The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Nodyn o'r cyfarfod

Enw'r Prosiect	Fferm Wynt Alltraeth Awel y Môr
Cyfeirnod ffeil	EN010112
Statws	**Terfynol**
Awdur	Yr Arolygiaeth Gynllunio
Dyddiad	9 Tachwedd 2020
Cyfarfod ag	Awel y Môr Offshore Wind Farm Limited
Lleoliad	Rhithwir
Amcanion y cyfarfod	Diweddariad ar y prosiect
Cylchrediad	Pawb a oedd yn bresennol

Crynodeb o'r pwyntiau allweddol a drafodwyd, a chyngor a roddwyd

Dywedodd yr Arolygiaeth Gynllunio (yr Arolygiaeth) y byddai nodyn yn cael ei wneud o'r cyfarfod ac yn cael ei gyhoeddi ar ei gwefan yn unol ag adran 51 Deddf Cynllunio 2008. Ni fyddai unrhyw gyngor a roddwyd o dan adran 51 yn gyfystyr â chyngor cyfreithiol y gallai ymgeiswyr (neu eraill) ddibynnu arno.

Diweddariad Cyffredinol ar y Prosiect

Ôl-gwmpasu

Ar ôl derbyn y Farn Gwmpasu gan yr Arolygiaeth, nododd yr Ymgeisydd bedair ystyriaeth allweddol sydd ychydig yn wahanol i gynnwys y Farn Gwmpasu. Mae'r ystyriaethau canlynol i'w trafod a'u cytuno trwy gyfarfodydd Grŵp Technegol Arbenigol y Cynllun Tystiolaeth (ETG):

- Effeithiau trawsffiniol: Roedd yr Ymgeisydd wedi ceisio sgrinio rhai llwybrau lle ceir effaith drawsffiniol cyn i'r Arolygiaeth gwblhau'r sgrinio Trawsffiniol. Ni chytunwyd hyn, ond derbyniodd yr Arolygiaeth gynnig yr Ymgeisydd i gyflwyno matrics sgrinio trawsffiniol cysgodol ar y ddealltwriaeth y byddai'n cael ei gyhoeddi. Byddai'r Arolygiaeth yn dal i gynnal ei hasesiadau o'r effaith drawsffiniol ei hun a dywedodd fod y Farn Gwmpasu yn dal yn weithredol, a dim ond drwy ail-gwmpasu y gellir ei newid. Byddai mesur o hyblygrwydd, fodd bynnag, a gellid derbyn ymagwedd wahanol â thystiolaeth.

- Asesiad o'r Effaith Weledol ar y Môr a'r Dirwedd (SLVIA): Roedd y Farn Gwmpasu yn gofyn am i ddau achos gwaethaf gael eu hasesu a'u cyflwyno. Mae'r Ymgeisydd yn ceisio cytundeb drwy'r ETGau ar achos gwaethaf unigol i'w gyflwyno yn chwarter cyntaf 2021. Pe bai'r Ymgeisydd yn mynd ar drywydd llwybr cymhwysiad digidol, byddai'n gofyn am gytundeb gyda'r Arolygiaeth o ran pa ddogfennaeth oedd ei hangen ar ffurf copi caled (yn enwedig mewn perthynas â llinellau gwifrau a ffotogyfosodiadau).

- Asesiad o'r Effaith Weledol a'r Effaith ar y Dirwedd (LVIA): Gofynnwyd am farnau dilyniannol ac roedd yr Ymgeisydd am gytuno ar ymagwedd briodol gyda rhanddeiliaid allweddol, yn canolbwyntio ar farnau allweddol.

