



Awel y Môr Offshore Wind Farm

Statement of Common Ground 2 – Denbighshire County Council

Deadline 7

Date: 08 March 2023

Revision: D

Document Reference: 7.32

Application Reference: N/A



REVISION	DATE	STATUS/ REASON FOR ISSUE	AUTHOR	CHECKED BY	APPROVED BY
A	Nov 2022	For DCC review	GoBe/SLR	RWE	RWE
B	Nov 2022	Deadline 3	GoBe/SLR	RWE	RWE
C	Feb 2023	Deadline 6	GoBe/SLR	RWE	RWE
D	March 2023	Deadline 7	GoBe/SLR	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

Signatories

Signed	
Name	Paul Mead
Position	Development Manager
For	Denbighshire County Council

Signed	
Name	Karen Algate
Position	Senior Consents Manager
For	Awel y Môr Offshore Wind Farm Limited (the Applicant)

Contents

1	Introduction.....	6
1.1	Background.....	6
1.2	Approach to SoCG	6
1.3	The Development	7
2	DCC's remit as an Interested Party	8
2.1	Introduction	8
2.2	Consultation Summary	9
3	Agreements Log	15
3.1	Principle of Development, Site Selection and Substation Design Principles	16
3.2	Onshore Landscape and Visual Impact Assessment (LVIA)	17
3.3	Socio-economics	19
3.4	Tourism and Recreation	21
3.5	Onshore biodiversity and nature conservation	23
3.6	Ground conditions, land use and contamination	26
3.7	Hydrology, hydrogeology and flood risk	28
3.8	Onshore archaeology and cultural heritage	31
3.9	Traffic and transport	33
3.10	Residential and public amenity (airborne noise and vibration, air quality and public health)	35
3.11	Draft DCO	37

Tables

Table 1: Consultation undertaken with DCC during pre-application and post-application phases.	9
Table 2: Position status key.....	15
Table 3: Status of discussions relating to Principle of Development, Site Selection and Substation Design Principles.	16

Table 4: Status of discussions relating to LVIA.....	17
Table 5: Status of discussions relating to socio-economics.	19
Table 6: Status of discussions relating to tourism and recreation.	21
Table 7: Status of discussions relating to onshore biodiversity and nature conservation.....	23
Table 8: Status of discussions relating to ground conditions, land use and contamination.....	26
Table 9: Status of discussions relating to hydrology, hydrogeology and flood risk.	28
Table 10: Status of discussions relating to onshore archaeology and cultural heritage.....	31
Table 11: Status of discussions relating to traffic and transport.	33
Table 12: Status of discussions relating to residential and public amenity.	35
Table 13: Status of discussions relating to the draft DCO	37

1 Introduction

1.1 Background

- 1 This Statement of Common Ground (SoCG) has been prepared between Awel y Môr Offshore Wind Farm Limited (hereafter referred to as 'the Applicant') and Denbighshire County Council (DCC) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application (the Application) for the Awel y Môr Offshore Wind Farm (hereafter referred to as 'AyM').
- 2 The need for a SoCG between the Applicant and DCC was set out within Rule 6 letter issued by the Examining Authority (ExA) on 23 August 2022. Prior to Deadline 1, the Applicant proposed that the SoCG with DCC would be developed after receipt of detailed feedback in DCC's Local Impact Report (LIR), which was received at Deadline 1 (REP1-056).
- 3 The SoCG with DCC is a means of clearly stating any areas of agreement and outstanding disagreement between the two parties in relation to AyM's DCO application. This SoCG has been structured to reflect the topics of interest and relevance to DCC.
- 4 It is intended that this document will help facilitate post-application discussions between both parties and also give the Examining Authority (ExA) an understanding of the level of common ground between both parties.

1.2 Approach to SoCG

- 5 This SoCG has been developed during the examination phase of AyM. In accordance with discussions between the Applicant and DCC, the SoCG is focused on the onshore topics listed in Section 2.
- 6 The SoCG is structured as follows:
 - ▲ **Introduction:** Outlining the background to the development of the SoCG;
 - ▲ **DCC's remit:** Describing the remit of DCC, the relevance of DCC's interest in the Application, the main areas of discussion within the SoCG and a summary of consultation to date; and

- ▲ **Agreements Log:** A record of the positions of the Applicant alongside those of DCC as related to the topics of discussion and the status of agreement on those positions.

1.3 The Development

- 7 The Application is for development consent for the Applicant to construct and operate the proposed Awel y Môr project under the Planning Act 2008.
- 8 AyM will comprise up to 50 Wind Turbine Generators (WTGs) and will include infrastructure that is required to transmit the power generated by the turbines to the offshore substation via inter-array cables, before being transmitted via export cables to the proposed OnSS located to the west of St Asaph Business Park (SABP) and then to the existing National Grid Bodelwyddan substation.
- 9 The onshore export cable configuration will include up to two cable circuits connecting to the proposed OnSS and existing National Grid Bodelwyddan substation via a Landfall to the east of Rhyl and underground cables within an onshore Export Cable Corridor (ECC).
- 10 The key permanent onshore components of AyM will include:
 - ▲ Infrastructure at Landfall where the offshore cables are brought ashore;
 - ▲ Up to two Transition Joint Bays connecting the offshore cables to the onshore cables;
 - ▲ Underground cable ducts, joint pits and cables;
 - ▲ The OnSS to the west of SABP; and
 - ▲ Underground cable ducts, joint pits and cables for the grid connection from the OnSS to the existing National Grid Bodelwyddan substation located to the south of SABP.
- 11 More details on the proposed development are described in the Environmental Statement (ES) Volume 3, Chapter 1: Project Description (Onshore) (APP-062).

