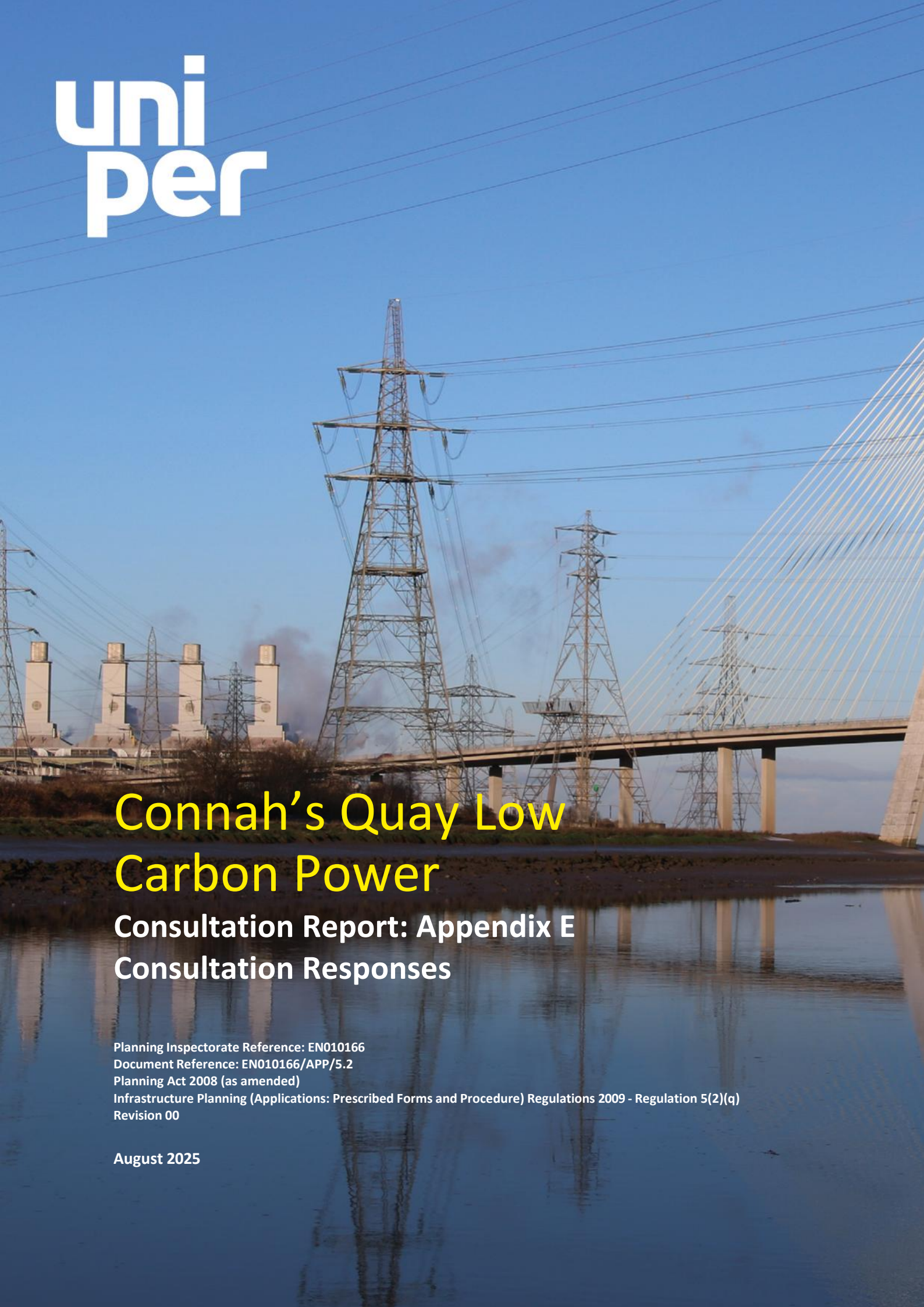

Connah's Quay Low Carbon Power

Consultation Report: Appendix E Consultation Responses

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1. Appendix E-1: Regard had to Section 42 Consultee Responses

