

# **Wylfa Newydd Project**

## Statement of Common Ground between Horizon Nuclear Power Wylfa Limited and National Trust

PINS Reference Number: EN010007

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19 February 2019

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Examination Deadline 6

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## 1 Introduction

### 1.1 Status of this SoCG

- 1.1.1 This is a jointly agreed statement between Horizon and National Trust. It is an accurate reflection of agreed, disagreed and ongoing matters at Deadline 6.
- 1.1.2 It is noted that where this SoCG relies on documents which are due to be submitted at later deadlines in the examination, this is noted where relevant and may change the status of issues recorded in this version of the SoCG

### 1.2 Purpose of this document

- 1.2.1 This SoCG has been prepared by Horizon Nuclear Power Wylfa Limited (hereafter referred to as 'Horizon') and the National Trust. It has been prepared in accordance with the guidance published by the Department of Communities and Local Government (hereafter referred to as 'DCLG Guidance')<sup>1</sup> and example SoCG documents provided on the Planning Inspectorate's website.
- 1.2.2 The purpose of this SoCG is to set out agreed factual information about the application for development consent that has been made by Horizon for the construction and operation of a new nuclear power station at the Wylfa Newydd Development Area (hereafter referred to as 'WNDA') together with on and off-site associated development (hereafter referred to as 'the Wylfa Newydd DCO Project').
- 1.2.3 Paragraph 58 of the DCLG Guidance states:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence"*
- 1.2.4 The aim of this SoCG is to therefore provide a clear position of the state and extent of discussions and agreement between Horizon and the National Trust on matters relating to the Wylfa Newydd Project as at 19<sup>th</sup> February 2019.
- 1.2.5 This SoCG has evolved through a series of iterative drafts. This first draft of the SoCG was provided to the National Trust by Horizon on 18<sup>th</sup> July 2017 for review and comment.
- 1.2.6 This final SoCG has been submitted to the Examining Authority in relation to the application by Horizon under section 37 of the Planning Act 2008 (the Act)

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<sup>1</sup> Planning Act 2008: Guidance for the examination of applications for development consent (March 2015) paragraphs 58 – 65

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418015/examinations\\_guidance-\\_final\\_for\\_publication.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-_final_for_publication.pdf)

for an order granting development consent for the construction of the Wylfa Newydd DCO Project.

## 1.3 Description of development

### ***The Wylfa Newydd Project***

1.3.1 The Wylfa Newydd Project includes:

### ***The Enabling Works***

- 1.3.2 The Enabling Works comprise the Site Preparation and Clearance Proposals (SPC Proposals) and the A5025 On-line Highway Improvements.
- 1.3.3 Horizon has submitted applications for planning permission for the Enabling Works under the Town and Country Planning Act 1990 to the Isle of Anglesey County Council (IACC) as local planning authority. The On-line Highway Improvements were granted planning permission on 13th July 2018 (ref: 27C106E/FR/ECON). The planning authority resolved to grant the SPC application subject to the signing of a legal agreement on the 5th September 2018. The Welsh Government wrote to the IACC on 13 December 2018 directing that the SPC application should be determined by the Welsh Ministers (referred to as a call-in). Horizon has now written to IACC and Welsh Government to confirm that it is withdrawing the SPC application and that all works included within the SPC application have also been applied for as part of the DCO application.
- 1.3.4 The SPC Proposals will now be determined as part of the DCO application. The A5025 On-line Highway Improvements are not part of the DCO application.

### ***The Wylfa Newydd DCO Project***

- 1.3.5 The Wylfa Newydd DCO Project comprises those parts of the Wylfa Newydd Project which are to be consented by a DCO, namely:

### ***The Nationally Significant Infrastructure Project (NSIP)***

- **Power Station:** the proposed new nuclear power station, including two UK Advanced Boiling Water Reactors, the Cooling Water System, supporting facilities, buildings, plant and structures, radioactive waste and spent fuel storage buildings and the Grid Connection;
- **Other on-site development:** including landscape works and planting, drainage, surface water management systems, public access works including temporary and permanent closures and diversions of public rights of way, new Power Station Access Road and internal site roads, car parking, construction compounds and temporary parking areas, laydown areas, working areas and temporary works and structures, temporary construction viewing area, diversion of utilities, perimeter and construction fencing, and electricity connections;

- **Marine works comprising:**
  - Permanent Marine Works: the Cooling Water System, the Marine Off-loading Facility, breakwater structures, shore protection works, surface water drainage outfalls, waste water effluent outfall (and associated drainage of surface water and waste water effluent to the sea), fish recovery and return system, fish deterrent system, navigation aids and Dredging;
  - Temporary Marine Works: temporary cofferdams, a temporary access ramp, temporary navigation aids, temporary outfalls and a temporary barge berth;
- **Off-site Power Station Facilities:** comprising the Alternative Emergency Control Centre (AECC), Environmental Survey Laboratory (ESL) and a Mobile Emergency Equipment Garage (MEEG); and

### **Associated Development**

- the Site Campus within the Wylfa Newydd Development Area;
- temporary Park and Ride facility at Dalar Hir for construction workers (Park and Ride);
- temporary Logistics Centre at Parc Cybi (Logistics Centre);
- the A5025 Off-line Highway Improvements;
- wetland habitat creation and enhancement works as compensation for any potential impacts on the Tre'r Gof Site of Special Scientific Interest (SSSI) at the following sites:
  - Tŷ Du;
  - Cors Gwawr;
  - Cae Canol-dydd

1.3.6 The Power Station will be operational for approximately 60 years after which it will be decommissioned. The buildings will be removed from the site and all spent fuel and radioactive waste managed. The end state of the site will be agreed with the regulators.

### **Licensable Marine Activities**

1.3.7 The Licensable Marine Activities comprise the Marine Works and the Deep Disposal (i.e. the disposal of material from dredging at the Disposal Site at Holyhead North). The Licensable Marine Activities will be consented under a Marine Licence, however the Marine Works would also be consented under the DCO.

1.3.8 A more detailed description of development is contained at Chapter 4 of the Planning Statement (APP-406).

## 2 Overview of Engagement

2.1.1 The preparation of this SoCG has been informed by a programme of discussions between Horizon and the National Trust. Horizon met with the National Trust to discuss and document common ground on the following dates:

**Table 2-1 SOCG meetings held between Horizon and the National Trust**

Meeting Date	Attendees	Purpose of Meeting
21 <sup>st</sup> July 2017	Horizon National Trust	Initial meeting to discuss approach to SoCG
26 <sup>th</sup> September 2017	Horizon National Trust	Update meeting to discuss the draft DCO documents and how they relate to the SoCG
28 <sup>th</sup> August 2018	Horizon National Trust	Meeting to discuss the areas of concern to be included in the SOCG document.
2 <sup>nd</sup> October 2018	Horizon National Trust	Meeting to explore any area of common ground relating to the Natura 2000 sites.
10 <sup>th</sup> October 2018	Horizon National Trust	Meeting to explore any area of common ground relating to Wylfa Head, Tre'r Gof SSSI, and the site campus.
11 <sup>th</sup> October 2018	Horizon National Trust	Meeting to explore any area of common ground relating to marine and terrestrial ecological issues.
18 <sup>th</sup> October 2018	Horizon National Trust	Meeting to explore any area of common ground relating to landscape and cultural heritage issues.
28 <sup>th</sup> January 2019	Horizon, RSPB, National Trust, North Wales Wildlife Trust	Meeting to finalise positions for the Final SOCG.