2 DCC's remit as an Interested Party

2.1 Introduction

- 12 DCC is a prescribed consultee for the proposed development under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and is also the sole host authority for the onshore elements of AyM. DCC's remit covers the following broad areas that are relevant to the onshore aspects of AyM:
- Principle of development, site selection and substation design principles;
 - Onshore Landscape and Visual Impact Assessment (LVIA);
 - Socio-economics;
 - Tourism and recreation;
 - Onshore biodiversity and nature conservation;
 - Ground conditions and land use;
 - Hydrology, hydrogeology and flood risk;
 - Onshore archaeology and cultural heritage;
 - Traffic and transport;
 - Residential and public amenity (airborne noise and vibration, air quality and public health; and
 - Draft DCO
- 13 Agreements and disagreements with the North Wales Local Planning Authorities (NW LPAs) (including DCC) relating to the offshore Seascape, Landscape and Visual Impact Assessment (SLVIA) are captured in SoCG 1 (see the Statement of Commonality (Document 7.27 of the Applicant's Deadline 7 submission)).
- 14 Whilst DCC has broader remits, the project elements of interest for this SoCG are the onshore elements of the scheme comprising the landfall, onshore ECC, OnSS and associated temporary and permanent infrastructure such as temporary watercourse crossings and proposals for ecological compensation and enhancement.

- 15 In relation to AyM, DCC's responsibilities have included engagement in the pre-application process, both through membership of Expert Topic Groups (ETGs) and through bilateral discussion. In addition, as the host LPA, DCC will be responsible for review and approval of onshore DCO Requirements, in consultation with other key consultees including NRW.

2.2 Consultation Summary

- 16 This section briefly summarises the consultation (regarding onshore aspects of AyM) that the Applicant has undertaken with DCC including both statutory and non-statutory engagement during the pre-application and post-application phases.

Table 1: Consultation undertaken with DCC during pre-application and post-application phases.

DATE AND TYPE	DESCRIPTION OF CONSULTATION
21/11/19	Benthic Ecology/Fish & Shellfish Ecology/Physical Processes/Flood Risk/Water Quality/WFD/Sediment Quality ETG
25/11/2019	Offshore Ornithology & Marine Mammals ETG
09/12/2019	Traffic, Transport ETG
10/12/2019	Onshore Ecology & Hydrology ETG
09/03/2020	Onshore ETG
10/03/2020	Offshore ETG
18/09/2020	Offshore Ornithology ETG
21//09/2020	Onshore Ecology ETG
01/10/2020	Onshore Hydrology ETG
13/11/2020	HRA – Assessment of ornithological features
27/01/2021	Cultural heritage and Archaeology ETG

DATE AND TYPE	DESCRIPTION OF CONSULTATION
26/02/2021	Onshore Ecology ETG inc. PEA Report
18/02/21, 3/3/21 & 15/03/21	Request for traffic counter data, particularly for River Clwyd embankment path. Data received on 16/3/21. The data has been used to inform the baseline analysis (Section 4.7) and the assessment of AyM (see Sections 4.10, 4.11 and 4.11.1).
08/03/21 & 15/03/21	The information provided has been used in the resource assessment (Sections 4.10, 4.11
22/03/2021	Onshore hydrology ETG inc. flood risk and proposed cable corridor routing update
29/03/21	Human Environment ETG (Traffic and Transport subgroup)
29/03/21	Request for information about whether the proposed onshore ECC would impact on any routes used by the walking groups that the officer coordinates.
31/03/21	Human Environment ETG (Noise subgroup)
05/05/2021	Socio economic ETG
May & June 2021	Informal Statement of Community Consultation (SoCC) consultation: engagement, including email correspondence and meetings across May & June 2021 to DCC team (Denise Shaw, Lara Griffiths, Fran Rhodes, Sian Owen) to inform the drafting of the SoCC and plans for community engagement
5 August 2021	Meeting with DCC to discuss comms/promotional aspects of the AyM statutory consultation (Fran Rhodes, Lara Griffiths, Jo Sutton, Matthew Jones, Sian Owen, Gari Thomas)

DATE AND TYPE	DESCRIPTION OF CONSULTATION
23-24 August 2021	Emails to Matthew Jones (PR/Comms Officer) to organise meeting to discuss local PR/ publicity of AyM statutory consultation
August – September 2021	Discussions with Rhyl Tourist Information Centre (DCC) regarding implementation of temporary exhibition to support AyM statutory consultation (Antoni Vitti)
02/11/2021	Human environment ETG
10/11/2021	Onshore hydrology and flood risk ETG
12/11/2021	Public Rights of Way non-ETG meeting
12/11/21	Post Statutory Consultation meeting with DCC; Expert Topic Group follow-up re proposed country park at Bodelwyddan Castle. Drawing received 17/1/22. The ground to be developed as a country park is all outside of the ZOI.
24/11/2021	Onshore Ecology ETG – survey results and mitigation proposals
05/11/2021	Onshore Hydrology and Flood risk ETG
[late Nov 2021]	Add meeting details: Denise Shaw, Paul Mead, Paul Carter (RWE), Burges Salmon, etc.
[02/12/2021 & 17/12/2021]	Email exchanges regarding the above [late Nov 2021] Sharing of Meeting Notes from late Nov 2021 meeting; sharing of draft PPA to support key DCC inputs required to support DCO process
14/12/2021	SLVIA ETG
07/02/22	LVIA mtg with LUC & DCC