Topic: Air Quality

Consultee	Extract of Comment	Response
FCC	'The submitted environmental statement will need to have regard for [PPW] (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire [LDP] adopted by the Council on 24 January 2023.'	Legislation, planning policy, and guidance relating to Air Quality and pertinent to the Proposed Development are listed in **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) in the Environmental Statement in **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**). This includes the policies listed by FCC. Further details regarding these can be found in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).
FCC	'Public Protection Flintshire County Council have confirmed that the applicants air quality report indicates that all relevant air quality standards will be met with no additional mitigation required.'	This is noted.
Public Health Wales (PHW)	'PHW suggest the inclusion of information on the preferred technology provider and selected technology to remove the carbon dioxide from emissions. These decisions will influence the likely operational emissions and effluents from the site, and consequently the need for any further mitigation or monitoring strategies. For example, post-combustion amine stripping in a dedicated carbon capture plant may require ammonia mitigation	Currently, there are two technology providers under consideration, both of which are in the process of undertaking FEED studies. In terms of potential impacts, a Rochdale envelope approach has been taken to ensure that the worst-case impact, based on information provided by the two FEED contractors, is

Consultee	Extract of Comment	Response
	processes. These decisions will also impact on the nature of the waste produced by the plant. PHW note that, given the novelty of CCP technology in the United Kingdom, a recipient of the waste resulting from the proposed amine-stripping technology, such as nitrosamines, nitramine and ammonia, has not yet successfully been identified. The applicant should ensure that a suitable route for waste management exists and that the risks to human health of this route are fully explored.'	considered in each topic area. Where the impacts are highly specific to the technology provider, which is the case for air quality, the assessment is presented for both cases and assessed based on the highest impact case.
UK Health Security Agency	'We note that the applicant currently proposes that carbon dioxide capture would be facilitated through a method of post-combustion amine stripping although the capture technology choice is not yet confirmed at this stage and welcome their commitment to assess the potential impact of amine and amine degradation product emissions to atmosphere. We note that the applicant proposes to do this using Environmental Assessment Levels (EALs) for amines and amine degradation products. Our understanding is that amine stripping may involve some novel amines for which EALs are not available. Should this prove to be the case, at a later stage, we would expect to see an appropriate methodology for the assessment of these amines.'	A detailed assessment of releases to air from the carbon capture process is included in the assessment presented in Section 8.6 in **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**). Information on the EAL criteria used is also detailed in Section 8.3 of this Chapter.
UK Health Security Agency	'It is recommended that the air quality impacts assessment also include the diesel-powered back-up generators and associated pollutants.'	Precise information on the number, size and type of back-up generator(s) has not been confirmed at this stage of the Project. As a reasonable worst-case assumption, the diesel generator(s) would only be used for short periods during testing and in the case of an abnormal event. Their use is, therefore, unlikely to

Consultee	Extract of Comment	Response
		have a significant effect on local air quality.
UK Health Security Agency	'It is noted that dust will be created as part of the construction work. The applicant may want to consider if a dust management plan is required within the Framework Construction Environmental Management Plan (CEMP).'	This point is noted. The dust control measures to be employed during construction have been included in the **Framework CEMP** (**EN010166/APP/6.5**).
NRW	'The following comments relate to the proposed air quality assessment methodology and the general suitability of key modelling assessment parameters. We have not undertaken a review of the modelling files and as such cannot comment on the validity of the predicted concentrations. Our comments refer to the elements of the assessment related to the potential impact on designated nature conservation sites. We have not reviewed the assessment of the impact of air emissions on human health or amenity. The use of air dispersion model ADMS in the assessment of operational emissions is considered appropriate. We note reference to APIS (Air Pollution Information System) when determining the background ambient concentration and deposition levels. APIS is an appropriate source of information for the use in the air quality habitats impact assessment. The construction dust assessment identifies that there are sensitive ecological receptors nearby and these are included in the construction dust assessment. The assessment references IAQM guidance, which is appropriate. The PEIR notes that the applied methodology differs slightly from the IAQM guidance, however justification for this is provided.	This point is noted. The air quality assessment methodology, detailed in Section 8.3 of **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) takes into account the points raised by NRW.

Consultee	Extract of Comment	Response
	Paragraph 1.3.54 of Appendix 8-D (Air Quality Operational Assessment) states: “For the purpose of assessment, the deposition velocity of amine species has been assumed to be equivalent to that of NH3.” The applicant has assumed a deposition velocity for amine species equivalent to the ammonia deposition velocity. This approach is currently considered acceptable. Should guidance be published, prior to the submission of the final application, that provides specific deposition velocities for amines which are different to ammonia, then the assessment should be updated.’	
NRW	‘Paragraph 8.3.53 indicates that a number of operational scenarios have been modelled. However, only results from the most impacted scenario have been presented. We advise that the results from all potential operating scenarios should be included in the final application.’	Section 8.6 in **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) of the ES includes an assessment of the findings of an unabated scenario and both FEED options for the carbon capture process.
NRW	‘Paragraph 1.2.7 of Appendix 8-D (Air Quality Operational Assessment) states “To assess the change in pollutant concentrations in the Study Area in more detail, a baseline scenario considering emissions from the existing Connah’s Quay Power Station CCGTs under normal operating conditions, with all sources assumed to be operating for 21% of the year, has been included in this assessment.” However, no justification for assuming a 21% operational scenario of the existing Connah’s Quay Power Station CCGTs has been provided; this should be included in the final application.’	The assumption of a 21% operational scenario is based on the Applicant’s data on the recent historic use of the existing power plant (the average load factor from 2016-2023) and is considered to be robust enough for use in the assessment.
NRW	‘Predicted concentrations are presented from the proposed operation in isolation at receptors. Where the predicted impact from the proposal does not screen out as insignificant, the “change in PC” when considering the emissions from the existing Connah’s Quay Power Station CCGTs is presented. We advise that the	The predicted change in air quality statistics due to the operation of the proposed development is presented in the ES. Where the contribution made by the proposed development cannot be

