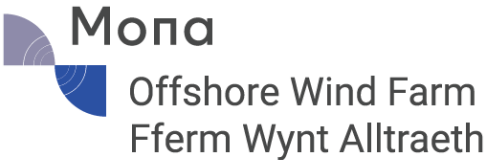


Mona Offshore Wind Farm
Fferm Wynt Alltraeth

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APPLICANT’S RESPONSE TO THE SECRETARY OF STATE’S LETTER DATED 12 MAY 2025

Latest revision						
Reason for issue	Author	Date	Checker	Date	Approver	Date
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Glossary

Term	Meaning
Applicant	Mona Offshore Wind Limited.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Statement	The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project.
Interconnector cables	Cables that may be required to interconnect the Offshore Substation Platforms in order to provide redundancy in the case of cable failure elsewhere.
Maximum Design Scenario (MDS)	The scenario within the design envelope with the potential to result in the greatest impact on a particular topic receptor, and therefore the one that should be assessed for that topic receptor.
Mona Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, offshore export cables and offshore substation platforms (OSPs) forming part of the Mona Offshore Wind Project will be located.
Mona Offshore Cable Corridor and Access Areas	The corridor located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables will be located and in which the intertidal access areas are located.
Mona Offshore Wind Project	The Mona Offshore Wind Project is comprised of both the generation assets, offshore and onshore transmission assets, and associated activities.
Mona Onshore Cable Corridor	The corridor between MHWS at the landfall and the Mona onshore substation, in which the onshore export cables will be located.
Offshore Substation Platform (OSP)	The offshore substation platforms located within the Mona Array Area will transform the electricity generated by the wind turbines to a higher voltage allowing the power to be efficiently transmitted to shore.
Wind turbines	The wind turbine generators, including the tower, nacelle and rotor.

Acronyms

Acronym	Description
AEol	Adverse Effect on Integrity
ANSP	Air Navigation Service Provider
CAA	Civil Aviation Authority
CoCP	Code of Construction Practice
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
dML	Deemed Marine Licence
EIA	Environmental Impact Assessment
FID	Financial Investment Decision
GHG	Greenhouse Gas
HRA	Habitats Regulations Assessment

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Acronym	Description
ISH	Issue Specific Hearing
JNCC	Joint Nature Conservation Committee
MDS	Maximum Design Scenario
NPS	National Policy Statement
NPS EN-1	Overarching National Policy Statement for energy
NPS EN-3	National Policy Statement for renewable energy infrastructure
NRW	Natural Resources Wales
NRW (A)	Natural Resources Wales (Advisory)
PSR	Primary Surveillance Radar
RIES	Report on the Implications for European Sites
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special Protection Area
SSR	Secondary Surveillance Radar
TCE	The Crown Estate
TMZ	Transponder Mandatory Zone
UK	United Kingdom
UXO	Unexploded Ordnance

1 APPLICANT'S RESPONSE TO THE SECRETARY OF STATE'S LETTER DATED 12 MAY 2025

1.1 Introduction

- 1.1.1.1 On 12 May 2025 the Secretary of State published a letter (the SoS's letter) requesting information from a number of parties, including the Applicant (Mona Offshore Wind Limited). The Applicant's responses to the SoS's letter are provided in the following sections of this document:
- Wake effects (section 1.2)
 - Noise and Vibration - Revisions to Management Plans (section 1.3)
 - Amendments to outline Code of Construction Practice (section 1.4)
 - Protective Provisions for the protection of Stena (section 1.5)
 - Section 135 consent for woodland plots 02-034 and 02-036 (section 1.6)
 - Section 106 agreement for the Landscape Enhancement Scheme (section 1.7)
 - Warton Aerodrome Primary Surveillance Radar (section 1.8)
 - Updates in respect of Habitats Regulation Assessment submitted towards end of examination (section 1.9).
- 1.1.1.2 The Applicant has also provided additional information to update the SoS in respect of the consideration of Unexploded Ordnance (UXO) clearance by Natural Resources Wales (NRW) as part of the standalone Marine Licence process for the transmission assets. This information is provided in section 1.10.

Applicant's Response to the Secretary of State's Letter Dated 12 May 2025

1.2 Wake effects

1.2.1 Introduction

1.2.1.1 Paragraphs 3, 4 and 5 of the SoS's letter are in relation to wake effects and are set out as follows:

(3) The Secretary of State notes the positions of the Applicant and IPs, in particular Ørsted IPs, in relation to wake effects. The Secretary of State also notes the policy in 2.8.197 and 2.8.200 of NPS EN-3, as well as the specific policy on wake effects set out in the draft NPS EN-3 which is currently out for consultation. Those policies suggest that an assessment be carried out, that steps be taken to minimise impacts and that an applicant shows they have made reasonable efforts to work collaboratively with those who may be impacted.

*(4) The Secretary of State requests that the **Applicant** provide, without prejudice, a proposal to secure:*

- a. the provision of an assessment (if the assessment contained in the Wood Thilsted Report is not agreed); and*
- b. further consideration of means to minimise any assessed impacts, including opportunities to work with impacted windfarms to achieve this.*

*(5) The **Applicant** should provide its views on the final version of the Wood Thilsted Report commissioned by Ørsted IPs.*

1.2.2 Response

1.2.2.1 The Applicant notes that the SoS's letter suggests that paragraphs 2.8.197 and 2.8.200 of the National Policy Statement (NPS) for renewable energy infrastructure (NPS EN-3) indicate an assessment of wake effects should be carried out, that steps be taken to minimise impacts and that an applicant must show they have made reasonable efforts to work collaboratively with those who may be impacted.

1.2.2.2 The Applicant notes that the wording of the paragraphs of NPS EN-3 referred to by SoS is as follows:

"2.8.197 Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities.

2.8.200 Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.56 and 2.8.273/4 and 2.8.267 of this NPS for further guidance)."

1.2.2.3 The Applicant disagrees with summary of the existing NPS EN-3 in the SoS's letter. The existing NPS policy makes no reference to the need to consider wake effects as part of an applicant's consent application. The lack of policy requiring (or suggesting) this is why such an assessment is not routinely included within an offshore wind Environmental Impact Assessment (EIA) or application and there is no established precedent or guidance on how such an assessment

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should be undertaken. The Applicant would also highlight that, if such an assessment was a requirement for offshore wind applications, this and all offshore wind applications consented under the Planning Act 2008 that did not provide an assessment should not have been accepted for examination by the Planning Inspectorate on behalf of the SoS. Policy must be clear and unequivocal if it is to be complied with and the basis on which decisions are made – if policy merely 'suggests' then it can only be advisory at most. The Applicant would also reiterate that the operational Ørsted projects range from 30.6 km to 43.3 km from the Mona Array Area, at their closest points. These distances are significant in the context of the proximity of those existing projects to each other, and in the Applicant's view cannot be 'close' in the context of para 2.8.197 of NPS EN3, as set out in detail in REP4-034.