DATE AND TYPE	DESCRIPTION OF CONSULTATION
	Meeting held to discuss landscape mitigation proposals. The mitigation principles of the ONSS were presented on screen at the meeting along with the outline landscape mitigation proposals that are presented in the ES
February 2022	<p>Targeted consultation activities, including online drop-in session for ETG members, in-person event at Prestatyn, a project newsletter, targeted Cllr briefings, etc.</p> <p>22/02/2022: Virtual ETG drop-in information session in support of targeted consultation (newly proposed alternative TCC and accesses in Denbighshire)</p>
30/03/2022	<p>Adequacy of Consultation: information</p> <p>Email sent to several DCC Officers confirming AyM intention to submit DCO application to PINS on 20 April; also shared information regarding Adequacy of Consultation response that would be sought soon by PINS; also shared information that AyM would be sharing Consultation Report imminently</p>
26/04/2022 (email)	Confirmation AyM DCO submission to PINS and other, related matters
07/06/2022 (email)	Engagement regarding DCC involvement in AyMs DCO process: Pre-examination and Examination phases (focus on setting up a PPA in support of an LIR and SoCG; Relevant Representations period and discharge requirements in due course)
21/06/2022 (email)	Follow-up email to correspondence sent 07/06/2022, looking to set up a meeting/phone call to discuss further
24/06/2022 (email)	Email sent regarding key AyM project updates and imminent outputs required from DCC in support of the DCO process.

DATE AND TYPE	DESCRIPTION OF CONSULTATION
27/07/2022 (telephone call)	Telephone call made to Planning Department contacts (Denise Shaw, Paul Mead) to follow up emails sent in June 2022, and intention to meet to discuss the same matters
01/08/2022 (telephone call)	Telephone call made to Planning Department contacts (Denise Shaw, Paul Mead) to follow up emails sent in June 2022, and intention to meet to discuss the same matters
01/08/2022 (email)	Email following up phone calls, confirming sight of Relevant Representation and following up intentions to set up a meeting to discuss the RR, setting up a PPA and other related matters as above
03/08/2022 (invitation)	MS Teams invitation between the AyM Consents Team (Paul Carter: Senior Consents Manager and Poppy Tremayne: Stakeholder and Consultation Manager) and DCC Planning team (Paul Mead: Development Manager and Denise Shaw: Planning Officer): "DCC/AyM: key inputs required to support the DCO process" (<i>invitation only</i>)
11/08/2022 – (email)	SoCG information and invitation
26/08/2022	Email sent to DCC team regarding Rule 6 letter and attaching first DCO Examination Hearings' Notice and asking to print out/post up as might be deemed helpful for local members of the public
01/09/2022 (meeting)	MS Teams meeting between the AyM Consents Team (Paul Carter: Senior Consents Manager and Poppy Tremayne: Stakeholder and Consultation Manager) and DCC Planning team (Paul Mead: Development Manager and Denise Shaw: Planning Officer):

DATE AND TYPE	DESCRIPTION OF CONSULTATION
	"DCC/AyM: key inputs required to support the DCO process"
24/10/2022	Denbighshire submitted their LIR at Deadline 1 (REP1-056), which the Applicant provided responses to at Deadline 2 (REP2-004).
22/11/2022	MS Teams meeting to discuss SoCG progression (DCC: Denise Shaw; RWE: Paul Carter, Poppy Tremayne, Karen Algate; GoBe: Ryan McManus, Antonia Peacock; SLR: Matt Faulkner)

3 Agreements Log

- 17 The following sections of this SoCG set out the level of agreement between the Applicant and DCC for each relevant component of the Application identified in paragraph 12. The tables below detail the positions of the Applicant alongside those of DCC and whether the matter is agreed or not agreed.
- 18 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion, the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 2 below.

Table 2: Position status key.

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or DCC is not considered to result in a material outcome on the assessment conclusions.	Not agreed – No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or DCC is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact

3.1 Principle of Development, Site Selection and Substation Design Principles

Table 3: Status of discussions relating to Principle of Development, Site Selection and Substation Design Principles.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Principle of Development	The proposed offshore windfarm would have strategic benefits in terms of increased renewable energy generation, contribution to de-carbonisation of the energy supply network and will contribute towards combating the climate emergency.	DCC agrees with the Applicant's position.	Agreed
Principle of Development	The Principle of a new offshore windfarm of the scale proposed is in general accordance with national and local planning policies	DCC agrees with the Applicant's position.	Agreed
Site Selection	The proposed landfall site is an appropriate place to locate landfall infrastructure	DCC agrees with the Applicant's position.	Agreed
Site Selection	DCC was consulted at different stages during the site selection process and given the opportunity to comment on siting/routing of the OnSS and Onshore ECC	DCC agrees with the Applicant's position.	Agreed
Site Selection	The OnSS location has been identified through a methodical process of long-listing and short-listing sites and represents an appropriate place to locate a substation	DCC agrees with the Applicant's position.	Agreed
Site Selection	The onshore Cable Corridor follows an appropriate route between the landfall and proposed onshore substation and avoids key designations and sensitive areas	DCC agrees with the Applicant's position.	Agreed
Substation Design	The principle of approving design detail under DCO Condition affords the Planning Authority with suitable control over the appearance, scale, layout and access of the proposed OnSS.	DCC agrees with the Applicant's position.	Agreed

