

Wylfa Newydd Project

Horizon's Deadline 8 Responses to Stakeholder Deadline 7 Submissions

PINS Reference Number: EN010007

25 March 2019

Revision 1.0
Examination Deadline 8

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Contents

1	Horizon's Response to eNGO's and NWWT's Deadline 7 Submission (HRA Response)	1
1.1	Introduction	1
1.2	Tern noise mitigation	1
1.3	Compensation sites	2
1.4	Securing compensation	4
1.5	Assessment of alternative solutions.....	5

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1 Horizon's Response to eNGO's and NWWT's Deadline 7 Submission (HRA Response)

1.1 Introduction

1.1.1 On the 14th March 2019 (published on 15th March 2019) the North Wales Wildlife Trust (NWWT) submitted a sequence of papers into examination following the March Issue Specific Hearings (ISHs). This included a Post Hearing Note Joint Statement submitted by the eNGOs on the Anglesey Terns SPA (related to the 3rd Biodiversity ISH held on 8th March 2019) and a commentary on Imperative Reasons of Over-riding Public Importance (IROPI) in Post Hearing Note 13.

1.1.2 The eNGOs in this context are the NWWT, the National Trust and the Royal Society for the Protection of Birds (RSPB).

1.1.3 This note responds to points made by the eNGOs in the above Joint Statement on tern noise mitigation and compensation; and by the NWWT on the Assessment of Alternative Solutions [REP5-044].

1.2 Tern noise mitigation

1.2.1 In the Post Hearing Note Joint Statement submitted by the eNGOs at Deadline 7 (14 March 2019) on the Anglesey Terns SPA, under the sub-heading 'eNGO agreed statement – The securing mechanisms for Anglesey Terns SPA mitigation and HRA compensation', the eNGOs suggest that the current sub-CoCPs appear to indicate that the only measure where agreement will be sought from NRW and NWWT is over the definition of what constitutes the "breeding season". That is, there is no mechanism to seek agreement for or variation to the establishment period or its length; what figure might constitute 50% of the anticipated population of the returning Sandwich terns; adjustment to vary the amber trigger thresholds at Cemlyn; and a reporting mechanism to allow adjustment to be made.

1.2.2 Horizon considers that sufficient flexibility is already built into the proposed approach set out in the Main Power Station Site sub-CoCP and Marine Works sub-CoCP. That is:

- The 'tern breeding period' and, therefore, the 'establishment period' will vary on an annual basis to take account of early or late arrivals and departures, and activities that constitute the establishment of nesting territories by any tern species that is a qualifying feature of the site. It is not proposed that the length of the establishment period could be extended, as this would unduly constrain the Project (as set out in REP5-044).
- The figure that constitutes more than 50% of the anticipated population of returning terns expected to be present in the colony will vary annually and will be based on the annual returns alongside the conservation objectives;

this will be agreed with NRW. The default position, however, will be a four week establishment period.

- Horizon's responses to the Examining Authority's FWQs 2.5.7 and 2.5.12 [REP5-002] clearly state that the amber trigger thresholds could be adjusted (through a feedback loop) should they be shown to be too precautionary or not precautionary enough.
- Horizon's update to the Main Power Station Site sub-CoCP and Marine Works sub-CoCP provided at Deadline 8 (25 March 2019) also now includes a provision for monthly reporting of any threshold exceedances.

1.2.3 The eNGOs also state that there is no obligation to establish the following essential measures:

- Monitoring protocols over the construction period for either tern numbers and/or their foraging and commuting behaviour.
- *Horizon do not agree because tern numbers are already recorded on an annual basis; and, whilst monitoring foraging and commuting behaviour might be of interest in understanding the colony, such monitoring is not necessary to support future actions or decisions that would inform the proposed mitigation.*
- A reporting mechanism (either at the end of or during the breeding season) to capture events that have breached any part of the CoCP, any actions undertaken to combat the breach, and to provide a review of the effectiveness of the remediation.
- *For the tern mitigation specifically, Horizon has remedied this and a reporting mechanism is now proposed in the relevant sub-CoCPs. Further, the sub-CoCPs can be updated under the DCO and the proposed Tern Compensation Strategy will be able to be adjusted in agreement with NRW.*

1.3 Compensation sites

1.3.1 In the Post Hearing Note Joint Statement submitted by the eNGOs at Deadline 7 (14 March 2019) on the Anglesey Terns Special Protection Area (SPA), under the sub-heading 'eNGO agreed statement – Position Paper on Compensation Measures', the eNGOs make the point that they previously recommended a 3-staged approach to the identification of compensatory sites – starting with exploring options for compensation within the Anglesey Terns SPA, followed by consideration of other current seabird colonies within the Irish Sea metapopulation, and finally investigating options for the creation of new tern breeding sites. The eNGOs expressed disappointment that Horizon have not followed this approach and instead sought to identify new sites; which the eNGOs consider results in significant uncertainty in the likely effectiveness of the proposed compensation.

1.3.2 It is the case, however, that Horizon (in consultation with NRW) has undertaken a detailed feasibility and design study to investigate the measures that would be required to deliver appropriate compensatory habitat. This study focusses on locations on Anglesey and the north Wales coastline *within and*

adjacent to the Anglesey Terns SPA. Horizon has adopted this approach because, in its view and the view of NRW (as per NRW's Deadline 7 (14 March 2019) response), implementing compensatory measures within this search area (i.e. proximate to the site potentially affected) provides the greatest opportunity for maintaining the overall coherence of the *Natura 2000* network (and the integrity of the site itself); should such compensation be determined to be necessary.

1.3.3 Horizon's approach is reinforced by recent guidance on managing *Natura 2000* sites which, while not ruling out more distant locations as a less preferable option, states (in section 3.7.14) "*that there is general agreement that the local conditions necessary to reinstate the ecological assets at stake are found as close as possible to the area affected by the plan or project. Therefore, locating compensation within or near the Natura 2000 site concerned where suitable conditions for the measures to be successful [exist] seems the most preferred option*".¹

1.3.4 Horizon has not analysed Irish Sea metapopulation dynamics as an option for off-site compensatory measures because it is confident that, should it be required to do so, it will be able to deliver compensatory habitat within or adjacent to the Anglesey Terns SPA (a better option).

