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Morlais Project

Document MOR-RHDHV-DOC-0161: Statement of Common Ground – NRW – Seascape, Landscape and Visual Impact

Applicant: Menter Môn Morlais Limited

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NRW – Seascape, Landscape and Visual Impact

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1. INTRODUCTION

1.1. THE PROJECT

1. The Morlais Project (hereafter referred to as 'the Project') is being developed by Menter Môn, the applicant, a not for profit social enterprise company. If consented, the Project will have a generating capacity of up to 240 MW of tidal energy.
2. The Project is located within one of several marine energy demonstration zones located around the United Kingdom (UK) coast, which have been leased out by The Crown Estate to enable the siting of such developments on the seabed. The Project is located within the West Anglesey Demonstration Zone (WADZ), a zone primarily selected for its tidal resource. Menter Môn has been appointed as the manager of the WADZ by The Crown Estate. In this document and the Morlais Application, the WADZ is referred to as the Morlais Demonstration Zone (MDZ).
3. The development of the Project will provide a consented tidal technology demonstration zone, specifically designed for the installation and commercial demonstration of multiple arrays of tidal energy devices. The Project will include permanent communal infrastructure for tidal technology developers which provides a shared route to a local grid connection via nine export cable tails, an onshore landfall substation, and an onshore electrical cable route to a grid connection via a grid connection substation.
4. The Project would be authorised via the following principal consents:
 - A Transport and Works Act Order under the Transport and Works Act 1992; and
 - A Marine Licence under the Marine and Coastal Access Act 2009 (MCAA).

1.2. THE DEVELOPER

5. Development of the MDZ is being led by Menter Môn who have been allocated funding from European Union (EU) Structural Funds prioritised for marine energy in Wales. Menter Môn is a not for profit, third sector social enterprise, delivering socioeconomic development projects across North Wales. Menter Môn's motivation for the Project is to position itself as a community organisation at the centre of renewable innovation, and to establish Anglesey as a marine energy hub, thereby securing maximum added value for the local economy and community.

1.3. PURPOSE OF THIS DOCUMENT

6. Drawing upon experience from Development Consent Order (DCO) applications for major offshore wind farms, Menter Môn is applying a technical working group (TWG) approach to management of key environmental issues for the Project and associated Transport and Works Act Order (TWAo) application. A small number of TWGs have been established to enable technical discussions with experts from relevant stakeholders and these have informed the development of this Statement of Common Ground (SoCG). The purpose of a SoCG is to identify key issues that are in dispute and key issues that are agreed between parties.
7. This Statement of Common Ground (SoCG) is a 'live' document that has been prepared by SLR Consulting on behalf of Menter Môn to record the outcomes of technical discussions with NRW regarding Seascape, Landscape and Visual Assessment (SVLIA). It has been prepared in

accordance with guidance published by the Planning Inspectorate and available from the Assembly Government's website (Welsh Government, 2019) (Reference 1).

8. Paragraph 1 of the aforementioned Guidance states that SoCG: *“are joint statements made by the appellant/applicant and other parties such as the local planning/relevant authority. The aim of the document is to agree factual information, and to provide a commonly understood basis for the appellant/applicant; the local planning / relevant authority and/or other parties”*. The SoCG also serves to highlight matters not agreed in order to inform the examination/inquiry process.
9. Menter Môn is submitting SoCG on key technical issues, including ornithology, marine mammals and seascape and landscape visual impact assessment (SLVIA). Although there is no statutory requirement, SoCG are useful tools and their submission is encouraged where a SoCG contributes to an improvement in the quality of the evidence and a reduction in the quantity of material which needs to be considered (Welsh Government, 2019).
10. The purpose of this SoCG is to set out matters which are agreed and not agreed about the application for consent to be made by Menter Môn for the construction and operation of the Project.
11. The aim of this SoCG is therefore to provide a clear position of the state and extent of agreement between Menter Môn and NRW on matters relating to the Project at the time of writing and the SoCG will continue to evolve in the lead up to and during the post application period.
12. The contents of this document and NRW's views are based on pre- and post-application discussions/submissions and detailed supporting documents, and NRW's views and position are therefore subject to change (at least on some aspects).
13. The first draft of the SoCG for the SLVIA was provided to NRW by Menter Môn on 28th May 2019 for review and comment.
14. The document will be updated as more information becomes available and as a result of ongoing discussions between Menter Môn and NRW. Updates are recorded in the “Revision History” table provided on the front page of this document.
15. Once finalised, the SoCG will be submitted to the Planning Inspectorate in relation to the application by Menter Môn under the Transport and Works Act 1992 for an order granting development consent for the construction of the Project.
16. This document should be read in conjunction with the relevant technical chapter in the ES; **Chapter 24, Seascape Landscape and Visual Assessment (Volume I of the ES)**.

