The Planning Inspectorate
Yr Arolygiaeth Gynllunio

# Nodyn cyfarfod

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| **Enw'r prosiect** | Awel y Môr |
| **Cyfeirnod ffeil** | EN010112 |
| **Statws** | **Terfynol** |
| **Awdur** | Yr Arolygiaeth Gynllunio |
| **Dyddiad** | 8 Tachwedd 2021 |
| **Cyfarfod gydag** | Awel y Môr Offshore Wind Farm Limited |
| **Lleoliad** | Microsoft Teams |
| **Amcanion y cyfarfod** | Cyfarfod diweddariad ar y prosiect |
| **Cylchrediad** | Pawb a oedd yn bresennol |

## Crynodeb o'r pwyntiau allweddol a drafodwyd a'r cyngor a roddwyd

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

## Atgoffa o'r prosiect / cyd-destun

Rhoddodd yr Ymgeisydd amlinelliad cryno o'r prosiect, y byddai angen iddo gael Gorchymyn Caniatâd Datblygu (DCO) gan yr Ysgrifennydd Gwladol dros Fusnes, Ynni a Strategaeth Ddiwydiannol (BEIS), a Thrwydded Forol (ML) gan Cyfoeth Naturiol Cymru. Fel y cadarnhawyd yn y nodyn cyfarfod blaenorol, mae pen gorllewinol yr aráe wedi cael ei ddileu o'i Derfynau Gorchymyn o ganlyniad i ymgynghoriad blaenorol ynglŷn â dewis safle. Mae'r coridor ceblau alltraeth oddeutu 1km o led a disgwylir iddo ddod i'r lan ger Clwb Golff y Rhyl. Cedwir hyblygrwydd ar gyfer llwybr y ceblau alltraeth lle y bo'r angen, i ganiatáu ar gyfer llwybro'r ceblau, mynediad a hyblygrwydd yn lleoliad yr is-orsaf.

## Diweddariad ar y prosiect

<u>Canlyniadau ymgynghoriad statudol cynnar</u>

Cynhaliwyd ymgynghoriad statudol rhwng 31 Awst ac 11 Hydref 2021. Yn unol â'r Datganiad Ymgynghori â'r Gymuned (SoCC), ymgynghorwyd â Chyngor Sir Ddinbych fel yr awdurdod cynhaliol, yn ogystal ag Awdurdodau Cynllunio Lleol (ACLlau) eraill ar hyd arfordir gogledd Cymru ac Awdurdod Parc Cenedlaethol Eryri. Caniataodd y SoCC ymagwedd hyblyg at ymgynghori, yn dibynnu ar gyfyngiadau COVID y Llywodraeth ar y pryd. Cynhaliwyd cymysgedd o arddangosfeydd a digwyddiadau rhithwir, a digwyddiadau wyneb yn wyneb yn yr awyr agored, gan gynnwys taith fws i weld llwybrau arfordirol a cheblau. Dywedodd yr Ymgeisydd y cafwyd tua 3500 o ymwelwyr unigryw â'r arddangosfa ar-lein, a bod tua 900 o bobl wedi dod i'r naw digwyddiad ffisegol. Cafwyd tua 300 o ymatebion arolwg ac ysgrifenedig ffurfiol hefyd. Roedd

mwyafrif dogfennau'r ymgynghoriad ar gael yn Gymraeg a Saesneg, ac roedd siaradwyr Cymraeg o dîm yr Ymgeisydd yn bresennol yn y digwyddiadau ffisegol a rhithwir. Cynghorodd yr Arolygiaeth y dylai hygyrchedd i'r rhai a oedd yn dymuno cymryd rhan yn Gymraeg gael ei gofnodi yn yr Adroddiad Ymgynghori.

Roedd yr Ymgeisydd yn ystyried yr ymatebion i'r ymgynghoriad, ac roedd cyfarfodydd Grŵp Pwnc Arbenigol (ETG) yn cael eu cynnal i wneud gwaith dilynol ar faterion manwl. Cynlluniwyd rhewi'r dyluniad yn ystod pedwerydd chwarter 2021/chwarter cyntaf 2022, a byddai'r Ymgeisydd yn ceisio sicrhau bod yr elfennau arfaethedig yn cael eu hasesu'n briodol, p'un a fyddai'r newidiadau'n cael eu mabwysiadu ai peidio.