3.2 Onshore Landscape and Visual Impact Assessment (LVIA)

Table 4: Status of discussions relating to LVIA.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of landscape and visual impacts of onshore aspects of AyM	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to LVIA.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to landscape and visual impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
	The field survey described in Section 2.4 of Volume 3, Chapter 2 landscape and visual assessment (PINS Ref APP-063) appropriately characterises the baseline environment in order to inform the assessment of landscape and visual impacts of onshore aspects of AyM to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The viewpoint locations for the LVIA are adequate and appropriate to understand and assess the likely significant effects of AyM.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The EIA has identified and assessed all likely significant effects relevant to LVIA as identified within the Scoping Report and Scoping Opinion.	DCC agrees with the Applicant's position.	Agreed
	The study area defined for the onshore LVIA is appropriate for the impacts, pathways and receptors considered.	DCC agrees with the Applicant's position.	Agreed
	The assessment has appropriately defined the Maximum Design Scenario (MDS) for the purposes of assessment.	DCC agrees with the Applicant's position.	Agreed
	The LVIA has been completed in accordance with all relevant industry guidance.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The visualisations produced for the LVIA meet appropriate standards and are suitable to inform judgements on the visual effects of the offshore infrastructure.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The approval by DCC of the layout, scale, materials and colours of the proposed onshore substation, secured under a DCO Requirement, is considered an appropriate method for the control of landscape and visual effects arising from onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
	The proposals within the outline Landscape and Ecology Management Plan (oLEMP) are suitable with regard to landscape and visual effect and the amount and location of landscape mitigation land around the proposed substation, along with the proposals for mitigation, compensation and enhancement,	On the basis of the updated oLEMP submitted by the Applicant at Deadline 2 (REP2-010) DCC agrees with the Applicant's position relating to landscape and visual effects. DCC respectfully defers to CADW for consideration of the proposals within the oLEMP with regard to the setting of Bodelwyddan Historic park and garden.	Agreed
Outcomes of the EIA	The landscape and visual effects of the onshore aspects of AyM on the Clwydian Range and Dee Valley AONB are unlikely to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to effects on landscape character are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to effects on visual receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the LVIA in relation to cumulative effects are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.3 Socio-economics

Table 5: Status of discussions relating to socio-economics.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of socio-economic impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to socio-economics.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to socio-economic impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 3.4 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064; Application Ref 6.3.3) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The agreement of a Supply Chain Plan with the National Government through the Contracts for Difference (CfD) process will be of benefit to local companies.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a Skills and Employment Strategy that will be finalised in line with an outline Skills and Employment Plan, will be of benefit to local people and companies.	DCC agrees with the Applicant's position.	Agreed
Outcome of the EIA	The conclusions of the assessment identified in Section 3.10 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064; Application Ref 6.3.3) in relation to the construction effects on Socio-Economic receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 3.11 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064;	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	Application Ref 6.3.3) in relation to the operational effects on Socio-Economic receptors are appropriate.		
	The conclusions of the assessment identified in Section 3.13 of Volume 3, Chapter 3 Socio-Economics (PINS Ref APP-064; Application Ref 6.3.3) in relation to the cumulative effects on Socio-Economic receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.4 Tourism and Recreation

Table 6: Status of discussions relating to tourism and recreation.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of tourism and recreation impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to tourism and recreation.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to tourism and recreation impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 4.4 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065; Application Ref 6.3.4) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The agreement of a Public Access management Plan (PAMP), and Construction Communications Plan (as amended at Deadline 1) provide an appropriate mechanism for the agreement of measures to avoid significant effect during construction.	DCC is satisfied that sufficient control is retained regarding management of public rights of way through DCC review and approval of the final Public Access Management Plan (PAMP)	Agreed
Outcomes of the EIA	The conclusions of the assessment identified in Section 4.10 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065; Application Ref 6.3.4) in relation to the construction effects on tourism and recreation receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 3.11 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065; Application Ref 6.3.4) in relation to the operational effects on tourism and recreation receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The conclusions of the assessment identified in Section 3.13 of Volume 3, Chapter 4 Tourism and recreation (PINS Ref APP-065; Application Ref 6.3.4) in relation to the cumulative effects on tourism and recreation receptors are appropriate.	DCC is satisfied that sufficient control measures are in place to inform local residents of construction activities around the AyM landfall area, and how these relate to other construction projects in the area, through review and approval by DCC of: <ul style="list-style-type: none">▲ A final construction communications plan▲ A final construction traffic management plan▲ A final public access management plan; and▲ A final noise and vibration management plan.	Agreed

3.5 Onshore biodiversity and nature conservation

Table 7: Status of discussions relating to onshore biodiversity and nature conservation.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 5.2 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (APP-066) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to onshore biodiversity and nature conservation.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 5.7 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) adequately identifies the baseline environment relevant to biodiversity and nature conservation to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The study area identified in Section 5.4.1 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) is appropriate.	DCC agrees with the Applicant's position.	Agreed
	The habitat and hedgerow survey presented in Annex 5.2 (PINS Ref APP-125; Application Ref 6.5.5.2), is satisfactory to characterise the baseline environment in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
	The species surveys undertaken are satisfactory to characterise the baseline environment relating to onshore ecology in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
Assessment methodology	The impact assessment methodology identified in Section 5.5 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation, compensation	The proposals for mitigation, compensation and enhancement summarised within Sections 5.9, 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) and the Outline Landscape and Ecology	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
and enhancement	Management Plan (OLEMP) (PINS Ref APP-305; Application Ref 8.4), including the amount and location of land proposed around the proposed substation, along with the proposals for mitigation, compensation and enhancement, are considered acceptable to manage adverse effects.		
	There is no requirement for a biodiversity net gain metric within the DCO application.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a tree survey and an Arboricultural Impact Assessment post-consent, to inform final scheme design and ensure protection of trees during construction as secured by the approval of a Construction Method Statement in DCO Requirement 10, is considered acceptable.	DCC agrees with the Applicant's position.	Agreed
	The proposals for the management of Invasive Non-Native Species (INNS) that are set out in the outline INNS Management Plan (PINS Ref APP-323; Application Ref 8.13.11) are appropriate.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusion that impacts assessed within Sections 5.10 and 5.11 of Volume 3, Chapter5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) are not considered to be significant in EIA terms during the mid- and long-term.	DCC agrees with the Applicant's position.	Agreed
	The assessment of species presented within Sections 5.10 and 5.11 of Volume 3, Chapter5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) is satisfactory.	DCC agrees with the Applicant's position.	Agreed
	The conclusions within Sections 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature conservation (PINS Ref APP-066; Application Ref 6.3.5) accurately conclude that, through securing appropriate mitigation as summarised within the Outline Landscape and Ecology Management Plan (oLEMP) (PINS Ref APP-305; Application Ref 8.4) the onshore elements of AyM will not be detrimental to the Favourable Conservation Status of protected species.	DCC agrees with the Applicant's position.	Agreed
Licensing	The proposals for enhancement summarised within Sections 5.9, 5.10 and 5.11 of Volume 3, Chapter 5: Onshore biodiversity and nature	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	conservation (PINS Ref APP-066; Application Ref 6.3.5) and the Outline Landscape and Ecology Management Plan (oLEMP) (PINS Ref APP-305; Application Ref 8.4), are considered sufficient to achieve a net gain to biodiversity interests.		

