point was provided in the ES chapter, justifying the assessment with reference to the SLVIA to contextualise the impacts to built heritage in terms of visual effects*.

453 DCC raised concerns regarding the siting and scale of the proposed substation zone on the nearby historic assets. *Further information about the nearby historic assets is provided in Volume 3, Chapter 8; application ref: 6.3.8)*.

454 DCC was also concerned that, whilst an assessment of the impact on Bodelwyddan Castle had been undertaken, an assessment of the effect on the associated Historic Park and Garden did not appear to have been completed. *These are considered and further justification has been added with reference to the SLVIA in terms of visual impacts to heritage*.

455 CPAT's response, which was included in the DCC response, noted general agreement with the methodology presented in the PEIR, however highlighted concerns about the lack of complete data coverage in the onshore ECC and recommended that a complete walkover be undertaken. CPAT also highlighted general agreement with the geophysical survey methodology, but re-iterated concerns over coverage and the lack of commitment to ground-truthing post-consent. CPAT recommended 100% geophysical coverage of all accessible fields along the onshore ECC should be attempted, and where access is still not possible, locations should be identified and justified. CPAT recommended that ground-truthing of geophysical results should also be attempted. *Substantial work has been undertaken to enhance data coverage within the onshore ECC and onshore substation area, with further work proposed in the post-consent phase secured via the Onshore WSI (application ref: 6.5.8.5)*.

456 IoACC consulted the Gwynedd Archaeological Planning Service (GAPS) as the regional curator and included their response as part of the IoACC submission. They noted that there was a visual impact from the offshore array on various designated heritage assets on Anglesey. They requested further engagement with IoACC and Cadw and that the design of AyM be re-visited to reduce adverse impacts. *Justification was added to the ES chapter explaining the assessment methodology in terms of heritage interest, which does not necessarily include the scenic or amenity value*.

457 CCBC concerns related to seaward views from the Llandudno waterfront and the impact on views from the Great Orme. They raised concern that the onshore archaeology and cultural heritage assessment did not take into account the contribution to the significance of the Llandudno Conservation Area made by aesthetic values. *The ES clarified that the assessment was considered to be robust and compliant with the appropriate guidance. The assessment considered the potential for an effect on the heritage significance of the various assets, the significance deriving from the various interests and the values they hold*.

458 A landowner commented that a portion of the land allocated for mitigation, and part of the substation zone, is of historical importance given medieval ridge and furrow characteristics. *This was noted and has been investigated through the geophysical surveys. Any assets found will be subject to mitigation secured through the onshore WSI (application ref: 6.5.8.5*.

8.24.2 Section 47 responses and Applicant regard

459 Mostyn Estates was concerned that the assessment did not appear to acknowledge visual impacts on conservation areas and listed buildings. They also stated that, given the importance of the heritage value of Llandudno, they should be included within the assessment at the ES stage. *As described above, the visual impacts of the offshore scheme are considered in Volume 2, Chapter 10: SLVIA (application ref: 6.2.10) and how this is assessed in the context of built heritage value is assessed in the onshore archaeology chapter (application ref: 6.3.8)*.

8.25 Traffic and transport (PEIR Volume 3, Chapter 9)

460 Comments relating to traffic and transport were received from DCC, FCC, landowners/ PWILs and MoPs.

461 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 9 (application ref: 6.3.9).

8.25.1 Section 42 responses and Applicant regard

462 DCC raised objection to any permanent stopping up of public rights of way given the high importance of the paths in the north of the county. DCC accepted that the proposal generally avoided Public Rights of Way (PRoW), but the proposals would still impact some temporarily during construction. *The Applicant has committed to not stopping up any PRoWs permanently, as set out in Appendix 8 of the Outline CoCP (application ref: 8.13.8)*.

463 FCC noted uncertainty regarding how project components during construction would be transported ready for assembly offshore and if the A55 highway would be used, noting also that the Port of Mostyn is within Flintshire and may be used as a base for these works. *The port that would be used for transporting the offshore components of the scheme has not yet been identified and therefore has not been included within the assessment. Post-consent, when a port selection is made, the local authorities will be re-engaged*.

464 A landowner flagged that their land was adjacent to an important junction on the A55 and any crossing by AyM at this location could cause disruption to their business. *The use of HDD (or other trenchless technique) technology is to be used under the A55 and therefore there are not anticipated to be any direct disruptions to the A55 or the immediate surrounding area*.

465 Another landowner raised concern over reduced vehicular access during construction. The impact assessment is described in the traffic and transport chapter (application ref: 6.3.9) which did not predict any significant effects. Control measures are described in Appendix 7 and Appendix 9 of the CoCP (application refs: 8.13.7 and 8.13.9).

466 The Cwbyr Partnership provided a plan referring to access to a TCC and expressed preference for the A525 entrance to be used to gain access so as to reduce disturbance and inconvenience to the day-to-day operations of the business. *This was noted and welcomed by the Applicant*.

8.25.2 Section 47 responses and Applicant regard

467 A MoP noted that there are several references within the traffic and transport assessment to a 30-mph limit on the B5381, and that this assumption was incorrect as, upon leaving the St Asaph Business Park heading west, this changes to the national limit and remains so beyond the crematorium where the proposed substation access points are located. *This was investigated and the assessment has been updated to take account of it*.

8.26 Noise and vibration (PEIR Volume 3, Chapter 10)

468 Comments on airborne noise and vibration were received from DCC, CCBC and Glyndwr University. It should be noted that comments were also received from stakeholders on the topic of underwater noise, and these are considered separately in paragraph 273 *et seq*.

469 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 10 (application ref: 6.3.10).

8.26.1 Section 42 responses and Applicant regard

470 DCC noted concerns over the potential for adverse noise and vibration impacts to residential areas and individual properties due to their proximity to construction compounds. Of particular concern was vibration from HDD around the landfall which is in close proximity to residential areas. *In response, an outline noise and vibration management plan (Appendix 2 to the CoCP (application ref: 8.13.2)) sets out the noise and vibration management techniques which may be implemented by the Applicant during construction*.

471 DCC did not agree to working hours of 7am – 7pm in locations near residential properties and requested working hours be changed to 8am – 6pm where working close to residential receptors, with no working on Sundays or Bank Holidays. They suggested that, where exceptional circumstances exist, agreement in writing with DCC should be sought at least 48 hours in advance. *The construction working hours of 7am to 7pm have been used as part of the MDS. The final construction working hours will be agreed with DCC through agreement of the final CoCP, an outline of which is provided in application ref: 8.13*.

472 DCC also considered that community engagement should be prioritised during construction and a communications protocol should be established as part of the CoCP. *An outline Construction Communications Plan has been provided in Appendix 12 of the CoCP (application ref: 8.13.2)*.

473 CCBC noted concern over noise from offshore piling. The WTG piling assessment is specified within the noise and vibration chapter and concludes that impacts would not result in significant adverse effects.

474 Glyndwr University highlighted concern as a landowner in the St. Asaph Business Park over the manufacture of equipment using vibration-sensitive machinery and asked that this be taken into consideration in development of the ES. *Further discussion with Glyndwr University has been undertaken post-PEIR, through which the decision was made to select the westernmost crossing of the A55, which would place HDD equipment further from the St. Asaph Business Park.*

8.27 Air quality (PEIR Volume 3, Chapter 11)

475 Comments relating to air quality were received from NRW, DCC and landowners/ PWILs.

476 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 11 (application ref: 6.3.11).

8.27.1 Section 42 responses and Applicant regard

477 NRW requested clarification on how the effectiveness of mitigation is defined with regard to impacts from dust and could not rule out requirement for further assessment at the PEIR stage. *In response, it was noted in the chapter that the assessment methodology (and identification of appropriate level of mitigation) has been undertaken. This includes a series of dust controls that are recommended following the identification of potential risks*.

478 NRW also requested clarification on whether emissions from possible non-road mobile machinery in close proximity to human receptors is required. *Impacts associated with likely non-road mobile machinery PM_{10} emission contributions on human health have been considered as part of the construction dust assessment within the ES chapter*.

479 DCC agreed that AyM would not generate significant effects with respect to air quality, however noted that localised adverse effects may arise during construction and therefore a dust assessment was necessary, and a dust abatement plan should be included in the CoCP. *A dust management plan containing relevant dust controls proportionate to the calculated risks will be included, as part of an Air Quality Management Plan (AQMP) within the CoCP (application ref: 6.13.3)*.

480 The Cwbyr Partnership noted that a TCC is proposed opposite residential properties as well as a caravan and camping site and therefore raised concerns over dust impacts to residents and visitors. *As above, a dust management plan containing relevant dust controls proportionate to the calculated risks will be included, as part of an Air Quality Management Plan (AQMP) within the CoCP (application ref: 6.13.3)*.

8.28 Public health (PEIR Volume 3, Chapter 12)

481 Public Health Wales (PHW) and DCC both submitted comments in relation to public health. HSE also submitted a response but did not raise any concerns.

482 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of Volume 3, Chapter 12 (application ref: 6.3.12).

8.28.1 Section 42 responses and Applicant regard

483 DCC re-iterated concerns described above regarding noise impacts during construction relating to working hours and the proximity of works to residential receptors. *As described above, the construction working hours of 7 am to 7 pm have been used as part of the MDS. The final construction working hours will be agreed with DCC through agreement of the final CoCP, an outline of which is provided in application ref: 8.13*.