2.1.2 In addition to these discussions, Horizon has engaged with the National Trust since June 2017 through a number of technical meetings to address specific project issues as they have arisen. A list of these meetings is provided below. These discussions have informed this SoCG.

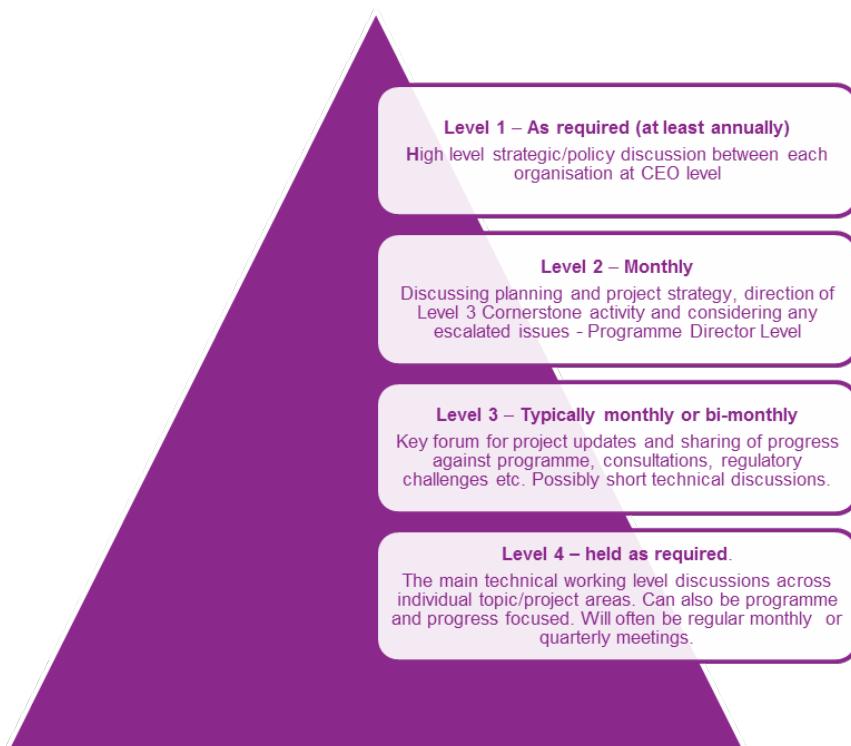
**Table 2-2 Technical meetings held between Horizon and the National Trust**

Meeting Date	Attendees	Purpose of Meeting
21 <sup>st</sup> June 2017 3 <sup>rd</sup> October 2017	Horizon, IACC, NRW, NWWT, National Trust, RSPB, Gwynedd Archaeology Planning Service, Cadw, Red Squirrels Trust	Wylfa Newydd Natural & Historic Environment Forum (WNNHEF). The forum is intended as a means to obtain stakeholder input into the emerging LHMS.
8 <sup>th</sup> November 2017	Horizon, National Trust	Discussion of the parameter plans approach to securing the DCO.
29 <sup>th</sup> November 2017	Horizon, National Trust	Visit to National Trust land adjacent to WNDA to discuss landscape and visual, and heritage issues.
5 <sup>th</sup> December 2017	Horizon, NRW, IACC, RSPB, National Trust, NWWT, Seawatch Foundation	Discussion of the issues relating to the marine environment.
12 <sup>th</sup> December 2017	Horizon, NRW, IACC, RSPB, National Trust, NWWT	Discussion of the issues relating to terrestrial and freshwater ecology.
16 <sup>th</sup> January 2018	Horizon, NRW, IACC, National Trust, NWWT	Discussion of the issues relating to Cemlyn Lagoon.
18 <sup>th</sup> February 2018	Horizon, IACC, National Trust, NWWT, RSPB	Discussion of the interim condition should the SPC planning application be approved.
6 <sup>th</sup> March 2018	Horizon, NRW, IACC, National Trust, NWWT, RSPB	Discussion on the draft Landscape and Habitat Management Plan document.
17 <sup>th</sup> April 2018	Horizon, National Trust	DCO briefing session to provide an outline of the DCO process and application and the role of the SOCGs.
28 <sup>th</sup> June 2018	Horizon, National Trust, NWWT, RSPB	Meeting to update the NGOs on work undertaken to identify possible compensation site for terns should they be required.

## 2.2 Consultation with National Trust

- 2.2.1 Horizon has undertaken engagement with the National Trust throughout the pre-application period.
- 2.2.2 Full details are provided in the Consultation Report (APP-037).
- 2.2.3 Horizon has an overarching engagement framework in place with IACC, Welsh Government and NRW, and although not formally agreed with the National Trust, Officers have attended meetings at the different levels as illustrated in Figure 2-1 below principally at the Level 4, technical level:

**Figure 2-1 Wylfa Newydd Engagement Framework**



- 2.2.4 Following Horizon's Stage Two Pre-Application Consultation, Horizon set up a series of Level 4 technical meetings on specific issues.
- 2.2.5 DCLG Guidance recognises that the topics on which agreement might be reached in any particular instance (or those areas where agreement might not be reached) will depend on the matters at issue and the circumstances of the case.
- 2.2.6 Horizon shared with the National Trust, amongst other statutory consultees, those draft application documents to support the DCO application that they requested in September and October 2017. Specifically, the National Trust were provided with copies of the following draft documents:
  - Environmental Statement chapters:
    - A1 – Introduction to the project and approach to EIA

- A2 – Project overview and introduction to the development
- B8 – Introduction to the assessments – surface water and groundwater
- B9 – Introduction to the assessments – terrestrial and freshwater ecology
- B10 – Introduction to the assessments – landscape and visual
- B11 – Introduction to the assessments – cultural heritage
- B12 – Introduction to the assessments – coastal processes and geomorphology
- B13 – Introduction to the assessments – marine environment
- B15 – Introduction to the assessments – shipping and navigation
- C4 – Effects of project wide traffic on air quality
- C7 – Combined topic effects of traffic
- D1 – Power Station Main Site – Proposed Development
- D4 – Power Station Main Site – public access and recreation
- D5 – Power Station Main Site – air quality
- D6 – Power Station Main Site – noise and vibration
- D7 – Power Station Main Site – soils and geology
- D8 – Power Station Main Site – surface water and groundwater
- D9 – Power Station Main Site – terrestrial and freshwater ecology
- D10 – Power Station Main Site – landscape and visual
- D11 – Power Station Main Site – cultural heritage
- D12 – Power Station Main Site – coastal processes and geomorphology
- D13 – Power Station Main Site – marine environment
- D15 – Power Station Main Site – shipping and navigation
- D16 – Power Station Main Site – combined topic effects
- E1 – Offsite Power Station Facilities – Proposed Development
- F1 – Park and Ride – Proposed Development
- G1 – A5025 Offline Highways Improvements – Proposed Development
- H1 – Logistics Centre – Proposed Development
- Relevant Environmental Statement Appendices
- Shadow Habitats Regulations Assessment
- Construction Method Statement
- Code of Construction Practice
- Code of Operational Practice
- Power Station Main Power Station Site sub-CoCP