Consultee	Extract of Comment	Response
	predicted impact from the existing Connah's Quay Power Plant should also be presented as a PC.'	screened out, the predicted change in process contribution, accounting for the contribution made by the existing power station, is taken into account when determining the overall change.
NRW	'We note that the ES will consider the potential cumulative impacts from emission sources which have either received, or may receive, planning permission or other consent, but have yet to come into operation. At this stage, cumulative predicted concentrations have not been provided so we are unable to comment on these.'	A full cumulative assessment has been undertaken as part of the ES and is presented in **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**)
NRW	'Assumptions are made regarding ammonia emission concentrations due to ammonia slip. Satisfactory justification of ammonia emission concentrations due to ammonia slip should be provided in any future submission.'	Ammonia emission concentrations have been provided by both FEED contractors for abated and unabated operation. The concentrations are significantly below the lower limit of the Large Combustion Plant BAT Associated Emission Levels range for ammonia of 3-10 mg/m3. As such there is high confidence that these emission levels represent a high standard of slip control for both abated and unabated operation.
NRW	'In the assessment of daily NOx (oxides of nitrogen) the applicant has derived the daily background by multiplying the annual background by a factor of 1.5. We note the claim that this was "advised by Natural Resources Wales on previous projects". However, guidance (Air emissions risk assessment for your environmental permit - GOV.UK) states that "When you calculate background concentration, you can assume that the short term background concentration of a substance is twice its long term concentration." Therefore, if you propose to use a different value	In order to be consistent with the latest air emissions risk assessment guidance, a daily background concentration of twice the long term concentration has been used in the calculation of daily NOx. The air emissions risk assessment guidance was prepared by the Environmental Agency to apply in

Consultee	Extract of Comment	Response
	you should provide detailed technical justification in the context of the specific proposed development.'	England, however NRW have also adopted it to apply in Wales.

Topic: Noise and Vibration

Consultee	Extract of Comment	Response
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such a relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	The planning policies are provided in Table 9-1 in **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) in the ES and in **Chapter 7 Planning Policy and Need** (**EN010166/APP/6.2.7**) and **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**)**,** which includes PPW, TAN 11 and Flintshire LDP have been taken into consideration throughout the assessment reported in **Chapter 9: Noise Vibration** (**EN010166/APP/6.2.9**), by minimising noise and vibration from the Proposed Development.
FCC	'The applicants noise report indicates that a significant adverse impact is likely to multiple properties. Therefore, it is stated that during the final design process special attention will be given to :- • enclosure of key sound sources; • use of quieter plant (including limits on sound emissions from plant and equipment at source); • orientation of plant within the site to provide screening of low-levels sound sources by other buildings, structures and dedicated barriers, or orientating fans and the air inlets away from sensitive	Details of operational noise and vibration effects are provided in **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) in the ES in Section 9.6 and additional mitigation measures are provided in Section 9.7. It has also been detailed in the **Framework Construction**