<u>Rhaglen cyflwyno DCO/ML</u>

Roedd y rhaglen wedi'i diweddaru yn adlewyrchu casgliadau'r ymgynghoriad anstatudol a statudol, ac ymgysylltiad parhaus ag ETGs, tirfeddianwyr a rhanddeiliaid. Byddai cyflwyno'r ceisiadau DCO/ML yn cael ei oedi tan y Gwanwyn 2022, a byddai'r Ymgeisydd yn rhoi gwybod i'r Arolygiaeth am y dyddiad cyflwyno pan fyddai'n hysbys. Ar hyn o bryd, mae'r rhaglen yn cynnwys penderfyniadau ar y DCO yn 2023, a'r cais ML yn 2023/2024. Bwriedir i'r prosiect fod ar waith erbyn 2030 i gefnogi targedau Sero-net y Llywodraeth.

Gofynnodd yr Arolygiaeth am gael rhybudd pe byddai angen adolygu dogfennau drafft, gan gynghori bod amserlen chwe wythnos yn arfer safonol ar gyfer adolygu. Cadarnhawyd y dylai'r Ymgeisydd ganolbwyntio ar adolygu unrhyw faterion drafftio newydd, neu unrhyw beth yr oedd angen iddo gael cyngor arno'n benodol. Awgrymodd y gallai fod yn ddefnyddiol i'r bennod ar ddisgrifio'r prosiect yn y Datganiad Amgylcheddol gael ei chyflwyno gyda'r DCO, ynghyd â'r Adroddiad Ymgynghori. Ni fyddai'r Adroddiad drafft i Lywio Asesiad Priodol yn cael ei gyflwyno i'r Arolygiaeth i'w adolygu, ond gallai rhannau enghreifftiol ohono gael eu cyflwyno i'r ETGs i gadarnhau bod yr adborth a42 a gafwyd ar y drafft yn derbyn sylw'n briodol.

Nid oedd yr Ymgeisydd yn disgwyl cynnal ymgynghoriad arall, ond byddai ymgynghoriad wedi'i dargedu'n cael ei gynnal pe byddai buddiannau tir newydd yn cael eu hamlygu. Roedd yr Ymgeisydd yn disgwyl cyflwyno nodiadau egluro neu nodiadau technegol byr yn rhan o'r broses cynllun tystiolaeth.

Dywedodd yr Arolygiaeth y byddai pwyntiau allweddol yn ystod y camau Cyn-Archwilio ac Archwilio yn cael eu hystyried wrth drefnu Amserlen yr Archwiliad, gan gynnwys effaith gwyliau/gwyliau banc. Pe byddai cyngor a51 yn cael ei roi ar yr adeg Derbyn, gallai'r Ymgeisydd ystyried p'un ai gweithredu cyn i'r Sylwadau Perthnasol agor. Dywedodd yr Arolygiaeth fod rhai digwyddiadau cyfunol yn cael eu cynnal ar gyfer gwrandawiadau. Roedd Cais Newid Sylweddol Dau Able Marine Energy Park yn cynnal Cyfarfod Rhagarweiniol (PM) cyfunol. Yr Awdurdod Archwilio (ExA) fyddai'n penderfynu, yn y pen draw, p'un a fyddai digwyddiadau'n rhithwir, yn gyfunol neu'n ffisegol, gan ystyried cyfraddau heintio Covid-19 a chanllawiau'r Llywodraeth ar y pryd. Byddai angen i'r Arolygiaeth gael sgyrsiau amserol â'r Ymgeisydd ynglŷn â dod o hyd i leoliadau addas, cwmnïau clyweledol a darparwyr cyfieithu ar y pryd.

Roedd yr Ymgeisydd wedi cynllunio arolygon dyfeisiau LiDAR arnofiol ym mis Rhagfyr 2021, ac arolygon geotechnegol yn y Gwanwyn 2022, ar gyfer uchafswm o bum twll turio.