- Marine Works sub-CoCP
- Site Selection Report Volume 2 main site layout
- Site Selection Report Volume 4 temporary workers accommodation
- Landscape and Habitat Management Strategy

2.2.7 National Trust provided comments on the marine modelling aspects of the draft documents on 10<sup>th</sup> October 2017 and a further meeting was held with the National Trust, and other stakeholders, on marine environmental issues on 5<sup>th</sup> December 2017. These documents also served to develop, and inform on-going discussions associated with this SoCG.

### 3 Current Position

- 3.1.1 The following schedule sets out the position of the National Trust alongside Horizon's position following the submission and review of the DCO application.
- 3.1.2 It sets out matters by topic area and provides an indication of whether the issue is agreed (green), not agreed (red) or ongoing (amber).
- 3.1.3 For ongoing issues, the intention is to continue dialogue on the specific issue to try to reach agreement.
- 3.1.4 National Trust do not wish to make any comment to any other areas of the Project. National Trust commentary is provided in relation to land in National Trust ownership.
- 3.1.5 This final SOCG is submitted at Deadline 6 and reflects the positions of the National Trust and Horizon at the point of submission. It is acknowledged that further material may be submitted to the Examination after Deadline 6 which could alter the positions stated in this SOCG.

**Table 3-1 Statement of Common Ground between the National Trust and Horizon**

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
Scope of the National Trust's interest in the DCO application	National Trust's interest in the associated development away from the Wylfa Newydd Development Area (WNDA)	NT1	N/A	Horizon and the National Trust agree that the associated development at Dalar Hir, Parc Cybi and the eight highway improvements on the A5025 do not raise any concerns for the National Trust. The National Trust do not own or tenant any land close enough to these associated developments to be impacted by them.		Agreed	No further action
Coastal change and the marine environment	Marine habitat enhancements and compensation.	NT2	APP-132 6.4.13 ES Volume D – WNDA Development D13 – The Marine Environment REP4-023 Deadline 4 Submission - Ecological Enhancements Mitigation Report REP2-033 Deadline 2 Submission - 8.8 Marine Works Sub-Code of Construction Practice	The marine works will result in the direct loss of approximately 30.5ha of marine benthic habitat. The proposals for the compensation of these marine habitats in both the DCO application and the subsequent memorandum is insufficient in both quality and quantity. The current proposals for marine enhancement provide for 0.4755ha, thus covering an estimated 1.6% of the loss.	The direct losses of intertidal and subtidal habitats are assessed in DCO ES chapter D13 (APP-132) and in the WFD compliance assessment (APP-444). There would be a total loss of approximately 31ha of marine habitat, of which, 20ha have been classified as subtidal and intertidal habitats of conservation importance. The loss of habitats results from the footprint of the permanent and temporary marine works. This loss of habitat of conservation importance is assessed as being a moderate adverse effect within chapter D13 (APP-132) of the DCO ES. Additional mitigation through ecological enhancement will be provided to increase the diversity and biomass of ecological communities on the new marine structures resulting in a reduction of the effect on subtidal and intertidal habitats of rocky reef habitat to minor adverse. Further details of the proposals for marine ecological enhancement and marine restoration have been submitted to the Examining Authority at Deadline 4 (REP4-023) with the measures being secured in the Marine Works Sub CoCP to be submitted at Deadline 5 (12 February 2019). REP4-023 provides an appraisal of the available measures and the feasibility and constraints of implementing for the Wylfa Newydd Project to satisfy the requirements of Test (a) of Article 4(7) of the WFD; to ensure that all practicable mitigation measures have been included in the project.	Ongoing	National Trust to review REP4-023