Consultee	Extract of Comment	Response
	receptors; and • use of additional acoustic barriers/screens or earth bunds to reduce transmission of sound from the Site to NSRs [Noise Sensitive Receptors (NSRs)]. We would therefore ask that prior to construction the applicant is required to submit a final design detailing proposed noise mitigation measures to be agreed with the LPA.'	**Environmental Management Plan (CEMP)** (**EN010166/APP/6.5**). During detailed design, an operational noise control scheme (including noise limits agreed with the local authority) would be prepared, secured by a Requirement of the Development Consent Order (DCO).
UK Health Security Agency	'We note the applicant will confirm within the ES appropriate measures through further detailed assessment, as necessary, once construction plant and methods and construction traffic management, have been confirmed.'	Details of construction noise and vibration effects are provided in **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) in the ES, in Section 9.6 of this Chapter and additional mitigation measures are provided in Section 9.7 of this Chapter.
Natural England	'Noise impacts on SPA birds Natural England note that an assessment of the impact of noise and vibration on ecological receptors such as SPA qualifying bird species is not included within this chapter but is to be included within Chapter 11. We also note and welcome that baseline surveys have been undertaken at the ecological receptors, and that noise contour maps have been produced. We advise that an increase of 3dB at receptor (at bird) from baseline to predicted noise levels should be considered significant and warrant further analysis, with the ES and within the appropriate assessment stage of the HRA.'	Baseline noise levels at ecological receptors are presented in **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**), in Section 9.4 of this Chapter and **Appendix 9-B: Baseline Sound Survey Information** (**EN010166/APP/6.4**). The assessment of impact of noise and vibration on ecological receptors (including Special Protection Area (SPA) birds) is presented in **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) and within the **Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**).

Topic: Traffic and Transport

Reference	Consultee	Comment	Response
2-01	National Highways	'The TA should be prepared in accordance with the DfT Circular 01/2022, which sets out National Highways' policy for planning matters. This will ensure that the TA meets the requirements for a site that is proposed to generate a significant number of construction trips during the initial stages of the development and decommissioning'	The TA prepared as part of the DCO Application has been prepared in accordance with this, and will include reference to the DfT Circular 01/2022, within Section 1.4 '*Legislation and Planning Policy Context'*
2-02	National Highways	'It would be beneficial to review the existing travel plan for the Connah's Quay Power Station site to provide context on current travel behaviours, access arrangements and any sustainable transport initiatives already in place. Additionally, if available any traffic data relating to the existing site should be provided in order to inform the baseline conditions'	The proposals will result in a relatively low number of operational staff during normal operations, and therefore will not result in a material change to the scale of employees at Connah's Quay Power Station. With this in mind, the primary scope for Traffic and Transport will relate to the temporary construction phase, which will seek to minimise single-occupancy vehicle travel amongst construction workers. As such, a **Framework Construction Worker Travel Plan** (**CWTP**) (**EN010166/APP/6.7**) has been prepared and is included within the Application. Baseline traffic surveys have been undertaken on the local highway network surrounding the existing site, inclusive of Kelsterton Road which

Reference	Consultee	Comment	Response
			provides direct access to the existing Power Station. This has been set out within Section 1.2 of the **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**).
2-03	National Highways	'The study area does not include the SRN. It is requested the Applicant extend their study area and provide further information on baseline conditions and the impact of the development on the SRN, specifically the A550, A494 and M56'	The study area set out in **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) is considered to be relative to the anticipated scale of daily traffic movements during the peak period of the temporary construction phase and has been informed by the baseline traffic surveys. At this stage, specific details of construction traffic routeing, beyond the extents set out, are not known. The routeing strategy for heavy vehicles is centered around use of the trunk road network, an appropriate approach, with vehicles exiting the site directly onto the A548. Light vehicles associated with construction worker traffic have been distributed onto the local highway network based on analysis of Census Journey to Work Data, which is an accepted industry methodology. The resulting impact of these combined vehicle trips on the A548 (to the east of Connah's Quay Power Station, and prior to the wider SRN) is shown within

Reference	Consultee	Comment	Response
			Section 1.6 of the **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) as 3% across a typical weekday. This level of impact is not considered to be of a magnitude that would dictate further assessment, nor is it associated with a permanent increase in traffic on the local or strategic road network. Rather, this assessment has considered a worst-case assessment of the peak period during the temporary construction phase of development. Furthermore, management measures in the form of a **Framework CWTP** (**EN010166/APP/6.7**) and **Framework CTMP** (**EN010166/APP/6.6**) have been prepared and submitted, in order to support the mitigation associated with these temporary traffic increases during the construction phase. Once a final contractor is appointed, and more specific logistical details are known, measures can be refined to ensure that both heavy vehicles and light vehicle trips do not have a material impact on the local or strategic road network.
2-04	National Highways	'It is agreed that walking, cycling and use of public transport would be viable for construction staff based in the local areas such as Connah's Quay and Shotton, however it is anticipated that the majority of staff would	Section 1.2 of the **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) demonstrates that there are realistic and viable