- Ecoleg pysgod: Gofynnwyd am arolwg ym Marnau Cwmpasu'r Arolygiaeth a Cyfoeth Naturiol Cymru (CNC) yn sgil ansicrwydd ynghylch oes gyfredol y data a oedd yn cael ei ddefnyddio. Cwblhaodd yr Ymgeisydd ymarferiad desg i bennu nodweddion ecoleg pysgod, gan ategu setiau data hŷn ar silfeydd/ardaloedd magu gyda data penodol i safle a rhanbarth o arolygon mwy diweddar gan gyrff eraill. Roedd yr Ymgeisydd wedi dod i'r casgliad na fu unrhyw newidiadau sylweddol i'r data hŷn ac anfonodd hwn at CNC i gytuno arno. Dywedodd yr Arolygiaeth y byddai'n ddefnyddiol cael cytundeb ymlaen llaw gyda chyrff allweddol ar ddata gwaelodlin cyn yr Archwiliad.

    - Nodyn ar ôl y cyfarfod – roedd yr ymarferiad desg i bennu nodweddion ecoleg pysgod wedi'i gytuno ers hynny fel un priodol a digonol at ddibenion pennu nodweddion heb fod angen unrhyw arolwg pellach.

Arolygon / Diwrnodau Ymgysylltu â'r Cyhoedd:
Roedd arolygon ar y tir ac arolygon alltraeth wedi'u cwblhau gyda diwrnodau rhithwir ymgysylltu â'r cyhoedd wedi'u cynllunio trwy gydol mis Tachwedd (a'u hymestyn ar ôl hynny i 13 Rhagfyr). Holodd yr Arolygiaeth ynghylch effaith ymgynghoriadau rhithwir ar gyfraddau ymgysylltu. Cadarnhaodd yr ymgeisydd y byddai hyn yn ffurfio rhan o'r adroddiad ymgynghori. Rhoddodd yr Ymgeisydd grynodeb o'r trefniadau a oedd ar waith ar gyfer siaradwyr Cymraeg a phobl yr ystyriwyd eu bod dan anfantais ddigidol. Dywedodd yr Arolygiaeth, er bod disgwyl adolygiad o Nodyn Cyngor 14, nad oedd unrhyw raddfeydd amser pendant, felly dylai'r Ymgeisydd barhau ar sail canllawiau/deddfwriaeth gyfredol.

Rhaglen:
Dywedodd yr Ymgeisydd ei fod wedi cynllunio ar gyfer rhewi dyluniad yn Chwarter 1 2021, gydag ymgynghoriad statudol ar yr Adroddiad Gwybodaeth Amgylcheddol Rhagarweiniol yn Awst 2021. Roedd wedi cynllunio strategaeth gyfathrebu hyblyg gan ystyried cyfyngiadau posibl yn sgil Covid-19. Dywedodd yr Arolygiaeth y dylai'r Datganiad o Ymgynghori Cymunedol fod yn hyblyg ac yn realistig o ran pa ddulliau ymgynghori y gellid eu defnyddio. Dylai cynlluniau wrth gefn fod yn eu lle rhag ofn na fyddai modd cynnal digwyddiadau byw.

Llunio rhestr fer dewis safle:
Dosbarthwyd Adroddiad Deilliannau'r Ymgynghoriad ar Ddewis Safle Asedau Trawsyrru i aelodau'r ETG ym mis Medi 2020. Roedd yn pennu tri opsiwn a ffefrir ar gyfer llwybrau cebl yn cyrraedd y tir a llwybrau cebl alltraeth ac ar y tir posibl. Roedd croesfan Constable Bank yn bwyntiau alltraeth posibl i'w nodi. Roedd opsiynau'r is-orsaf yn agos at is-orsaf Gwynt y Môr.