484 PHW requested further information in order to understand how the maximum and typical magnetic field values have been estimated. *Further information was provided in the ES adding that the maximum and typical magnetic field values are taken from the generic cable information provided by the National Grid*.

8.29 Draft Report to Inform Appropriate Assessment (RIAA) (PEIR Report 5.1)

485 Extensive comments were received on the RIAA and its annexes from the Statutory Nature Conservation Bodies (SNCBs), comprising NRW, JNCC and Natural England. Comments were received across a variety of aspects of the RIAA, primarily offshore ornithology and marine mammals.

486 All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of the RIAA (application ref: 5.2).

8.29.1 Section 42 responses and Applicant regard

487 In terms of offshore ornithological effects, NRW agreed that, where the assessment of the proposed project alone concluded a zero contribution to an effect from AyM, it could not contribute to any in-combination effect. However, NRW did not agree that a contribution of less than one individual contribution could be equated to a completely zero effect. *In response, the alone and in-combination assessments were updated for all species with a greater than zero contribution*.

488 NRW re-iterated comments on the offshore ornithology chapter regarding the assessment being based upon only 18 months of digital aerial survey data and therefore could not agree with a number of conclusions in the RIAA regarding ornithology displacement and collision until the full 24-month dataset was analysed. *The assessment of ornithological receptors has now been updated using 24 months of survey data throughout the application documents.*

489 NRW did not agree with the screening out of species recorded in small or trivial numbers. This was discussed subsequently at the post-PEIR ETG meetings and further explanation of the definition of trivial numbers was provided.

490 NRW also re-iterated comments on the offshore ornithology chapter regarding disagreement with the red-throated diver assessment and advised that displacement should be assessed out to an 8 km buffer. *The gradient approach to the red-throated diver assessment has now been incorporated out to 8 km.*

491 NRW advised that displacement analysis be undertaken for Manx shearwater so that assessment of Manx shearwater SPAs can be made in the RIAA. *Displacement analysis has now been undertaken for Manx shearwater.*

492 NRW requested that the impacts across the construction and O&M phases of AyM be treated additively and compared against the SPA population mortality baseline. *Combined assessments across the construction and operational phases of the development have been included in the RIA for relevant features.*

493 NRW made several comments regarding the cited conservation objectives of designated sites and suggested these be updated in the final RIAA. *The conservation objectives have been reviewed and updated throughout the RIAA.*

494 NRW highlighted the need to consider assemblage features of several SPAs in the RIAA. *Relevant assemblage features have now been reviewed and included in the RIAA.*

495 NRW commented on the screening process used, stating disagreement with the approach which has led to several Welsh SPAs being screened out of assessment and requested that several further SPAs be screened in for assessment. *The screening has been updated and has been provided in Annex 2 of the RIAA (application ref: 5.2.2).*

496 NRW advised that the ornithology displacement assessment in the RIAA be conducted in line with the assessment presented in the ornithology PEIR chapter in terms of the displacement and mortality rates applied. *This has been reviewed and displacement during construction has been assessed for relevant species following the approach used in the ornithology ES chapter.*

497 NRW requested that a mapped distribution of common scoter against the proposed offshore ECC be presented in the RIAA. The common scoter assessment has been reviewed and updated and the Applicant is happy to provide a shapefile to NRW of the final offshore ECC.

498 NRW suggested that the displacement effects associated with vessel traffic in the O&M phase of AyM needed to be more robustly assessed for red-throated diver and common scoter in the context of the Liverpool Bay SPA and the cumulative effects with other displacement effects. *This has been updated in the RIAA.*

499 Reflecting comments on the offshore ornithology chapter, NRW advised that migratory CRM should be undertaken for terns using the MigroPath or SOSS tool. *Migratory CRM using the MigroPath tool has been undertaken for relevant species and is presented in Volume 4, Annex 4.4; application ref: 6.4.4.4.*

500 NRW advised that the methodology for apportioning needs to be more clearly explained, and it should be confirmed whether apportioning includes non-SPA colonies. *Post-PEIR, a methodology note on apportioning was provided to the offshore ornithology ETG. This has also been included within the RIAA annexes (application ref: 5.2.5).*

501 NRW requested that potential collisions from the Morlais tidal energy scheme be included within the in-combination assessment. *Morlais (as consented) has now been included in the in-combination assessment.*

502 On the benthic ecology section of the RIAA, NRW advised that additional measures to prevent the additional introduction of INNS should be included in the Biosecurity Risk Assessment, reflecting comments on the benthic ecology PEIR chapter. *The text in the RIAA has been updated to include details of INSS measures following this response, and now aligns with the assessments and conclusions drawn from the benthic ecology ES chapter (application ref: 6.2.5).*

503 Regarding fish and shellfish ecology, NRW advised that comments made on the fish and shellfish ecology chapter of the PEIR also apply to assessments in the RIAA, in particular regarding the spatial and temporal MDSs considered in the underwater noise assessment. *The RIAA has been updated to better reflect the assessments and conclusions of the fish and shellfish ecology assessment (application ref: 6.2.6).*

504 On marine mammals, NRW considered that, in its form at PEIR, the MMMP did not provide enough detail to be considered adequate mitigation for impacts from PTS and therefore NRW could not agree with the conclusions regarding the potential for AEOSI. *Post-PEIR engagement was undertaken via the marine mammals ETG, in which a revised Outline MMMP was provided. This updated version of the MMMP is also included with the application (application ref: 6.4.7.2).*

505 Furthermore, NRW re-iterated concerns over the use of the EDR approach to assessment of marine mammal disturbance and could not agree on the conclusions regarding AEOSI. *This was noted. The assessment now presents a review of the methodologies and a range of methodologies to align with the assessment presented in the marine mammals chapter (application ref: 6.2.7).*

506 NRW did not agree that there would be no potential for LSE from vessel collisions or disturbance from vessel activity during the construction, O&M and decommissioning of AyM. *The Applicant welcomed this agreement and noted that a commitment has been made to minimising the risk of vessel disturbance via the adoption of best practice vessel handling protocols*.

507 NRW agreed with the approach in the in-combination assessment of using the relevant Marine Mammal Management Unit to screen projects for consideration. *This was noted*.

508 NRW raised concern over cumulative PTS from multiple piling events over time and requested clarity on how this was considered in the assessment. *Further information was provided in a clarification note post-PEIR and this information has been included in the marine mammal assessment, RIAA and is detailed in Volume 4, Annex 7.3: Marine Mammal Quantitative Assumptions (application ref: 6.4.7.3)*.

509 Reflecting comments on the marine mammal baseline report, NRW re-iterated that they were not satisfied with the approach to assume no bottlenose dolphin presence beyond 6 km from the coastline. *In line with feedback on the marine mammals chapter, the bottlenose dolphin density estimates have been revised.*

510 JNCC agreed that the principle of the MMMP is to reduce the risks of injury to marine mammals to negligible levels but were not satisfied that the MMMP at PEIR contained enough detail to meet this purpose and re-iterated that their previous comments on the marine mammal PEIR chapter should also be considered in the context of the RIAA. *Post-PEIR engagement was undertaken via the marine mammals ETG, in which a revised Outline MMMP was provided. This updated version of the MMMP is also included with the application (application ref: 6.4.7.2)*.

511 JNCC confirmed that the noise management approach to the North Anglesey Marine SAC only needs to be considered during the summer season, however highlighted that this advice only relates to the disturbance objective, and for all other objectives, activities need to be considered regardless of when they occur. *This was noted and is reflected in the RIAA*.

512 With regard to offshore ornithology, JNCC re-iterated their previous comments on the offshore ornithology PEIR chapter, including noting that the assessment was only based on 18 months of digital aerial survey data and therefore reserved the right to update advice on sight of the full 24-months of data that would accompany the final application. *It is noted that the final assessment is now based on the full 24-months of available data*.

513 JNCC also requested that the terms 'very small numbers' and 'very infrequently' should be better defined. Post-PEIR engagement via the offshore ornithology ETG has been undertaken and better definition of these terms has been provided.

514 JNCC made similar comments to NRW on the conservation objectives referred to in the RIAA and requested that the final RIAA be updated to include up-to-date conservation objectives for all sites. *The conservation objectives have been updated and reviewed throughout the RIAA*.

515 JNCC did not agree with the assessment of red-throated diver and requested that mortality rates of 10% be presented for red-throated diver in the assessment, and that displacement be considered out to 8 km. *The assessment is now based on a gradient approach out to 8 km*.

516 JNCC also requested that impacts from vessel disturbance be considered in parallel with those from the array during the O&M phase to provide an assessment of total additive impact. *Combined assessments are now presented where relevant*.

517 JNCC advised that, for in-combination assessments, post-consent monitoring data be reviewed for empirical evidence of levels of impact that may be relevant (for example GyM and Burbo Bank Extension) for red-throated diver. *The Applicant has reviewed all relevant evidence from adjacent projects, drawing on site-specific surveys*.

518 NE's feedback broadly reflected comments already received from NRW and JNCC in respect of 18 vs. 24-months of aerial survey data, the consideration of additive displacement effects from the array and vessel disturbance, and presenting the assessment in the context of up-to-date conservation objectives. *These comments have been taken account of, in line with the descriptions provided above, in preparing the final RIAA*.