3.6 Ground conditions, land use and contamination

Table 8: Status of discussions relating to ground conditions, land use and contamination.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 6.2 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to ground conditions and land use.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 6.7 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6) adequately identifies the baseline environment relevant to ground conditions and land use to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Data Sources	Section 6.4.2 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6) adequately identifies the baseline data sources relevant to ground conditions and land use to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The impact assessment methodology identified in Section 6.4 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation and Monitoring	The proposals for mitigation within Sections 6.9, 6.10 and 6.11 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6), alongside the measures outlined in the outline Pollution Prevention and Emergency Incident Plan (oPPEIRP) (PINS Ref: APP-318) are considered acceptable to manage adverse effects.	DCC agrees with the Applicant's position.	Agreed
	The proposal for a soil management plan, that would be developed in line with the principles set out within the outline soil management plan, is an appropriate approach to the	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	mitigation of temporary effects on agricultural land arising from the onshore cable corridor.		
Assessment Outcomes	The conclusion that impacts assessed within Sections 6.10 and 6.11 of Volume 3, Chapter 6 ground conditions and land use (PINS Ref APP-067; Application Ref 6.3.6) are not considered to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed

3.7 Hydrology, hydrogeology and flood risk

Table 9: Status of discussions relating to hydrology, hydrogeology and flood risk.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	Section 7.2 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to hydrology, hydrogeology and flood risk.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	Section 7.7 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) adequately identifies the baseline environment relevant to hydrology, hydrogeology and flood risk to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The evolution of the baseline environment, identified in Section 7.7.10 of Volume 3, Chapter 7 hydrology, hydrogeology and flood risk (PINS Ref APP-068; Application Ref 6.3.7), is considered appropriate,	DCC agrees with the Applicant's position.	Agreed
Data Sources	Section 7.4.2 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) adequately identifies the baseline data sources relevant to hydrology, hydrogeology and flood risk to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The approach to WFD compliance assessment, with a separate WFD report (PINS Ref APP-094; Application Ref 6.4.3.1) that is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
	The impact assessment methodology identified in Section 7.4 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Proposed Mitigation and Monitoring	In view of the onshore works proposed, and given a final Construction Method Statement (CMS) (PINS Ref APP-313; Application Ref 8.13.1), has been provided as part of the outline Code of Construction Practice (COCP) (PINS Ref APP-312; Application Ref 8.13) that will require approval by DCC under a DCO Requirement, it is considered that flood risk can be appropriately/adequately mitigated.	DCC agrees with the Applicant's position.	Agreed
	The submission to, and approval by, DCC of the final Code of Construction Practice (COCP) (PINS Ref APP-312; Application Ref 8.13) and the underpinning Method Statements and Management Plans, is considered appropriate and sufficient to manage impacts on water quality (both surface and groundwater).	DCC agrees with the Applicant's position.	Agreed
	The proposals for mitigation within Sections 7.9, 7.10 and 7.11 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) and the Flood Consequences Assessment (Annex 7.1 - Onshore Export Cable Corridor Flood Consequence Assessment (PINS Ref APP-137; Application Ref 6.5.7.1) and Annex 7.2 - Onshore Substation Flood Consequence Assessment (PINS Ref APP-138; Application Ref 6.5.7.2) are considered acceptable to manage adverse effects.	DCC agrees with the Applicant's position.	Agreed
	Although consent through a SAB application would not be sought by the Applicant, DCC would approve final surface water drainage through DCO Requirement 16. This is considered to be an acceptable approach to ensure DCC is able to review and approve of SuDS details post-consent and before the commencement of works, rather than in parallel to the planning application.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusion that impacts assessed within Sections 7.10 and 7.11 of Volume 3, Chapter 7 hydrology, Hydrogeology and Flood Risk (PINS Ref APP-068; Application Ref 6.3.7) are not considered to be significant in EIA terms.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Licensing	The disapplication of ordinary Watercourse Consent (OWC) through the DCO is considered appropriate on the basis that DCC will approve details of watercourse crossings and crossings of flood defences, prior to commencement of these works, through a DCO Requirement.	DCC agrees with the Applicant's position.	Agreed

3.8 Onshore archaeology and cultural heritage

Table 10: Status of discussions relating to onshore archaeology and cultural heritage.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of onshore archaeology and heritage setting impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to onshore archaeology and cultural heritage.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to archaeology and cultural heritage impacts.	DCC agrees with the Applicant's position.	Agreed
	The archaeological survey effort undertaken to date are satisfactory to characterise the baseline environment relating to onshore ecology in order to inform the assessment.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 8.4 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069; Application Ref 6.3.8) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	Mitigation via the provision of a Written Scheme of Investigation (WSI) to be prepared in consultation with the Development Control Archaeologist advising DCC is considered to be an acceptable approach to mitigating direct effects on potential archaeology.	DCC agrees with the Applicant's position.	Agreed
	The proposals within the outline Landscape and ecological management plan (oLEMP) [APP-305], as updated at Deadline 2, are considered an acceptable approach to mitigating long term setting effects on Bodelwyddan Castle and Historic Park and Garden.	DCC respectfully defers to CADW for consideration of the proposals within the oLEMP with regard to the setting of Bodelwyddan Historic park and garden.	N/A