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Impacts of marine works on National Trust land.	NT3	REP2-031 Deadline 2 Submission - 8.6 Wylfa Newydd Code of Construction Practice REP2-032 Deadline 2 Submission - 8.7 Main Power Station Site Sub-Code of Construction Practice REP2-033 Deadline 2 Submission - 8.8 Marine Works Sub-Code of Construction Practice APP-132 6.4.13 ES Volume D – WNDA Development D13 – The Marine Environment	Concerns remain on impacts from the construction and operation of the marine works on the adjoining coastal land owned by the National Trust. The whole of the National Trust shoreline could be affected by the proposed construction and discharge including mobilised sediments from the removal of the temporary causeway. Concerns remain on the landscape and visual impact from land in National Trust ownership, and the lack of detail on the reinstatement of the coastline following the removal of the temporary causeway. Commentary will be provided by National Trust on marine enhancement at Deadline 5.	The coastal land adjoining the National Trust's property is outside of the construction site and no physical works will be undertaken to it. Mitigation measures set out in the Wylfa Newydd Code of Construction Practice (REP2-031, section 10.2) and the Main Power Station Site sub-CoCP (REP2-032, section 10.2) surface water drainage design will reduce impacts to land from increased sediment loads close to the mouth of the Afon Cafnan from the discharge of surface water drainage from the construction site. The surface water drainage will be treated and controlled by a discharge licence issued by NRW and the water quality will be monitored throughout construction to ensure compliance (REP2-032, paragraphs 10.4.2 – 10.4.3). The area of coastal land adjoining National Trust property that is predicted to be affected is small and confined to the area immediately surrounding the mouth of the Afon Cafnan. Details of the reinstatement of the coastline following the removal of the temporary causeway is secured by paragraph 11.4.1 of the Marine Works Sub-CoCP (REP2-033). This won't affect National Trust land.	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
Impact on Cemlyn Lagoon	Disturbance to the tern colony during construction.	NT4	APP-050 / 051 5.2 Shadow Habitats Regulations Assessment Report APP-132 6.4.13 ES Volume D – WNDA Development D13 – The Marine Environment APP-225 6.4.89 ES Volume D – WNDA Development App D13.07 – Seabird Baseline Review REP2-031 Deadline 2 Submission - 8.6 Wylfa Newydd Code of Construction Practice REP2-032 Deadline 2 Submission - 8.7 Main Power Station Site Sub-Code of Construction Practice	<p>The assessment on the potential effects to the tern colony during construction does not prove beyond all reasonable scientific doubt that there will be no adverse effects on site integrity which is a key test for the Habitats Regulations Assessment. Combined effects from noise, visual stimuli, disturbance from workers, and modification of predator population dynamics from the WNDA could significantly impact the integrity of the site leading to a decline in its current condition and the population status of terns within &amp; beyond the SPA.</p> <p>The National Trust considers that on-site mitigation measures (within the SPA) to reduce the potential impacts on the tern colony are not clearly defined in the DCO and their delivery is uncertain.</p> <p>The National Trust is concerned that mitigation measures alone will not be sufficient to conclude no adverse effect on integrity of the Anglesey Terns SPA from the combined impacts during construction and operation, and therefore the case for no alternative solutions and reasons of overriding public interest, together with a proposed package of compensatory measures should be presented to the Examining Authority.</p> <p>Full details of the NT position in relation to Horizon's methods to mitigate these construction effects is provided in the post hearing note/oral submission REP4-044 also included in National Trust REP4-038].</p> <p>In relation to predator dynamics the eNGO position was represented in the WR [REP2-348] and NT note the ExA Q2.5.9 on this matter to NRW.</p>	<p>The Environmental Statement and Shadow HRA have considered in detail the effects of the various construction and operational activities on the three tern species that nest on the islands in Cemlyn Lagoon. A range of mitigation measures have been proposed to maintain the integrity of the Anglesey terns SPA and these are proposed to be secured in the control documents (REP2-031, section 8, and REP2-032, section 11) are an integral part of the proposals. The Shadow HRA assesses the implications of the proposals for the Anglesey Terns SPA, drawing upon the assessments in the relevant Environmental Statement chapters, and concludes that disturbance from noise and visual stimuli will not result in the abandonment or a reduction in breeding success of the Cemlyn Lagoon nesting site. Mitigation is proposed to provide confidence that noise will not impact the nesting terns (REP2-031, section 8, and REP2-032, section 11).</p>	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Long term viability of the shingle ridge.	NT5	APP-131 6.4.12 ES Volume D – WNDA, D12 – Power Station Site – Coastal Processes and Coastal Geomorphology, APP-216 6.4.80 ES Volume D WNDA Development App, D12.01 – Coastal Geomorphology Baseline for the Wylfa Newydd Project – 2014, APP-218 6.4.82 ES Volume WNDA Development App D12.03 – Wylfa Newydd Main Site - Final Wave Modelling Report REP2-007 Deadline 2 Submission - Supplementary Information on Coastal Processes to Support Wylfa Newydd EIA and Shadow HRA Deadline 5 Submission – Horizon's responses to eNGOs post hearing submission documents.	<p>The National Trust do not agree that sufficient information has been provided to conclude that there will be no adverse effects to the long term viability of the Esgair Gemlyn shingle ridge, and consequently it cannot be concluded beyond reasonable scientific doubt that there will be no adverse effect on integrity of Cemlyn Bay SAC. The National Trust considers that mitigation measures alone will not be sufficient to conclude no adverse effect on integrity of the Anglesey Terns SPA as a result of potential changes to coastal processes (in addition to other identified impacts during construction and operation), and therefore the case for no alternative solutions and reasons of overriding public interest, together with a proposed package of compensatory measures should be presented to the Examining Authority. Advice was presented on the adoption of the EU's Precautionary Principle [addendum to REP4-044 and National Trust REP4-038], Horizon have not engaged with either National Trust as landowner or NWWT as tenant and manager of Cemlyn Nature Reserve. Further clarification and contact with Horizon on this matter is awaited</p>	<p>Since the submission of the DCO application, Horizon has undertaken further modelling assessments. These additional modelling assessments couple the model for the worst case 99%ile wave scenario with the coastal processes model, to identify any impacts to Esgair Gemlyn. The additional modelling information was sent to the NWWT on 5<sup>th</sup> October 2018 and was discussed at a meeting on the 11<sup>th</sup> October 2018. The additional modelling information has been submitted to the Examining Authority at Deadline 2 (REP2-007).</p> <p>The results show that the bed shear stresses predicted to arise due to the Marine Works would not change sufficiently to cause an increase in sediment mobilisation (above that already being mobilised) that could have a significant adverse impact on Esgair Gemlyn.</p> <p>Moreover, there is not predicted to be a significant change in the energetics of the water body within or adjacent to Cemlyn lagoon. Consequently, the functioning of the lagoon and islands that terns use for breeding would not be adversely affected.</p> <p>Although no significant changes are predicted to Esgair Gemlyn as a result of the Marine Works, to further minimise the residual risk Horizon are proposing to monitor the shingle ridge and develop an adaptive management plan to deal with any changes should they arise. These proposals are currently being consulted on with NRW and will be provided into Examination at Deadline 5.</p>	Ongoing	Horizon are consulting with NRW on the monitoring and adaptive management proposals for Esgair Gemlyn. The eNGOs will be consulted once agreement has been reached with NRW.

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Water quality impacts on Cemlyn Lagoon.	NT6	APP-127 6.4.8 ES Volume D – WNDA Development D8 – Surface Water and Groundwater, APP-167 6.4.33 ES Volume D – WNDA Development App D8.08 – Summary of Preliminary Design for Construction Surface Water Design REP2-031 Deadline 2 Submission - 8.6 Wylfa Newydd Code of Construction Practice REP2-032 Deadline 2 Submission - 8.7 Main Power Station Site Sub-Code of Construction Practice	<p>There is a potential for sediment laden surface water runoff from Mound E to impact the chemistry and water quality of the coastal lagoon at Cemlyn. The proposals to pump drainage water overland to be discharged to the Afon Cafnan are welcomed but concerns remain over the effectiveness of the strategy as no information has been provided on the specification of plant to be used and its adequacy for coping with extreme storm events. The National Trust remains opposed to any reworking of Mound E and the flexibility sought by Horizon. National Trust remains concerned that the as yet unspecified solution to drainage may have significant visual impact. National Trust remains concerned about the flexibility and longevity of construction at Mound E and the proposed timeline for restoration. National Trust would support the early completion of Mound E which would bring visual, ecological and runoff risk benefits. National Trust remains concerned that a scheme has been developed in the absence of an acknowledged adequate baseline assessment.</p>	<p>The drainage design for Mound E will ensure that surface water draining from Mound E will be captured and treated through the use of swales, attenuation ponds, and silt busters. The Summary of preliminary design for construction surface water drainage [APP-167], supplemented by additional information to be presented via a Technical Note at Deadline 6, demonstrates that the drainage system will provide attenuation for events up to the 1% AEP event with an allowance for climate change. The treated surface water will then be pumped overland and discharged to the Afon Cafnan under a discharge licence issued by NRW. The specification for the pumping equipment has not yet been determined but it will be adequately specified to prevent discharges of silted water to the Nant Cemlyn watercourse as well as avoiding an impact on flood risk in the Afon Cafnan. The DCO application states that the overland pumping will be switched off when the slopes of Mound E are adequately vegetated to prevent elevated siltation of the discharged runoff.</p> <p>Discussions with NRW on this issue have resulted in a change in strategy so that additional baseline monitoring of the Nant Cemlyn will be undertaken to understand variability within the water course. Monitoring of the pumped discharge to Afon Cafnan will also be undertaken and the pumping will only be switched off and runoff allowed to discharge to the Nant Cemlyn when the water quality threshold agreed with NRW is achieved. Paragraph 10.2.10 in the Main Power Station Site Sub-CoCP (REP2-032), submitted at Deadline 2, has been amended and will be submitted at Deadline 5. The revised text requires Horizon to submit and agree a written scheme of baseline water quality monitoring in Nant Cemlyn with NRW to inform understanding of the background variability in suspended sediment concentrations. Discharge will only be returned to the Nant Cemlyn when an agreed water quality threshold has been met.</p>	Not Agreed	No further actions identified.