1.3.5 It is also the case that NRW (during Horizon's early consultation with them on the possible options for compensation) discouraged suggestions that compensation could be provided at other current seabird colonies because of the issues that could arise regarding competition (and Sandwich tern in particular).

1.3.6 The eNGOs also advocate that all four compensation sites are established well in advance and more than one full breeding season prior to the commencement of the Wylfa Newydd construction works. The adequacy of two sites is covered in Horizon's response to NRW's Deadline 7 (14 March 2019) submission. Regarding the need to establish the sites *more than* one full breeding season prior to the commencement of the Construction phase (and submit management proposals 24 months before this), NRW's expectations do not align with this and Horizon's recent consultation with them has indicated that a much shorter lead time is proposed. Establishment before this could prematurely encourage terns away from the Cemlyn lagoon colony. A requirement to provide the sites any sooner than this could also delay construction and make the Project unattractive financially; and it is clear that as long as the sites are available for use immediately before an adverse effect could (in theory) arise, sufficient compensation would have been provided. Sites such as those proposed (see REP5-046) do not need establishment time (as vegetation does not need to develop).

1.3.7 The eNGOs further consider that all compensatory measures must be maintained beyond the construction phase, as in their view that it has not been demonstrated that an adverse effect on the integrity of the Anglesey Terns

¹ Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission, November 2018.

SPA will not occur during the operation of the nuclear power station as a result of changes to Esgair Gemlyn.

- 1.3.8 NRW's Deadline 7 (14 March 2019) submission, however, clearly indicates that an adverse effect on the integrity of the Anglesey Terns SPA (nor the Cemlyn Bay SAC) is not foreseen given the monitoring and management proposals now agreed. On this basis, there is no requirement for the compensatory measures to be maintained beyond the Construction phase, unless terns do leave the Cemlyn lagoon colony during the works and do not return in sufficient numbers to meet the site's conservation objectives.
- 1.3.9 Finally, the eNGOs make the point that it is critically important that clear conservation objectives and monitoring for the compensatory measures are agreed between Horizon and NRW in order to establish key principles on their delivery and management.
- 1.3.10 Horizon agrees with this comment. It is envisaged that proposals for the detailed design and adaptive management of the compensation sites would be developed through the Tern Compensation Strategy to be agreed with NRW prior to commencing works on the compensation sites (and submitted into examination at Deadline 9).
- 1.3.11 It is acknowledged that an important measure in ensuring the creation of successful nesting habitat is the provision of wardening. Wardens would monitor the colony and assisting in predator control programmes against a range of indicators previously agreed with NRW.

1.4 Securing compensation

- 1.4.1 In the Post Hearing Note Joint Statement submitted by the eNGOs at Deadline 7 (14 March 2019) on the Anglesey Terns SPA, under the sub-heading 'Securing HRA Compensation Measures', the eNGOs suggest that there has been no clear demonstration, within the Examination, that Horizon has the necessary legal arrangements in place to allow implementation of the compensation measures. It is therefore recommended, by the eNGOs, that before the close of the examination Horizon should be required to demonstrate how it has legally secured the necessary control of the compensation sites that will enable the Secretary of State to be confident the compensation measures are secured and can be effectively implemented and maintained for the specified period.
- 1.4.2 Regulation 68 of the Conservation of Habitats and Species Regulations 2017 does not state that the physical compensation sites must be secured, rather that compensation has to be secured. For the Wylfa Newydd Project, should compensation be determined to be necessary, it is proposed that the DCO will secure the necessary compensation by preventing works on the WNDA (save for Work No. 3 and Work No. 12) from commencing until the compensation sites are in place.
- 1.4.3 Further to this, Horizon has identified five viable compensation sites in four locations (and these have been agreed to be suitable sites with NRW) and is currently progressing discussions with the landowners. Notably four of the five sites identified by Horizon are in public ownership and Heads of Terms have

been signed with the Private Owner of the fifth site. Support from all landowners has been forthcoming and Horizon is confident that suitable sites can be delivered.

1.5 Assessment of alternative solutions

- 1.5.1 In the NWWT's commentary on IROPI in Post Hearing Note 13 submitted at Deadline 7 (14 March 2019), NWWT states that it is clear that what has been supplied from Horizon by way of consideration of alternatives is unlikely to have had as its primary design driver the reduction of adverse effects on the Natura 2000 sites, which occur in such close proximity to the WNDA boundary.
- 1.5.2 This statement is incorrect, as is evident by the detailed examination of alternatives undertaken by Horizon that could (in theory) have reduced adverse effects on the Nature 2000 sites in question (had they been viable) included in [REP-044]. The NWWT acknowledge that they do not have the resources or expertise to make any commentary on the Stage 3 assessment [REP5-044] or propose alternative approaches with any degree of confidence.
- 1.5.3 Regarding the NWWT's comment about Horizon's "*failure to engage with the advice of the SNCB*" this is also not the case. Horizon has considered in detail the advice of the SNCB but, in light of the available evidence and the absence of any actual evidence to counter this view, maintains the view – even after measured consideration of the comments and counter arguments made by NRW (and the eNGOs) – that an adverse effect on the integrity of the Anglesey Terns SPA will not arise due to disturbance (noise levels below 60dB and activity in the marine environment) in the Wylfa Newydd DCO Project's construction phase.

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Wylfa Newydd Project

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Contents

1	Horizon's Response to NRW's Deadline 7 Submission (HRA Response)	1
1.1	Introduction	1
1.2	Number of compensation sites	1
1.3	Management of compensation sites	2
1.4	Mitigation for marine mammals.....	3

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1 Horizon's Response to NRW's Deadline 7 Submission (HRA Response)

1.1 Introduction

- 1.1.1 NRW's Deadline 7 (14 March 2019) submission includes its written submission of the oral cases presented in the Issue Specific Hearings on 4th, 6th, 7th and 8th March 2019 (in Annex A) and its responses to (and/or update on) the actions set at these Issue Specific Hearings (in Annex B).
- 1.1.2 This response deals specifically with those issues raised in Annex A of NRW's submission that relate to the Habitats Regulations Assessment (HRA) for the Wylfa Newydd Project, which was examined on 8th March 2019.