## Gorchymyn Caniatâd Datblygu (DCO) / Trwyddedu Morol, alinio'r broses

Roedd yr Ymgeisydd yn cyfarfod â'r Arolygiaeth, Tîm Trwydded Forol (MLT) Cyfoeth Naturiol Cymru (CNC) a BEIS i drafod alinio'r prosesau ar gyfer yr ML a'r DCO, er mwyn hyrwyddo effeithlonrwydd. Roedd hefyd yn annog ymgysylltu yn ystod yr Archwiliad i sicrhau y gallai'r ExA fod yn fodlon bod y cynllun yn un caniataol/trwyddedadwy, er mwyn ceisio lleihau dyblygu cynnwys rhwng y DCO a'r ML. Roedd y cysyniad wedi cael ei drafod â CNC, ond nid oedd ymrwymiad i ymgysylltu â'r Archwiliad ar y pryd. Byddai'r un Datganiad Amgylcheddol (ES) ac Asesiad Rheoliadau Cynefinoedd (HRA) yn cael eu defnyddio ar gyfer yr ML a'r DCO, gyda chyfeiriadau clir pan fyddai adrannau'n berthnasol i un broses yn unig. Dywedodd yr Arolygiaeth fod weithiau angen i drwyddedau gael mwy o fanylion nag a ddarperir mewn asesiadau wedi'u seilio ar Amlen Rochdale, ac y dylai'r Ymgeisydd ystyried i ba raddau y gall fynd i'r afael ag unrhyw bryderon a godir mewn dogfennau. Roedd yr Ymgeisydd yn cynnal trafodaethau â CNC ynglŷn â strwythur yr ML. Roedd wedi awgrymu ymgysylltu â CNC yn ystod pob cylch o gwestiynau, gwrandawiadau a therfynau amser yn yr Archwiliad, i roi crynodebau a gwybodaeth berthnasol. Dywedodd yr Arolygiaeth y gallai gael cyfarfod cyflwyniadol â CNC i sefydlu perthynas, ond y byddai terfynau ar yr hyn y gellid ei drafod.

## Y camau nesaf ac unrhyw fater arall

Heriodd yr Ymgeisydd y cyfle i Gyngor Sir Ddinbych (DCC) ymgysylltu â rhaglen Allgymorth yr Arolygiaeth. Cadarnhaodd yr Arolygiaeth y gallai Nodyn Cyngor Un a Nodyn Cyngor Dau roi gwybodaeth ddefnyddiol i gynorthwyo dealltwriaeth DCC. Roedd rhyddid i DCC gysylltu â'r Arolygiaeth i ofyn am Allgymorth.

Dywedodd yr Ymgeisydd fod pryderon ynglŷn â'r effaith ar y dirwedd a'r effaith weledol yn thema gyffredin yn yr ymatebion i'r ymgynghoriad a dyna oedd y sail i bryderon DCC a Chyngor Bwrdeistref Sirol Conwy, gyda chysylltiad canfyddedig ag effeithiau ar dwristiaeth. Roedd Cytundeb Perfformiad Cynllunio (PPA) wedi cael ei gynnig i DCC, ond ni chytunwyd arno eto. Cytunwyd ar PPA gyda'r holl awdurdodau perthnasol ar gyfer yr Asesiad o'r Effaith ar y Morlun a'r Effaith Weledol. Dywedodd yr Ymgeisydd fod y prif feysydd cydlyniad yn yr ymatebion i'r ymgynghoriad yn gysylltiedig ag erthygl newyddion o fis Awst 2020 a ailgyhoeddwyd yn ddiweddar, a oedd wedi creu diddordeb, yn enwedig ynglŷn â dewisoldeb y lanfa a Chlwb Golff y Rhyl. Fodd bynnag, roedd yr ymatebion i'r ymgynghoriad cyhoeddus yn gadarnhaol at ei gilydd. Roedd Iechyd Cyhoeddus Cymru wedi gofyn i'r argyfwng hinsawdd a COP 26 gael eu cynnwys ym mhenodau'r ES ar iechyd. Roedd cyfryngau cymdeithasol yn cael eu monitro i weld a oedd unrhyw bryderon eraill yn cael eu codi y tu allan i'r ymgynghoriad.

