

ADDITIONAL ITEM

REPORT BY THE HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICES

**MONA OFFSHORE WINDFARM – NATIONALLY SIGNIFICANT
INFRASTRUCTURE PROJECT**

RESPONSE TO STATUTORY PRE-APPLICATION CONSULTATION

1. PURPOSE OF THIS REPORT:

- 1.1 Denbighshire County Council have been invited to respond to the statutory pre-application consultation on the proposed Mona offshore windfarm.
- 1.2 The consultation commenced on 19th April 2023 and ran until 4th June 2023. Officer have agreed to supply the Council's formal response later given Committee schedules.
- 1.3 This report seeks Members approval to submit a formal consultation response to the pre-application consultation on behalf of the Council.

2. BACKGROUND:

- 2.1 The Mona windfarm is a Nationally Significant Infrastructure Project.
- 2.2 Under the Planning Act 2008, consent for Nationally Significant Infrastructure Projects (NSIP) is issued through the enactment of a Development Consent Order (a statutory instrument) rather than planning permission.
- 2.3 Applications for Development Consent Orders (DCO) are submitted to, and assessed by, the Planning Inspectorate and are determined by the relevant UK Secretary of State.
- 2.4 Prior to submitting an application to the Planning Inspectorate, the developer is required to carry out a formal pre-application consultation with statutory bodies and the local community.
- 2.5 Local authorities are statutory consultees.
- 2.6 Once a DCO application has been submitted to the Planning Inspectorate, affected local authorities and other consultees will be formally consulted on the application.

3. THE MONA OFFSHORE WINDFARM PROPOSAL:

- 3.1 Mona Offshore Wind Limited (the Applicant) are seeking to develop the Mona Offshore Wind Project in the easterly part of the Irish Sea. (See Figure 1.1 – Location of Mona Offshore Windfarm Project)
- 3.2 As the Mona Offshore Wind Project is an offshore generating station with a capacity over 350MW it is a NSIP as defined by the Planning Act 2008.
- 3.3 The associated onshore works, including an underground high voltage cable and a new substation will form part of the Development Consent Order application.
- 3.4 **Members are advised that onshore works involve landfall within Conwy, underground cabling through Conwy and into Denbighshire with a new substation in Denbighshire.**
- 3.5 The 'landfall' location is the point where the electricity cable is brought ashore. The landfall location is proposed in Pensarn, Conwy.

- 3.6 A new substation is proposed on land to the south of Glascoed Road with 2 options provided. Option (2) is on agricultural land to the south of St. Asaph Business Park and Option (7) is shown on agricultural land further east towards St. Asaph. (see figure 2 – Substation options)
- 3.7 A high voltage underground cable is proposed from the landfall through to one of the substation locations.
- 3.8 A further underground cable and other associated works are also proposed to connect the new substation to the existing Bodelyyddan National Grid substation, which is located on land to the south of Glascoed Road.
- 3.9 The development proposal includes ancillary development such as construction compounds, laydown areas, new tracks and vehicular accesses at the landfall location, along the cable corridor and at the substation site.
- 3.10 In addition to the DCO application, the offshore works would also require a marine licence and a separate marine licence application would be submitted to Natural Resources Wales.

4. STATUTORY PRE-APPLICATION CONSULTATION:

- 4.1 The consultation is seeking views on the draft Development Consent Order (DCO) and the Preliminary Environmental Information Report (PEIR).
The draft Development Consent Order (DCO)
- 4.2 The DCO is the statutory instrument which provides the necessary powers to carry out the development proposed. The draft DCO defines the extent of the development and itemises the works which are required to construct and operate the offshore windfarm.
- 4.3 In addition to consent for the construction and operation of an offshore windfarm, the developer is also seeking secondary powers to be included in the DCO for ‘associated development’.
- 4.4 This means that the DCO would provide the developer the necessary powers to construct and operate a windfarm, and they would not need to obtain secondary consents from other regulators such as the Local Planning Authority, the Local Highway Authority, the Lead Local Flood Authority, NRW or Dwr Cymu / Welsh Water.
- 4.5 The secondary powers sought relate to street works, supplemental powers, compulsory acquisition and other miscellaneous powers.
- 4.6 The street works powers sought would allow the developer to work in or under streets to allow them to install onshore cables. Powers are also sought to allow the development to create junctions onto streets to allow access to construction areas, and to construct a new permanent access to the proposed substation.
- 4.7 Other street works powers sought would include temporary stopping up or restriction on the use of streets, including the temporary stopping up or diversion of public rights of way.
- 4.8 The supplemental powers sought include allowing the developer to connect into drains, sewers or watercourses for the discharge of water.
- 4.9 The compulsory acquisition powers would allow the developer to take possession of land which is required for the offshore windfarm development. Temporary possession powers would also allow the developer to use land which is needed during the construction but which is not permanently required for the operation of the windfarm. The DCO includes a mechanism to allow compensation to be paid for the exercise of compulsory acquisition and temporary possession powers.
- 4.10 Miscellaneous powers proposed include provision to allow the felling and lopping of trees and removal of hedgerow without the need for additional consent, which includes works to trees subject to a Tree Preservation Order.
- 4.11 The DCO will also contain a raft of ‘Planning Requirements’, which will function in the same way as planning conditions. The local planning authority would be responsible for the post consent approval of detail subject of planning requirements, and enforcement.

The Preliminary Environmental Information Report (PEIR):

- 4.12 The PEIR report is presented in the form of a draft Environmental Statement, and details the findings of all assessments and surveys that have been carried out to date, and sets out the likely effects of the offshore and onshore works on a range of material considerations.
- 4.13 The offshore works, involving the siting of the turbines out to sea, are not considered to have any significant impacts on Denbighshire. For this reason the draft response to the s.42 consultation focusses on the Onshore works proposed.
- 4.14 The main volumes of relevance within the PEIR have been examined as part of the consultation. Comments on these relevant volumes are contained within the draft response in APPENDIX 1.
- 4.15 It should be noted that the Council can reserve its right to provide further input into all areas of the proposed DCO and PEIR when the formal application is submitted to the Secretary of State.

5. RESOLUTION:

- 5.1 Approval is sought from Members to submit the comments set out in APPENDIX 1 as the Council's formal consultation response to the developer's statutory pre-application consultation on the proposed Awel y Mor offshore windfarm. A copy of the minutes from the meeting detailing any comments Members wish to make on the development will also be included.

EMLYN JONES

HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTYSIDE SERVICE

Attachments:

APPENDIX 1 – Draft s.42 response by DCC

Figure 1.1 – Location of Mona Offshore Windfarm Project

Figure 2 – Substation Options