1.2 Number of compensation sites

- 1.2.1 In Annex A paragraph 5.1.10 of Natural Resources Wales' (NRW) Deadline 7 (14 March 2019) submission (published on 15th March 2019), NRW states that it considers that progressing four compensation sites would be appropriate given the uncertainty of success at a given site and the challenges of delivering compensatory proposals for three species of breeding terns, particularly sandwich terns.
- 1.2.2 As set out in Horizon's Position Paper on Compensation [REP5-046], Horizon's view is that sufficient evidence exists from the scientific literature and the noise disturbance monitoring results for the tern colony over two years (supported by the precautionary noise mitigation proposals) to support a conclusion that an adverse effect on the integrity of the Anglesey Terns Special Protection Area (SPA) would not arise without reasonable scientific doubt.
- 1.2.3 As set out in REP5-046, should the Secretary of State determine that compensation is a requirement of the Wylfa Newydd DCO Project, Horizon's view is that one successful site would be sufficient to compensate for any disturbance effects that do occur at the Cemlyn lagoon tern colony during the Construction phase of the Project. The presence of one alternative breeding site (to the lagoon) attractive to Sandwich, common and Arctic terns, of (at least) the size of the breeding islands at Cemlyn lagoon (0.46ha), should adequately accommodate any terns affected by the Project; in the same way that the single Cemlyn lagoon site does now.
- 1.2.4 However, due to the risk of the terns not using a selected, preferred habitat compensation site, Horizon proposes that two sites should be developed. Horizon's strong view in terms of any requirement for compensation is that the provision of two sites is proportionate and reasonable (i.e. one site to replace the loss of a single site and a second site as redundancy). It is clear from the

guidance that compensation measures should not be used to force developers to over-provide (see Defra 2012¹, paragraph 32).

1.2.5 This does not suggest, however, that Horizon is only progressing two sites at the current time. As set out in REP5-046, Horizon is developing proposals at four locations for five sites. This is intended to ensure that if one (or two) of the sites cannot be progressed or become less desirable, at least two sites remain deliverable.

1.2.6 NRW has stated that, to minimise the risk of inter-species or intra-species competition, two sites should be progressed for each of the three tern species of interest. This proposal has a scientific validity, and can be delivered by two sites in total, assuming both sites have the potential to accommodate all three species (as the proposed sites at Dulas Bay, Glan y Môr Reserve, Morfa Madryn Reserve and Abermenai Point do).

1.2.7 A requirement on Horizon to deliver four sites would be disproportionate, particularly in circumstances where the Cemlyn lagoon site will still remain available for breeding terns.

1.2.8 Regarding the proposed DCO Requirement and Strategy for the delivery of compensation for breeding terns, should this be determined to be necessary, Horizon has provided draft wording for this to NRW and received their initial comments on 20th March 2019. Therefore, consultation with NRW on the matters raised in the Deadline 7 (14 March 2019) response is on-going. Horizon is, however, confident that:

- The proposed compensation sites are appropriate and have been developed with the agreement of NRW.
- That two compensation sites would be sufficient.
- That it is appropriate to ensure the compensation sites are up and running prior to the main construction works.
- Suitable conservation objectives and monitoring for the compensatory measures can be agreed.
- Its proposed approach of imposing a Requirement on the DCO which prevents construction works (save for Work No.s 3 and 12) from commencing until the compensation sites have been provided does sufficiently "secure" them for the purposes of regulation 68 of the Habitats Regulations.

1.3 Management of compensation sites

1.3.1 In Annex A paragraph 5.1.10 of NRW's Deadline 7 (14 March 2019) submission, NRW also suggest that, for any of the compensation sites which are successfully colonised by terns, long-term management post-construction

¹ Defra (2012). Habitats and Wild Birds Directives: Guidance on the application of article 6(4) Alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures. December 2012.

may be required should terns not return to Cemlyn in sufficient numbers to meet the conservation numbers [taken to mean the numbers of breeding terns listed in the designation and supporting by the conservation objectives for the Anglesey Terns SPA].

1.3.2 Horizon agrees with this position. Equally, once sufficient numbers return to (or stay at) the Cemlyn lagoon colony, then Horizon's obligation to maintain the compensation sites would cease.

1.4 Mitigation for marine mammals

1.4.1 In Annex A paragraphs 5.6.4 and 5.6.5 of NRW's Deadline 7 (14 March 2019) submission, NRW suggest that the larger zone of hearing injury (Permanent Threshold Shift) for low frequency cetaceans (i.e. Minke Whale) identified (790m) requires modification to the mitigation to reduce injury risk to this European Protected Species, for example the widening of the mitigation zones from 500m to 1km for this species.

1.4.2 NRW advise that a detailed marine mammal mitigation plan (MMMP), to include the vessel management plan, will need to be approved; and that it may be appropriate for the Marine Licence to secure the detailed mitigation.

1.4.3 To that end a draft MMMP has been provided to NRW for comment as part of the Marine Licence Request for Information process. Regarding the provision of a vessel management plan, it is Horizon's intention to provide this once a Contractor is in place.

1.4.4 In the draft MMMP provided to NRW, the following is proposed:

- During the summer when there is the potential for minke whale to be in the vicinity of the site, the mitigation zone for minke whale will be 800m measured out from the construction activity site with a 360° coverage of the marine area.
- For all other species [and at all other times], the mitigation zone will be 500m measured out from the construction activity site with a 360° coverage of the marine area.

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Wylfa Newydd Project

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PINS Reference Number: EN010007

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Examination Deadline 8

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

[This page is intentionally blank]

Contents

1	Response to deadline 7 comments: National Trust	1
1.1	Introduction	1
1.2	Horizon's response	1
	<i>Landscape and visual</i>	1

Appendices

Appendix 1-1 Extended operational photomontage for Viewpoint 27

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1 Response to deadline 7 comments: National Trust

1.1 Introduction

1.1.1 This response provides a brief commentary on the National Trust deadline 7 (14 March 2019) response to the issues raised at the Issue Specific Hearing on 04 March 2019, with particular reference to landscape and visual issues.