- 1.2.2.4 The Applicant also notes the transitional arrangements set out in the draft NPS EN-3 state (emphasis added):
- 1.2.2.5 *While the review is undertaken, the current suite of energy NPS remain relevant government policy and EN-1 to EN-5 have effect for the purposes of the Planning Act 2008. The Secretary of State has decided that for any application accepted for examination before amending the energy NPSs, the current suite of energy NPS, published in 2024, should have effect. **The amended energy NPSs will therefore only have effect in relation to those applications for development consent accepted for examination after the publication of the final amended energy NPSs.** However, any emerging draft energy NPSs (or those amended but not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each development consent order application.*
- 1.2.2.6 Given these transitional provisions make it clear that the Mona Offshore Wind Farm must be determined in accordance with the extant 2024 NPS which as set out above do not include a requirement for a wake assessment to be carried out, and the fact that the Secretary of State's consultation on the revisions to EN-3 is still open, the Applicant does not consider it appropriate for any weight to be placed on the proposed revisions to EN-3 at this time.
- 1.2.2.7 Notwithstanding the above, the Applicant has (through the examination process) engaged with the Ørsted IPs with regards to the potential impact of wake effects on their projects and the potential for mitigation of these impacts. The Applicant has consistently explained why it is not possible for it to undertake a robust wake effects assessment at this stage of the process, including in response to the wake impact assessment provided by the Ørsted IPs, performed by Wood Thilsted (REP5-120) and those points remain valid. This consideration of the inability for robust assessment at this stage, and the limited (and ultimately net-negative) availability of mitigation options, is also made by other offshore wind farm applicants in recent submissions to examinations (see Dogger Bank South Offshore Wind Farms (EN010125 REP4-099)). However, and as part of a collaborative approach to this matter, the Applicant undertook a "Calculation of the net effects on GHG emissions" (AS-033) (as recommended by the Ørsted IPs initially as part of the Morgan Offshore Wind Project: Generation Assets examination) using the information set out within the Wood Thilsted report to consider the impact of options to reduce inter-project wake effects on the overall level of carbon reduction achieved by the schemes in question.

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- 1.2.2.8 The outcome of this process has demonstrated that wake effects between Mona and the existing operational Ørsted projects are substantially mitigated by the distance between them, and that any further project mitigation will have a proportionately negative effect on overall carbon reduction from the new offshore wind generation. This is set out in detail in AS-033, which demonstrates that spatial layout based mitigations would have a negligible benefit to the Ørsted projects yet would lead to substantial lost production to Mona due to increase internal wake losses, causing an overall negative effect on carbon reduction. Therefore, to seek to impose further mitigation on the Applicant for a matter that the draft NPS EN-3 cites (in paragraph 2.8.316) as having limited planning weight would be an entirely disproportionate outcome, for what is an unavoidable residual effect of the development of new renewable generating capacity over 30 km away. The Applicant's conclusion regarding the availability and effectiveness of mitigation has been endorsed by submissions made in other offshore wind examinations such as Dogger Bank South Offshore Wind Farms (EN010125 REP4-099) which concluded (following a review of the standard suite of potential measures as considered within the Mona examination) that *"...there is no current technology or approach that can be applied to mitigate the wakes of one wind farm on another which does not result in a significant overall loss of generation"*.
- 1.2.2.9 In conclusion the Applicant considers that the SoS has an inter-array wake effects assessment (in the form of the Wood Thilsted report) before it, albeit an assessment subject to a large uncertainty that cannot be considered robust or accurate for the reasons set out by the Applicant in its response to paragraph 5 of the SoS letter below, and that the Applicant has considered this through the "Calculation of the net effects on GHG emissions" (AS-033) despite there being no policy requirement to do so. Further, the Applicant considers it has demonstrated all reasonable steps have been taken to minimise, as far as reasonably possible, the impact of wake effects from the Mona Offshore Wind Project at this stage of the consenting and design process. This has been achieved through the siting of the project at over 30 km from the Ørsted IP assets as far as reasonably practicable within the constraints of The Crown Estate (TCE) lease area (as detailed in REP7-112), along with a commitment to ensuring the minimum separation distances between turbines is as large as practically possible (with such minimum separation distances being beyond that of any existing consent). Finally, the Applicant considers that it has sought to address concerns raised by Ørsted IPs through the examination process in a constructive manner, whilst recognising the differences in the interpretation of planning policy and the limitations of what can be robustly achieved at this stage of the development process.
- 1.2.2.10 The Applicant recognises that there will be residual wake effects from the Mona Array on Ørsted IP assets (as is (and/or will be) the case for all built and planned offshore wind farms around the UK). Recognising the absence of current NPS policy in relation to wake effects, and the proposed additions to EN-3 which seek to address this absence the Applicant would note that the revisions to EN-3 (paragraph 2.8.316) make clear that:
- 1.2.2.11 *... there is no expectation that wake effects can be wholly removed between developments, or that inter-project compensation arrangements are a necessary means to mitigate the impact of wake effects, although developers may opt to take such approaches outside of the planning process.*

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1.2.3 Without prejudice proposal

1.2.3.1 The Applicant reviewed and provided comment on the technical merits of the Wood Thilsted Report in REP6-130, noting the limitations of undertaking any wake impact assessment at this stage.

1.2.3.2 As explained above, the Applicant considers that there is no policy requirement under the extant NPS to consider wake effects. Notwithstanding, the SoS has sufficient information to establish the significant net carbon reduction benefit strongly supports the urgent need for the Mona Offshore Wind Project as new renewable energy generating capacity and its status as critical national priority infrastructure as well as its contribution to the UK's Clean Power 2030 Action Plan objectives (which are to "sprint" to the reduction of carbon intensity generation through the rapid delivery of new clean energy capacity by 2030).

1.2.3.3 The Applicant is aware of the wake effects requirement that was included within the Awel y Mor DCO to address concerns raised by Rhyl Flats Offshore Wind Farm in the examination process. The Applicant is also aware that there was no consultation in respect of the wording of this requirement prior to the SoS's decision. The Applicant has therefore provided the following 'without prejudice' requirement in response to the SoS's request:

(1) No part of any wind turbine generator may be erected as part of the authorised development until either:

- a) a wake effects plan has been submitted to and approved by the Secretary of State; or*
- b) the undertaker has provided evidence to the Secretary of State that alternative mitigation for wake effects has been agreed with the existing Ørsted offshore wind farms.*

(2) The wake effects plan provided in accordance with paragraph (1)(a) must include details of the reasonable steps that have been taken by the undertaker to minimise wake effects on the existing Ørsted offshore wind farms whilst maximising the capacity of the authorised development within the identified technical, environmental and other constraints of the authorised development.

(3) Where paragraph (1)(a) applies the wake effects plan submitted to the licencing authority under condition 18 (1) (a) of Schedule 14 of this order must be in accordance with any approved wake effects plan.

For the purposes of this requirement 'the existing Ørsted offshore wind farms' means:

- (1) Barrow Offshore Wind Farm*
- (2) Burbo Bank Extension*
- (3) Walney Extension*
- (4) West of Duddon Sands*
- (5) Walney Offshore Windfarm*
- (6) Burbo Bank*

1.2.3.4 In order that any approved wake effects plan is accommodated within the wind turbine design plan which must be submitted to the licencing authority for

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approval under the dML at Schedule 14 of the dDCO, the amendment identified in red below would also be required to the current wording of condition 18.