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
Landscape impacts	Landscape and visual impact assessment during construction.	NT7	APP-129 6.4.10 ES Volume D – WNDA Development D10 – Landscape and Visual REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)	<p>The landscape and visual impact assessment during construction is based on a poorly defined worst case scenario. The parameters used are too flexible to enable a robust assessment of the impacts to be undertaken.</p> <p>There is no discernible difference between reference point drawings 3 and 4 so only a single reference point has been provided between the end of site preparation and clearance and the operation of the power station. Insufficient information is provided to enable the scheme to be considered.</p> <p>The application contains a very limited illustration of landscape and visual impact during construction.</p>	<p>The construction site at the WNDA will be a very large and constantly changing site with multiple activities involving lots of different types of plant and equipment, and a constantly changing landform. In addition to this many aspects of the construction method have still to be decided and a final design of the power station approved. It is therefore difficult to provide specific or exact assessments of the landscape and visual environment during the construction activities at any one point in time. To ensure a robust assessment, the landscape and visual impact assessment sets out a worst case scenario based on a series of assumptions listed in Section 10.4 of APP-129 and the reference point drawings 3 and 4 set out in REP2-039. This provides a conservative basis to assess the impact of construction activities on the landscape and visual receptors and reflects current practice in relation to landscape and visual assessments for large projects which have been accepted elsewhere.</p>	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Impact to the Area of Outstanding Natural Beauty (AONB).	NT8	APP-129 6.4.10 ES Volume D – WNDA Development D10 – Landscape and Visual REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)	The proposed power station will have major adverse landscape effects and the assessment provides insufficient detail to adequately assess these effects or the necessary mitigation. The predicted harm to the AONB has been underestimated in the Environmental Statement and the proposed mitigation and compensation is correspondingly inadequate. Impact on the AONB during construction is underestimated by lack of detail, particularly in relation to drainage infrastructure and mitigation is not prioritised. National Trust considers that off-site mitigation is required given the scale of change. The proposed phasing plan and confirmation that drainage infrastructure may be located on the western flank of Mound E demonstrates the underestimation of predicted harm to the AONB.	<p>Horizon agree that the proposals set out in the DCO application will have major adverse landscape effects to the part of the AONB closest to the Wylfa Newydd Development Area during both construction and operation, but the overall AONB will not be significantly affected. These conclusions are set out in Table D10-43 in APP-129. It is acknowledged that it is difficult to provide specific or exact assessments of the landscape and visual environment during the construction activities at any one point in time. To ensure a robust assessment, the landscape and visual impact assessment sets out a worst case scenario based on a series of assumptions listed in Section 10.4 of APP-129 and the reference point drawings 3 and 4 set out in REP2-039. Similarly for the operational phase there is a degree of flexibility within the DCO application based on parameters and indicative designs and again a precautionary and conservative basis has been used to define a worst case scenario for assessment. These are also set out in chapter D10.</p> <p>Offsite mitigation is not as effective as on-site mitigation as it can only screen very specific viewpoints. Horizon's approach to landscape mitigation, as set out in Section 4 and Section 7 of REP2-039, is to integrate the Wylfa Newydd Development Area into the surrounding landscape so that offsite mitigation is not necessary.</p> <p>The Summary of preliminary design for construction surface water drainage [APP-167] present the anticipated layout of the proposed drainage system. This information will be supplemented by additional information presented via a Technical Note at Deadline 6 on the effectiveness of the drainage system to manage runoff relative to the baseline. Furthermore, there is comment on the anticipated locations of silt buster units and justification for their location. This technical note will clarify that there are practical reasons for locating silt buster units adjacent to the outfalls of sedimentation ponds, such as the one on the western flank of Mound E, and constraints associated with locating silt buster units and associated infrastructure adjacent to the Afon Cafnan and remote from the sedimentation pond. When the drainage design is developed to the detailed design stage, opportunities to overcome these specific constraints will be explored, however, it is not possible at this stage to confirm that no silt buster units will be located adjacent to the Nant Cemlyn.</p>	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Detailed design of the buildings.	NT9	REP4-017 Deadline 4 Submission - Design and Access Statement - 2 Volume (Rev 3.0) REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)APP-037 5.1 Main Consultation Report	The proposals do not provide sufficient details on the appearance of the buildings, including colour palettes, to enable an adequately detailed visual impact assessment to be undertaken.  National Trust awaits the response of Horizon to the further questions from the ExA 2.7.2 in relation to the proposed colour scheme, photomontage and illustration drawings.	The DCO application allows for a degree of flexibility for the final design of the power station buildings. However this flexibility is constrained by the Design Principles for building design which are set out in the Design and Access Statement (Volume 2) (REP4-017) which is a Certified Document. This means that Horizon will be required by law to develop detailed designs in accordance with the Design Principles set out in REP4-017. These principles include selection of a colour palette to specifically reduce the appearance of the mass of the buildings and to integrate them into the surrounding landscape. The design of the buildings is constrained by their functional requirements so the other key mitigation measure to minimise the impact to the landscape from the buildings is via the screening and landscape design secured in the LHMS (Section 4 and Section 7 of REP2-039). The Existing Power Station provides a directly relevant example of how colour can be applied to large scale Power Station buildings to mitigate visual impact and help integrate development into the landscape.	Not agreed	No Action Identified
Heritage impacts	Impacts to the setting of listed buildings and Cestyll Gardens.	NT10	APP-130 6.4.11 ES Volume D – WNDA Development D11 – Cultural Heritage REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)APP-125 6.4.6 ES Volume D – WNDA Development D6 – Noise and Vibration REP2-032 Deadline 2 Submission - 8.7 Main Power Station Site Sub-Code of Construction Practice REP3-034 Deadline 3 Submission - Horizon's Response to Written Representation - Welsh Government	The scale and proximity of the proposed nuclear island in combination with the scant proposed intervening visual screening will result in a major change to the setting of Cestyll Garden, the Grade II listed Mill House at Felin Gafnan and Corn Drying House at Felin Gafnan, and the Grade II* listed Corn Mill at Felin Gafnan. The proposed mitigation is inadequate and lacks the necessary ambition required for these important heritage assets. The approach taken by Horizon to monitor and manage is opposed by National Trust.  National Trust awaits the response of Horizon to the ExA further Question 2.6.6 in relation to settings of listed buildings.	Horizon agree that the proximity of the scale of proposed construction works will result in significant adverse effects to the Grade II* listed Corn Mill at Felin Gafnan (paragraph 11.7.4, APP-130) and to Cestyll Garden (paragraph 11.7.8, APP-130). Moderate adverse and significant effects are predicted for the Grade II listed Mill House at Felin Gafnan and Corn Drying House at Felin Gafnan (paragraph 11.7.6, APP-130). During the operation of the power station major adverse effects would continue for Cestyll Gardens (paragraph 11.7.8, APP-130) but the effects on the three listed buildings have been assessed as moderate (paragraph 11.7.6, APP-130). The principal means for mitigating the impacts to the setting of these assets is through the landscape design to screen the power station buildings as far as possible. This is set out in Section 4 of REP2-039. During construction there is also a risk of vibration causing damage to the Grade II* listed Mill at Felin Gafnan. This impact is assessed in chapter D6 of the Environmental Statement (paragraph 6.5.33 and 6.5.37, APP-125) and a vibration risk assessment will be undertaken which would be informed by vibration monitoring. Additional mitigation measures for historic buildings are set out in paragraphs 11.6.11 to 11.6.14 of APP-130 and secured in REP2-032.  Horizon have had discussions with the National Trust on additional mitigation that they would wish to see. This included a proposed conservation management plan to cover Cestyll Gardens and the listed buildings at Felin Gafnan, restoration of the mill at Felin Gafnan after construction, and the creation of heritage walks with appropriate interpretation in the area. Horizon is proposing to secure funding for the implementation of a conservation	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
					<p>management plan for Cestyll Gardens, and interpretation at Felin Gafnan in the draft s.106 agreement.</p> <p>As identified in Horizon's response to the Welsh Government's Written Representation the mitigation for effects on the Grade II* Listed Felin Gafnan Corn Mill (Porth y Felin) (Asset 137), Grade II Listed Corn-drying house at Felin Gafnan (Asset 141), and Grade II Listed Mill house at Felin Gafnan, Cylch-y-Garn (Asset 144) are set out in section 11.6 of Chapter D11 - Cultural heritage of the Environmental Statement [APP-130]. In addition, the following mitigation measures will also be undertaken:</p> <ul style="list-style-type: none"> <li>• Historic England Level 4 Historic Building Recording of the Grade II* Listed Felin Gafnan Corn Mill (Porth y Felin) (Asset 137), Grade II Listed Corn-drying house at Felin Gafnan (Asset 141), and Grade II Listed Mill house at Felin Gafnan, Cylch-y-Garn (Asset 144);</li> <li>• As identified in Horizon's response to the Welsh Government's Written Representation where Horizon is responsible, they are content to make good damage to the following historic buildings: <ul style="list-style-type: none"> <li>◦ Grade II* Listed Felin Gafnan Corn Mill (Porth y Felin) (Asset 137);</li> <li>◦ Grade II Listed Corn-drying house at Felin Gafnan (Asset 141); and</li> <li>◦ Grade II Listed Mill house at Felin Gafnan, Cylch-y-Garn.</li> </ul> </li> </ul>	Red	