519 NE also advised a range of mortality rates from displacement should be further investigated for red-throated diver and auks, as well as common scoter. *Displacement matrices are presented in the displacement annex (application ref: 6.4.4.2) for all species to allow full transparency*.

520 NE also advised that a gradient approach to the assessment of displacement of red-throated diver should be applied and the disturbance buffer should be increased to 8 km. *The gradient approach out to 8 km has now been adopted for red-throated diver displacement*.

521 Regarding the gannet displacement assessment, NE advised that a 2 km buffer should be applied, rather than the array area only as considered in the draft RIAA. *The gannet displacement assessment has been updated to include the array plus a 2 km buffer*.

522 In line with advice from NRW and JNCC, NE also advised that Manx shearwater be assessed for displacement due to the lack of evidence on potential sensitivity and the potential for future in-combination effects in the region. *Manx shearwater has now been included in the displacement analysis*.

523 Furthermore, NE advised that migratory CRM be undertaken using the SOSS tool or MigroPath modelling, and a broad-front approach should be applied to migrating terns. *Migratory CRM has now been undertaken for relevant species using the MigroPath tool (see application ref: 6.4.4.4)*.

8.30 CoCP

524 Comments on the outline CoCP and the specific outline plans detailed within were received from NRW and the Health and Safety Executive (HSE). All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H. Responses on this topic, as well as the regard had to them, are also described within the consultation table of the CoCP and associated annexes (application ref: 8.13 *et seq*).

8.30.1 Section 42 responses and Applicant regard

525 NRW accepted the guidance for mitigation actions and pollution prevention methods associated with groundwater issues detailed within the outline construction method statement and outline pollution prevention and emergency incident response plan. *This was noted. Further information is provided in the Outline PPEIRP (application ref: 8.13.7).*

526 NRW requested clarification in the air quality management plan to explain why the 'desirable' measures described would not be considered essential and considered that site-specific assessment may be necessary if receptors are located close to the site. *Further information and clarification has been provided in the Outline AQMP (application ref: 8.13.4).*

527 NRW highlighted that they would need to be notified in the event that any contaminated water or materials enter or pollute a watercourse or groundwater and requested that no such material could be deposited within 10 m of any watercourse without prior discussion with NRW. *This was noted.*

528 NRW also highlighted that any facilities used to store oils, fuels or other chemicals should be sited on an impervious base and be surrounded by impervious bunding. *This is noted in the Outline PPEIRP (application ref: 8.13.7).*

529 HSE provided advice relating to public safety in the context of referenced guidance to be followed but did not provide specific comment on the AyM proposals. *This was noted.*

8.31 Draft DCO

530 Comments on the draft DCO were received from DCC. All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H.

8.31.1 Section 42 responses and Applicant regard

531 DCC requested clarification over the term ‘public rights of way strategy’ and noted that the Rights of Way Improvement Plan is the only statutory strategy the council would have, which does not contain any pre-defined standards to adhere to. In relation to the temporary stopping up of public rights of way, DCC noted again that Improvement Plans do not specify the implied level of detail in terms of standards for path reinstatement. *The Applicant clarified during a post-PEIR ETG meeting that the PRoW Strategy would be developed by the Applicant, specific to the affected rights of way in the AyM Order Limits*.

532 DCC noted that Part 3, Section 11(2) of the draft DCO only referred to footpaths, but bridleways and other byways could be affected by the proposals. *It was clarified in a post-PEIR ETG meeting that all rights of way were referred to, not just footpaths.*

533 DCC raised concerns over the powers of compulsory acquisition as an affected landowner and considered that the needs of the development should not outweigh or undermine other developments in the public interest, such as sea defence works. DCC also considered that the siting of TJBs within the Rhyl Golf Club (which is sited on land owned by DCC) would impact the long-term viability of the golf club. *In response, the Applicant has committed to no above-ground infrastructure in the Rhyl Golf Club*.

534 DCC did not agree with Requirement 7 of the draft DCO and requested that full details of the substation siting, design, scale, layout and appearance of buildings should be included in the application in order that a robust assessment of effects is undertaken. *This was noted, and it has been clarified in Appendix H that the design will be finalised post-consent, noting the need for flexibility at this stage*.

535 With regard to Requirement 11 of the draft DCO, DCC suggested that the CoCP should also include provision of a communication plan outlining how the local community will be informed of the construction activities. *The Applicant has developed a Communications Plan (application ref: 8.3.13)* which outlines the communications measures that may be implemented by the Applicant during the construction of the onshore works.

8.32 Schedules of mitigation and monitoring

536 NRW provided comments on the measures proposed in the schedules of mitigation and monitoring. It should be noted that the majority of comments on the mitigation proposals were received more broadly in relation to the specific PEIR chapters as described in the sections above. All comments received, along with a description of how the Applicant has had regard to those comments, are contained within Appendix H.

8.32.1 Section 42 responses and Applicant regard

537 NRW advised that the scour protection management plan should detail the time frame for monitoring the turbine foundations and export cable route for evidence of scour which may require protection. NRW advised that geophysical monitoring should be used to determine the spatial extent and depth of scour around foundations. *This was noted. It is suggested that a scour protection management plan (or similar) is secured as a condition within the marine licence*.

538 NRW noted that the MMMP was not described within the Schedule of Mitigation. The Outline MMMP has now been described within the Schedule of Mitigation. A draft Outline MMMP has been included with the application in Volume 4, Annex 7.2; application ref: 6.4.7.2.

8.33 Responses to the consultation questionnaire

539 As part of the consultation carried out under section 47, MoPs were invited to complete a consultation questionnaire, which asks for responses to pre-defined questions about the main areas of concern and the project design. A copy of the consultation questionnaire is provided in Appendix H. In total, 232 completed questionnaires were received, 222 of which were competed online, and 10 by hand. Three of these used the printed Welsh language version of the questionnaire and submitted responses in Welsh. Not all respondents provided answers to every single question.

540 Summaries of the responses to the questions asked are provided in the subsequent sections.

541 Demographic information was obtained on respondents, including which age bracket they fit into and where they lived, in order to ensure views were collected from a diverse group of people within the community and from all parts of the affected region. Over half of respondents (62.4%) fell into the 50-64 and 65-75 age brackets and no responses were recorded from under 18s. Figure 2 illustrates the relative sizes of the age brackets of respondents.

542 The vast majority of postcodes recorded were within the Llandudno postcode district. This district includes 67 postcode districts, across 62 post towns. These covered the majority of north Wales, plus a very small part of west Wales and the English county of Shropshire. A map of recorded postcodes is provided in Figure 3 against the Order Limits and the boundaries presented in the PEIR.

543 The questionnaire also asked people how they found out about the consultation and how they would describe their interest in AyM. Responses to this question indicated that respondents were mostly made aware of the consultation by:

- Being contacted directly by the Applicant;
- Seeing advertisements in online social media and local print media;
- Being informed by word of mouth; and
- Via leaflets.

544 Respondents described their interest in the proposed project mostly as a mixture of:

- Being local residents;
- Objectors to the proposed project;
- Supporters of the proposed project; and
- Interest in future work opportunities within the industry.