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Outcomes of the EIA	The conclusions of the assessment identified in Section 8.10 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069; Application Ref 6.3.8) in relation to the construction effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 8.11 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069; Application Ref 6.3.8) in relation to the operation effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 8.13 of Volume 3, Chapter 8 Archaeology and Cultural Heritage (PINS Ref APP-069; Application Ref 6.3.8) in relation to the cumulative effects on archaeological and heritage receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.9 Traffic and transport

Table 11: Status of discussions relating to traffic and transport.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Environmental Impact Assessment			
Planning and policy	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of traffic and transport and Public Right of Way (PRoW) impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to traffic and transport and PRoW.	DCC agrees with the Applicant's position.	Agreed
Baseline characterisation	The EIA adequately characterises the baseline environment relevant to traffic and transport impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment scope and methodology	The impact assessment methodology identified in Section 9.4 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-070; Application Ref 6.3.9) is considered appropriate.	DCC agrees with the Applicant's position.	Agreed
Mitigation measures	The proposals for mitigation relating to construction traffic can be adequately managed through approval of a construction traffic management plan that would be developed in line with the principles set out in the outline construction traffic management plan and secured via DCO Requirement 10.	DCC agrees with the Applicant's position.	Agreed
	The proposals for mitigation relating to Public Rights of Way can be adequately managed through approval of a Public Access Management Plan that would be developed in line with the principles set out in the outline Public Access Management Plan and secured via DCO Requirement 10.	DCC is satisfied that sufficient control is retained regarding management of public rights of way through DCC review and approval of the final Public Access Management Plan (PAMP)	Agreed
Outcomes of the EIA	The conclusions of the assessment identified in Section 9.10 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-069; Application Ref 6.3.9) in relation to the construction effects on traffic and transport receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	The conclusions of the assessment identified in Section 9.12 of Volume 3, Chapter 9 Traffic and Transport (PINS Ref APP-069; Application Ref 6.3.9) in relation to the cumulative effects on traffic and transport receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.10 Residential and public amenity (airborne noise and vibration, air quality and public health)

Table 12: Status of discussions relating to residential and public amenity.

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Policy and Legislation	The EIA has identified all relevant legislation and policy and appropriate consideration has been given to them in the assessment of airborne noise and vibration, air quality and public health impacts of onshore aspects of AyM.	DCC agrees with the Applicant's position.	Agreed
Consultation	The EIA has had regard to matters raised by DCC via statutory and non-statutory consultation activities in relation to airborne noise and vibration, air quality and public health impacts.	DCC agrees with the Applicant's position.	Agreed
Baseline Information	The EIA adequately characterises the baseline environment relevant to noise and vibration, air quality and public health impacts.	DCC agrees with the Applicant's position.	Agreed
Assessment Methodology	The impact assessment methodology identified in Section 10.5 of Volume 3, Chapter 10 airborne noise and vibration (PINS Ref APP-071; Application Ref 6.3.10) is considered appropriate to assess noise and vibration impacts to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	The impact assessment methodology identified in Section 11.4 of Volume 3, Chapter 11 air quality (PINS Ref APP-072; Application Ref 6.3.11) is considered appropriate to assess air quality impacts to inform the EIA.	DCC agrees with the Applicant's position.	Agreed
	Third octave band data will not be available until detailed design (post-consent), consequently tonal penalties have been applied to the predicted specific noise levels from the OnSS.	DCC agrees with the Applicant's position.	Agreed
Proposed Mitigation and Monitoring	It is agreed that the mitigation proposed in the outline noise and vibration management plan (PINS Ref APP-314; Application Ref 8.13.2), is sufficient to demonstrate that construction noise impacts will be appropriately managed.	With the exception of agreement to the proposed construction hours (see below), DCC agrees with the Applicant's position.	Agreed
	It is agreed that the mitigation proposed in the outline air quality management plan (PINS Ref APP-315; Application Ref 8.13.3), is	DCC agrees with the Applicant's position.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	sufficient to demonstrate that dust impacts will be appropriately managed.		
	It is agreed that the mitigation proposed in the outline Artificial Light and Emissions Plan (PINS Ref APP-322; Application Ref 8.13.10), is sufficient to demonstrate that construction lighting impacts will be appropriately managed.	With the exception of agreement to the proposed construction hours (see below), DCC agrees with the Applicant's position.	Agreed
	The potential impact of operational noise arising from the OnSS is assessed in Section 10.12. A defined noise rating level limit arising from the OnSS is also specified within the DCO Requirements and this is considered an appropriate mechanism to sufficiently mitigate operational noise.	DCC agrees with the Applicant's position.	Agreed
Assessment Outcomes	The conclusions of the assessment identified in Section 10.11 of Volume 3, Chapter 10 Airborne Noise and Vibration (PINS Ref APP-069; Application Ref 6.3.10) in relation to the construction effects on sensitive noise receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 10.12 of Volume 3, Chapter 10 Airborne Noise and Vibration (PINS Ref APP-069; Application Ref 6.3.10) in relation to the operational effects on sensitive noise receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed
	The conclusions of the assessment identified in Section 11.10 of Volume 3, Chapter 11 Air Quality (PINS Ref APP-069; Application Ref 6.3.10) in relation to the construction effects on air quality receptors are appropriate.	DCC agrees with the Applicant's position.	Agreed