Reference	Consultee	Comment	Response
		be travelling in from the wider area and are likely to use private cars or LGVs. Further information is requested on the assumed mode split.'	opportunities for use of alternative travel modes (to the private vehicle) for construction workers travelling to the site from local areas. However, it is acknowledged that a number of construction worker trips may originate from outside of these areas, and, due to the scale of the project teams, will likely be located at designated hotels and B&B type facilities, for which it is proposed that minibus transport will be provided by the appointed contractor; this will be set out in the final CWTP(s). There is no further information to share on modal split as the contractor for the works has not been appointed and will prepare detailed versions of the CWTP and CTMP in line with the framework versions of these plans submitted as part of the Application. In recognition of this **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) has robustly assumed that all construction workers will travel to site through car modes, with an element of car sharing assumed, at 2.33 per vehicle. This is considered to be a reasonable assumption that doesn't account for local workers making use of the nearby opportunities for sustainable travel, nor does it allow for implementation of

Reference	Consultee	Comment	Response
			measures / travel incentives that will be included within the final CWTP(s).
2-05	National Highways	'The study area does not include the SRN. It is requested the Applicant extend their study area and provide further information on recorded personal injury collisions on the SRN, specifically the A550, A494 and M56. It is also requested that the latest data is reviewed, noting 2023 data is now available on CrashMap'	The study area set out is considered to be commensurate with the assessment study area, which is informed by the likely routeing of heavy vehicles and light vehicles during the construction and operational phases of development. The data used within the Preliminary Environmental Information Report was the most recently available data at that time. Notwithstanding this, the updated **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) and this chapter include 2023 data from CrashMap, which is acknowledged to have been made available since the production of the PEIR / Draft TA.
2-06	National Highways	'WSP note that changes to the scheme have been proposed since the writing of the Traffic and Transport Chapter of the ES and the Transport Assessment. Those changes are set out further in this report and clarity is sought on the impact of the changes to forecast trips generated by the operation, construction and decommission of the proposals'	This is acknowledged, though the changes occurred after the preparation of the Preliminary Environmental Information Report, not the ES. The proposed scheme information and details available have informed us that changes are not forecast to affect the predicted trips generated during the construction, operation or decommissioning of the Proposed Development.

Reference	Consultee	Comment	Response
2-07	National Highways	'The current summary outlines the construction phasing and associated workforce estimates for the development of the Trains. Clarification is requested on whether the assessment also takes into account the demolition phase? Additional detail on the scope and timing of demolition works including potential need for AILs during this phase is requested'	It can be confirmed that the forecasts for construction traffic generation are inclusive of the demolition of the existing gas treatment plant (GTP), existing GTP above-ground installation (AGI) and existing stores building, which would be undertaken over a six to nine-month period, during a site enabling works phase.
2-08	National Highways	'Construction worker trips are stated to be scheduled outside of weekday AM and PM peak periods, however it is considered likely that some trips would be made during these times. Further information is requested on the expected volumes of construction worker and HGV trips during weekday peak hours, specifically those that will use the SRN'	Typical core construction working hours (08:00 to 18:00 hrs Monday to Friday and 08:00 to 13:00 hrs Saturday) would avoid construction workers travelling during the typical network weekday AM and PM peak periods. This is a typical approach and are secured through the **Framework CWTP** (**EN010166/APP/6.7**) and **Framework CTMP** (**EN010166/APP/6.6**). It is anticipated that HGV deliveries will be spread throughout the day to minimise impact on the local and strategic highway network. Construction traffic is calculated in a standard way per task and activity, this considered the average daily traffic and is not peak hour specific. HGVs are considered to be spread throughout the day and not required to attend specifically in peak hours. As set out

Reference	Consultee	Comment	Response
			above the early start and late finish hours will reduce the need for construction workers to travel during the network peak hours. Some of the measures that the contractor is likely to employ is local labour force and basing teams within local hotels and guest houses, given the impracticalities of travelling from far a field on a daily basis. As set out within Section 1.6 of **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**), impact of combined vehicle trips on the A548 (to the east of existing Connah's Quay Power Station, and prior to the wider SRN) is shown to be 3% across a typical weekday. This level of impact is not considered to be of a magnitude that would dictate further assessment, particularly given that working hours dictate the majority of trips will take place outside of network AM and PM peak periods.
2-09	National Highways	'It is noted in the Section 2.16 that HGV traffic associated with the construction phase is expected to route 100% to the SRN via the A548 (East of Main Site). This routing strategy appears intended to minimise the impact of HGV movements on local roads. It is additionally noted that there is signage on the dumbbell roundabout indicating	This is acknowledged and has been considered in the current routeing assumption for HGVs, which avoids use of the B5129 and instead, sees heavy vehicles route directly from the A548 (East of Main Development Area),