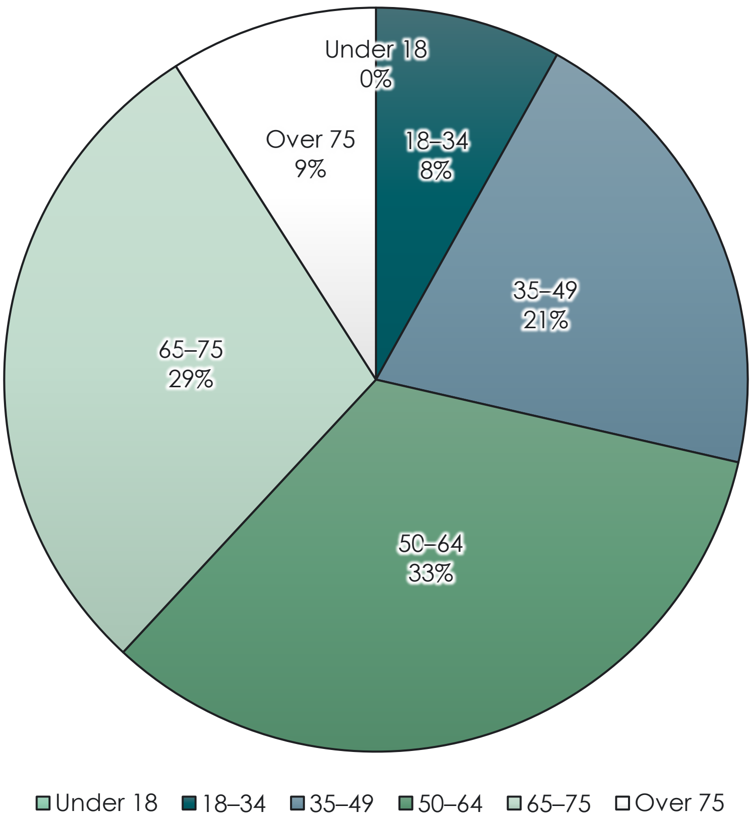
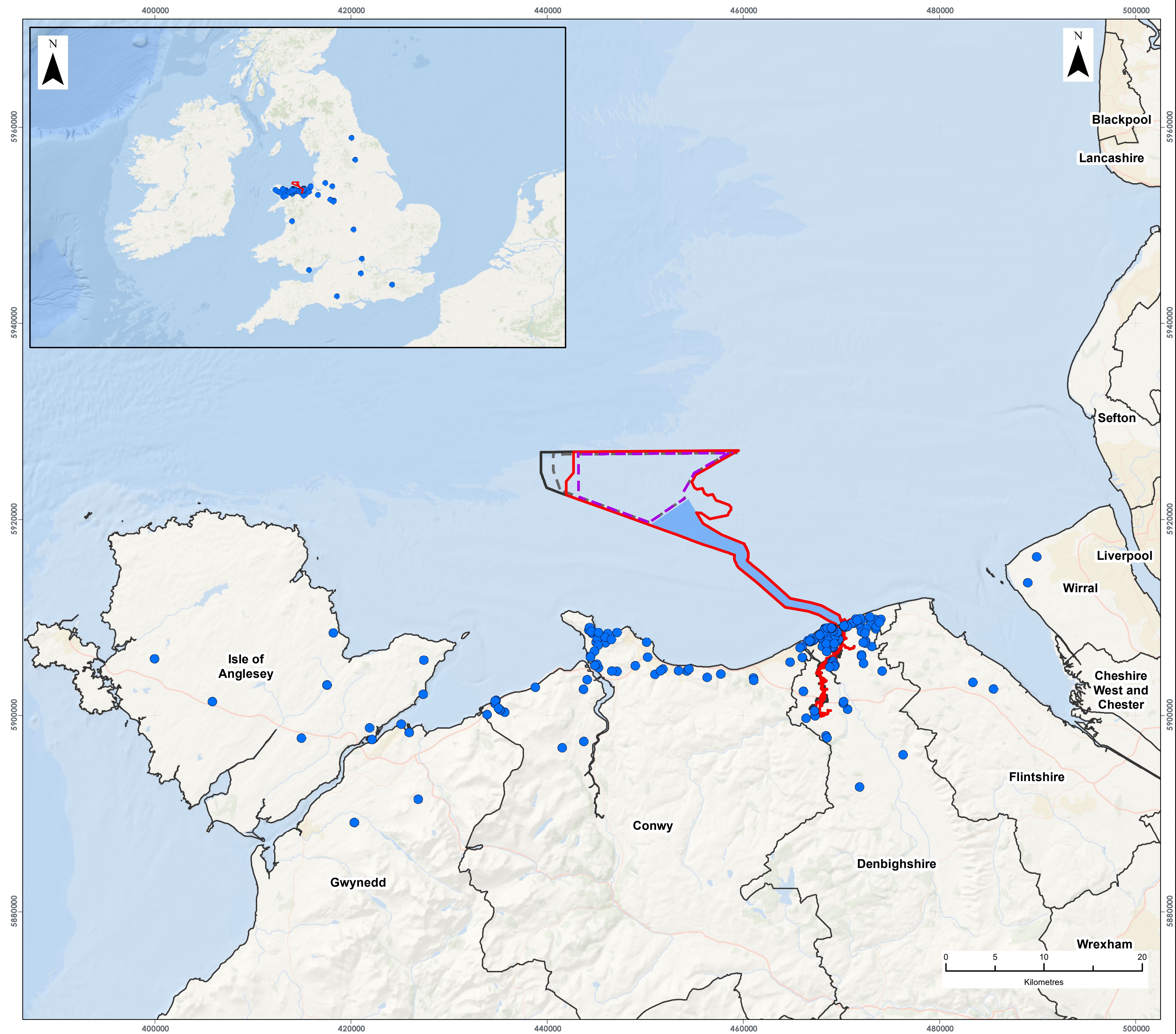
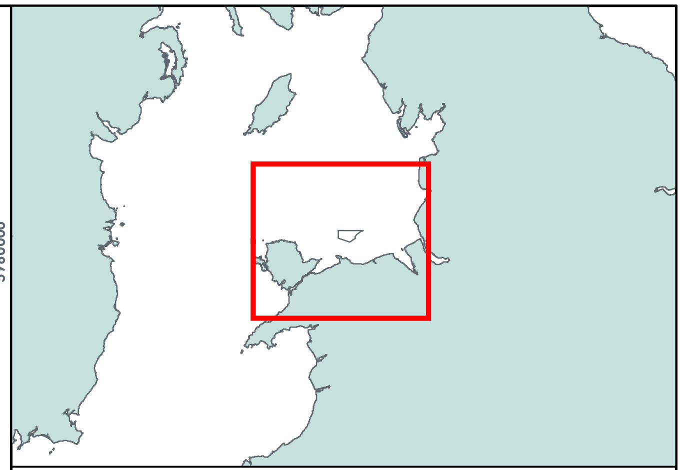


Figure 2: Percentage of respondent's age brackets of questionnaire respondents.





LEGEND

- Order Limits (application)
- Array Area (application)
- Draft Order Limits (PEIR)
- Array Area (PEIR)
- Offshore Export Cable Corridor
- Consultation Questionnaire Responses

Data Source:

PROJECT TITLE:

AWEL Y MÔR OFFSHORE WINDFARM

FIGURE TITLE:

Consultation Questionnaire Responses

VER	DATE	REMARKS	Drawn	Checked
1	18/03/2022	For Issue	BPHB	RM

FIGURE NUMBER:

Figure 1

SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:400,000	A3	WGS84	UTM30N

Fferm Wynt Alltraeth AWEL Y MÔR Offshore Wind Farm

G:\GIS\GIS_Projects\0141 AyM\GIS\Figures\General\Consultation Report\AyM_0141_Online_Survey_Responses_v1.mxd

8.33.1 Onshore cable route and infrastructure

545 A series of questions (described below) were asked regarding which environmental topic areas were most important to respondents as AyM refined its onshore infrastructure, including the landfall, onshore ECC, TCCs and substation zone. The key areas of interest highlighted by respondents in respect of these key aspects of the onshore project design are summarised in Figure 4.

Question 1 – Refinement of the landfall working area

546 The questionnaire outlined that power from the offshore array would be brought to shore via cables running on and under the seabed, and noted the landfall location at Ffrith beach, east of Rhyl.

547 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering further refining the design of the landfall infrastructure?'* and provided a list of the onshore EIA topics which could be ticked.

548 As illustrated in Figure 4, terrestrial ecology and nature conservation and onshore landscape and visual impacts received the highest number of responses in relation to the landfall, with 125 and 103 respondents ticking those options. Socioeconomics and tourism also featured highly in response to this question, with 82 respondents ticking that option.

549 The questionnaire also included a further open question inviting further comments: *'Is there any other information you feel it would be useful to share with the project team to assist with the refinement of the landfall design?'*.

550 It was clear from the public responses that proposals for above-ground works within the Rhyl Golf Club were the cause of some concern. There was also concern over historic flooding in the area and how the proposals would interact with the planned sea defence works in the same area. In response, the Applicant has committed to the option of works in the golf club being below-ground only, to minimise disruption. The Applicant has also proposed an alternative location for the landfall TCC to minimise potential disruption with the sea defence works, should the two projects be constructed at the same time.

Question 2 – Refinement of the onshore ECC

551 The questionnaire described that the onshore ECC runs from the landfall at Ffrith beach to the onshore substation zone, and then onwards to the National Grid substation at Bodelwyddan. It noted that the onshore ECC at the point of PEIR was approximately 100 m wide (it has since been narrowed to a width of between 40 m and 60 m at the point of application). It was also noted that some variation in the width of the onshore ECC was necessary to account for road and river crossings, or to accommodate temporary drainage requirements.

552 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering refining the width and design of the onshore ECC?*' and provided a list of EIA topic areas.

553 As illustrated in Figure 4, terrestrial ecology and nature conservation and onshore landscape and visual impacts were the two most prominently recorded responses to the onshore ECC with 123 and 109 ticks each, respectively. Hydrology and flood risk, as well as onshore archaeology and cultural heritage were also raised as concerns.

554 Again, the questionnaire asked: '*Is there any other information you feel it would be useful to share with the project team on the onshore ECC?*'.

555 The Rhyl Golf Club also featured prominently in public responses to this question. The Applicant has committed to no above-ground works within the golf club to minimise disruption.

Question 3 – Preferred options for onshore TCCs

556 The questionnaire highlighted that TCCs will be required at points along the onshore ECC, to provide secure storage locations for heavy plant, cables and other supplies required to complete the installation works, as well as site management offices, welfare and first aid points. It also noted that a number of potential TCC zones were being considered, and that up to nine zones could be identified where TCCs will be required.

557 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering refining the location of the TCCs?*' and provided a list of EIA topic areas.

558 As illustrated in Figure 4, terrestrial ecology and nature conservation, onshore landscape and visual impacts, traffic and transport and socioeconomics, all received high numbers of responses in relation to the locations of TCCs.

559 Again, the questionnaire asked: '*Is there any other information you feel it would be useful to share with the project team to assist with the refinement of the TCCs?*'.

560 Many of the responses to this question focused on traffic movements and working hours due to concerns over airborne noise. Concerns were also raised over the sea defence works. In response, The Applicant has proposed an alternative location for the landfall TCC to minimise potential disruption with the sea defence works, should the two projects be constructed at the same time.

Question 4 – Onshore substation zone and access

561 The questionnaire noted that an onshore substation would be required for AyM and will be sited close to the National Grid substation at Bodelwyddan in order to connect AyM to the National Grid. It noted that the Applicant intended to refine the location of the onshore substation further, and also identified different options for construction and operational accesses within the PEIR.