3.11 Draft DCO

Table 13: Status of discussions relating to the draft DCO

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
Article 2 – Definition of 'Pre-Commencement'	<p>The definition of Pre-commencement is set out in Article 2 of the draft DCO:</p> <p><i>'carry out a material operation, as defined in section 155 of the 2008 Act comprised in or for the purposes of the authorised development other than onshore works comprising surveying or investigatory works including archaeological investigations, environmental surveys, investigations for the purpose of assessing ground conditions; preparatory works to existing infrastructure and diversion and laying of utilities and services; creation of any temporary means of access; site clearance including vegetation clearance; erection of screening and fencing, site security works, creation of temporary hard standing, or the temporary display of site notices or advertisements, and "commencement", "commenced" and cognate expressions are to be construed accordingly'</i></p>	DCC agrees that, through Article 2, pre-commencement activities have been suitably defined in the DCO	Agreed
Pre-commencement activities and DCO Requirements	Pre-commencement works would not be undertaken without suitable controls in place. Specific 'pre-commencement' sections are included within the CoCP and associated management plans setting out which sections and restrictions will apply to pre-commencement works.	DCC agrees that controls are in place to cover pre-commencement activities	Agreed
PART 3 Streets	The inclusion of Street Works Powers (Part 3 of the Order) and giving the Applicant powers to execute works in or under the streets within the Order limits for the purposes of the authorised development is aligned with the ethos of the DCO process as it avoids the need to obtain additional consents which could lead to delays to the project. As such the Applicant's position is that this power should be included within the DCO.	DCC, as Local Highway Authority, is satisfied that the exercise of Street Works Powers, as set out in the draft DCO, is controlled by the requirements which DCC must approve before works in streets could be carried out. This provides a suitable form of control.	Agreed
PART 3 Streets	The inclusion of Street Works Powers (Part 3 of the Order) and giving the Applicant powers to divert public rights of way is aligned with the ethos of the DCO process as it avoids the need	DCC is satisfied that sufficient control is retained regarding management of public rights of way through DCC review and approval of the final Public Access Management Plan (PAMP)	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	to obtain additional consents which could lead to delays to the project. As such the Applicant's position is that this power should be included within the DCO.		
Draft DCO Requirement 2 – Offshore Design Parameters	The definition of maximum turbine size within the draft DCO is appropriate	DCC is satisfied with the definition of turbines within the DCO as amended at Deadline 1	Agreed
Draft DCO Requirement 6 – Substation Works	Requirement 6 allows DCC to approve the appearance and layout of the substation building(s) and to ensure that these elements are in line with the details set out in the design principles document (APP-308).	DCC is satisfied that sufficient control of the appearance and layout of the substation is retained by DCC through approval of requirement 6	Agreed
Draft DCO Requirement 7 – Detailed Design Parameters Onshore	The definition of maximum parameters for the onshore works within the draft DCO is appropriate.	The definition of maximum parameters for the onshore works within the draft DCO is appropriate.	Agreed
Draft DCO Requirement 8 – Provision of Landscaping	Requirement 8 allows DCC to give it's approval to the landscaping around the substation and to ensure that these elements are in line with the details set out in the outline LEMP. The additional works identified by DCC are separate from the other elements of the onshore works included within Work Nos 29 – 35 and could be designed and delivered to different timeframes and by different contractors. It is neither reasonable nor necessary for the design details of the substation to be approved by the Council before works can be undertaken for the cabling to and from the substation (Work Nos 29 and 32), temporary construction compounds and works areas (Work Nos 30, 30A and 33) the substation compound area (Work no 31) and visibility splays (Work No 34).	DCC is content that the trigger for submission of details can remain at 31A	Agreed
Draft DCO Requirement 9 – Implementation and	The specified five year timescale is a standard period for replanting obligation as trees will either establish or fail within that period.	DCC agrees that long term management and maintenance for landscaped areas around the substation would be agreed with DCC via the final LEMP secured under DCO Requirement 13.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
maintenance of landscaping	Long term management and maintenance for landscaped areas around the substation would be agreed with DCC via the final LEMP secured under DCO Requirement 13.		
Draft DCO Requirement 10 - Code of construction practice	<p>The onshore construction works will be undertaken for an extended period of time (up to 5 years), and the details relevant to the approvals under Requirement 10 will be provided for each stage ahead of that stage commencing.</p> <p>This provides necessary flexibility for the Applicant in discharging its requirements and also ensures that plans for subsequent stages can be adapted to ensure best practice measures are included and avoids the need to include unnecessary details which are not relevant for that stage of works.</p>	DCC agrees to the phased approach to the approval of the CoCP (and other Requirements), on the basis that there will not be a significant number of phases that would result in significant workload for the local planning authority and may create confusion.	Agreed
Draft DCO Requirement 13 – Landscape and Ecology Management Plan	<p>The onshore construction works will be undertaken for an extended period of time (up to 5 years) and the details relevant to the approvals under Requirement 13 will be provided for each stage ahead of that stage commencing.</p> <p>This provides necessary flexibility for the Applicant in discharging its requirements and also ensures that plans for subsequent stages can be adapted to ensure best practice measures are included and avoids the need to include unnecessary details which are not relevant for that stage of works.</p>	DCC agrees to the phased approach to the approval of the LEMP (and other Requirements), on the basis that there will not be a significant number of phases that would result in significant workload for the local planning authority and may create confusion.	Agreed
Draft DCO Requirement 14 – European Protected Species	The onshore works are to be carried out over a wide area and for an extended period of time. EPS surveys will be undertaken as close to the time at which works are to be undertaken in a particular location as possible to ensure that survey information is as accurate as possible. The approvals under Requirement 14 should therefore be linked to stages of the onshore works via the proposed phased approach.	DCC agrees to the phased approach to the approval of the EPS Mitigation measures, on the basis that there will not be a significant number of phases that would result in significant workload for the local planning authority and may create confusion.	Agreed