1.2 Horizon's response

Landscape and visual

Illustrative construction visualisations

1.2.1 Horizon note that the National Trust welcome the provision of “*construction photomontages*” (illustrative construction visualisations [REP6-019]), submitted at Deadline 6 (19 February 2019) and in particular the visualisation from viewpoint 27. However, the National Trust incorrectly state that the photomontage “*does not include the temporary causeway*”. The temporary causeway is shown in front of the Marine Off-Loading Facility (MOLF) in the following figures:

- 60PO80AG_DCO_VOL_D_ICV_V27-1A-W;
- 60PO80AG_DCO_VOL_D_ICV_V27-2A-W;
- 60PO80AG_DCO_VOL_D_ICV_V27-1A-R;
- 60PO80AG_DCO_VOL_D_ICV_V27-2A-R;
- 60PO80AG_DCO_VOL_D_ICV_V27-1B-W;
- 60PO80AG_DCO_VOL_D_ICV_V27-2B-W;
- 60PO80AG_DCO_VOL_D_ICV_V27-2B-R; and
- 60PO80AG_DCO_VOL_D_ICV_V27-2B-R.

1.2.2 The National Trust comment on the operational photomontage viewpoint 27 in appendix D10-8 of the DCO ES [APP-199] that “*We still do not have an operational photomontage to illustrate the development in relation to the heritage assets when viewed from this location.*”

Although the operational photomontages provided in appendix D10-8 of the DCO ES [APP-199] only illustrate an 80 degree horizontal angle of view, the visual effects of the proposed development are described in full at appendix D10-7 of the DCO ES [APP-198]. However, to address this comment Horizon have provided an extended version of the operational photomontage view from Viewpoint 27 in appendix 1-1 of this response.

1.2.3 With regard to operational photomontages showing the development in relation to the heritage assets, a new photomontage from the Public Right of Way (PROW) in front of Felin Gafnan (Viewpoint 38) has been submitted at

Deadline 8 (25 March 2019). The Viewpoint 38 photomontage includes the grade II listed corn drying house at Felin Gfnan, as well as Cestyll Garden within the view.

Residential amenity

1.2.4 The National Trust have commented in relation to residents of Felin Gafnan, that they *“do not accept the position put forward by HNP at the ISH on 4/03/19 that an assessment of residential visual amenity is not required because ‘there is no right to a view’.”*

1.2.5 Horizon have submitted new illustrative visualisations from the PRoW in front of Felin Gafnan (Viewpoint 38) at deadline 8 (25 March 2019), in response to a request from the ExA.

1.2.6 However, Horizon reiterates its position that there is no private right to an outlook (view), as the planning system exists in the public interest. There is, however, a public interest in protecting the visual amenity of individual homes when the development is widely regarded to make the property an undesirable place to live. The desirability of the property as a place to live needs to be balanced as part of the overall planning judgement, against the designation in National Policy Statement for Nuclear Power Generation (EN-6) for new nuclear build on the National Policy Statement site within the Wylfa Newydd Development Area.

Wales Coast Path

1.2.7 The National Trust state in their Deadline 7 (14 March 2019) response that Horizon's PRoW plans do not *“show how the rerouted WCP [Wales Coast Path] was linking up to the WCP outside the WNDA.”* The alignment of PRoWs, including the diversion for the Wales Coast Path within the Wylfa Newydd Development Area Order Limits during construction and operation is shown in the Rights of Way Plans – All DCO Sites Rev 3 [REP5-012] (Rights of Way during Construction plans and the Rights of Way for Operation plans). Existing PRoWs outside the Order Limits, to which proposed footpath routes during construction and operation connect, are shown on the Rights of Way Existing plans.

1.2.8 Horizon confirm that further details of proposed permanent public access during Operation will be provided to the IACC for approval, as required by draft DCO Requirement WN9 [REP5-003].

Isle of Anglesey Area of Outstanding Natural Beauty

1.2.9 In response to the concern raised by the National Trust on the wording of the first overarching landscape design principle on page 60, the updated Landscape and Habitat Management Strategy submitted at Deadline 8 (25 March 2019), includes the rewording of this principle to read *“A new landscape setting will be created that reflects the existing open, rolling, drumlin landscape character and sense of place, minimizing harm to the Anglesey Area of Outstanding Natural Beauty (AONB) and its setting and the North Anglesey Heritage Coast”*. The revised wording therefore clarifies that

an overarching landscape design principle is to minimise harm to the AONB and its setting.

Landscape mounding: Mound E

1.2.10 The National Trust have expressed concern over the potential re-working of the north and west faces of Mound E (the area of proposed landscape mounding west of Afon Cafnan).

1.2.11 In response to a request by the ExA, Horizon has prepared a Method Statement for Mound E, which has been submitted at Deadline 8 (25 March 2019). The Method Statement confirms that the final reworking of Mound E may commence after completion of Unit 1 to achieve the final approved landform in accordance with the design principles of the Landscape and Habitat Management Strategy [REP5-036]. This may include movement of materials for the final landform, in which case the works to the west side of Mound E will be minimised where possible. Reference should be made to this Method Statement for further details. The National Trust incorrectly states in paragraph 2.2.5 of their Deadline 7 (14 March 2019) comments that there would be “*additional flows leading to erosion*” from “*Mound E drainage (and other inputs)*” resulting in effects on “*the water features in the Valley Garden area of Cestyll Garden*”. The information submitted by Horizon at Deadline 6 (19 February 2019) confirms that there could be a small increase in flow in the watercourse if it remains unmitigated, however, additional mitigation would be provided by means of additional storage and there would not therefore be an increased flow and consequently no increased risk of erosion.