Amendment to condition 18(1)(a):

Pre-construction plans and documentation

18.-(1) No part of the authorised scheme may commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by licensing authority (in consultation with the relevant statutory historic body, the statutory nature conservation body, Trinity House or the MCA as appropriate)-

(a) a design plan at a scale of between 1:25,000 and 1:50,000 in accordance with the layout principles, including detailed representation on the most suitably scaled admiralty chart, setting out proposed details of the authorised scheme, including the:

(i) number, dimensions, specification, foundation type(s) and depth for each wind turbine generator and offshore substation platform;

(ii) confirmation of whether Work No. 1 sub-sections (c) and (d) are to be constructed under this marine licence;

(iii) the proposed layout of all wind turbine generators and offshore substation platforms (which shall be in accordance with the recommendations for layout contained in MGN654 and its annexes), including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 55 metre micro-siting in any direction unless otherwise agreed in writing with the licensing authority in consultation with the MCA and Trinity House;

(iv) proposed layout of all cables;

(v) location and specification of all other aspects of the authorised scheme; and (vi) any archaeological exclusion zones;

to ensure conformity with the description of Work No. 1 and compliance with conditions 10 and 11 and any wake effects plan approved by the Secretary of State in accordance with requirement [x].

1.2.4 Wood Thilsted Report

1.2.4.1 The Applicant commented on the version of Wood Thilsted's Wake Impact Assessment Report (REP5-120) commissioned by Ørsted IPs in REP6-083 (in response to Issue Specific Hearing (ISH) 6 in Section 6, paragraphs 47 to 51) and comprehensively in REP6-130. Wood Thilsted's addendum to their Report (REP6-147) responded to points raised during ISH6 but provided no technical updates.

1.2.4.2 The comments provided by the Applicant in REP6-130 are still applicable and are not repeated here, however the following points are worth reiterating:

- The Report states that the assessment is "industry standard". There is no industry standard model for wake assessment, with a variety of approaches and set-ups used by different developers and consultants within the industry which produce a wide range of wake loss estimates. The choice of wake model is often situation specific, with different models having strengths and weaknesses in how realistically they simulate a particular situation, how quickly they can be re-run for iterative analysis, and how well validated they are for a given situation.

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- The model used in the Wood Thilsted Report is not validated for the situation it is being used to assess (external wake effects at a significant distance of over 30 km from an array of large turbines), and there is a high range of uncertainty in the results from the model which are not presented in the Report. The assessment purports to present a level of clarity which is unjustified given the skill and accuracy of the modelling has not been demonstrated.
- The Report states that the WindFarmer: Analyst Eddy Viscosity with large wind farm correction model has been used to estimate the wake effects in the modelled scenarios. It is known that the outputs are entirely sensitive to the settings used for this modelling. These settings are neither provided nor referenced so it is not possible to scrutinise or reproduce the modelling that has been performed.
- The modelling of wake loss effects is dependent on very accurate information of the wind farm that is being proposed as well as the existing operational wind farm. This information is either not known (for instance power curves for turbines that represent Mona's Maximum Design Scenario (MDS)) or confidential and not available in the public domain. The Report has not been able to overcome those limitations, and as such presents an incomplete and unverifiable assessment. The Report includes reference to commercially sensitive data that cannot be disclosed and makes assumptions for the basis of modelling that do not reflect Mona's MDS. The results of the assessment must be read in this context, and it has simply not been possible for the Applicant to verify whether the results of the report are representative or accurate.
- The Report incorrectly relates outcomes of the assessment to a recent study by DNV and RWE of the prediction of wake losses at two operational projects - Amrumbank West and Triton Knoll - from neighbouring wind farms at various separation distances. The referenced wake loss figures of 3.0% and 3.6% are derived from synthetic wind conditions, an assumption that the study authors state, "...will exaggerate the magnitude of the cluster effect [such that the] resulting losses are not true losses". This DNV and RWE study consequently provides no assurance that the impacts on the Ørsted IP projects in the Wood Thilsted assessment are in any way appropriate. Furthermore, the figure of -3.0% for Triton Knoll (the more relevant for the scenario under examination) is shown to be within a large range of predictions from the various models applied in the study, suggesting that wake effects could feasibly be overpredicted by 40% in a relative sense by the Windfarmer: Analyst approach used in the Report, reinforcing the significant uncertainties in the modelling performed.

1.2.4.3 For the reasons set out above and the wider comments covered in REP6-130, the Applicant does not consider that the Wake Impact Assessment Report from Wood Thilsted provides a robust or accurate appraisal of wake impact on the Ørsted IPs projects. However, this would be true of any equivalent assessment performed at this time which would be similarly limited by the large uncertainties in predictions due to the lack of validation and confidence in the modelling undertaken. Wake modelling for this scale of wind farm development and over these large distances remains an emerging science. Consequently, while the

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Applicant acknowledges that Ørsted IPs have presented an assessment of wake effects, it can only be indicative and should not be the basis on which any determination of a baseline or consent decision is undertaken.

1.3 Noise and Vibration - Revisions to Management Plans

1.3.1 Introduction

1.3.1.1 Paragraphs 7 and 8 of the SoS's letter request the following from the Applicant:

"The Secretary of State notes that the suite of documents comprised within the Code of Construction Practice ("CoCP"), including the outline CoCP and the outline Construction Noise and Vibration Management Plan currently refer to working hours of 0700 to 1900 from Monday to Saturday, with no activity on Sundays or bank holidays.

*The Secretary of State requests that the **Applicant** provide, without prejudice, updated versions of these documents to refer to working hours of 0700 to 1900 from Monday to Friday and 0700 to 1300 on Saturday, with no activity on Sundays or bank holidays."*

1.3.2 Response

1.3.2.1 The Applicant has provided updated versions of the following documents, on a without prejudice basis, to incorporate the working hours proposed in the SoS's letter:

- Without Prejudice Outline Code of Construction Practice (S_RFI1_03 F01)
- Without Prejudice Outline Construction Noise and Vibration Management Plan (S_RFI1_04 F01)
- Without Prejudice Outline Construction Traffic Management Plan (S_RFI1_05 F01)
- Without Prejudice Outline Onshore Construction Method Statement (S_RFI1_06 F01)
- Without Prejudice Outline Highways Access Management Plan (S_RFI1_07 F01)

1.3.2.2 The Applicant would like to take this opportunity to reiterate that, if the working hours on Saturday were limited to 13:00 instead of 19:00, the construction efficiency for one sixth of the working week would be significantly reduced. By the time mobilisation and demobilisation periods, mandatory safety briefings, and legally required rest breaks are considered, the available working time on-site a Saturday becomes minimal. Additionally, contractors may forego Saturday work entirely, due to these inefficiencies with the works in a shorter timeframe leading to potentially longer construction durations in each localised areas along the onshore cable corridor.

1.3.2.3 While the overall maximum assessed construction duration of 33 months for the Mona Offshore Wind Project would remain unchanged and therefore the worst case scenarios assessed in the Environment Statement would remain the same, restricting Saturday afternoon working would mean individual work locations would require longer construction periods. As a result, communities along specific sections of the route would experience construction impacts over an extended timeframe, undermining the Applicant's intention of completing works efficiently and promptly in each area.