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Adequacy of the heritage assessment.	NT11	APP-056 6.1.2 ES Volume A – A2 – Project Overview and Introduction to the Developments APP-120 6.4.1 ES Volume D – WNDA Development D1 – Proposed Development APP-130 6.4.11 ES Volume D – WNDA Development D11 – Cultural Heritage REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)REP4-017 Deadline 4 Submission - Design and Access Statement - 2 Volume (Rev 3.0)	The Environmental Statement does not provide sufficient detail on the proposed development during construction or operation to enable a full assessment of the impact of the proposed power station on the heritage assets to be undertaken.	The basis for the heritage assessment is set out in Section 11.4 of APP-130. This should be read in conjunction with chapter A2 (Project overview and introduction to the developments) (APP-056) of the Environmental Statement (ES) and the detailed description of each development which is set out in chapter D1 (Proposed Development, APP-120). Where specific details on construction were unavailable a precautionary and conservative approach has been adopted to define a worst case scenario. Horizon considers the ES provides sufficient detail, commensurate with design and development of the Project. Relevant design details for the operational power station are set out in Section 4 of REP2-039 and Section 5 of APP-408. The assumptions which underpin the worst case scenario relevant to the heritage assessment are set out in Section 11.4 of REP4-017.	Not agreed	No Action Identified
	Marine archaeology within Porth-y-Pistyll and Porth-y-Felin.	NT12	APP-130 6.4.11 ES Volume D – WNDA Development D11 – Cultural Heritage APP-202 / 203 6.4.68 ES Volume D – WNDA Development App D11-1 – Wylfa Newydd Proposed New Nuclear Power Station Cultural Heritage Baseline Report	There are two intertidal archaeological sites in Porth-y-Pistyll and Porth-y-Felin, adjacent to National Trust land, which have not been identified in the marine archaeological baseline and have not been assessed in the heritage impact assessment. National Trust await the outcome of the wider archaeological investigations which may provide a new understanding of the history and importance of land in its ownership at Cemlyn.	The National Monuments Record of Wales was consulted via the Coflein website ( <a href="http://www.coflein.gov.uk/">http://www.coflein.gov.uk/</a> ) on 29 <sup>th</sup> October 2018. No additional intertidal archaeological sites in Porth-y-Pistyll and Porth-y-Felin, adjacent to National Trust land were identified from this source. The baseline for intertidal archaeological remains is presented in Appendix D11-1 (APP-202 and APP-203) and not in the marine baseline presented in Appendix D113a (APP-207). In Appendix D11-1 (APP-202 and APP-203) identified one intertidal site in Porth-y-Pistyll and Porth-y-Felin, adjacent to National Trust land, comprising two landing places. These are identified in Appendix D11-1 as Asset 110. An assessment of potential effects on Asset 110 is presented in Appendix D11-6 (APP-213). There would not be a physical effect on this heritage asset but there would be an effect on its setting. During construction, and after additional mitigation in the form of a photographic survey, the significance of residual effect has been assessed to be negligible adverse. During operation the significance of residual effect has been assessed to be minor adverse.	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
Residential amenity	In-combination impacts to the tenants of National Trust properties.	NT13	APP-135 6.4.16 ES Volume D – WNDA Development D16 – Combined Topic Effects REP2-031 Deadline 2 Submission - 8.6 Wylfa Newydd Code of Construction Practice REP2-032 Deadline 2 Submission - 8.7 Main Power Station Site Sub-Code of Construction Practice	The Environmental Statement has not adequately considered the combined construction impacts from dust, noise, lighting, and vibration on the residential amenity of the National Trust's tenants at Felin Gafnan and Tyddyn Sidney. The National Trust considers that insufficient information has been provided at individual property level in order to identify the specific impacts on residential amenity for the two tenanted properties. The Code of Construction Practice is not fit for purpose in its current form.	Chapter D16 of the Environmental Statement (APP-135) considers the combined effects from the other assessments on receptors including residential receptors. The assessment considers all residential receptors in the vicinity of Cemlyn Bay, including those that concern the National Trust, and note that significant combined effects to the residents could arise from noise, vibration, visual amenity, and dust. Mitigation for these impacts is stated in the respective ES chapters and secured through the Code of Construction Practice (REP2-031), which includes a Local Noise Mitigation Strategy (Section 8.3, REP2-031), and the Main Power Station Site sub-CoCP (REP2-032). Horizon considers that the ES does adequately assess the combined effects of construction impacts on residential amenity.	Not agreed	No Action Identified
Landscape and Habitat Management Strategy	Achieving net gain for biodiversity in the terrestrial, freshwater and marine environment.	NT14	REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0) REP4-023 Deadline 4 Submission - Ecological Enhancements Mitigation Report REP3-028 Deadline 3 – Horizon's Response to Written Representation – National Trust	The proposals for the site restoration set out in the Landscape and Habitat Management Strategy (LHMS) do not demonstrate no net biodiversity loss.  The draft Requirement WN9 and WN11 [REP2-020] and the revised Phasing Strategy [REP4-014] indicate that the LHMS will not be submitted to IACC for agreement until 12 months prior to the Commission Date of Unit 2 (Y9) and therefore implementation of any scheme will occur in the next growing season post agreement – ie Y10 at the earliest, with all operational mounds being identified as being delivered at the end of reinstatement [Table 2-1 REP4-014].  It is noted that a further draft of the LHMS will be provided without any opportunity for comment prior to finalising the SoCG.	The principle of net biodiversity gain, rather than no net biodiversity loss, is secured through the Landscape and Habitat Management Strategy (LHMS) (REP2-039). Section 4 of the LHMS (REP2-039) sets out the principles which are a controlled part of the document and therefore a commitment under the DCO. The principles include a net increase in habitat for protected species including reptiles, chough, and bats; the enhancement of freshwater habitats for water vole and otter; and an increase in the carrying capacity of a range of other notable and protected species listed in Annex A of the LHMS, across the WNDA once operational.  Revision 2.0 of the LHMS (REP2-039) commits to offsetting the loss of ponds during construction through the creation of nine new ponds which will be designed and managed throughout operation for the benefit of wildlife.  Horizon have submitted further proposals at Deadline 4 for the enhancement of the breakwater to compensate for the loss of marine benthic habitats (REP4-023).	Ongoing	National Trust to review REP4-023
	Integration of the site into the surrounding landscape.	NT15	REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)	The LHMS is too narrowly focused on the landscape design within the Wylfa Newydd Development Area and inadequate reference is made to integration with the surrounding landscape and its existing ecological position. The restored site risks being incongruous to the surrounding landscape and Area of Outstanding Natural Beauty.	The overarching principles for landscape design and planting set out in the LHMS (Section 4, REP2-039) make reference to the rolling drumlin landscape, AONB and heritage coast and mandate their consideration in the final landscape design. The design principles require the finer grain of field patterns, boundary features, and planting to reflect the surrounding landscape to ensure the WNDA integrates into its surroundings. The illustrative design proposals set out in the LHMS provide an indication of how the final landscape design is likely to be developed and how the design principles can achieve integration of the WNDA into the surrounding landscape.	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Integration of the WNDA restoration scheme with Trwyn Pencarreg.	NT16	REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)	<p>The LHMS provides only an indicative final landscape design which could differ to the final form. The integration of the restored site with the National Trust owned land at Trwyn Pencarreg is critical to the maintenance of the Area of Outstanding Natural Beauty and the resilience of habitat linkages. Further information needs to be provided to demonstrate how habitat and landscape design will ensure integration with Trwyn Pencarreg. The LHMS does not take into account adjacent habitats and ecological issues outside the WNDA.</p>	<p>Although the indicative landscape design is not the final design, it demonstrates how the design principles could achieve the integration of the WNDA into the surrounding landscape including neighbouring land at Trwyn Pencarreg. This is an appropriate approach given the length of the construction period and the need to be able to respond at the time the final design is being developed. DCO Requirement WN9 requires a Final Landscape and Habitat Scheme to be produced and approved by IACC at least 12 months prior to Unit 2 being commissioned. Trwyn Pencarreg is not specifically mentioned in the LHMS but the design principles set out in Section 4 of the LHMS (REP2-039) require the design to reflect the landscape outside of the WNDA boundary and be sensitive to the AONB and heritage coast. The design principles for habitats require connections and linkages with key adjacent habitats including coastal heath/grassland mosaic.</p>	Not agreed	No Action Identified
Construction tourism	Impacts to National Trust land from increased tourist footfall.	NT17	REP2-039 Deadline 2 Submission - 8.16 Landscape and Habitat Management Strategy (Rev 2.0)	<p>The DCO application does not consider the potential effects of increased numbers of tourists on National Trust owned land at Trwyn Pencarreg. This land is publicly accessible and will offer a good vantage point over the construction works and the National Trust predict that there will be a significant increase in footfall as a result. This land is highly constrained in terms of car parking and road access and additional tourists will increase footpath erosion and disturbance to coastal habitats which will need active management. Horizon should produce a Visitor Management Strategy to identify the risks and manage the potential impacts resulting from an increase in visitors to the site.</p> <p>NT have not seen any specific proposals relating to the visitor centre's early delivery and are concerned about any interim arrangements for visitors between Horizon submitting, receiving TCPA permission and the final completion of the Visitor Centre.</p> <p>National Trust remain concerned about the future pattern of construction visitors and its own ability to manage increased car parking, unauthorised car parking, and pedestrian access in the Cemlyn area. A proactive approach to monitoring and adaptive management is advocated by National Trust.</p>	<p>The Landscape and Habitat Management Strategy (REP2-039) sets out the principles for managing public access during construction. The principle which addresses the management of visitors is as follows:</p> <p><i>Suitable arrangements to enable viewing of the construction activity should be made. Initially, this may comprise a temporary viewing platform available around 6 months after the start of construction, dependent on availability of safe access and parking capacity. This facility may evolve through the construction period dependant on the positioning of activities while moving through the different phases.</i></p> <p>In addition the draft s.106 agreement includes a provision for a Tourism Action Plan, and a commitment to deliver a permanent visitors' centre. The draft s.106 agreement commits Horizon to apply for planning permission for a Visitor Centre within three months of implementation of the Wylfa Newydd DCO Project or as soon as reasonably possible thereafter, and to implement such planning permission in order to target opening of the Visitor Centre within two years from the grant of permission. Further information on the Visitor Centre will be submitted at Deadline 5.</p>	Not agreed	No Action Identified