Reference	Consultee	Comment	Response
		there is a low bridge on the B5129. This may render the route unsuitable for HGVs, please can the Applicant confirm if this constraint has been considered'	via the dumbbell roundabout, onto Kelsterton Road where access to the site is provided.
2-10	National Highways	'WSP request to be consulted upon the strategy for the movement of AILs including routes from Ports. Further information is requested on the expected volume, timing and vehicle types required to transport AILs'	It can be confirmed that NH and their representatives will be formally informed and consulted on the AIL once the information and strategy is confirmed. The application considers the primary AIL routes options from three land side delivery points at Port of Mostyn, Connah's Quay North and Ellesmere Port. A formal process of liaison and communications between all relevant parties (appointed construction contractor, FCC, National Highways, Cheshire West and Chester Council and North and Mid Wales Trunk Road Agent) via a Local Liaison Committee will provide advance communication and authorisation of traffic management work and AIL delivery detail, with updates to be provided during the work, as appropriate. It is anticipated that up to 30 two-way (60 in total) AIL movements would be required during the construction period for each train of the Proposed Development. However, the exact number and size / weight of AILs would be determined at detailed design stage and would be based on specific construction methodologies

Reference	Consultee	Comment	Response
			that will be confirmed during this stage. Only AIL using from Ellesmere Port would use the SRN.
2-11	National Highways	'WSP agree that the impacts of the Scheme during operation are likely to be significantly lower than during construction. Therefore, the remainder of this review focusses on the construction impacts'	Thank you for the confirmation and this is acknowledged.
2-12	National Highways	'WSP request to be consulted upon the development of the Framework Construction Traffic Management Plan. It is noted that at the peak of construction there are estimated to be over a thousand construction worker trips to the Site, therefore careful consideration will need to be given to the parking management strategy and use of other modes.'	The **Framework CTMP** (**EN010166/APP/6.6**) contains appropriate detail relating to this. The appointed contractor would use this as a document to develop and submit a Detailed CTMP(s) to be agreed with the relevant Local Planning Authorities following consultation with the relevant highway authority. During the peak construction phase, there is estimated to be 1,374 two-way trips to site (comprised of 687 arrivals / 687 departures). It is proposed that sections of the car park would gradually be opened up as construction develops, with a defined number of construction worker car parking spaces to be provided during construction. Managing the number of parking spaces made available on-site would help to control the number of vehicles and promote sustainable transport options. It would be the

Reference	Consultee	Comment	Response
			responsibility of the CWTP and CTMP Co-ordinators, working closely with the Site Manager, to determine the number of spaces to be provided and supporting alternative measures. Car parking at the site would be monitored by the CWTP and CTMP Co-ordinators, with restricted access. The Site Manager and Co-ordinators would set the appropriate criteria for construction workers to receive a pre-allocated parking space.
2-13	National Highways	'WSP has considered the suggested routes to determine potential impacts on the Strategic Road Network (SRN). This review identified that the A548 (east of the Main Site access) and the B5129 could lead to use of the SRN, specifically the A550 and M56. Further information is requested from the Applicant relating to construction trips which will use the SRN. This should include consideration of peak hour trips as well as daily trips'	Please refer to AECOM response to NH Comment (2-03), with reference to the chosen study area for assessment, and AECOM response to NH Comment (2-08), with reference to peak hour assessment.
2-14	National Highways	'It is noted that the Applicant has not used the most recent version of TEMPro (version 8.1). WSP recommends that the latest version be used to ensure consistency with current forecasting standards. Additionally, the Applicant should confirm that the 'motorway' road type has been selected when applying growth factors to the Strategic Road Network (SRN), particularly for routes such as the A550, A494, and M56. Further information is also requested on baseline flows along these SRN links'	This is acknowledged, and **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) reflects growth factors derived from the most up-to-date version of TEMPro. It would not be considered appropriate to use 'motorway' road types for any of the assessed study links, with reference to the reasoning provided in AECOM response to NH Comment (2-03). It is

Reference	Consultee	Comment	Response
			not considered to be commensurate with the forecasted level of temporary impact, during the construction phase, for an extended study area to be set out, beyond that which has already been assessed.
2-15	National Highways	'The rationale used to determine which committed developments were included or excluded from the future baseline assessment should be outlined, with reference to evidence considered. While the assessment includes a review of committed developments within the FCC area, it is recommended that the Applicant consults with CWaC to confirm whether there are any additional committed developments within their boundary that may have an impact, and should be considered'	**Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) sets out an expanded consideration of committed development, in line with the long and short-lists identified for the wider project, which were prepared, reviewed and considered for inclusion depending upon a number of criteria, as set out in further detail within **Chapter 24: Cumulative & Combined Effects** (**EN010166/APP/6.2.24**). It can be confirmed that the consideration of committed development has included all schemes within a 15 km distance of the Main Development Area, with proposed schemes included / discounted based on the level of information provided, extent of assessment study area, and forecasted years of traffic generation. **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) provides this information for review.