1.2.12 In response to the statement made by the National Trust in paragraph 2.3.2 of their Deadline 7 comments and the concern expressed over the location of Siltbuster units, Horizon wish to be clear on the content of appendix 1-6 in their Deadline 6 (19 February 2019) responses to actions set in Issue Specific Hearing on 7 – 11 January 2019 [REP6-010] regarding pumping. In this response, Horizon did not explicitly state that the means of pumping could only be a ‘push’ type arrangement but that it had efficiency advantages over a ‘pull’ type pumping arrangement. The detailed means of pumping will be a matter for the contractor, taking into consideration the need to comply with Environmental Permit. As stated in paragraph 4.3.3, in appendix 1-6 of Horizon’s Deadline 6 (19 February 2019) response, this could include siting the Siltbuster units on the east side of Mound E in preference to the western side if practicable.

1.2.13 Horizon note the general concerns raised by the National Trust on climate change in paragraph 4.3.1 of their Deadline 7 (14 March 2019) response but also note that the reason for these concerns is not explained. National planning policy in Overarching National Policy Statement for Energy (EN-1) Planning for new energy infrastructure (July 2011) and National Policy Statement for Nuclear Power Generation (EN-6) (June 2011) requires that development be adaptable, were climate change to be worse than currently anticipated. There is no requirement to avoid change that would happen

anyway but rather to not exacerbate that change under current understanding.

1.2.14 With respect to the issues listed by the National Trust, Horizon confirm that considerations on climate change have comprised both reasonably foreseeable and credible maximum effects, which are directly related to the most extreme scenarios from UK Climate Projections 2009 (UKCP09); These particular scenarios haven't changed between UKCP09 and UKCP18 and hence remain valid. Consequently, the assessments already consider what are believed to be scenarios that are more extreme than the current likely path for climate change and no additional mitigation is required. Extreme climate scenarios have been taken into account in accordance with best practice guidance and in a manner that is acceptable to National Resources Wales.

1.2.15 In order to address the National Trust suggestions on the quantities of proposed habitats in paragraph 2.3.15 of their comments, Horizon has amended the design principles in the Landscape and Habitat Management Strategy submitted at Deadline 8 (25 March 2019).

1.2.16 In terms of habitat connectivity with the wider landscape, reference should be made to the overarching design principles in the Landscape and Habitat Management Strategy [REP5-036] which states: "*The above [proposed mosaic of] habitats should be distributed across the WNDA in such a way as to facilitate movement of species through the landscape as much as possible, including connectivity between habitats within the WNDA and key adjacent habitat areas, such as the Notable wildlife enhancement site*". Furthermore, the Section 106 Agreement makes provision for measures to restore and enhance important habitats, such as woodland, hedgerows, roadside verges and red squirrel habitats and to improve the connectivity between habitats under an AONB and Heritage Coast Contribution to the IACC.

1.2.17 Horizon confirm that details of how the required soil profiles and hydrological conditions will be created in order to achieve the proposed habitats will be provided to the IACC for approval as part of the Final Landscape and Habitat Scheme under Requirement WN9 of draft DCO [REP5-003].

Off-site planting

1.2.18 Horizon notes that the National Trust supports inclusion of a mechanism to facilitate off site planting through a Section 106 Agreement and that the Trust seeks further clarification on how this will be secured, what it seeks to achieve and how third parties will be engaged for its implementation.

1.2.19 Horizon confirm that they have written to the National Trust regarding the mechanism for the provision for off-site planting, which is secured by Schedule 11 of the draft Section 106 Agreement. Under the draft Section 106 Agreement, Horizon is be required to provide an Environmental Mitigation Fund to the Isle of Anglesey County Council (IACC). The fund can be used for three components including proposals to address visual impacts of residents in the communities of Tregele, Cemaes, Llanfaethlu and

Llanfachraeth, and of individual property owners who fall outside of these communities but nonetheless will be impacted visually from the development.

1.2.20 Separately, Horizon would be required to pay the AONB and Heritage Coast Contribution to the IACC, to be spent on landscaping and environmental measures and improvements within the AONB in the vicinity of the Wylfa Newydd DCO Project.

Masterplanning

1.2.21 The specific National Trust concerns over masterplanning appear to relate to the level of detail in respect of decommissioning provided in the DCO ES.

1.2.22 As stated in chapter D1 of the DCO ES [APP-120], the details of Power Station decommissioning, scheduled to commence at the end of the 60-year operating stage, are not known at this time. However, with regard to the “*spent fuel buildings*” referred to in the National Trust Deadline 7 (14 March 2019) response, the location and size of the Spent Fuel Storage Facility and ILW Storage Facility, which would remain for up to 140 years after the end of commercial operation, are shown on the Power Station Site, Site Layout Plan, drawing reference WN0902-HZDCO-MSP-DRG-00003 included in the WNDA and Power Station Site Plans (Part 1/2, revision 3) [REP5-013].

1.2.23 Assumptions for decommissioning the Power Station are set out in chapter D1 [APP-120] and D10 [APP-129] of the DCO ES. Section 10.4, paragraph 10.4.42 of chapter D10 confirms the assumption that “*landscaping and restoration of remaining areas of the site following removal of all buildings and associated infrastructure*” will be undertaken. Horizon do not therefore agree with the National Trust statement that “*The submission and responses at the ISH [Issue Specific Hearing] demonstrate the lack of masterplanning, the lack of any long term vision...*”

1.2.24 In response to the ExA request for an illustrative drawing showing how the Wylfa Newydd Development Area would appear during decommissioning, following removal of the majority of Power Station buildings, Horizon have provided a submitted reference point 6 drawing at Deadline 8 (25 March 2019). The reference point 6 drawing, which complements the five reference point drawings in the Landscape and Habitat Management Strategy [REP5-036], is accompanied by an explanatory narrative. Reference should be made to Horizon’s Deadline 8 response on decommissioning for further information.