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
National Trust land	Inclusion of National Trust land at Plot No.61 in the DCO Book of Reference.	NT18	APP-034 / 035 / 036 4.3 Book of Reference	<p>Further information needs to be provided to clarify the reason for the inclusion of National Trust owned land at Plot No.61 in the Book of Reference. The land is classified as Class 6 land which is not subject to compulsory purchase powers but it is not clear why the land is included in the Book of Reference.</p> <p>Further actions are required to progress discussion on the issue:</p> <p>Since Deadline 10 is not until after the Compulsory Purchase hearing, Horizon and the Trust have agreed to enter into an agreement that will provide for the removal of Plot 61 from the DCO documents. Horizon have confirmed they will be responsible for the legal costs incurred by the Trust in drafting and negotiating the agreement.</p>	<p>The land noted as Plot 61 in the Book of Reference was originally consulted on as it was believed that it would be required for the construction and operation of the power station. The land is no longer required by Horizon and it has been designated as Class 6 land which means that Horizon will not acquire any rights over the land. Horizon will remove Plot 61 from the Order Limits and submit a final Book of Reference and plans at Deadline 10.</p>	Ongoing	Discussions ongoing.
	Reference to National Trust interest in land at Plot Nos. 63, 64, and 65 in the DCO Book of Reference.			<p>Further information needs to be provided as to how the National Trust's special interests in Plots 63, 64, and 65 will be affected by their inclusion in the Book of Reference. The DCO does not explain how the National Trust's special interest in this land will be protected.</p> <p>Further actions required to progress discussion on the issue:</p> <p>Horizon stated in at a meeting on 19<sup>th</sup> November 2018 that they would shortly provide the Trust with Heads of Terms for the agreement. As of 5<sup>th</sup> February 2019, no Heads of Terms have been provided. In any event, Horizon have confirmed they will be responsible for the legal costs incurred by the Trust in drafting and negotiating the agreement.</p>	<p>The National Trust currently enjoy a general right of access across the land Plots 63, 64, and 65 to enable access for maintenance to the Grade II* listed Felin Cafnan Mill. The DCO will seek to extinguish these rights as it will not be possible to maintain a general right of access anywhere across this land as it will become part of the construction site. Horizon have proposed an alternative private means of access which will allow the National Trust to continue to have access to the Felin Cafnan Mill for maintenance purposes. A revised route has been agreed and an agreement is being put in place. The route of the Private Means of Access will be shown in drawing WN0902-HZDCO-ROW-DRG-00020 which will be updated for Deadline 6</p>	Ongoing	Ongoing until agreed action has been implemented.