1.3.2.4 The Applicant considers that Saturday afternoon working provides substantial benefits, including the efficient delivery of localised construction activities and therefore less overall disruption to local communities and landowners.

1.4 Amendments to outline Code of Construction Practice

1.4.1 Introduction

1.4.1.1 Paragraphs 9 and 10 of the SoS's letter request the following from the Applicant:

*"The Secretary of State requests that the **Applicant** provides, without prejudice, an amended version of the outline CoCP that includes a commitment to use horizontal directional drilling to undertake the proposed works between points A and B of the Evans' landholding. If the Applicant considers that a commitment to horizontal directional drilling is not possible, it should explain why and confirm if any alternative methods are possible to limit the impact on this section of the Evans' landholding".*

1.4.2 Response

- 1.4.2.1 The request from the SoS is for the Applicant to commit to using a horizontal directional drill between points 'A' and 'B' as set out on a plan in the response from J Bradburne Price & Co on behalf of G Lloyd Evans & Sons (AS-030). This section is approximately 450 metres in length within land plot 10-179. The drill requested is located on land that is owned by Hugh Morris Parry and Gillian Ann Parry, with whom the Mona Offshore Wind Project have agreed heads of terms for the voluntary rights sought and is occupied by G Lloyd Evans & Sons (see Book of Reference, REP7-014). The SoS should be aware that the landowners, Mr and Mrs Parry, have recently put their land up for sale, which includes plot 10-179. The Applicant has been informed by the selling agent that if the land were to be sold, it will be for the purchaser to determine whether to continue with the occupational arrangement with G Lloyd Evans & Sons or buy the land with vacant possession. There is therefore no certainty that the Lloyd Evans' will be in occupation when any Mona construction activities take place on this land parcel.
- 1.4.2.2 The Applicant is not able to commit to using trenchless techniques between the identified points A and B due to the impact this will have on the electrical system design of the Project. The Applicant has committed to crossing multiple existing obstacles using trenchless techniques to the west of the 'A to B' section as outlined in the Onshore Crossing Schedule (APP-083, mapping ID's 196 to 225). Due to the number of obstacles that need to be crossed using trenchless techniques and their proximity to one another, it is highly likely that the Applicant will need to undertake one long drill to cross these obstacles, starting from the west of the minor road (Cae Onnen, mapping ID 204) and ending to the east of the mature tree (mapping ID 225).
- 1.4.2.3 The Applicant has also committed to using trenchless techniques to cross the underground high voltage 33 kV line (mapping ID 228), which is located within section A to B, and the minor road to the east (mapping ID's 235 to 241). There are several obstacles to the east of the A to B location that could be crossed using trenched or trenchless techniques (Mapping ID's 229 to 234). It is likely that the Applicant will need to use trenchless techniques starting from the underground line (mapping ID 228) all the way through to the minor road (mapping ID 241).
- 1.4.2.4 The Project Description (APP-050) explains that cable joint bays and link boxes will need to be located at fixed centres along the onshore cable route. Joint bays and link boxes cannot be located in sections where trenchless techniques are being used as they require a continuous length of cable and therefore must be located at either end of a trenchless section. The request to drill a further 450 metres between points A and B after the extensive section of obstacle crossings to the west, followed by an

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extensive section of crossings east of the location that has already been committed to, effectively removes the flexibility the Applicant requires to refine and deliver the electrical design so that it can locate joint bays and link bays at fixed distances along the cable route.

- 1.4.2.5 The Applicant is prepared to make specific mitigation measures for the benefit of G Lloyd Evans & Sons, providing that they are in occupation of plot 10-179 before construction commences. The Without Prejudice Outline Onshore Construction Method Statement (S_RFI1_06 F01) submitted as part of this response includes, at section 1.10.2.1, the specific mitigation measures the Applicant would be able to employ to reduce impacts in this area.

1.5 Protective Provisions for the protection of Stena

1.5.1 Introduction

1.5.1.1 Paragraphs 11 and 12 of the SoS's letter are directed to the Applicant and Stena and request the following:

*"The Secretary of State notes that Stena submitted protective provisions at Deadline 7 of the Examination. The **Applicant** should provide its views and comments on the proposed protective provisions."*

*"Both the **Applicant and Stena** should provide an update on the status of their negotiations. If agreement has not yet been reached, updates should include details of when agreement is expected by."*

1.5.2 Response

- 1.5.2.1 The Applicant has been engaging with Stena Line since the close of the examination. The Applicant is pleased to report that the Ferry Mitigation Agreement between Stena Line Limited and Mona Offshore Wind Limited was signed on 23 May 2025.
- 1.5.2.2 As part of this agreement, Stena Line will promptly submit a letter to the SoS withdrawing their objection to the Development Consent Order (DCO) application.
- 1.5.2.3 As part of this agreement, Stena Line confirms that its request for protective provisions for the benefit of Stena is also withdrawn.

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1.6 Section 135 consent for woodland plots 02-034 and 02-036

1.6.1 Introduction

- 1.6.1.1 Paragraph 13 of the SoS's letter is directed to the Applicant, Welsh Ministers and NRW and requests the following:

*"The **Applicant, Welsh Ministers and NRW** should provide an update on: whether or not section 135 consent has been obtained for plots 02-034 and 02-036; and whether or not NRW has given occupier's consent in respect of its legal interests in Gwrych Wood (also plot 02-034 and 02-036)"*

1.6.2 Response

- 1.6.2.1 The Applicant understands that the Welsh Ministers and the Natural Resources Body for Wales (NRW) has separately written to the Secretary of State responding to Paragraph 13 of the letter. Since those submissions were made, the parties have reached an agreed position on outstanding matters. The Applicant is therefore pleased to report that s.135 consent has been provided by the Welsh Ministers and the Natural Resources Body for Wales (NRW) which is enclosed at Appendix 1.
- 1.6.2.2 Heads of Terms have been agreed with NRW for the Project to acquire the land rights it needs from NRW in Gwrych Wood on a voluntary basis.

1.7 Section 106 agreement for the Landscape Enhancement Scheme

1.7.1 Introduction

1.7.1.1 Paragraph 14 of the SoS's letter requests the following from the Applicant:

*"The **Applicant** should confirm if it is now in a position to provide a signed and executed section 106 planning agreement for the Landscape Enhancement Scheme under the Town and Country Planning Act 1990 relating to the landscapes of the Isle of Anglesey National Landscape and the Eryri National Park. If a signed and executed version is not yet available, the Applicant should confirm the date by which it intends to submit it."*

1.7.2 Response

- 1.7.2.1 The Applicant has been engaging with Denbighshire County Council, Isle of Anglesey County Council and Eryri National Park Authority regarding the form of section 106 agreement that will be entered into. Agreement has not yet been reached on the precise form of section 106 but the Applicant will continue to engage with a view to reaching an agreed position in due course and does not foresee any barriers to doing so.
- 1.7.2.2 Until the Applicant is in possession of land to which the section 106 can be bound, it will not be able to complete the agreement. However, the Applicant will continue to seek an agreed position on the drafting of the section 106 in the meantime and complete the agreement when the required land is available.
- 1.7.2.3 Requirement 28 of the Draft Development Consent Order (AS-036) continues to secure the commitment to a landscape enhancement scheme which ensures the delivery of the Landscaping Enhancement Scheme whether or not the form of section 106 has been agreed.