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Appendix 1-1 Extended operational photomontage for Viewpoint 27

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EXISTING VIEW - WINTER

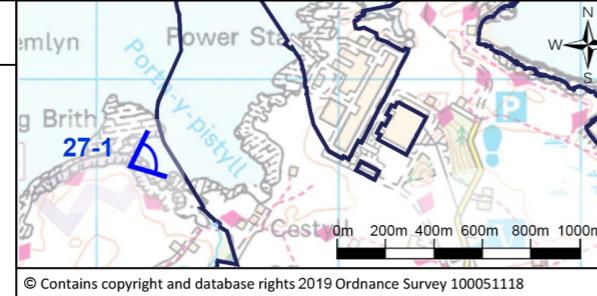


PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 1



VIEWPOINT 27-1
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016
Time of photograph: 10:05
Lighting conditions: Cloudy
OS grid reference: 234135, 393649
Viewpoint ground elevation: 6.005m
Camera height above ground level: 1.5m
Camera type: Canon EOS 5D
Camera lens size: 50mm
Aperture: f11
ISO: 200
Shutter speed: 1/160
Horizontal angle of view: 80°



Notes

- This photomontage is for illustrative purposes only and has been prepared in accordance with the methodology set out in appendix D10-8 (APP-199).
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- Viewpoint surveyed using handheld GPS unit.
- Images (as printed on A3 sheet) are to be viewed at approx. 30cm from the eye.

Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL
Client						
HORIZON NUCLEAR POWER						
Project						
WYLFA NEWYDD PROJECT						

Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-1 (EXTENDED PHOTOMONTAGE)	
Scale @ A3	NOT TO SCALE	DO NOT SCALE
Jacobs No.	60PO80AG	
Client No.	-	
Drawing No.	60PO80AG_DCO_VOL_D_V27-1A	
This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.		

PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 15

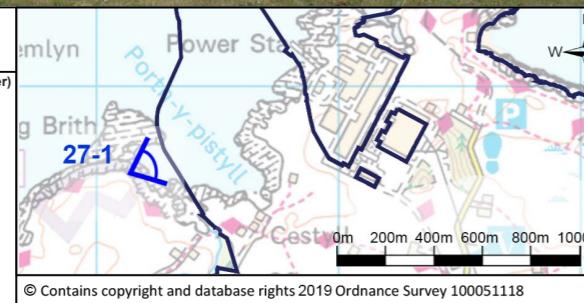


PHOTOMONTAGE VIEW: OPERATION - SUMMER YEAR 15



VIEWPOINT 27-1
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016 (Winter) 06.07.2016 (Summer)
Time of photograph: 10:05 9:52
Lighting conditions: Cloudy Cloudy
OS grid reference: 234135, 393649 234135, 393648
Viewpoint ground elevation: 6.005m 6.021m
Camera height above ground level: 1.5m 1.5m
Camera type: Canon EOS 5D Canon EOS 5D
Camera lens size: 50mm 50mm
Aperture: f11 f9
ISO: 200 200
Shutter speed: 1/160 1/640
Horizontal angle of view: 80° 80°



Notes

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- Images (as printed on A3 sheet) are to be viewed at approx. 30cm from the eye.

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Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd
Client						
HORIZON NUCLEAR POWER						
Project						
WYLFA NEWYDD PROJECT						

Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-1 (EXTENDED PHOTOMONTAGE)		
Scale @ A3	NOT TO SCALE		DO NOT SCALE
Jacobs No.	60PO80AG		
Client No.	-		
Drawing No.	60PO80AG_DCO_VOL_D_V27-1B		
This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.			

PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 1



PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 15



VIEWPOINT 27-1
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016

Time of photograph: 10:05

Lighting conditions: Cloudy

OS grid reference: 234135, 393649

Viewpoint ground elevation: 6.005m

Camera height above ground level: 1.5m

Camera type: Canon EOS 5D

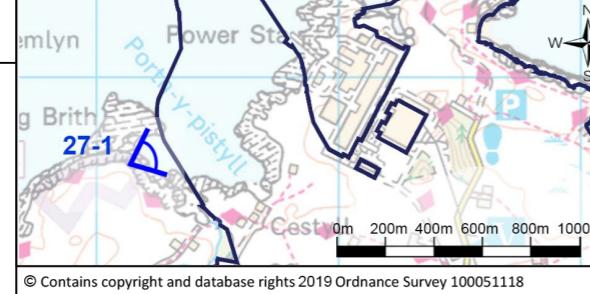
Camera lens size: 50mm

Aperture: f11

ISO: 200

Shutter speed: 1/160

Horizontal angle of view: 80°



Notes

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- The dashed grey lines indicate the maximum building platform level parameter.
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							Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-1 (EXTENDED PHOTOMONTAGE)
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL	Scale @ A3	NOT TO SCALE
Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd	Jacobs No.	DO NOT SCALE
Client							HORIZON NUCLEAR POWER	
Project							WYLFA NEWYDD PROJECT	
Drawing No.								
60PO80AG_DCO_VOL_D_V27-1C								
This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.								

EXISTING VIEW - WINTER



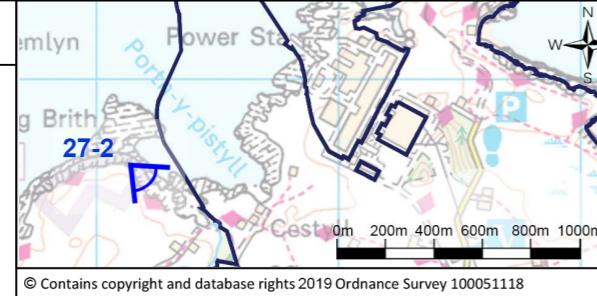
PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 1



VIEWPOINT 27-2

View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016
Time of photograph: 10:05
Lighting conditions: Cloudy
OS grid reference: 234135, 393649
Viewpoint ground elevation: 6.005m
Camera height above ground level: 1.5m
Camera type: Canon EOS 5D
Camera lens size: 50mm
Aperture: f.11
ISO: 200
Shutter speed: 1/160
Horizontal angle of view: 80°



1

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5. Viewpoint surveyed using handheld GPS unit.
6. Images (as printed on A3 sheet) are to be viewed at approx. 30cm from the eye.

PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 15

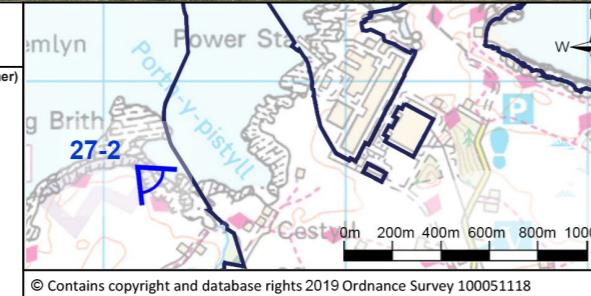


PHOTOMONTAGE VIEW: OPERATION - SUMMER YEAR 15



VIEWPOINT 27-2
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016 (Winter) 06.07.2016 (Summer)
Time of photograph: 10:05 9:52
Lighting conditions: Cloudy Cloudy
OS grid reference: 234135, 393649 234135, 393648
Viewpoint ground elevation: 6.005m 6.021m
Camera height above ground level: 1.5m 1.5m
Camera type: Canon EOS 5D Canon EOS 5D
Camera lens size: 50mm 50mm
Aperture: f11 f9
ISO: 200 200
Shutter speed: 1/160 1/640
Horizontal angle of view: 80° 80°



Notes

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							Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-2 (EXTENDED PHOTOMONTAGE)
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL	Scale @ A3	NOT TO SCALE
Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd	DO NOT SCALE	
Client	HORIZON NUCLEAR POWER						Jacobs No.	60PO80AG
Project	WYLFA NEWYDD PROJECT						Client No.	-
							Drawing No.	60PO80AG_DCO_VOL_D_V27-2B
							This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.	

PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 1

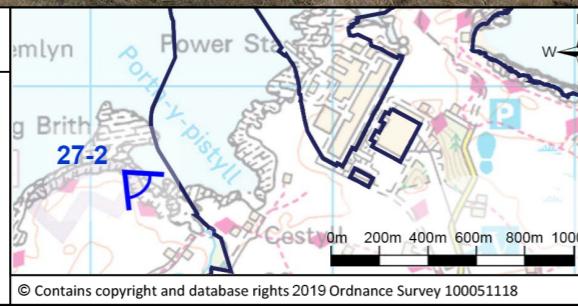


PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 15



VIEWPOINT 27-2
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016
Time of photograph: 10:05
Lighting conditions: Cloudy
OS grid reference: 234135, 393649
Viewpoint ground elevation: 6.005m
Camera height above ground level: 1.5m
Camera type: Canon EOS 5D
Camera lens size: 50mm
Aperture: f.11
ISO: 200
Shutter speed: 1/160
Horizontal angle of view: 80°



N

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7. Images (as printed on A3 sheet) are to be viewed at approx. 30cm from the eye.

							Drawing title WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-2 (EXTENDED PHOTOMONTAGE)
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL	
Rev.	Date	Purpose of revision	Drawn	Check'd	Revd	App'd	Scale @ A3 NOT TO SCALE DO NOT SCALE
Client	 HORIZON NUCLEAR POWER						Jacobs No. 60PO80AG
Project	WYLFA NEWYDD PROJECT						Client No. -
							Drawing No. 60PO80AG_DCO_VOL_D_V27-2C
							This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.

EXISTING VIEW - WINTER



PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 1



PHOTOMONTAGE VIEW: OPERATION - WINTER YEAR 15

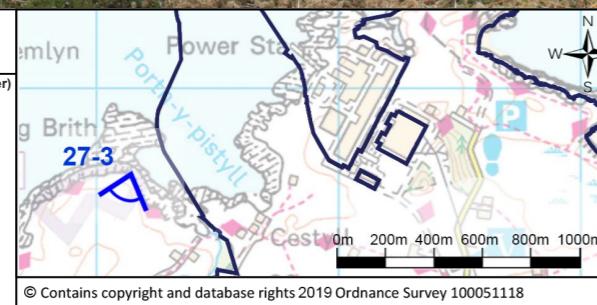


PHOTOMONTAGE VIEW: OPERATION - SUMMER YEAR 15



VIEWPOINT 27-3
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016 (Winter) 06.07.2016 (Summer)
Time of photograph: 10:05 9:52
Lighting conditions: Cloudy Cloudy
OS grid reference: 234135, 393649 234135, 393648
Viewpoint ground elevation: 6.005m 6.021m
Camera height above ground level: 1.5m 1.5m
Camera type: Canon EOS 5D Canon EOS 5D
Camera lens size: 50mm 50mm
Aperture: f11 f9
ISO: 200 200
Shutter speed: 1/160 1/640
Horizontal angle of view: 80° 80°



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5. Viewpoint surveyed using handheld GPS unit.
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							Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-3 (EXTENDED PHOTOMONTAGE)
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL	Scale @ A3	NOT TO SCALE
Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd	DO NOT SCALE	
Client	HORIZON NUCLEAR POWER						Jacobs No.	60PO80AG
Project	WYLFA NEWYDD PROJECT						Client No.	-
							Drawing No.	60PO80AG_DCO_VOL_D_V27-3B
							This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.	

PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 1



PHOTOMONTAGE VIEW: OPERATION PARAMETERS - WINTER YEAR 15



VIEWPOINT 27-3
View east from Wales Coast Path near Cerrig Brith

Date of photograph: 16.03.2016

Time of photograph: 10:05

Lighting conditions: Cloudy

OS grid reference: 234135, 393649

Viewpoint ground elevation: 6.005m

Camera height above ground level: 1.5m

Camera type: Canon EOS 5D

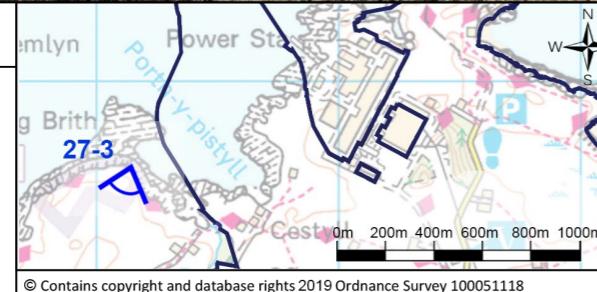
Camera lens size: 50mm

Aperture: f11

ISO: 200

Shutter speed: 1/160

Horizontal angle of view: 80°



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- The dashed grey lines indicate the maximum building platform level parameter.
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							Drawing title	WNDA DEVELOPMENT PHOTOMONTAGE VIEWPOINT 27-3 (EXTENDED PHOTOMONTAGE)
1	MAR 2019	DCO Submission	HNPWL	HNPWL	HNPWL	HNPWL	Scale @ A3	NOT TO SCALE
Rev.	Date	Purpose of revision	Drawn	Check'd	Rev'd	App'd	Jacobs No.	DO NOT SCALE
Client							HORIZON NUCLEAR POWER	
Project							WYLFA NEWYDD PROJECT	
Drawing No.								
60PO80AG_DCO_VOL_D_V27-3C								
This drawing is not to be used in whole or in part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.								