2. PROJECT DESCRIPTION

2.1. OVERVIEW

17. The Project would provide the supporting electrical infrastructure to connect tidal energy converters (TECs) within the MDZ and export the electricity generated to grid. The Project aims to secure a broad consent envelope, which will encompass a range of tidal device types and technologies with the potential to be installed and operated as part of the Project. The final details of all equipment to be installed, including tidal devices, will be confirmed following consent.
18. The Project comprises two development areas, as follows:
 - Offshore Development Area: including all intertidal and offshore areas where offshore infrastructure may be placed and encompassing the MDZ (covering an area of 35 km²), and the export cable corridor (covering an area of 4.75 km²).
 - Onshore Development Area: including all intertidal and onshore areas where infrastructure may be placed (covering an area of 1 km²).
19. As a pre-consented and grid connected commercial demonstration zone, a number of different tidal devices and array configurations may be deployed at the Project over its 37-year lifetime. Tidal devices would be deployed in multiple arrays within the MDZ, to a maximum installed capacity of 240 MW.
20. The key components of the offshore works associated with the Project include:
 - Tidal Devices, (Tidal Energy Convertors) and inter-array cables within the MDZ;
 - Up to nine export cable tails (shared with onshore components);
 - Navigation and environmental monitoring equipment;
 - Mooring and foundation structures; and
 - Offshore electrical infrastructure, including submerged, floating or surface emergent hubs.
21. The key components of the onshore works associated with the Project include:
 - Cable landfall works, including;
 - Up to nine horizontal directional drilling (HDD) ducts or trenched equivalents,
 - Up to nine transition pits or bays, and
 - Up to nine export cable tails (shared with offshore components).
 - A landfall substation at Ty-Mawr (hereafter referred to as Landfall Substation);
 - A switchgear building at Parc Cybi (hereafter referred to as Switchgear Building);
 - A grid connection substation at the existing Orthios Eco-Park to the east of Holyhead (the site of the former Anglesey Aluminium works) (hereafter referred to as Grid Connection Substation); and,

- Onshore cable route between Landfall Substation, Switchgear Building and Grid Connection Substation).
22. A detailed description of the offshore and onshore elements of the Project is included in Chapter 4: Project Description of the Environmental Statement.

3. RECORD OF CONSULTATION

23. The preparation of this SoCG has been informed by a programme of discussions between Menter Môn and NRW. The relevant meetings are summarised in **Table 3-1** and the outline of topics covered relevant to SoCG discussions for seascape, landscape and visual assessment (SLVIA) are shown in **Table 4-1** List of Matters agreed, under discussion and not agreed between Menter Môn and NRW.

Table 3-1 Technical Working Group Meeting Details

Meeting / Date / Attendees	Agenda	Documents sent to NRW prior to meeting
<p>TWG First Meeting: SLVIA Assessment Approach 30th October 2018 NRW/IoACC</p>	<p>Baseline collation</p> <ul style="list-style-type: none"> ▪ Project background (recap) ▪ Review of Project Design Envelope ▪ Baseline data collection ▪ Assessment methodology ▪ Night time lighting assessment ▪ Offshore Zone of Theoretical Visibility (ZTV) parameters and proposed viewpoints ▪ Onshore ZTV parameters (proposed viewpoints to be confirmed with NRW) ▪ Grid substation ▪ Landfall substation ▪ Cumulative assessment 	<p>SLVIA 1st Tech Meeting 301018</p>
<p>TWG Second Meeting: SLVIA Assessment Approach 12th March 2019 NRW/IoACC</p>	<p>Assessment approach</p> <ul style="list-style-type: none"> ▪ Project background (recap) ▪ Review of Project Design Envelope ▪ Offshore Project Design Envelope: Draft Layout ▪ Draft Visualisations ▪ Viewpoint assessment (update) ▪ Night time lighting assessment (update) ▪ Navigation Lighting update ▪ Onshore Design Review <ul style="list-style-type: none"> ○ Landfall substation ○ Grid substation ▪ Mitigation – colour guide 	<p>SLVIA 2nd Tech Meeting 120319 Presentation</p>
<p>Conference call to discuss landfall Substation 25th March 2019 NRW/IoACC</p>	<p>Focussed conference call, relating to the landfall substation, following on from the second TWG meeting.</p> <p>Two key items for discussion:</p> <ul style="list-style-type: none"> ▪ Present further study on substation site options. Both potential options are in the Area of Outstanding Natural Beauty (AONB) and therefore a landscape that is of national value, with associated sensitivities. ▪ Looking to get a steer that the direction the work is going in is the correct one and that the site is suitable. 	<p>NA</p>