1.8 Warton Aerodrome Primary Surveillance Radar

1.8.1 Introduction

1.8.1.1 Paragraph 15 of the SoS's letter is addressed to the Defence Infrastructure Organisation (DIO) and requests the following:

*"The Secretary of State invites the **DIO** to comment on the drafting of the following requirement, which is included as Requirement 23 in the Applicant's final draft Development Consent Order:*

Warton Aerodrome Primary Surveillance Radar

(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State, having consulted with the Ministry of Defence and the Operator, confirms in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.

(2) For the purposes of this requirement—

"appropriate mitigation" means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator's ability to provide safe and efficient air traffic services for Warton Aerodrome during the life of the authorised development;

"approved mitigation" means the appropriate mitigation measures agreed with the Ministry of Defence and the Operator in accordance with sub-paragraph (1);

"Ministry of Defence" means as represented by Defence Infrastructure Organisation – DIO Safeguarding, DIO Head Office, St George's House, 4 DMS Whittington, Litchfield, Staffordshire, WS14 9PY or any successor body; and

"Operator" means BAE Systems (Operations) Limited incorporated under the Companies Act 2006 (Company Number 01996687) whose registered office is Warwick House, PO Box 87, Farnborough Aerospace Centre, Farnborough, Hants, GU14 6YU or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Warton Aerodrome.

(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development."

1.8.2 Response

1.8.2.1 The Applicant notes that this request is directed to the DIO, however the Applicant has responded to provide the Secretary of State with an update on its position regarding Requirement 23 for Warton Aerodrome Primary Surveillance Radar (PSR).

1.8.2.2 The Applicant considers that the current drafting of Requirement 23 is entirely appropriate as it unambiguously secures appropriate mitigation for Warton Aerodrome to be agreed, implemented and maintained for the life of the authorised development prior to the first rotation of rotor blades. Additionally, the wording of the requirement:

- Is based on existing precedent accepted by DIO. For example, most recently the made orders for East Anglia THREE, East Anglia ONE North, East Anglia TWO, Norfolk Vanguard, Norfolk Boreas and Hornsea Four offshore wind farms, but also the conditions agreed in respect of Warton Aerodrome for the Walney Extension and Burbo Bank Extension offshore windfarms.

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- Meets the tests of the National Planning Policy Framework (2024); it is precise, enforceable, necessary, relevant to the development, relevant to planning and reasonable in all other respects.
- Is in line with the Overarching National Policy Statement for Energy (NPS EN-1) paragraphs 4.1.16 and 5.5.61.

- 1.8.2.3 The Applicant met with the DIO on 15 May 2025. DIO explained that if the Warton Aerodrome PSR was a Ministry of Defence asset, Requirement 23 in the Draft DCO would be acceptable. However, as Warton Aerodrome is a BAE Systems asset, their input to the requirement is necessary. The Applicant is aware that the Morgan Offshore Wind Project: Generation Assets ("Morgan Generation Assets") and the Morecambe Offshore Wind Project Generation Assets ("Morecambe Generation Assets") have included alternative requirement wording in their respective draft DCOs for Warton Aerodrome PSR based on drafting by BAE Systems.
- 1.8.2.4 The Applicant met again with DIO on 20 May 2025 and 22 May 2025 to discuss feedback from BAE and sought to agree the drafting of Requirement 23. At both meetings, DIO stated that they had not yet received requirement drafting from BAE Systems, but that BAE Systems had stated that the requirement should be based on the requirement for Warton Aerodrome PSR in the final draft DCOs of Morgan Generation Assets and Morgan Generation Assets (which the Applicant notes are not the same). On 23 May 2025, DIO contacted the Applicant with BAE System's preferred requirement drafting, which DIO then promptly provided to the Applicant. DIO stated that BAE System's preferred requirement drafting is basically the same wording as the Morgan and Morecambe requirements; however, the Applicant does not agree with this as explained in section 1.8.3 below.
- 1.8.2.5 It is the Applicant's position that the requirements in the final draft DCO's of the aforementioned projects, in particular Requirement 8 of the Morecambe Generation Asset's final draft DCO (EN010121, REP6-002), are broadly acceptable save that this drafting could be made more precise, enforceable, necessary and reasonable in all other respects by adopting the Applicant's revised requirement wording set out in Table 1.1. The Applicant is prepared to accept the revised drafting set out in Table 1.1 on a 'without prejudice' basis, if the SoS deems that is more appropriate than the current drafting of requirement 23 in the Mona Offshore Wind Project draft DCO. Note that the Applicant has included an explanation in Table 1.1 of any changes between the proposed 'without prejudice' requirement and the Morecambe Generation Assets draft DCO which has been amended by the Applicant to provide further clarity.

Table 1.1: Proposed 'without prejudice' alternative drafting for Requirement 23

Requirement	Explanation of changes compared with Requirement 8 in EN010121 REP6-002
<p><i>Warton Aerodrome Primary Surveillance Radar</i></p> <p>23.—(1) No part of any wind turbine generator shall be erected as part of the authorised development until a radar mitigation scheme has been submitted to and approved by the Secretary of State, in consultation with the Ministry of Defence and the Operator.</p>	No changes to the Morecambe draft DCO
<p>2) For the purposes of this requirement—</p>	No changes to the Morecambe draft DCO

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Requirement	Explanation of changes compared with Requirement 8 in EN010121 REP6-002
<p>(a) "approved radar mitigation scheme" means the radar mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1);</p> <p>(b) "Ministry of Defence" means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George's House, DIO Head Office, DMS Whittington, Lichfield, Staffordshire, WS14 9PY or any successor body;</p> <p>(c) "Operator" means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000(a) to provide air traffic services at Warton Aerodrome or any organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;</p> <p>(d) "PSR" means the primary surveillance radar at Warton Aerodrome or any upgrade thereto or replacement thereof prior to the approval of the radar mitigation scheme in accordance with sub-paragraph (1);</p> <p>(e) "PSR air traffic control operations" means the air traffic control operations, including both civil and military aircraft operations, of the Ministry of Defence or the Operator (or both) which are reliant upon the PSR; and</p> <p>(f) "radar mitigation scheme" means a scheme designed to prevent or remove any adverse impacts arising from the authorised development upon the operation of the PSR or the PSR air traffic control operations.</p>	<p>Limb '(d)': highlighted text added to provide clarity on the basis for the mitigation</p>
<p>(3) No wind turbine generator erected as part of the authorised development shall be permitted to rotate its rotor blades about its horizontal axis other than for the purpose of testing the proposed mitigation solution identified in the approved radar mitigation scheme until the Secretary of State, following consultation with the Ministry of Defence and the operator, has confirmed that it is satisfied that—</p>	<p>No changes to the Morecambe draft DCO</p>
<p>(a) the proposed mitigation solution has been subject to technical and operational assessment and, in particular, has undergone 'in-situ' testing in line with the requirements of (and for the time period(s) specified in) the approved radar mitigation scheme;</p> <p>(b) the performance criteria required to be met by the proposed mitigation solution, as specified in the approved radar mitigation scheme, have been met; and</p> <p>(c) the approved radar mitigation scheme has been implemented by the undertaker in accordance with sub-paragraph (5)(a).</p>	<p>Sub-paragraph '(c)': "by the undertaker" removed as this is covered by sub-paragraph '(5)' and implementation of the radar mitigation can only be done by the Operator</p>
<p>(4) The approved radar mitigation scheme must remain in place and be complied with for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the Operator (or both).</p>	<p>No changes to the Morecambe draft DCO</p>