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
	Inclusion of Plot Nos. 3 and 4 with a National Trust interest in the DCO Book of Reference.	NT20	APP-034 / 035 / 036 4.3 Book of Reference	<p>Land Plot Nos. 3 and 4 have been included in the DCO Book of Reference as Class 1 land which will transfer all interests and rights over the land to Horizon. No reference is made to an existing Deed of Covenant dated 29<sup>th</sup> October 1992 between the National Trust and the land owner Mr John Cadwaladr Jones over these land parcels. Further information needs to be provided on what Horizon intend to do with respect to the existing Deed of Covenant.</p> <p>Further actions required to progress discussion on the issue:</p> <p>Horizon have confirmed that they "do not have an issue" with the Trust's rights over Plots 3 and 4 and have further confirmed they are content to enter into an agreement with the Trust which will provide that Horizon will not interfere with these rights.</p> <p>Horizon have confirmed they will be responsible for the legal costs incurred by the Trust in drafting and negotiating the agreement.</p>	<p>The Deed of Covenant was not disclosed to Horizon upon the due diligence checks and does not appear to be a registered interest on the title. The Deed of Covenant was issued to Horizon by the National Trust on 20<sup>th</sup> November and the contents of the Deed are under consideration by Horizon. Horizon have agreed to enter into a voluntary agreement with National Trust confirming that the Trust's rights over the land will not be affected. .</p>	Ongoing	Ongoing until agreement has been drafted and signed.
Flood Risk	Increase flood risk to the Nant Cemlyn and Afon Cafnan	NT21		<p>At the Issue Specific Hearings, it was noted that there is a predicted increase in flood risk to the Nant Cemlyn and Afon Cafnan. This current lack of clarity would be unacceptable to the National Trust as this could directly impact the National Trust's land.</p>	<p>The Summary of preliminary design for construction surface water drainage [APP-167] present the anticipated layout of the proposed drainage system and this has been modelled to identify flood risk. This information will be supplemented by additional information presented via a Technical Note at Deadline 6 on the effectiveness of the drainage system to manage runoff relative to the baseline. The Technical Note will demonstrate that runoff will not result in an increase in flood risk at any offsite receptors.</p>	Ongoing	National Trust to review Technical Note once submitted.

Topic	Issue	SoCG ID	Document Reference/Signpost/Route map	National Trust Position	Horizon Position	RAG	Further actions required to progress discussion on the issue
Section 106	Adequacy of the Section 106 agreement	NT22		<p>The National Trust have concerns in the current approach to either a Unilateral Undertaking or a Section 106 agreement and require clarification. The National Trust's concerns specifically relate to the inadequacy of consultation, lack of clarity over how the sums have been calculated, and uncertainty over how mitigation measures relevant to the National Trust's interests will be secured. National Trust remain concerned with the overarching approach to discussion on a potential Section 106 Agreement, relating to a scheme which has been acknowledged by the applicant not to be viable. National Trust wish to consider the response by Horizon to the Examination Body further questions 2.4.53 to 56 and Question 2.4.20 in relation to contingency funding in the light of a non viable scheme.</p> <p>National Trust have previously asked Horizon (on a number of occasions) about the inconsistent passages in the Planning Statement (which states Horizon will agree with the Trust and other bodies the designs of appropriate landscape measures to restore and/or enhance the former location of the Cestyll Garden kitchen garden) and the Section 106 Agreement Status Note which states Horizon will enter into a s.106 agreement with the Welsh Government and Isle of Anglesey Council and third parties will be dealt with by virtue of a Deed of Covenant. Horizon have not provided an answer to the way in which any planning obligation concerning the Trust will be treated.</p> <p>This final SOCG is submitted after the announcement by Hitachi in relation to funding for Wylfa Newydd. National Trust would note that this decision may have fundamental implications for the delivery timeline for the project and undermine a number of the policy statements provided within the submitted Development Consent Order. Clarity is required to ensure funding is in place for an appropriate mitigation strategy and an adequate Section 106 Agreement. National Trust support the additional questions raised by the Examination Body in relation to funding matters and would note this final SOCG has been prepared without sight of any responses by Horizon. National Trust provided a commentary on the draft Section 106 agreement at Deadline 4 (REP4-036) with contributions by NWWF and RSPB. These matters are still outstanding as Horizon have not initiated any engagement or negotiations with the eNGOs subsequent to D3 or at any time during the PAC or DCO processes.</p>	<p>Horizon note the National Trust's concerns and have responded to them in detail at Deadline 5.</p>	Ongoing	National Trust to review Deadline 5 submission of the s.106 agreement.