Meeting / Date / Attendees	Agenda	Documents sent to NRW prior to meeting
<p>TWG Third Meeting: SLVIA Assessment Approach 17th April 2019 NRW/IoACC</p>	<p>Project Description Updates and Approach to Assessment:</p> <ul style="list-style-type: none"> ▪ Review of Project Design Envelope (offshore elements) <ul style="list-style-type: none"> ○ Mitigated design envelope - careful consideration of NRW/IoACC comments ○ Draft visualisations ○ Assessment scope update (viewpoint selection and night time photography) ▪ Landfall substation <ul style="list-style-type: none"> ○ Scheme design work undertaken following 2nd Technical Meeting ○ Draft visualisations ○ Assessment scope considerations (viewpoint selection) ▪ Grid substations <ul style="list-style-type: none"> ○ Scheme proposals ○ Assessment scope considerations (viewpoint selection) 	<p>SLVIA 3rd Tech Meeting 170419 Presentation</p>
<p>TWG Fourth Meeting: SLVIA Assessment Post Submission 11th December 2019 NRW/IoACC</p>	<p>Meeting to discuss the consultation period and issues being raised by stakeholders:</p> <ul style="list-style-type: none"> ▪ NRW shared their draft position statement on SLVIA <ul style="list-style-type: none"> ○ Recognition that the Proposed Development has evolved to address the concerns being raised ○ Residual concerns remain relation to potential effects on the seascape, landscape and visual resource ○ Specific comments in relation to colouring and lighting ▪ Concerns about the definition of “visually prominent devices” ▪ Consultation comments on the application documents received from NRW and IoACC were reviewed including <ul style="list-style-type: none"> ○ Proposal for HDD vs. trenched cable at the cable landfall ○ Referencing of the AONB in the SLVIA ○ The Outline Landscape Management Plan ○ Clarification requested in relation to construction activities and duration ○ Consideration of restoration and compensation measures 	<p>None</p>
<p>TWG Fifth Meeting: SLVIA Assessment Post Submission (via conference call)</p>	<ul style="list-style-type: none"> ▪ Effects if the Proposed Development on the Isle of Anglesey AONB and additional mitigation ▪ Changes to colouring and lighting of devices, agreed with Trinity House 	<p>Post Application Consultation Responses Outline Landscape Management Plan</p>

Meeting / Date / Attendees	Agenda	Documents sent to NRW prior to meeting
4th March 2020 NRW/IoACC	<ul style="list-style-type: none"> ▪ Clarification on visually prominent devices ▪ Installation method at the export cable landfall ▪ Predicted effects on the Isle of Anglesey AONB ▪ Landscape Management Plan for the onshore components of the project ▪ Annotated photomontage for the offshore components of the project ▪ Construction phase for the offshore works ▪ Submission of Post Application Consultation Responses to PINS and second consultation period 	Updated photomontage for viewpoint 4 showing revised device colouring Annotated photomontage

4. SUMMARY OF CURRENT POSITION

24. Continued engagement between Menter Môn and NRW has meant that there has been an evolving position of agreement in relation to SLVIA issues. The matters set out in **Table 4-1** below reflect the current position of agreement on the relevant issues based on the consultation meetings that have taken place, NRW's response to the SLVIA, NRW's Representation to the TWAO application, and subsequent discussions.



Table 4-1 List of Matters agreed, under discussion and not agreed between Menter Môn and NRW

SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
1	Study Area applied in the SLVIA	It is appropriate for the SLVIA to consider a 15 km Study Area, based on the perimeter of the MDZ. This provides a sufficient Study Area to assess all elements of the Project.		
2	Data sources used in the SLVIA	Where the Seascape Character Areas (SCA) and Landscape Character Areas (LCA) overlap, the assessment rationalises the character areas. For much of the study area the SCAs have been used. However, for the onshore areas, beyond the boundary of the SCAs, the LCAs defined within the Anglesey Landscape Strategy 2011 are used.		
3	Designations included in the SLVIA	<p>Statutory landscape designations include:</p> <ul style="list-style-type: none"> • Anglesey AONB <p>Non-Statutory Designations include: Heritage Coast;</p> <ul style="list-style-type: none"> • Special Landscape Areas; and • Site included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. 		



SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
4	Designated routes included in the SLVIA	<p>Isle of Anglesey Coastal Path;</p> <ul style="list-style-type: none"> Wales Coast Path; National Cycle Routes 5 and 8; and Locally promoted cycle routes. 		
5	Viewpoint selection	The viewpoints selected are appropriate and have been agreed through the TWG meetings.		
6	Viewpoint photography	Appropriate viewpoint photography has been obtained and presented for the Project.		
7	Photomontages and wirelines	The locations for photomontages and wirelines are agreed. These images have been presented appropriately in the SLVIA.		
8	Substation infrastructure siting and design	Appropriate mitigation has been incorporated through the EIA process. The detailed design of the substations will be provided in response to conditions of the deemed planning consent.		



SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
9	Onshore cable infrastructure	The primary mitigation for the onshore cable infrastructure is the construction of a buried cable. The Outline Landscape Management Plan that has been submitted (Core Document MDZ/A28.20) provides a framework for how detailed mitigation would be secured. The Landscape Management Plan is an evolving document and would be secured through a condition of the deemed planning permission. The Landscape Management Plan would be developed in response to the detailed design for the Project. NRW would be consulted on the evolving content of this document.		
10	Offshore Project Design Envelope and incorporated mitigation – Gogarth Bay	The Project Design Envelope evolved through responding to comment made by NRW to reduce potential seascape, landscape and visual effects on Gogarth Bay. Core Document MDZ/G13 Restricted Area Plan shows the restrictions on the deployment of surface emergent devices.		



SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
11	Offshore project design envelope and incorporated mitigation – South Stack			Core Document MDZ/G13 Restricted Area Plan shows restrictions on where different device types can be deployed within the MDZ. NRW has suggested the extension of the Restricted Area – Northern, to reduce potential seascape, landscape and visual effects on South Stack this suggested extension is set out in NRW's proof of evidence (Appendix D).
12	Assessment content and conclusions	The assessment sets out predicted significant effects in relation to the Isle of Anglesey Area of Outstanding Natural Beauty. The assessment is thorough and contains sufficient detail. There is broad agreement on the assessment judgements and conclusions.		



SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
13	Landscape Management Plan - Securing mitigation for the onshore cable route		The Landscape Management Plan would provide a mechanism for securing suitable mitigation. The Outline Landscape Management Plan that has been submitted (Core Document MDZ/A28.20) provides a framework for how this would evolve. The Landscape Management Plan is an evolving document and would be secured through a condition of the deemed planning permission. NRW is requesting minor amendments to ensure adequate measures for landscape conservation and enhancement are provided. Menter Môn will agree to amendments and additions to the Landscape Management Plan.	



SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
14	Integration/mitigation measures for the landfall cables		Landfall cables that comprise trenched cables, with cable protection and above ground cables attached to the cliff face still remain a reserve option for the project. The preferred method of installation is Horizontal Directional Drilling. Should trenched cables and above ground cables attached to the cliff face be required, NRW is requesting the ecological restoration and landscape integration to be designed to take account of the SAC and visual amenity of the AONB. The Landscape Management Plan would provide a suitable mechanism for securing mitigation, in response to the detailed design for the Project.	
15	Application of the Device Deployment Protocol		Clarification on the application of the Device Deployment Protocol has been provided to NRW. This comprises a process flow diagram with associated notes. This sets out the requirement for an updated SLVIA and consultation with NRW. This process may allow continual assessment and monitoring of development within the MDZ. NRW is requesting an Outline Monitoring Plan to allow comparison of the current ES photomontages with the 'as built' phases of development.	




SoCG Reference	Issue	Matters agreed	Matters under discussion	Matters not agreed
16	Meaning of visually prominent surface emergent devices		NRW is requesting that the meaning of 'visually prominent surface emergent devices' is explained and clarified.	
17	Colour of surface emergent devices		The colour of devices will form part of the detailed design information required through the Device Deployment Protocol.	
18	Monitoring of seascape, landscape and visual effects.		The requirement for incremental cumulative assessments as part of the updated SLVIA under the Device Deployment Protocol will ensure change across the MDZ is continually evaluated during the construction phase and in relation to repowering.	
19	Compensation package to bring conservation and enhancement to the AONB		Compensation measures, that are payable on a phased deployment basis, will be funded by Morlais and paid to IACC to deliver. These compensation measures would be delivered through a S106 agreement that would be secured under a condition of the deemed planning permission and would include discussions between IoACC and NRW.	

5. REFERENCES

1. Welsh Government, 2019. Statement of Common Ground. Available from: <https://gov.wales/sites/default/files/publications/2019-01/statement-of-common-ground.pdf> . Accessed 19/07/19.

The undersigned agree to the provisions within this SOCG

Signed	
Printed Name	Dafydd Gruffydd
Position	Managing Director
On behalf of	Menter Mon Cyf
Date	30/11/2020

Signed	A. Winterton
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Date	30/11/20