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Requirement	Explanation of changes compared with Requirement 8 in EN010121 REP6-002
<p>(5) The undertaker shall at its sole cost be solely responsible for the reasonable and evidenced costs of—</p>	<p>Clarity added - as the developer is responsible for the costs of the mitigation (not its implementation which can only be the responsibility of the Operator), these should be reasonable and evidenced</p>
<p>(a) implementing the approved radar mitigation scheme required for the authorised development prior to any wind turbine generator erected as part of the authorised development being permitted to rotate its rotor blades about its horizontal axis;</p> <p>(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of the approved radar mitigation scheme for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both); and</p> <p>(c) in the event of any amendment being made to the authorised development which gives rise to new or different adverse impacts to those identified in the environmental statement on the operation of the PSR or the PSR air traffic control operations (or both), working with the Ministry of Defence and the Operator in good faith to implement and thereafter maintain agree any additional mitigation measures required to prevent or remove such adverse impacts for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the Operator (or both).</p>	<p>Sub-paragraph '(a)': inclusion of highlighted text for clarity</p> <p>sub-paragraph '(b)': 'howsoever caused' removed as it is unnecessary</p> <p>Sub-paragraph '(c)': changes to make clear that the developer will agree those measures and then be responsible for the costs of their maintenance in accordance with sub-paragraph (b)</p>

1.8.3 Unacceptable paragraph 6 of BAE Systems proposed requirement

1.8.3.1 The Applicant notes that BAE Systems, in its closing submission to Morecambe Generation Assets (EN010121 REP6-069), sought the imposition of an additional paragraph to the Morecambe Generation Assets draft DCO requirement pertaining to Warton Aerodrome's PSR. The same paragraph (6) was included in the draft requirement issued to the Applicant by DIO on 23 May 2025, requiring the cessation of the operation of the authorised development in the event of a future (post-implementation) failure of the approved radar mitigation scheme. For the ease of reference, paragraph 6 as proposed by BAE is as follows:

“(6) In the event of any failure (howsoever caused) of the approved radar mitigation scheme whilst any of the wind turbine generators erected as part of the authorised development are operational, the undertaker shall, upon being notified by the operator of the aforesaid failure, immediately cease to operate the authorised development pending resolution of such failure. No wind turbine generator erected as part of the authorised development shall be permitted to re-commence rotating its rotor blades about its horizontal axis until the undertaker has, at its sole cost, undertaken the repairs and corrective measures required to reinstate the approved radar mitigation scheme (the “corrected radar mitigation scheme”) and the corrected radar mitigation scheme has been implemented.”

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- 1.8.3.2 A cessation of operation or “shutdown” obligation is unacceptable to the Applicant as it contradicts Civil Aviation Authority (CAA) policy and precedent, could undermine grid stability by removal of the energy generated by a 1.5 gigawatt offshore wind farm, and would present a significant challenge to the Applicant making a Final Investment Decision (FID) as the potential loss of revenues for an indefinite period of time, would undermine investor confidence. Offtake arrangements would be impacted due to increasing liabilities relating to compensation, and thus ultimately, delivery of the Mona Offshore Wind Project. These points are expanded upon below.
- 1.8.3.3 CAA publication CAP493: Manual of Air Traffic Services Part 1 (MATS Part 1) (11th edition, December 2023, Section 1 Chapter 3 paragraph 10B) sets out the fundamental principle that where there is a failure of the PSR system, air traffic services can continue to be provided using secondary surveillance radar (SSR) only. This principle has been applied to outages of windfarm PSR mitigation systems since 2005. Where there is a failure of any component in primary radar surveillance system (i.e. the single aerodrome PSR or if there is an infill PSR complementing the aerodrome PSR), CAP493 MATS Part 1 permits the Air Navigation Service Provider (ANSP) to provide an SSR-only air traffic service while it repairs its primary radar surveillance system and there is no requirement for a turbine shutdown. The Applicant understands that there was significant discussion about the application of this SSR-only provision in CAP493 MATS Part 1 in respect of the mitigation agreed between Glasgow Airport and Whitelee Windfarm, involving the installation of an infill mitigation PSR to be mosaicked into its airfield radar display. The Airport's position was that if there was a failure of the infill mitigation PSR, the wind turbines should be shutdown. The CAA's position was that this would not be appropriate as the infill PSR would form part of the airport's primary radar surveillance system, and if any component of the PSR system failed (main or infill PSR), then the Airport had a regulatory responsibility to fix its PSR system and CAP493 MATS Part 1 permitted an SSR-only service while the repairs were being undertaken. This position has been subsequently reaffirmed by the CAA in connection with other onshore windfarm mitigations in Scotland. In other words, there is no need for 'mitigations of mitigation'.
- 1.8.3.4 Additionally, the Applicant has agreed mitigation with NATS for potential effects on Great Dun Fell, Lowther Hill and St. Anne's Primary Surveillance Radar which will comprise radar blanking and an airspace change proposal to establish a Transponder Mandatory Zone (TMZ), which is secured under Requirement 22 of the draft DCO. The existence of the TMZ would provide Warton Aerodrome with suitable fallback temporary mitigation if there was a post-implementation failure of any PSR comprising part of the approved radar mitigation scheme. Furthermore, the alternative drafting for Requirement 23 included in Table 1.1 on a 'without prejudice' basis includes under sub-paragraph (5)(b) the requirement for the undertaker to pay the reasonable and evidence costs for “...*maintaining, repairing and replacing, including without limitation resolving any failure of, the approved radar mitigation scheme...*”, which expands on the requirement that “...*appropriate mitigation will be implemented and maintained for the life of the authorised development...*” in Requirement 23 of the Mona Offshore Wind Project draft DCO.
- 1.8.3.5 The Applicant has therefore already secured a suitable commitment to fund the reasonable and evidenced costs of implementing and maintaining mitigation for the life of the authorised development and is prepared, without prejudice, to accept a requirement that adds further detail to this commitment. Furthermore, it is the Applicant's assertion that Warton Aerodrome could provide an SSR-only air traffic service during any PSR outage or other failure of the radar mitigation scheme while

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corrective actions are taking place to the approved mitigation, in line with CAP493 MATS Part 1.

1.8.3.6 The Applicant would also note that inclusion of wind farm 'shutdown' clauses is contrary to the Government's policy aims in draft EN-1 and the Clean Power 2030 Action Plan as shutdown provisions do not support delivery of affordable energy to consumers or the achievement of Net Zero, with offshore wind forming the backbone of electricity generation (as set out in the draft EN-1 under paragraph 5.5.4 and the 'Renewable and nuclear project delivery' section of Clean Power 2030 Action Plan).