DCO Requirement 15 – Construction Hours	The Applicant does not think it appropriate to limit the construction working hours of the development beyond those proposed in the draft DCO and outline CoCP.	DCC agrees to the proposed construction working hours on the basis that significant noise generating construction activities would not take place in the vicinity of the landfall (Ffrith beach and associated TCC's), outside of the hours of 08:00 and 18:00 as specified within the outline CoCP.	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
DCO Requirement 15 – Construction Hours	Communication with communities would be undertaken in accordance with the outline Communications Plan (APP-324), an updated version of which is provided at Deadline 2 (Document 2.49 of the Applicant's Deadline 2 submission) and agreed with DCC in advance of construction through approval of a final Communications Plan. As such, an amendment to the DCO Requirement is not needed.	The Council accept that certain work activities are time sensitive and therefore does not object to out of hours working where necessary. However, the Council is satisfied that a minimum notification period will be agreed through approval of the final Construction Communications Plan that will form part of the CoCP controlled via DCO Requirement 10.	Agreed
DCO Requirement 15 – Construction Hours	The Applicant has updated the DCO Requirement to make reference to specific works numbers for where 24 hr working may be required.	The Council is content with the description of works numbers provided for where 24 hr working may be required.	Agreed
DCO Requirement 16 – Surface and foul water drainage	Requirements 6 (details of substation design) and 16 (surface and foul water drainage) both have the same trigger which is prior to commencement of Work No 31A. This is appropriate as these requirements secure the approval of the detail of those works. The access, drainage and utilities works area within Work No 30 includes a number of different elements for both construction and operation. It would not be reasonable for those elements that relate to the construction of the development to be subject to the approval of the substation details. The other elements of Work No 30 will be approved through separate requirements at the appropriate trigger, for example the landscaping and ecological works under Requirement 8.	DCC is content that the trigger for submission of details can remain at 31A	Agreed
DCO Requirement 18 - Control of noise during operational stage	The Applicant has updated the wording of the DCO Requirement to clarify that it will apply to existing properties and any residential development authorised by the date at which the DCO is granted. The DCO Requirement wording also clarifies that the noise levels apply the representative locations	The Council is content that the draft DCO sets noise limits that would apply to existing properties with representative limits provided at names properties.	Agreed
DCO Requirement 18 - Control of noise	The Applicant has proposed that the following wording be included within the DCO Requirement to set out how noise complaints will be responded to:	The Council is content with the amended wording	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
during operational stage	<p>(3) In the event of a complaint to the relevant planning authority relating to noise immissions from the operation of Work No. 31A which may reasonably be expected to result in levels above those allowed by paragraph (1)—</p> <p>(a) the undertaker must submit a proposed measurement and assessment procedure, based on the guidance and assessment methodology outlined in BS4142:2014, including a proposed measurement methodology and monitoring locations and the timings for the assessment and reporting to the relevant planning authority for approval;</p> <p>(b) measurements must be undertaken in accordance with the approved procedure by an independent consultant appointed by the undertaker in order to determine compliance or otherwise with paragraph (1).</p>		
DCO Requirement 19 - Control of operational artificial light emissions	The Applicant has updated DCO Requirement 19 to state 'a written scheme for the management and mitigation of internal and external light emissions from Work No 31A and Work No 33 (c) has been submitted to and approved...'. Please see the updated draft DCO (Application reference 3.1).	The Council is content with the amended wording	Agreed
DCO Requirement 22 - Onshore decommissioning	Details of the timescale for decommissioning will form part of the details of the written scheme of decommissioning to be approved by DCC so it is not necessary to include such details in the DCO.	The Council is content that they would have the necessary control with regards to the timescales required for decommissioning activities as this will form part of the details set out in the written scheme of decommissioning to be subsequently approved by the local planning authority at least six months prior to any decommissioning works commences	Agreed
Additional Requirement	A new Requirement 20 has been added to the DCO to secure submission of a Skills and Employment Strategy	The Council is content with the additional Requirement	Agreed
Additional Requirement – Aviation Lighting	An additional Requirement is not required. Requirement 3(2) of the draft DCO (Application reference 3.1) sets out that aviation lighting will be operated at the lowest intensity permissible under CAA aviation safety requirements. When visibility is good (>5	The Council is comfortable with this position and agrees a new DCO Requirement is not needed	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	DCC POSITION	POSITION STATUS
	<p>km), this would restrict aviation lighting to 200 candela (cd), the lowest level permissible, activated by detection systems that automatically adjust the lighting intensity with the prevailing meteorological conditions. When visibility is poor (<5 km), lighting will be required to operate at the medium intensity level (2,000 cd) to comply with aviation safety requirements. It should be noted that as the required lights will only be operated at their maximum 2,000 cd intensity during periods of poor visibility, the 2,000 cd scenario represents an unrealistic worst-case as will not be experienced from shore at that maximum illumination level. Visibility at night out at sea is likely to be infrequently restricted to within 5 km by moisture levels, including fog. When this is the case the ability of the light to travel will be reduced substantially so that it will not be possible for the lights to be visible at 2000 cd from even the closest point on the coast to the AyM array area (10.5 km at Little Orme). With regard to night-time visual effects, the SLVIA (AS-027) has therefore assessed the scenario of 200 cd lighting mounted on perimeter turbines. This approach to the assessment is agreed by LUC on behalf of the North Wales Councils (see para 2.12 of Appendix 9 of the Council's LIR).</p> <p>As such a new DCO Requirement is not needed</p>		
Article 7 (d) Application and modification of legislative provisions	<p>The Applicant is seeking to disapply sections 23 and 30 of the Land Drainage Act 1991 that relate to applications for Ordinary Watercourse Consent.</p> <p>A final Construction Method Statement (CMS) based on detailed design of the onshore elements of AyM will be submitted (as part of the final CoCP), to provide the final detailed design and approach to watercourse crossings for agreement by DCC, in consultation with NRW, prior to construction, as secured by DCO Requirement 10.</p>	The Council agrees to the disapplication of the relevant provisions of the Land Drainage Act 1991 through Article 7 of the DCO, on the basis that DCC will still be provided with detailed information on works affecting ordinary watercourses for review and approval.	Agreed



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