562 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering refining the substation location and design and selecting access locations for construction and operational use?*' and provided a list of EIA topic areas.

563 As illustrated in Figure 4, and as with the other aspects of the onshore infrastructure, most respondents selected terrestrial ecology and nature conservation, and onshore landscape and visual impacts as their key areas of concern, with 114 and 107 responses selecting each, respectively. Traffic and transport was also a key area of concern, with 65 responses in relation to the onshore substation zone.

564 Again, the questionnaire asked: '*Is there any other information you feel it would be useful to share with the project team to assist with the design and location of the substation or the routes used to access for construction and operation of the plant?*'.

565 Although this question related to the onshore substation, many respondents re-iterated their concern over the proposals for above-ground works within Rhyl Golf Club. In response, the Applicant has committed to no above-ground works within the golf club to minimise disruption.

Question 5 – Predicted onshore environmental impacts and mitigation measures

566 The questionnaire highlighted that the PEIR and non-technical summary described the latest work on AyM's predicted onshore environmental effects, as well as how these will be avoided, minimised and mitigated where appropriate. The questionnaire asked:

567 '*Do you have any suggestions for additional onshore impacts and issues we should consider? Or ways in which our proposals could be improved to mitigate impacts to the onshore environment and local community?*'. Responses included:

- Establishing a community benefit fund to benefit the local community;
- Re-locating or refining the onshore ECC and onshore substation zone;
- Including sufficient landscaping;
- Avoiding direct impacts to Rhyl Golf Club;
- Establishing clear lines of communication with the local community; and
- Avoiding building of the proposed project altogether.

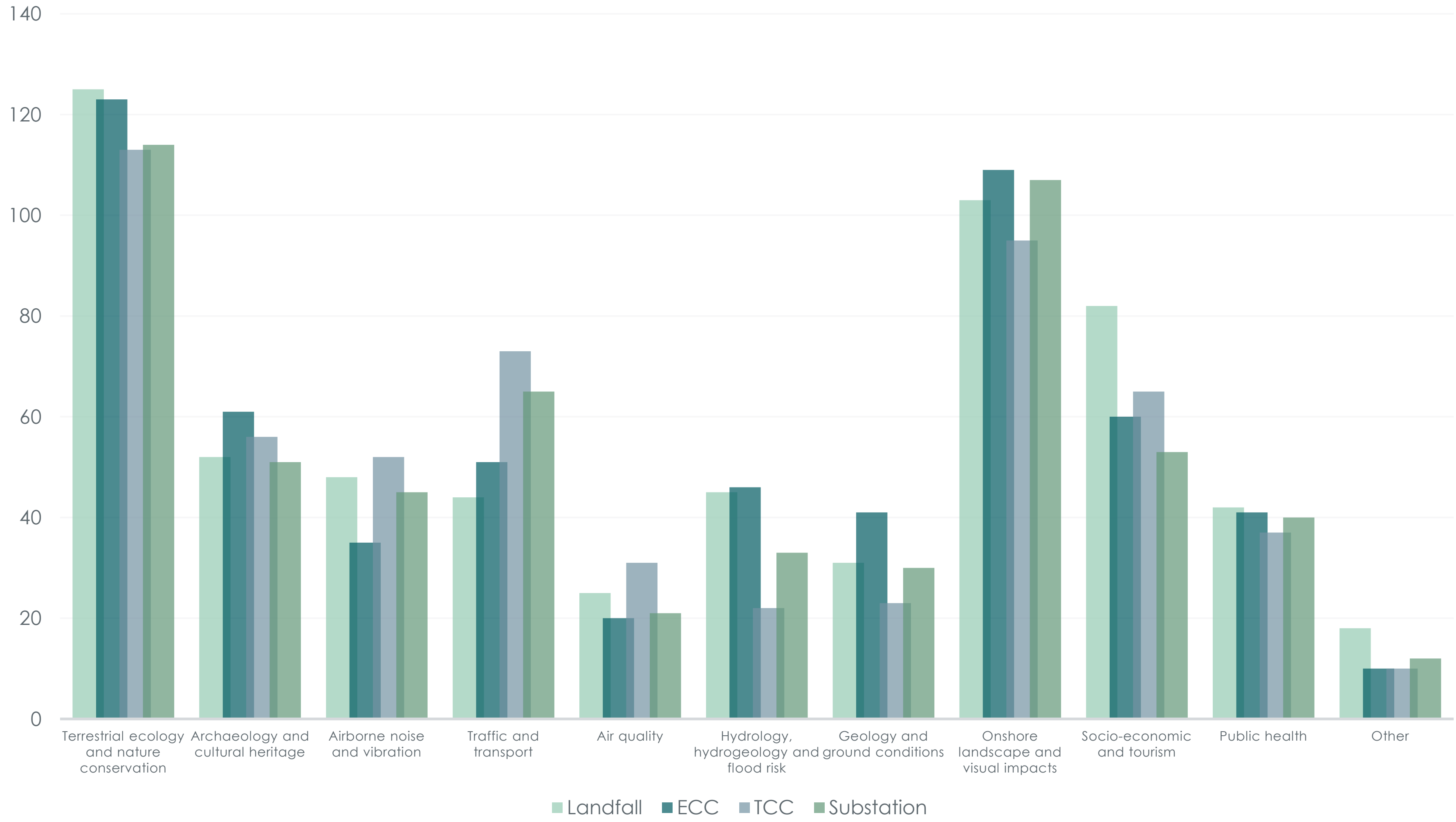


Figure 4: Number of respondents who highlighted their key environmental considerations regarding the onshore infrastructure.

8.33.2 Offshore cable route and infrastructure

568 A series of questions (described below) were asked regarding which environmental topic areas were most important to respondents as AyM refined its offshore infrastructure, comprising the array and offshore ECC. The key areas of interest highlighted by respondents in respect of these key aspects of the offshore project design are summarised in Figure 5.

Question 6 – The offshore array

569 The questionnaire described that the offshore array is where the power is generated and includes WTGs, OSPs and subsea cables.

570 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering refining the design of the offshore array?*' and provided a list of EIA topic areas.

571 As illustrated in Figure 5, the topic areas which received the most attention were SLVIA (83 responses), fish and shellfish ecology (80 responses), physical and biological environment (74 responses) and marine mammals (70 responses).

572 The questionnaire then asked: '*Is there any other information you feel it would be useful to share with the project team to assist with the offshore array?*'.

573 Many respondents highted the visual impact of the proposed scheme, in particular in the context of designated landscapes and cumulative impacts on the views out to sea that are already influenced by the presence of offshore wind infrastructure. The Applicant has further reduced the size of the proposed wind farm array, dropping a portion of the array's western end from the proposals after an initial reduction at the post-scoping phase.

Question 7 – The offshore ECC

574 The questionnaire noted that the offshore ECC is required to bring power generated in the array to shore.

575 The questionnaire asked: '*Which issues would you like the project team to be most aware of when considering refining the design of the offshore ECC?*' and provided a list of EIA topic areas.

576 As illustrated in Figure 5, in relation to the offshore ECC, the topic areas that received the most responses were fish and shellfish ecology (77), SLVIA (64,) physical and biological environment (68) and marine mammals (63).

577 The questionnaire then asked: '*Is there any other information you feel it would be useful to share with the project team to assist with the offshore ECC?*'.

578 Again, many responses focused on concerns over proposals for above ground works within the Rhyl Golf Club and the potential disruption this could cause. In response, the Applicant has committed to no above-ground works within the golf club to minimise disruption.

Question 8 – Predicted offshore environmental impacts and mitigation

579 The questionnaire highlighted that the PEIR and non-technical summary described the latest work on AyM's predicted offshore environmental effects, as well as how these will be avoided, minimised and mitigated where appropriate. The questionnaire asked: '*Do you have any suggestions for additional onshore impacts and issues we should consider? Or ways in which our proposals could be improved to mitigate impacts to the offshore environment and local community?*'. Responses included:

- Establishing a community benefit fund to benefit the local community;
- Re-locating or refining the offshore wind farm further offshore where it is not visible;
- Deploying tidal devices instead of wind turbines;
- Ensuring the workforce is comprised of local people to maximise benefits to the local community;
- Establishing clear lines of communication with the local community; and
- Avoiding building of the proposed project altogether.