1.8.3.7 In summary, it is the Applicant's position that the current Requirement 23 in the Mona Offshore Wind Project draft DCO is entirely appropriate in its current form but would offer alternative drafting based on an alternative Morecambe Generation Assets final draft DCO Requirement 8, as set out in Table 1.1, on a without prejudice basis, if the Secretary of State deems it more appropriate. For the avoidance of any doubt the Applicant does not consider that a requirement for cessation or shutdown of the turbines is justified or necessary and would result in unacceptable risk to the delivery of the Project.

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1.9 Updates in respect of Habitats Regulation Assessment submitted towards end of examination

1.9.1.1 The Applicant has responded to paragraphs 17 and 19 in relation to updates in respect of Habitats Regulation Assessments submitted towards the end of examination in Table 1.2 below.

Table 1.2: Responses to the SoS letter on Updates in respect of Habitats Regulation Assessment submitted towards end of examination.

Paragraph No.	Addressed to	Request	Applicant's Response
17	NRW (A) and the JNCC	NRW (A) and the JNCC are requested to confirm that they are content with the Applicants in-combination assessment for northern gannet, regarding the Grassholm Special Protection Area ("SPA") [REP6-088].	<p>The Applicant notes this request is directed at Natural Resources Wales (Advisory) (NRW (A)) and the Joint Nature Conservation Committee (JNCC) but wishes to provide the following comment.</p> <p>Grassholm Special Protection Area (SPA) falls under the remit of NRW (A), as the Statutory Nature Conservation Body (SNCB) for Welsh inshore waters. In the final Statement of Common Ground (SoCG) between Mona and NRW (A) (Offshore) (REP7-094), both parties agreed on the conclusion of the in-combination assessment for the northern gannet feature of the Grassholm SPA subject to the Applicant's final submission at Deadline 7 being identical to those shared with the SNCBs prior to Deadline 7 (see Rows NRW.HRA.38 and NRW.HRA.39). This was also reflected in NRW (A)'s Closing Statement (REP7-146).</p> <p>The Applicant's submission titled 'Confirmation of Offshore Ornithology Updates at Deadline 7' (AS-045) confirms that the numbers presented in the offshore ornithology submissions submitted at Deadline 7 are identical to those shared with NRW (A) via email on 08 and 13 January 2025. As such, the Applicant considers there are no outstanding matters on its in-combination assessment for the northern gannet feature of the Grassholm SPA.</p>
19	The Applicant , the JNCC , NRW (A) , the RSPB , NatureScot , Daera and Natural England	Noting that HRA information was submitted by the Applicant, the JNCC and NRW following publication of the Report on the Implications for European Sites (RIES), the Secretary of State invites the Applicant , the JNCC , NRW(A) , and the RSPB , NatureScot , Daera and Natural England to provide any outstanding comments on that information.	<p>In the final SoCGs between the Mona Offshore Wind Project and NRW (A) and the JNCC submitted at Deadline 7 (REP7-094 and REP7-097, respectively), both SNCBs agreed that there will be no Adverse Effects on Integrity (AEoI) on any features of designated sites from the Mona Offshore Wind Project alone and in-combination with other projects and plans. NRW (A) and the JNCC's position on the Applicant's HRA conclusions was further confirmed in their Closing Statements (REP7-147 and REP7-144, respectively).</p> <p>The Applicant has no outstanding comments on the HRA information submitted by the JNCC or NRW (A) following publication of the RIES.</p>

1.10 Update on Unexploded Ordnance Clearance Matters from the Standalone Natural Resources Wales Marine Licence process

1.10.1 Introduction

- 1.10.1.1 The Applicant has provided the following information to update the Secretary of State in respect of the consideration of UXO clearance by NRW as part of the standalone Marine Licence process for the Mona Offshore Wind Farm transmission assets.
- 1.10.1.2 The standalone NRW Marine Licence application is for the transmission assets, including the offshore export cables, Offshore Substation Platforms, interconnector cables and related works located within the Mona Array Area and the Mona Offshore Cable Corridor and Access Areas.

1.10.2 Further Consultation on the Standalone NRW Marine Licence Application

- 1.10.2.1 Following the close of the DCO Examination on 16 January 2025, the Applicant submitted further information relevant to the standalone NRW Marine Licence application (ORML2429T) to NRW. This submission was made on 20 January 2025 and included all relevant updated and new documents submitted into the DCO Examination process (at Deadline 6 and 7) since the last provision of information to NRW (post DCO Deadline 5).
- 1.10.2.2 A further consultation on the standalone NRW Marine Licence application was undertaken by NRW between 4 February 2025 and 4 March 2025, and the Applicant provided responses to the consultation submissions to NRW on 22 April 2025.
- 1.10.2.3 In its response to the further consultation, the Joint Nature Conservation Committee (JNCC) requested (in Section 4.3) that "a maximum number of UXO to be cleared must be stated i.e. 22 [in any Marine Licence awarded] (to reflect the scenario presented in the ES". The Applicant notes that a similar comment was made regarding the drafting of Condition 21 of the Draft DCO (REP6-094) in Section 3.5.4 of the JNCC's Closing Statement (REP7-144) submitted at Deadline 7.

1.10.3 Applicant's Updated Position

- 1.10.3.1 The Applicant wishes to highlight to the SoS that, in light of comments received from the JNCC during the further consultation on the standalone NRW Marine Licence application, the Applicant confirmed in its response to NRW that it would be willing to accept a condition limiting the number of low order UXOs that could be cleared under the deemed marine licence (dML) and standalone NRW Marine Licence to a maximum of 22. The Applicant has therefore provided the following information to the SoS for consideration to allow consistency across the dML and standalone NRW Marine Licence.
- 1.10.3.2 For clarity, the Applicant proposes that Condition 21 of Schedule 14 of the Draft DCO (AS-036) be updated to include the following wording in red text below.

Low order unexploded ordnance clearance

21.—(1) No low order unexploded ordnance clearance can begin until for those activities the following have been submitted to and approved in writing by the licensing authority in consultation with the statutory nature conservation body and, in respect of the method statement, the MCA—

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(a) a method statement for low order unexploded ordnance clearance which must include—

(i) methodologies for—

(aa) identification and investigation of potential unexploded ordnance targets;

(bb) low order unexploded ordnance clearance;

(cc) removal and disposal of large debris;

(ii) a plan showing the area in which clearance activities are proposed to take place;

(iii) confirmation of the total number of low order unexploded ordnance to be cleared under this licence;

(iv) a programme of works; and

(v) any exclusion zones and/or environmental micro-siting requirements;

(b) a specific offshore written scheme of investigation and protocol for archaeological discoveries (which must accord with the details set out in the outline offshore written scheme of investigation and protocol for archaeological discoveries); and

(c) a marine mammal mitigation protocol in accordance with the outline marine mammal mitigation protocol, the intention of which is to prevent injury to marine mammals, following current best practice as advised by the statutory nature conservation body.