Roedd gwaith ymgynghori a pheirianneg pellach wedi'u cynllunio i nodi un opsiwn a ffefrir ar gyfer bob un, gan gynllunio rhewi dyluniad ar gyfer Chwarter 1 2021. Hefyd, roedd yr Ymgeisydd yn bwriadu nodi compowndiau adeiladu dros dro a phwyntiau mynediad bryd hynny.
Amlygodd yr Ymgeisydd heriau o ran ymgysylltu ag awdurdodau lleol ar lefel strategol oherwydd effaith Covid-19 ar adnoddau awdurdodau lleol. Cynghorodd yr Arolygiaeth yr Ymgeisydd i ddogfennu pob ymgais i ymgysylltu a'r partïon hyn. Cadarnhaodd yr

Arolygiaeth mai cyfyngedig yw gwaith allymestyn, fodd bynnag, gallai geisio ysgogi lefelau ymgysylltu uwch pe bai manylion cyswllt yn cael eu darparu.

Gohiriad Rheoliad 10 CNC

Crynhodd yr Ymgeisydd y pwyntiau allweddol o lythyr gohirio Asesiad Effaith Amgylcheddol CNC. Roedd hwn yn cynnwys y potensial am wrthdaro rhwng y penderfyniadau Gorchymyn Caniatâd Datblygu a Thrwyddedu Morol. Gofynnodd yr Ymgeisydd am eglurhad ynghylch y cysondeb rhwng swyddogaeth drwyddedu CNC a'r broses gwneud cais am Orchymyn Caniatâd Datblygu. Cyfeiriodd at lobïo dros benderfyniadau cyfochrog â cheisiadau blaenorol ac eiriolodd dros y posibilrwydd o ddibynnu ar dystiolaeth a rennir. Dywedodd yr Arolygiaeth, er bod pob proses yn cydnabod y llall, nad oedd unrhyw gysondeb ffurfiol a nododd gais yr Ymgeisydd i wella hyn.

Ymateb Sgrinio i'r Asesiad o Reoliadau Cynefinoedd

Trafododd yr Ymgeisydd y materion a oedd yn codi gan gyfeirio at elfennau o'r Asesiad o Reoliadau Cynefinoedd o fewn y Farn Gwmpasu ac ymateb sgrinio CNC i'r Asesiad o Reoliadau Cynefinoedd. Roedd nifer o bwyntiau yn ffurfio trafodaethau parhaus gyda Cyfoeth Naturiol Cymru:

- Edrych eto ar sgrinio a goblygiadau posibl ail-gyfrifo amrediadau porthi gan ddefnyddio amrediad porthi uchaf-cymedrig ynghyd ag un gwyriad safonol ar niferoedd safle.
- Yr Ardal Gwarchodaeth Arbennig (AGA) gerllaw ar gyfer trochyddion gyddfgoch a rhywogaethau eraill. Cytunwyd bod angen lleiniau clustogi dadleoli priodol.
- Gofynnwyd am eglurhad ar gyfer mamaliaid morol, a rhywfaint o eglurhad ar gyfer ecoleg pysgod a physgod cregyn (yn enwedig rhywogaethau pysgod mudol).
- Y dehongliad o Constable Bank a ph'un ai yw hwn yn nodwedd Atodiad 1 neu'n nodwedd Atodiad 1 dynodedig neu beidio. Ar yr adeg y cynhaliwyd y cyfarfod, nid oedd o fewn safle dynodedig.

Dywedodd yr Ymgeisydd y bydd rhywfaint o sgrinio'n cael ei ail-ystyried gyda chanfyddiadau'n cael eu hymgorffori yn yr adroddiad er mwyn llywio asesiad priodol yn hytrach nag ailgyflwyno adroddiad sgrinio newydd. Soniodd am drafodaethau parhaus gyda nifer o gyrff statudol yn ymwneud â cheisiadau i gynnwys safleoedd adareg ychwanegol. Dywedodd yr Arolygiaeth mai i'r cais cwmpasu oedd ei ymateb yn hytrach na sgrinio'r Asesiad o Reoliadau Cynefinoedd, gan gydnabod y sylfaen dystiolaeth a rennir ar draws yr Asesiad o Reoliadau Cynefinoedd a'r Asesiad o'r Effaith Amgylcheddol. Ailddatganodd yr Arolygiaeth bwysigrwydd sicrhau cytundeb ar ddata gwaelodlin cyn yr Archwiliad.