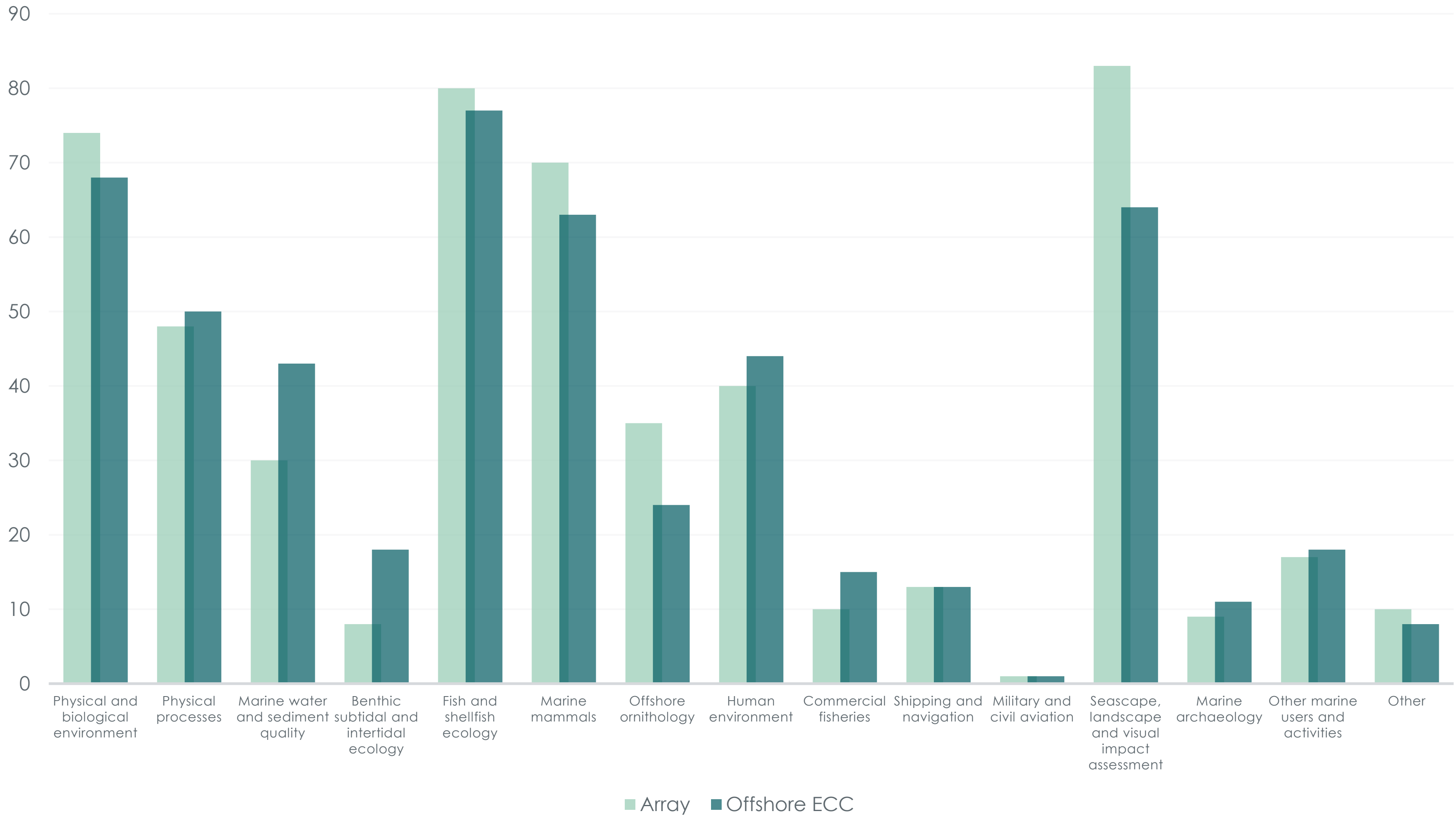


Figure 5: Number of respondents who highlighted their key environmental considerations regarding the offshore infrastructure.

8.33.3 Question 9 – The Maximum Design Scenario

580 The questionnaire explained that all offshore wind farms require a degree of flexibility in their design, and the exact model of WTG used will not be selected until post-consent. Accordingly, a range of variables have been presented and assessed in a 'design envelope' approach. Each impact is assessed in terms of an impact-specific MDS, within which AyM will be built.

581 The questionnaire asked: '*To what extent do you agree that the PEIR and the MDS identifies, incorporates and assessed the important issues relating to the construction, operation and decommissioning of the proposed project?*'. The percentage responses are illustrated in Figure 6.

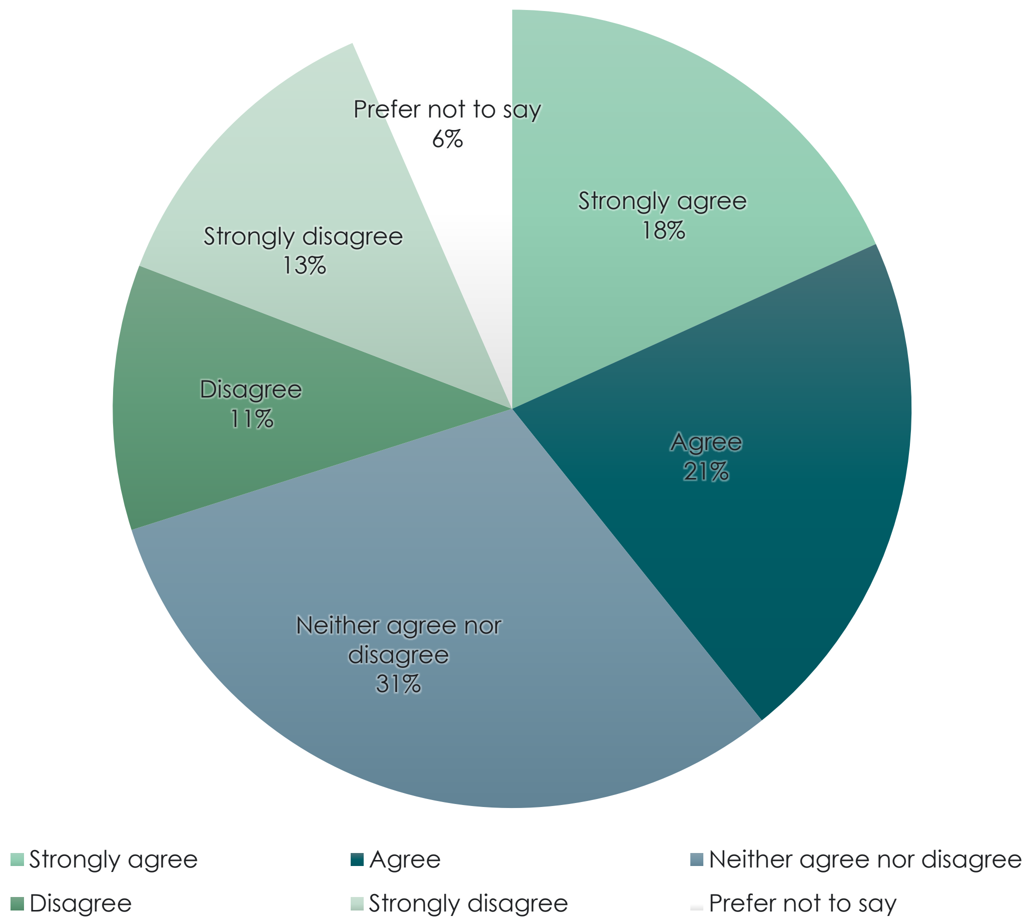


Figure 6: Percentage responses to question 9.

8.33.4 Question 10 – Overall project

582 The questionnaire asked questions relating to how far respondents agreed with statements on climate change, the importance of renewable energy and how well AyM will contribute to UK and Welsh Government climate change targets.

583 '*I am concerned about climate change and its impacts on future generations*'. The relative responses are illustrated in Figure 7.

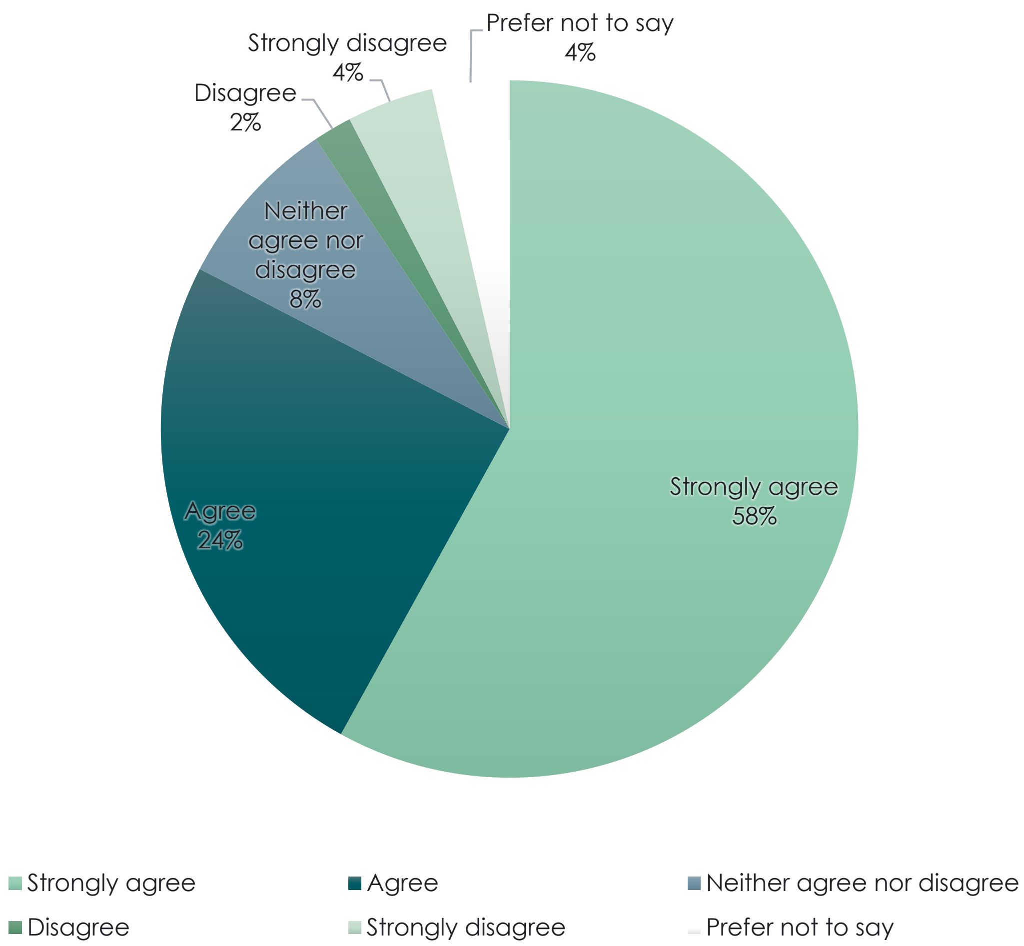


Figure 7: Relative responses to question 10 iii).