Dywedodd yr Arolygiaeth ei bod wedi rhoi gwybod i Iwerddon a Ffrainc ynglŷn â sgrinio trawsffiniol. Roedd Iwerddon wedi gofyn am gael bod yn ymgynghorai pan fydd y cais yn cael ei gyflwyno ac ni chafwyd ymateb gan Ffrainc hyd yma. Byddai'n ailsgrinio a chysylltu â'r ddau barti eto pe byddai'r cais yn cael ei dderbyn, i roi'r cyfle mwyaf posibl i ymgysylltu â'r Archwiliad.

Amlygodd yr Arolygiaeth pe byddai cyfleuster storio ynni'n cael ei gynnwys yn y prosiect a bod angen hyblygrwydd ynglŷn â thechnoleg, dylai'r dechnoleg gael ei hasesu yn yr ES.

Cadarnhaodd yr Ymgeisydd ei fod wedi ymgysylltu â'r Arolygiaeth a nodi rhestr fer o gyflenwyr ar gyfer cwmnïau clyweledol. Roedd hefyd yn cynnal trafodaethau â chyfieithwyr ac yn ystyried lleoliadau addas ar gyfer digwyddiadau ffisegol/cyfunol.

Dywedodd yr Arolygiaeth y gallai blotio Sylwadau Perthnasol ar fap i amlygu lleoliadau posibl lle y gallai fod angen gwrandawiadau.

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

# Meeting note

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| **Project name** | Awel y Môr |
| **File reference** | EN010112 |
| **Status** | **Final** |
| **Author** | The Planning Inspectorate |
| **Date** | 8 November 2021 |
| **Meeting with** | Awel y Môr Offshore Wind Farm Limited |
| **Venue** | Microsoft Teams |
| **Meeting objectives** | Project update meeting |
| **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.

## Project reminder/ context

The Applicant provided a brief reminder of the project, which would require a Development Consent Order (DCO) from the Secretary of State for Business, Energy and Industrial Strategy, and a Marine Licence (ML) from Natural Resources Wales. As confirmed in the previous meeting note, the removal of the western tip of the array from its Order Limits had taken place as a result of previous consultation on site selection. The offshore cable corridor was broadly 1km wide and landfall was expected near Rhyl Golf Club. Flexibility for the onshore cable route was retained where needed, to allow for cable routing, access and flexibility at the substation location.

## Project update

Early statutory consultation outcomes

Statutory consultation was undertaken between 31 August and 11 October 2021. In line with the Statement of Community Consultation (SoCC), Denbighshire County Council were consulted as the host authority, as well as other North Wales coastal Local Planning Authorities (LPA) and Snowdonia National Park Authority. The SoCC allowed for a flexible approach to consultation, depending on Government COVID restrictions at the time. A blend of virtual exhibitions and events, and face-to-face outdoor physical events took place, including a bus tour of coastal and cable routes. The Applicant advised of approximately 3500 unique visitors to the online exhibition, and approximately 900 attendees across the nine physical events. Approximately 300 formal written and survey responses were also received. The majority of consultation documentation was made

available in both English and Welsh languages, and Welsh speakers from the Applicant's team were present at physical and virtual events. The Inspectorate advised to record the accessibility for those wishing to participate in Welsh within the Consultation Report.

The Applicant was considering consultation responses, and Expert Topic Group (ETGs) meetings were underway to follow up on detailed matters. A design freeze was planned for Q4 2021/Q1 2022 and the Applicant would seek to ensure the proposed elements were appropriately assessed, whether changes were adopted or not.

Programme to DCO/ML submission

The updated programme reflected the conclusions of the non-statutory and statutory consultation, and ongoing engagement with ETGs, landowners and stakeholders. The DCO/ML application submissions would be delayed until Spring 2022, and the Applicant would update the Inspectorate on the submission date once known. The programme currently included decisions on the DCO in 2023, and ML application in 2023/2024. The project is intended to be operational by 2030 to support Government Net Zero targets.