Reference	Consultee	Comment	Response
2-16	National Highways	'The over-arching principals of the assessment are agreed, including the consideration of the worst case Single Phase approach to construction. Further information is requested on the assumed mode split and vehicle occupancy for construction workers'	This is acknowledged. With regard to construction worker travel modes, please see AECOM response to NH Comment (2-04).
2-17	National Highways	'Based on the forecast increase in traffic, it is not expected that these traffic volumes would have a significant impact on the operation of the SRN'	This is acknowledged.
2-18	National Highways	'The assumption that 100% of HGVs are assigned to the A546 East is agreed however further information is requested on the anticipated volumes of HGVs using the SRN, specifically the A550, A494 and M56'	As set out in AECOM response to NH Comment (2-03), specific details of construction traffic routeing, beyond the extents set out, are not known. The routeing strategy for heavy vehicles is centered around use of the trunk road network, which is an appropriate approach, with vehicles exiting the site directly onto the A548. The resulting impact of these combined vehicle trips on the A548 (to the east of existing Connah's Quay Power Station, and prior to the wider SRN) is shown within Section 1.6 of **Appendix 10-A: Transport Assessment** (**EN010166/APP/6.4**) as 3% across a typical weekday. This level of impact is not considered to be of a magnitude that would dictate further assessment, nor is it associated with a

Reference	Consultee	Comment	Response
			permanent increase in traffic on the local or strategic road network.
2-19	National Highways	'Further information is requested on the anticipated volumes of construction worker trips using the SRN, specifically the A550, A494 and M56. Given the specialist nature of the construction activities, WSP requests that the Applicant provide more detailed, site-specific information on the likely residential locations of the construction workforce. This should include consideration of whether a significant proportion of workers may be travelling from areas within England, which could result in greater reliance on the SRN and potentially influence traffic impacts beyond the immediate local network'	The extent of predicted construction worker trips has been distributed onto the local highway network based on analysis of Census Journey to Work data, which is considered to be an appropriate and typical use methodology. At this stage, further details regarding the specific locations of construction workers are not known, until a contractor is appointed. With regard to construction worker impact on the SRN, the impact assessment of the construction phase indicates that 21% of light vehicle trips could be routed to / from the A548 (East of Main Site) towards the wider SRN. Applied across a typical weekday, this equates to 290 additional daily two-way trips. Against a future year 2034 baseline two-way flow of 16,251 total vehicles, this would equate to an increase of 2%, which is not considered to be material in terms of traffic impact, and furthermore, would only occur during a temporary period of construction.

Reference	Consultee	Comment	Response
3-01	National Highways	'Chapter 10 follows a standard approach based on IEMA Guidelines and references much of the same data as the Transport Assessment. The effects considered most likely to be relevant to the SRN are driver delay, road user and pedestrian safety and hazardous loads'	Thank you for the confirmation, this is acknowledged
3-02	National Highways	'WSP agree that the traffic and transport impacts during the operational phase are likely to be minimal. WSP request to be consulted upon the development of the Framework Construction Traffic Management Plan and Construction Worker Management Plan.'	This is acknowledged and these will form part of the DCO submission to enable consultation. Please also refer to AECOM response to NH Comment (2-12) for more details in relation to **Framework CWTP** (**EN010166/APP/6.7**) and **Framework CTMP** (**EN010166/APP/6.6**) consultation.
3-03	National Highways	'Further information is requested on the baseline conditions and expected construction traffic that may use the SRN, both in terms of daily flows and peak hour flows before a conclusion can be drawn on likely driver delay impacts'	Please refer to AECOM response to NH Comment (2-03), with reference to the chosen study area for assessment, and AECOM response to NH Comment (2-08), with reference to peak hour assessment. The operational (permanent) impacts of the Proposed Development have been acknowledged to be minimal, and therefore it is not considered that an assessment of driver delay impacts would be appropriate. The construction traffic impact will be temporary and will include management measures to ensure

Reference	Consultee	Comment	Response
			impact on the network peak hours and driver delay is not a significant issue. Temporary construction traffic is typically not assessed in the same way as permanent traffic in terms of capacity assessment and is instead managed and controlled through measures which are agreed with stakeholders.
3-04	National Highways	'The study area should be extended to include the Strategic Road Network (SRN), specifically the A550, A494, and M56, to ensure that safety considerations for all users are assessed comprehensively across the full extent of the affected network. This assessment should be based on latest available data, noting CrashMap now includes 2023 data'	Please refer to detailed AECOM response to NH Comment (2-05).
3-05	National Highways	'WSP request to be consulted upon the strategy for the movement of AILs including routes from Ports. Further information is requested on the expected volume, timing and vehicle types required to transport AILs'	This is acknowledged, please refer to AECOM response to NH Comment (2-10). This sets out when the appropriate time for obtaining and sharing this information may be.
4-01	National Highways	'WSP understands that National Highways were not consulted through formal channels in 2024'	Statutory consultation on the Proposed Development was undertaken between October and November 2024. As part of that consultation, the Applicant issued letters to all relevant statutory consultees, including National Highways, by first-class post on 3 October 2024, ahead of the consultation launch date of 8 October. A