584 '*Developing renewable energy is important in tackling climate change*'. The relative responses are illustrated in Figure 8.

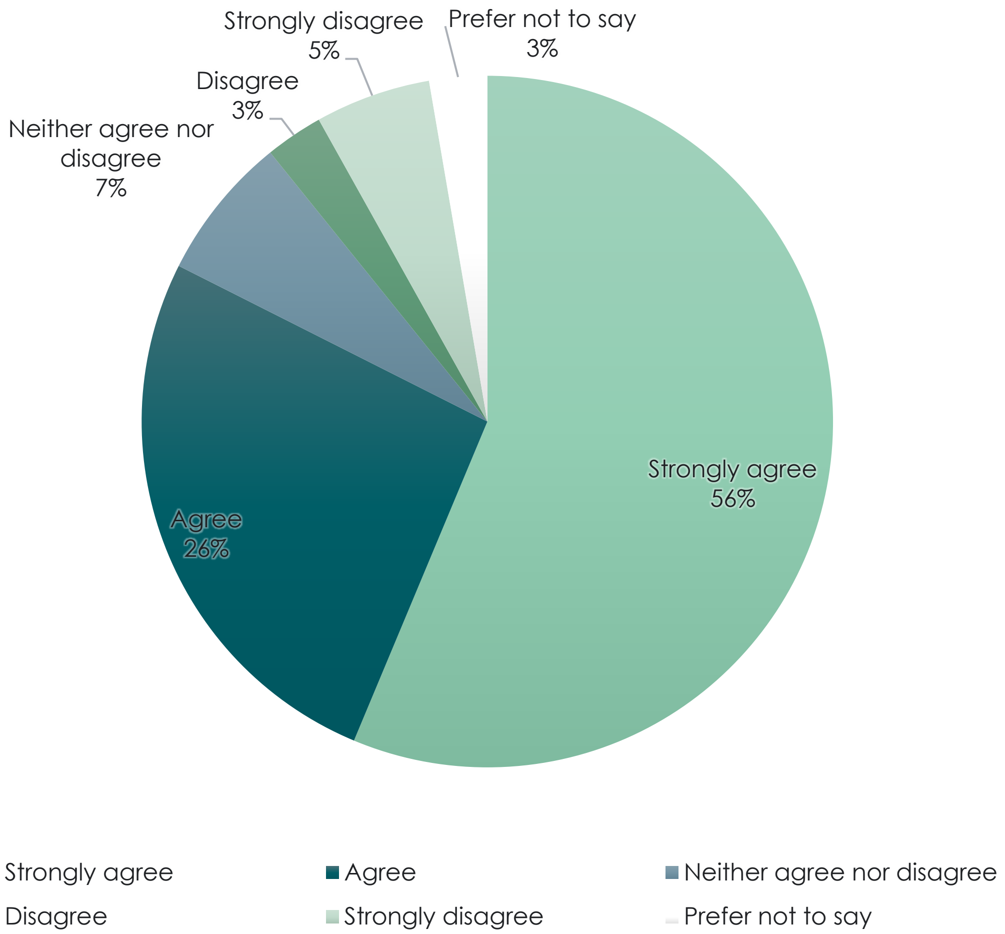


Figure 8: Relative responses to question 10 iv).

585 ‘*Awel y Môr will make an important contribution to UK and Welsh Government renewable energy targets*’. The relative responses are illustrated in Figure 9.

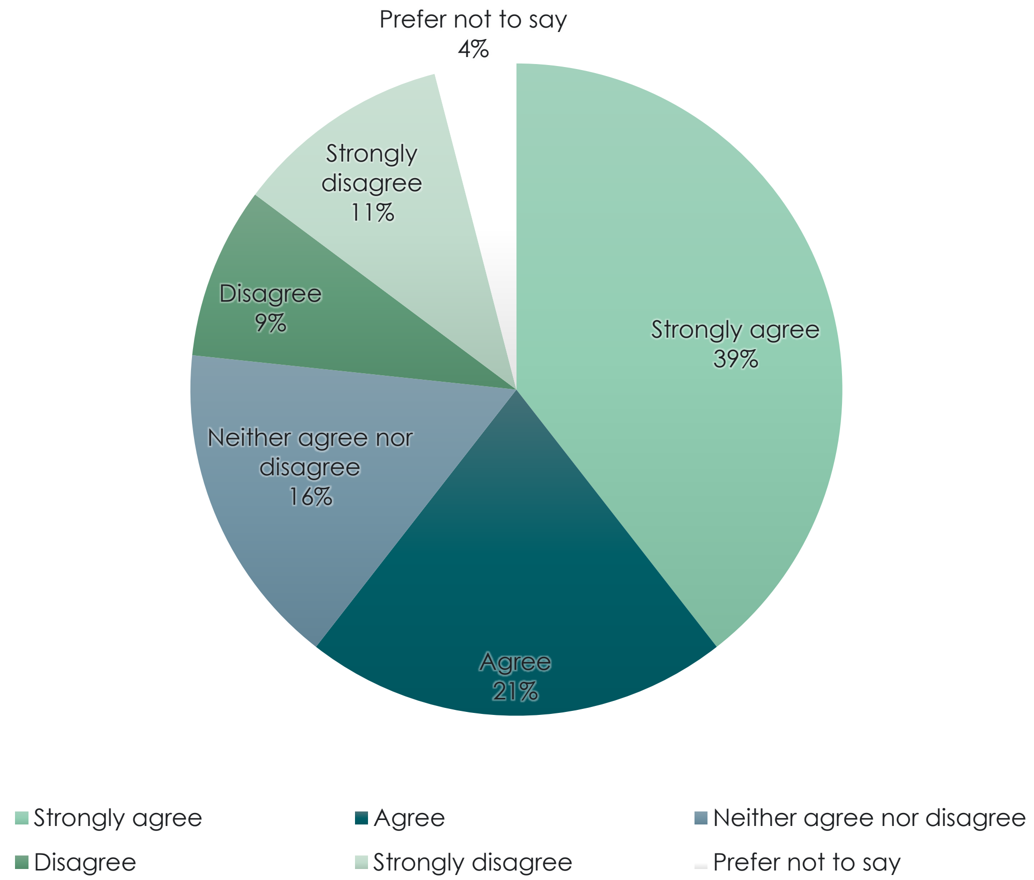


Figure 9: Relative responses to question 10 v).

586 In question 10, the questionnaire asked a series of questions regarding the overall project. It asked: '*Do you have any comments regarding how we are proposing to address the balance between impacts and benefits of the project?*'.

587 Once again, Rhyl Golf Club featured heavily in these responses – out of the 94 responses to this question, 18 specifically mentioned the importance of the golf club to the local community or expressed their support for 'Option B' which would commit the Applicant to no above-ground infrastructure in the golf club itself. In response, the Applicant has committed to this option of not installing any permanent above-ground infrastructure in the Rhyl Golf Club. Responses to this question were broadly supportive of the benefits of AyM, on the basis that impacts to the golf club could be mitigated by this option. Others highlighted the visual impacts of the scheme, to which the Applicant has made a further reduction in the spatial extent of the proposed array.

588 Finally, the questionnaire invited respondents to '*please share any other concerns that we may not have addressed within this questionnaire*'.

589 Of the 79 responses to this question, the value of the Rhyl Golf Club also featured heavily, being mentioned in 16 responses. Again, the Applicant has committed to installing no above-ground infrastructure in the Golf Club.

590 Some respondents also expressed their preference for developing offshore wind further from shore, or for developing alternative technologies such as tidal power. Although the Applicant is supportive of further offshore wind development and other renewable energy technologies, it should be remembered that the AyM development area has been leased to the Applicant by TCE for the deployment of offshore wind specifically. Furthermore, offshore wind power is currently more advanced in technological and industry terms than some other sources and is therefore more readily able to meet UK and Welsh government climate change targets.

591 Others raised queries over the design of the questionnaire itself, stating that is was sometimes difficult to express opinions on an emotive topic through the use of tick boxes. This was recognised by the Applicant, and comment boxes were provided at several points in the questionnaire for respondents to capture additional comments. However, it was necessary to also utilise 'tick box' type questions in order to enable analysis of the responses.

9 Post-statutory consultation engagement

9.1 Summary of post-statutory consultation engagement

592 Following the statutory consultation activities prescribed by the PA 2008, the Applicant engaged in further consultation to explore the matters raised during the statutory consultation period and to seek to resolve outstanding issues prior to submitting the application.

593 The Applicant has undertaken non-statutory consultation subsequent to the statutory consultation activities (which ended in October 2021) with a variety of consultees. This consultation was undertaken in a similar vein to the post-scoping consultation, in order to clarify and discuss particular issues raised during the statutory consultation, and this consultation also formed an integral part of the Applicant's approach to making appropriate and necessary amendments to the project design (including relevant mitigation measures) as the application was finalised.