The Inspectorate requested notice if a review of draft documents was required, advising that a six-week timescale for review is standard practice. It was confirmed that the Applicant should focus the review on any novel drafting matters, or anything it specifically needed advice on. It suggested the project description chapter of the Environmental Statement could be useful to accompany the DCO, along with the Consultation Report. The draft Report to Inform Appropriate Assessment would not be submitted to the Inspectorate for review, but example sections of it could be submitted to the ETGs to confirm the s42 feedback received on the draft is being addressed appropriately.

The Applicant did not envisage carrying out any further consultation, but targeted consultation would be undertaken if new land interests were identified. The Applicant expected to submit clarification notes or brief technical notes as part of the evidence plan process.

The Inspectorate advised key points during the Pre-Examination and Examination stages would be considered when scheduling the Examination Timetable, including the impact of holidays/bank holidays. If s51 advice was to be issued at Acceptance, the Applicant could consider whether to take action prior to opening Relevant Representations. The Inspectorate advised that some blended events were taking place for hearings. The Able Marine Energy Park Material Change Two Application was holding a blended Preliminary Meeting (PM). The Examining Authority (ExA) would ultimately decide whether events would be virtual, blended or physical, taking into account Covid-19 infection rates and Government guidance at the time. The Inspectorate would need to have timely conversations with the Applicant about sourcing suitable venues, Audio Visual (AV) companies and simultaneous translation providers.

The Applicant had floating LiDAR device surveys planned for December 2021, and Geotechnical surveys planned for Spring 2022, for a maximum of five boreholes.

## DCO / Marine Licensing, process alignment

The Applicant was meeting with the Inspectorate, Natural Resources Wales (NRW) Marine Licence Team (MLT) and BEIS to discuss alignment of the processes for the ML

and DCO, to promote efficiencies. It also encouraged engagement during the Examination to ensure the ExA could be satisfied it was a permittable/licensable scheme, with the aim to reduce duplication of content between the DCO and ML. The concept had been discussed with NRW but there was no commitment to engagement with the Examination at the time. The same Environmental Statement (ES) and Habitats Regulations Assessment (HRA) would be used for both the ML and DCO, with clear references when sections related to one process only. The Inspectorate advised that sometimes permits required extra detail than provided in assessments based on the Rochdale Envelope, and the Applicant should consider how far it can address any concerns raised in documentation. The Applicant was in discussions with NRW about the structure of the ML. It had suggested engaging with NRW during each cycle of questions, hearings and deadlines within the Examination, to provide summaries and relevant information. The Inspectorate advised it was able to have an introductory meeting with NRW to establish a relationship but there would be limits to what could be discussed.

**Next steps & AOB**

The Applicant queried the opportunity for Denbighshire County Council (DCC) to engage with the Inspectorate's Outreach programme. The Inspectorate confirmed that Advice Note One and Advice Note Two could provide useful information to assist DCC's understanding. It was open to DCC to contact the Inspectorate to request Outreach.

The Applicant advised landscape and visual concerns were a common theme in consultation responses and these were the basis of DCC and Conwy County Borough Council's concerns, with a perceived link to tourism impacts. A Planning Performance Agreement (PPA) had been offered to DCC but was not yet agreed. A PPA was agreed with all relevant authorities for the Seascape and Visual Impacts Assessment. The Applicant advised the main areas of coordination in consultation responses were linked to a recent re-published August 2020 news article, which had generated interest, particularly around landfall optionality and the Rhyl Golf Club. However, public consultation responses were positive overall. Public Health Wales had requested that the climate emergency and COP 26 were included in the health chapters of the ES. Social media was being monitored to identify if any further concerns were raised outside of the consultation.

The Inspectorate advised it has notified Ireland and France in relation to transboundary screening. Ireland had requested to be consulted when the application is submitted and no response had been received from France to date. It would re-screen and contact both parties again if the application was accepted, to allow for maximum opportunity to engage with the Examination.

The Inspectorate highlighted that if energy storage was to be included in the project and flexibility of technology was needed, the technology should be assessed in the ES.

The Applicant confirmed it had engaged with the Inspectorate and identified a short list of suppliers for AV companies. It was also in discussions with translators and considering suitable venues for physical/blended events. The Inspectorate advised that it could plot Relevant Representations on a map to identify possible locations where hearings might be required.