



Adeilad y Goron Crown Buildings Ffon/tel: 0303 444 5958  
Parc Cathays Cathays Park  
Caerdydd Cardiff  
CF10 3NQ CF10 3NQ e-bost/e-mail: [dns.wales@planninginspectorate.gov.uk](mailto:dns.wales@planninginspectorate.gov.uk)

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Marine Space

and

Marine Licensing Team  
Natural Resources Wales

(via e-mail)

Eich Cyf / Your Ref

Ein Cyf / Our Ref

Dyddiad / Date

Erebus Floating Offshore Wind

10 December 2020

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### **Electricity Act 1989**

### **The Conservation of Habitats and Species Regulations 2017 (as amended)** (‘the 2017 Regulations’)

#### **Proposed Development: Erebus (approx. 96 MW) Floating Offshore Wind**

**Demonstration Project:** A proposed floating offshore wind development comprising between 7 and 10 wind turbine generators with a nameplate rating of between 9.5 MW and 14 MW. The turbines will be housed on floating (semi-submersible) platforms secured to the seabed using catenary moorings. The development will be connected back to the National Grid via 66 kV AC cable via a proposed substation near the Pembroke Grid Supply Point.

**Developer:** Simply Blue Energy Ltd.

**Location:** Outline area of interest of approx. 43.5 km<sup>2</sup>, situated approximately 44 km off the south west coast of Pembrokeshire. The placement of the platforms within this area, and definition of a formal site boundary, are still to be determined. The proposed substation location and cable route are still to be determined.

This project will be subject to both an application for consent under Section 36 of the Electricity Act 1989 and for a Marine Licence under the Marine and Coastal Access Act 2009.

Section 36 (10) of the Electricity Act 1989 provides that the Welsh Ministers are the appropriate authority in respect of applications for S36 consent for generating stations which when constructed or extended do not exceed 350 MW. The Planning Inspectorate is authorised to undertake work in respect of these application for the Welsh Ministers.

Under the 2017 Regulations the Welsh Ministers are the 'competent authority' with regards to applications under S36 of the Electricity Act 1989. Under the same regulations, Natural Resources Wales (NRW) is the 'competent authority' in respect of applications for a Marine Licence in the Welsh inshore area and the Welsh offshore area.

Regulation 67 provides for co-ordination in cases when an appropriate assessment is required and where more than one competent authority is involved. This project meets a relevant criterion specified in Regulation 67(1), in that it requires the consent, permission or other authorisation of more than one competent authority.

The Welsh Ministers are satisfied that any implications of the above project in relation to works seaward of the mean high watermark in view of potentially affected European Sites' conservation objectives would be more appropriately assessed by NRW as the competent authority in respect of the Marine Licence application.

Therefore, the Welsh Ministers, under Regulation 67(2), intend to adopt any assessment undertaken by NRW under Regulation 63 of the 2017 Regulations.

Accordingly, any application for this project under S36 of the Electricity Act 1989 cannot proceed to a final determination until NRW has concluded the marine works assessment.

This stated intention is based on the information available to us at this time, and if at any point it appears to the Welsh Ministers that it would be more appropriate for them to make their own assessment, it is open to them to do so.

If you have any queries, please contact the Inspectorate:

The Planning & Environment Team  
The Planning Inspectorate for Wales  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

[dns.wales@planninginspectorate.gov.uk](mailto:dns.wales@planninginspectorate.gov.uk) or 0303 444 5958

Yours sincerely

*Rob Sparey*

Mr Robert Sparey MPlan

Rheolwr Cynllunio a'r Amgylchedd / Planning & Environment Manager