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Wylfa Newydd Project

Horizon's Response to Mechell Council Deadline

7 Submission

PINS Reference Number: EN010007

25 March 2019

Revision 1.0

Examination Deadline 8

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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Contents

1	Horizon's Response to Mechell Council Deadline 7 Submission	1
1.1	Introduction	1
1.2	Traffic Flows	1
1.3	Traffic impacts in Llanfechell.....	1
1.4	Rat-Running.....	2
1.5	Automatic Number Plate Recognition	2
1.6	Unforeseen Impacts.....	3

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1 Horizon's Response to Mechell Council Deadline 7 Submission

1.1 Introduction

1.1.1 This document sets out Horizon's Response to Mechell Council's Deadline 7 (14 March 2019) Submission dated 12 March 2019 located at the following link:

- <https://infrastructure.planninginspectorate.gov.uk/wp-content/ ipc/uploads/projects/EN010007/EN010007-003157-Mechell%20Council%20-%20Deadline%207%20Submission.pdf>

1.2 Traffic Flows

1.2.1 Mechell stated that they have asked for traffic flow data for 4 years. Traffic flows for all road links assessed in the DCO Transport Assessment [APP-101] were submitted as part of the DCO application and have been available since the submission in June 2018. These are contained in Appendix C2-3 – Traffic Flows [APP-100].

1.3 Traffic impacts in Llanfechell

1.3.1 It is correctly stated by Mechell Council in their submission that the locations where construction workers are forecast to live are based on the gravity model and these locations are in turn used as an input in to the traffic model. The gravity model forecasts that the majority of the workforce is likely to live in built-up areas such as a Bangor and Holyhead, as this is where the most accommodation options can be found, along with local services and social and leisure facilities. Evidence so far from the Hinkley Point C project confirms this likely distribution of workers as it indicates that construction workers are more attracted to urban centres compared to rural locations.

1.3.2 The estimated maximum increase in traffic flows through Llanfechell (Link 38 in Appendix C2-3 – Traffic Flows [APP-100]) is 3% as a result of the Wylfa Newydd DCO project. Mechell Council considers that this figure is too low. Horizon stands by the data and analysis submitted as part of the DCO application, which has been agreed by the Welsh Government and IACC, and believe this figure is accurate and appropriate.

1.3.3 Notwithstanding the above, the existing traffic flows on Link 38 are approximately 2,100 vehicles per day (two-way AADT) which is relatively low. This means that even if the increase in traffic was higher than 3%, this is very unlikely to result in any substantial traffic congestion or junction capacity issues.

1.4 Rat-Running

- 1.4.1 It is Horizon's understanding that Mechell Council is concerned about rat-running via Llanfechell.
- 1.4.2 Horizon has committed via the Wylfa Newydd Code of Construction Practice (WN CoCP) [REP5-020] and Workforce Management Strategy [REP5-037] to reduce the potential for occurrence of rat-running by construction workers. This is delivered through the inclusion of specific requirements in the construction worker information packs and Code of Conduct that construction workers must adhere to including construction vehicle routes and use of 'A' class roads (and where possible prioritising the use of A55, rather than the A5), and subsequently avoiding 'B' class roads, 'C' class roads, and unclassified roads, wherever practicable (to avoid causing unnecessary nuisance and disturbance to local communities).
- 1.4.3 A breach of this will lead to enforcement action as set out the Workforce Management Strategy [REP5-037] Section 3.3.
- 1.4.4 In terms of traffic monitoring, as stated in Section 3.3 of the Wylfa Newydd Code of Construction Practice [REP5-020] Horizon will establish a dedicated and free telephone hotline to be available for anyone with concerns about the construction programme or Wylfa Newydd DCO Project. This includes suspected rat-running. Number plates of vehicles suspected to be rat-running can be matched against the database to be held by Horizon of employee details.
- 1.4.5 The WN CoCP [REP5-020] states that all suspected incidents of rat-running will be investigated within five working days of the initial complaint being submitted to Horizon.
- 1.4.6 This is to be further strengthened in the next version of the WN CoCP to be submitted at Deadline 8 (25 March 2019) to state that investigation of all suspected incidents related to rat running will be commenced within 48 hours and a final report completed within 5 days.

1.5 Automatic Number Plate Recognition

- 1.5.1 In their submission, Mechell Council suggests that an Automatic Number Plate Recognition system should be implemented by Horizon to help manage traffic flows and potential rat-running problems.
- 1.5.2 Mechell Council also state that the North Anglesey Councils Partnership (NAPC) request ANPR to be implemented in Llanfechell and Tregele. This is not Horizon's understanding of the agreed SoCG position as set out in the SoCG between Horizon and NAPC submitted at Deadline 6 (19 February 2019) [REP6-042] where NAPC state they agree with the measures proposed by Horizon to control rat-running (see SoCG ID NAP-05).
- 1.5.3 Horizon do not propose an Automatic Number Plate Recognition (ANPR) to manage traffic flows as part of the Wylfa Newydd DCO Project. This is because the proposed approach of implementing controls of worker movements (see section 1.4 above), monitoring, management and disciplining

offenders is considered a suitable and appropriate approach to managing traffic to and from the Wylfa Newydd DCO Project.

1.6 Unforeseen Impacts

1.6.1 If unforeseen traffic impacts occur e.g. in Llanfechell, then the s106 agreement includes significant financial contributions towards additional transport-related mitigation should this be required. The distribution of these financial contributions will be decided by the Transport Engagement Group (TEG). This could include additional traffic monitoring or traffic management measures, if deemed necessary by the TEG.

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