Cydsyniadau eraill

Cyflwynodd yr Ymgeisydd ddogfen fewnol yn cynnwys cydsyniadau posibl ar gyfer y prosiect. Dywedodd yr Ymgeisydd nad oedd yn disgwyl unrhyw beth anarferol neu newydd yn y Gorchymyn Caniatâd Datblygu ac y byddai'n trafod caniatadau a thrwyddedau eraill gyda Cyfoeth Naturiol Cymru gan ddibynnu ar ddewis y safle terfynol. Roedd yn bwriadu ymgynghori ar y Gorchymyn Caniatâd Datblygu drafft ac unrhyw gydsyniadau ychwanegol y byddai eu hangen yn ystod yr ymgynghoriad statudol. Dywedodd yr Ymgeisydd ei fod wedi cwblhau cyfeirnodi tir cychwynnol ar gyfer llwybrau a ffefrir, ac nad oedd wedi nodi unrhyw gaffaeliad gorfodol ar dir comin eto.

Penderfyniadau penodol/ gwaith dilynol sy'n ofynnol?

Cytunwyd ar y camau gweithredu canlynol:

- Bod yr Ymgeisydd i roi manylion cyswllt CNC i'r Arolygiaeth.
- Bod yr Ymgeisydd i gysylltu â'r Arolygiaeth pan fydd angen cyfarfod nesaf.
- Bod yr ymgeisydd i roi manylion cyswllt awdurdodau lleol i alluogi'r Arolygiaeth i ysgogi ymgysylltiad mwy strategol.

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Meeting note

Project name	Awel y Môr Offshore Wind Farm
File reference	EN010112
Status	**Final**
Author	The Planning Inspectorate
Date	9 November 2020
Meeting with	Awel y Môr Offshore Wind Farm Limited
Venue	Virtual
Meeting objectives	Project update
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

General Project Update

Post-scoping
Following receipt of the Scoping Opinion from the Inspectorate, the Applicant identified four key considerations that differ slightly from the Scoping Opinion content. The following considerations are to be discussed and agreed via the Evidence Plan Expert Technical Group (ETG) meetings:

- Transboundary effects: The Applicant had sought to screen out some transboundary impact pathways prior to the Inspectorates completion of the Transboundary screening. This was not agreed but the Inspectorate accepted the Applicant's offer to submit a shadow transboundary screening matrix on the understanding it would be published. The Inspectorate would still carry out its own transboundary effect assessments and advised the Scoping Opinion still stands, only being amendable through re-scoping. There would, however, be a degree of flexibility and an evidenced different approach could be accepted.

- Sea and Landscape Visual Impact Assessment (SLVIA): The Scoping Opinion requested two worst cases to be assessed and presented. The Applicant is seeking agreement through the ETGs on a single worst case to be presented in quarter one 2021. If the Applicant pursued the digital application route, it would seek agreement with the Inspectorate as to which documentation was required in hard copy (particularly with regard to wirelines and photomontages).

- Landscape Visual Impact Assessment (LVIA): Sequential views had been requested and the Applicant was seeking to agree an appropriate approach with key stakeholders, focusing on key views.

- Fish ecology: A survey had been requested within the Scoping Opinions of the Inspectorate and Natural Resources Wales (NRW) due to uncertainties regarding the shelf life of the data being used. The Applicant completed desk-based fish ecology characterisation, complementing older spawning/nursery ground data sets with site and region specific data of more recent surveys by other bodies. The Applicant had concluded there had been no material changes to the older data and sent this to NRW for agreement. The Inspectorate advised that advance agreement with key bodies on baseline data would be useful prior to Examination.

    - Post-meeting note – the desk-based fish ecology characterisation was since agreed as appropriate and adequate for the purposes of characterisation with no further survey required.