(2) The method statement and the marine mammal mitigation protocol must be submitted to the licensing authority for approval at least four months prior to the date on which unexploded ordnance clearance activities are intended to begin.

(3) The licensing authority must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the licensing authority, unless otherwise agreed in writing with the undertaker.

(4) Any unexploded ordnance clearance activities must be undertaken in accordance with the method statement and marine mammal mitigation protocol approved under sub-paragraph (1).

(5) Subject to sub-paragraph (6), an unexploded ordnance close-out report must be submitted to the licensing authority and the statutory nature conservation body within three months following the end of the unexploded ordnance clearance activity and must include the following for each clearance undertaken—

(a) co-ordinates, depth, current speed, charge utilised and the date and time of each clearance;

(b) whether any mitigation was deployed including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.

(6) Should there be more than one unexploded ordnance clearance activity, the report required under paragraph (5) will be provided at intervals agreed with the licensing authority.

(7) The total number of low order unexploded ordnance clearance as part of the authorised scheme in this licence must not exceed 22.

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(8) No high order unexploded ordnance clearance is permitted by this marine licence.

- 1.10.3.3 It should be noted that '22' represents the maximum number of UXOs to be cleared within the Mona Array Area, Mona Offshore Cable Corridor and Access Areas and is, therefore, applicable to both the DCO/dML and standalone NRW Marine Licence. At this stage, it is not known what proportion of this total number could require clearance under either licence. The Applicant, therefore, expects the standalone NRW Marine Licence to secure the same maximum number of UXOs (i.e., 22). NRW will be responsible for regulating the total number of UXOs to be cleared, ensuring that the overall total of 22 is not exceeded across the two licences. If adopted within the made Order, the proposed updates to the draft DCO outlined above would facilitate this by requiring prior notification to NRW of the number of UXOs to be cleared under the dML. A similar condition is expected to be secured within the standalone NRW Marine Licence, enabling the overall maximum to be managed. This approach is consistent with the drafting in the dML (agreed with NRW MLT) relating to the Offshore Substation Platforms which will also be authorised by both the dML and NRW Marine Licence and therefore requires the Applicant to confirm under Schedule 14, Part 2, Condition 18(1)(a)(ii) whether the Offshore Substation Platforms (OSPs) and interconnector cables are to be constructed under the dML or NRW Marine Licence.

Applicant's Response to the Secretary of State's Letter Dated 12 May 2025

1.11 References

Civil Aviation Authority (2023) CAP493: Manual of Air Traffic Services Part 1 (MATS Part 1). 11th edition, December 2023.

Ministry of Housing, Communities and Local Government (2024) National Planning Policy Framework, 12 December 2024.

Appendix A: NRW Section 135 Consent

Strictly Private and Confidential

Planning Inspectorate Case Team
Secretary of State for Energy Security and Net Zero
C/O National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

22nd May 2025

**Mona Offshore Wind Farm Development Consent Order
CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY SECTION 135 OF THE
PLANNING ACT 2008**

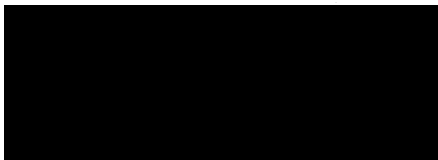
Dear Sir Madam

I am writing to confirm that the attached consent has been agreed by the Welsh Ministers and the Natural Resources Body for Wales, in respect of the Mona Offshore Wind Farm Development Consent Order ("DCO").

We appreciate that stylistic changes may be necessary for clarity and consistency purposes, however no amendments to the attached consent should be considered agreed without the prior written consent of the Welsh Ministers and the Natural Resources Body for Wales.

In the event that any of the aforementioned assumptions are incorrect or the basis on which this conditional consent is provided is disputed, please contact us as a matter of urgency.

Yours faithfully



Deputy Director – Landscapes, Nature and Forestry

Encs: CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY SECTION 135 OF THE
PLANNING ACT 2008.

1 THE WELSH MINISTERS

**APPLICATION FOR A DEVELOPMENT CONSENT ORDER ("DCO") PLANNING INSPECTORATE
REFERENCE NUMBER: EN010137**

**CONSENT TO INCLUDE CROWN LAND IN THE DCO AS REQUIRED BY SECTION 135 OF THE
PLANNING ACT 2008**

- 1.1 As discussed in correspondence, Mona Offshore Wind Farm Limited (Company Registration Number 13497266) ("Mona") is applying, under the Planning Act 2008 ("the Act"), for a Development Consent Order ("DCO") for the Mona Offshore Wind Farm ("the Project"). The version of draft DCO at the close of Examination is version C1 Draft Development Consent Order F09 (PINS Reference EN010137, Examination Library Reference AS-036).
- 1.2 The land required for the Project includes land referred to as plots 02-034 and 02-036 relating to an area of woodland at Gwyrch Castle (the "Plots") in which the Welsh Ministers have a leasehold interest, and which therefore comes within the definition, in section 227 of the Act, of Crown land. Natural Resources Body for Wales also has a statutory interest in the Plots pursuant to section 3 of the Forestry Act 1967. The relevant plots are identified on the submitted Crown Land Plans (version B6 Crown Land Plan (Onshore) F04, PINS Reference EN010137, Examination Library Reference REP7-005) and in the Book of Reference (version D4 Book of Reference F07, PINS Reference EN010137, Examination Library Reference REP7-014) for the Project and Mona seeks the consent of the appropriate Crown authority to the inclusion of this land ("the Crown land") in the DCO for the Project pursuant to section 135 of the Planning Act 2008 ("Crown land consent").
- 1.3 I confirm that the appropriate Crown authority (as defined in section 227 of the Act) to give Crown land consent is the Welsh Ministers and this consent is provided in respect of the Plots.
- 1.4 Accordingly, I confirm that the Welsh Ministers hereby grant Crown land consent under section 135(1) of the Act to the inclusion of interests for the time being held otherwise by or on behalf of the Crown in relation to the Crown land in the DCO for the Project and to Mona's application for powers of compulsory acquisition in respect of all such interests. I also confirm that the Welsh Ministers hereby grant Crown land consent under section 135(2) of the Act for Mona to include other provisions contained in the DCO which will apply in relation to the Crown land including Articles of the draft DCO that apply to Crown land, if the DCO is made by the Secretary of State in due course.
- 1.5 Welsh Ministers (1), Mona (2) and the Natural Resources Body for Wales (3) have separately entered into an agreement ("Agreement") governing the use of the powers of compulsory acquisition and other provisions in the DCO in relation to the Crown land. Mona does not intend to acquire compulsorily any interests in the Crown land which are held by the Welsh Ministers and the Natural Resources Body for Wales. Instead Mona will only acquire other interests in land and create by acquisition new rights required to construct, operate and decommission the Project in respect of the Plots subject to the terms of the Agreement.
- 1.6 I note that Mona does not intend to acquire compulsorily any interest in the Crown land which is held by the Welsh Ministers, but only to acquire other interests in land required to construct, operate and decommission the Project as set out in the Agreement. The inclusion of the Crown land within the Order land would also allow temporary possession as defined in the DCO to be taken by Mona in order to carry out works on this land and adjacent land subject to the terms of the Agreement.