9.1.1 The Evidence Plan

594 The Applicant continued to consult with the Evidence Plan ETGs in the post-statutory consultation period. A series of ETG meetings were held in October 2021 – January 2022, to discuss the statutory consultation responses.

595 The outcomes of these meetings are discussed in detail within the consultation sections of the individual ES chapters, as well as in the Evidence Plan Report (application ref: 8.2).

9.1.2 Other consultation

596 Outside of the Evidence Plan process, consultation also continued to take place with non-Evidence-Plan stakeholders regarding issues including aviation and radar, commercial fishing and transboundary matters. Where relevant, the outcomes of these consultations are detailed within the consultation sections of each ES chapter.

9.2 Targeted section 42 consultation on post-PEIR boundary changes

597 The Applicant has undertaken targeted consultation with those stakeholders affected by the changes to the Order Limits between statutory consultation on the PEIR and application, including landowners and local authorities, as described in Section 4.4.

598 Although the changes were considered non-material and did not result in changes to the outcomes of assessments presented in the ES, the Applicant engaged with the stakeholders identified, sending a letter to directly affected landowners/ PWILs, as well as to all statutory consultees notifying them of the changes and the start of the statutory targeted section 42 consultation. This letter was dated 28/01/2022 and gave a deadline of 02/03/2022 to provide responses to the consultation.

599 A total of four responses were received to this consultation, including two landowners/ PWILs, NRW and NWWT.

9.2.1 Section 42 responses and Applicant regard

600 NRW did not raise any significant concerns but highlighted potential flood risks for the location of the landfall TCC. NRW also raised that unobstructed access is required to the Rhyl pumping station. *This response was noted by the Applicant, who will continue to liaise with NRW on these matters*.

601 One landowner/ PWIL highlighted concerns relating to traffic and transport and the suitability of access roads to the proposed landfall TCC, as well as how heavy plant may affect local housing in terms of vibration. *A direct response was provided giving details of the management plans that would be put in place to mitigate impacts*.

602 Another landowner/ PWIL raised concerns over access to their land during construction and requested clarification in terms of the ecological mitigation land, it's duration of use and how it would be managed. *A direct response was provided, giving a plan of AyM in relation to the affected land and further details of the mitigation that would be implemented*.

9.2.2 Section 47 responses and Applicant regard

603 NWWT highlighted net biodiversity benefit with respect to Planning Policy Wales, suggesting the expansion of dune habitat south of the landfall. *It was noted that Volume 3, Chapter 5 of the ES (onshore biodiversity (application ref: 6.3.5)) gives consideration to biodiversity enhancement. This is further considered in the Outline Landscape and Ecological Mitigation Plan (application ref: 8.4).*

10 Conclusions and next steps

10.1 The post-application process

604 Since its inception, AyM has been the subject of extensive consultation (both statutory and non-statutory) with stakeholders, including regulators, landowners, the local community and other interest groups. Consultation has had a significant influence on the evolution of AyM, including characterising the baseline environment, establishing methods of assessment, as well as project design in terms of boundaries and the design envelope.

605 The Applicant published its PEIR for consultation on 31 August 2021 and undertook parallel statutory consultation under sections 42 and 47 of the PA 2008. This statutory consultation ran for six weeks, concluding on 11 October 2021. The statutory consultation was undertaken in a manner that responded to the challenges of the Covid-19 pandemic, for example providing more than the statutory minimum response times, and offering both online and safe, in-person opportunities to engage.

606 All responses to the consultation, whether they were received by the deadline or after the statutory consultation period, have been considered by the Applicant when preparing this application. Where appropriate, responses have resulted in changes to the design of the proposed project and, where this has not been possible, justification has been provided for not doing this. Details regarding the amendments that have been made to the proposed project as a result of statutory consultation are described in Table 6.

607 In addition, conditions and requirements have been included in the draft DCO (application ref: 6.1) to address specific issues raised by consultees. Suggested model marine licence conditions have also been included in application ref: 3.4.

608 Following the statutory consultation period, the Applicant undertook additional consultations with stakeholders to discuss and address key issues raised, with feedback from those additional consultations incorporated into the application where appropriate and practicable.

609 In the spirit of effective consultation, the Applicant continues to engage with a range of consultees on specific matters and will continue to do so as proposed progresses into the Examination phase.

10.2 Statements of Common Ground

610 Where possible, the Applicant has sought (and is continuing to seek) Statements of Common Ground (SoCGs) with key consultees to assist PINS and the SoS (in addition to NRW in respect of the marine licence application) in understanding which issues regarding AyM have been resolved and which remain unresolved.

611 The SoCGs will set out a record of consultation undertaken to date with each relevant stakeholder, and the key areas of agreement and any outstanding issues. The SoCGs will be updated throughout the Examination period to reflect ongoing consultation as required.

10.3 Compliance checklist

612 In developing the approach to consultation for AyM, the Applicant has followed the specific requirements set out in relevant legislation and guidance documents.

613 This Consultation Report describes the activities the Applicant has undertaken under sections 42, 47 and 48 of the PA 2008, the consultation responses received under these sections and the regard had to them by the Applicant under section 49. Each section of the Consultation Report sets out the legislative context to demonstrate how the consultation has adhered to the relevant legislation and guidance.

614 A compliance checklist (Appendix A), which details how the Applicant has complied with the requirements of the PA 2008, the APFP Regulations, the EIA Regulations as well as DCLG guidance and PINS Advice Notes. The compliance checklist can be summarised as follows

- **Undertaking statutory consultation under section 42 of the PA 2008:** Section 4 of this Consultation Report and Appendix C demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed;

- **Undertaking statutory consultation under section 47 of the PA 2008:** Section 5 of this Consultation Report and Appendix D demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed. Compliance with the requirements set out in the SoCC has also been demonstrated (see Section 5.4 and Appendix D3.2). In relation to the EIA Regulations, the SoCC provides relevant detail as required under Regulation 12. In addition, the local community was provided with the consultation documents (as described in Section 5.3.1 of this report);
- **Undertaking statutory publicity under section 48 of the PA 2008:** Section 6 of this Consultation Report and Appendix E demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed;
- **Having regard to section 42 consultation responses:** Section 8 of this Consultation Report and Appendix H demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed
- **Having regard to section 47 consultation responses:** Section 8 of this Consultation Report and Appendix H demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed; and
- **Having regard to section 48 publicity responses:** Section 8 of this Consultation Report and Appendix H demonstrate that all requirements of the PA 2008 have been complied with and the guiding principles set out in the relevant guidance documents have been followed.

615 The compliance checklist demonstrates that all relevant requirements set out in the legislation have been adhered to in completing the pre-application process. Furthermore, where appropriate, guiding principles set out in relevant guidance documents have been followed in carrying out pre-application consultation for AyM.

616 In conclusion, the Applicant has undertaken extensive pre-application consultation in accordance with relevant legislation and guiding principles, and in accordance with the SoCC.

617 The Applicant has endeavoured to accurately reflect the various stages of consultation that have been undertaken and to represent the views and feedback from consultees that have been engaged in the process.

618 It can be concluded from an analysis of the information provided in this report that the comments, views and potential impacts identified through pre-application consultation have been considered and have influenced the final submitted application.

10.4 References

Department for Communities and Local Government (DCLG). Planning Act 2008: Guidance on the pre-application process. *March 2015*. Online, available at: https://www.gov.uk/government/publications/guidance-on-the-pre-application-process-for-major-infrastructure-projects

Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) (2015). Best practice guidance for offshore renewables developments: recommendations for fisheries disruption settlements and community funds. Online, available at: https://www.thecrownestate.co.uk/media/1776/floww-best-practice-guidance-disruption-settlements-and-community-funds.pdf

Welsh Government, 2021. Future Wales: the national plan 2040. Online, available at: https://gov.wales/future-wales-national-plan-2040

innogy 2020. Awel y Môr Offshore Wind Farm Scoping Report. Online, available at: https://infrastructure.planninginspectorate.gov.uk/projects/wales/awel-y-mor-offshore-wind-farm/?ipcsection=docs

The Planning Inspectorate (PINS) (2017) Advice Note 3: EIA Consultation and notification (Version 7). Online, available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

The Planning Inspectorate (PINS) Advice Note 6: Preparation and submission of application documents (Version 10). Online, available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

The Planning Inspectorate (PINS) (2020) Advice Note 7: Environmental Impact Assessment: Preliminary Environmental information, Screening and Scoping (Version 7). Online, available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

The Planning Inspectorate (PINS) (2020) Advice Note 12: Transboundary impacts and process (Version 6). Online, available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

The Planning Inspectorate (PINS) (2021) Advice Note 14: Compiling the Consultation Report (Version 3). Online, available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

The Planning Inspectorate (PINS) (2021). Scoping Opinion: Proposed Awel y Môr Offshore Wind Farm, Case Reference EN010112. Online, available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010112/EN010112-000073-AYMO%20-%20Scoping%20Opinon.pdf

Fferm Wynt Alltraeth
AWEL Y MÔR
Offshore Wind Farm

RWE Renewables UK Swindon Limited

Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB
T +44 (0)8456 720 090
www.rwe.com

Registered office:
RWE Renewables UK Swindon Limited
Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB
Registered in England and Wales no. 02550622