Surveys / Public Engagement Days:
On and offshore surveys had been completed with virtual public engagement days planned throughout November (and subsequently extended to 13 December). The Inspectorate queried the impact of virtual consultations on engagement rates. The Applicant confirmed this would form part of the consultation report. The Applicant summarised the arrangements in place for Welsh speakers and people considered to be digitally disadvantaged. The Inspectorate advised although a review of Advice Note 14 was expected there were no definitive timescales, so the Applicant should continue on the basis of current guidance/legislation.

Programme:
The Applicant advised it had planned for a design freeze in Q1 2021, with statutory consultation on the Preliminary Environmental Information Report (PEIR) in August 2021. It had planned a flexible communication strategy taking into account potential restrictions due to Covid-19. The Inspectorate advised that the Statement of Community Consultation (SoCC) should be flexible and realistic about consultation methods that could be used. Contingencies should be in place in case live events were not possible.

Site selection shortlisting:
The Transmission Assets Site Selection Consultation Outcomes Report was issued to ETG members in September 2020. It set out three preferred options for landfall and potential offshore and onshore cable routes. Potential offshore points to note were the crossing of Constable Bank. The substation options were in close proximity to the Gwynt y Môr sub-station.

Further consultation and engineering work were planned to identify a single preferred option for each, with a design freeze planned for Q1 2021. The Applicant also intended to identify temporary construction compounds and access points at that time.
The Applicant highlighted challenges engaging with local authorities at strategic level due to the impact of Covid-19 on local authority resources. The Inspectorate advised the Applicant to document all attempts to engage with these parties. The Inspectorate confirmed that outreach work is limited however it could try to prompt greater levels of engagement if contact details were provided.

NRW Regulation 10 deferral

The Applicant summarised key points from the NRW Environmental Impact Assessment (EIA) deferral letter. This included the potential for conflicts between the DCO and Marine Licencing (ML) decisions. The Applicant asked for clarification on the alignment between the NRW licencing function and DCO application process. It referred to lobbying for parallel decision making with previous applications and advocated possible reliance on shared evidence. The Inspectorate advised although each process recognised the other there was no formal alignment and noted the Applicant's request to improve this.

Habitats Regulation Assessment (HRA) Screening Response

The Applicant discussed the matters arising with reference to the HRA components within the Scoping Opinion and NRW's HRA screening response. There were a number of points forming ongoing discussions with NRW:

- The revisiting of screening and potential implications of the re-calculation of foraging ranges using mean-maximum foraging range plus one standard deviation on site numbers.
- The adjacent Special Protection Area (SPA) for red throated divers and other species. Agreed appropriate displacement buffers were required.
- Clarification had been requested for marine mammals, and some clarification for fish & shellfish ecology (particularly migratory species of fish).
- The interpretation of Constable Bank and whether this is an Annex 1 or designated Annex 1 feature or not. At the time of the meeting it did not sit within a designated site.

The Applicant advised some screening will be re-visited with findings incorporated into the report to inform appropriate assessment rather than the resubmission of a new screening report. It advised of ongoing discussions with a number of statutory bodies regarding requests to include additional ornithology sites. The Inspectorate advised its response was to the scoping request rather than the HRA screening, acknowledging the shared evidence base across the HRA and EIA. The Inspectorate reiterated the importance of ensuring agreement on baseline data prior to entering Examination.

Other consents

The Applicant presented an internal document comprising of potential consents for the project. The Applicant advised it was not expecting anything unusual or novel in the DCO and would be discussing other permits and licences with NRW dependant on the final site selection. It intended to consult on the draft DCO and any additional consents that would be required during statutory consultation. The Applicant advised it had completed initial land referencing for preferred routes and had not yet identified any common land compulsory acquisition.

Specific decisions/ follow-up required?

The following actions were agreed:

- Applicant to supply the Inspectorate with NRW contacts.
- Applicant to contact the Inspectorate when next meeting is required.
- Applicant to supply local authority contacts to allow the Inspectorate to stimulate more strategic engagement.