Reference	Consultee	Comment	Response
			copy of this letter has previously been provided to National Highways via email on the 10 June 2025.
4-02	National Highways	'The Newsletter does not set out the potential impact on trips associated with the Construction or Operation Phases of changes'	The newsletter was published to support the non-statutory targeted consultation on the proposed stack height increase. As set out in AECOM response to (2-06), the proposed scheme information and details available have informed us that changes are not forecast to affect the predicted trips generated during the construction, operation or decommissioning of the Proposed Development.
4-03	National Highways	'Again, the Newsletter does not set out any potential impacts to vehicular movements during the construction and operation phases'	Please refer to AECOM response to NH Comment (4-02) and (2-06).
5-01	National Highways	'WSP request sight of the evidence base behind that assumption'	Through increasing the stack heights to 150 m the twin absorber variant was removed, meaning the maximum number of stacks was reduced from eight to four. This effectively reduced overall trips expected during construction and thus maintaining the numbers used in the assessment can be considered a worst case scenario The changes to the Proposed Development as described during the targeted consultation would not have a

Reference	Consultee	Comment	Response
			material impact on trips to require further assessment.

Consultee	Comment	Response
FCC	"The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023."	Legislation, planning policy, and guidance relating to Traffic and Transport and which are pertinent to the Proposed Development are listed in Table 10-1 in **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) in the ES and are inclusive of PPW, TAN 18, and the Flintshire LDP, as well as other relevant policy documents, legislation and guidance. Further detail regarding these can be found in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).
FCC	"The main access to the site will be derived from Kelsterton Road with an alternative access from the B5129. Mitigation is proposed through the submission of a Construction Traffic Management Plan together with a Construction Worker Management Plan. In terms of Abnormal Indivisible Loads (AIL's) it is suggested that an access could be created directly from the A548 with the reinstatement of former junction however the detail relating to its design is not available at this time. The Highway Authority must be notified in advance of all individual abnormal load movements. If there are any movement that require a special order due to their size/weight, then the haulier must provide the Authority with sufficient notice. If, following swept path analysis,	This point is noted, the Applicant has been in further discussion with FCC regarding the creation of an access directly from the A548 to facilitate AIL movements as detailed in Table 10-5 in **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) of the ES.

	the haulier identifies street furniture that will need to be removed on a temporary basis, risk and method statements mut be submitted to the Authority for approval. The County Council will not provide this service, therefore, the haulier will be required to appoint a fully accredited contractor to undertake this work. Pre and post movement highway conditions surveys will be required when movements take place under specific orders."	
FCC	"The alignment of FP. 28 doesn't appear to be affected necessarily by the Indicative Enhancement Area, however the proposal as a whole project represents an opportunity to improve the network at this location as part of a wider community benefit. Engagement with regard to FP 28 is necessary which Uniper have some control over, but FP. 27 is outside of their site and a possible enhancement between FP. 28 and Kelsterton Road is also on third-party land."	This point has been acknowledged and is discussed within Section 10.4 in **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). No works are currently proposed to any footpaths for which the Proposed Development does not directly impact.
Welsh Government Transport Division	"Having reviewed the provided information, should the applicant decide to submit a full planning application in respect of the above, the Welsh Government would advise as follows: Once all (Abnormal Indivisible Load (AIL) routes are confirmed, where a route includes any part of the Strategic Road Network (SRN), the Welsh Government must be consulted and all necessary approvals secured prior to the commencement of any works on site. Where any such proposed route requires accommodation works to be undertaken on the SRN to accommodate the AIL, full details of the works and any non-compliant aspects regarding the Design Manual for	The Applicant has prepared an AIL routing Study (Appendix A of the **Framework CTMP** (**EN010166/APP/6.6**) to explore potential routes to the Main Development Area from the three identified ports. The **Framework CTMP** (**EN010166/APP/6.6**) identifies the requirement for a further assessment to be undertaken once the final details of AIL dimensions are available. During this process, should any works be

	Roads and Bridges must be submitted and approval gained during the planning process."	identified on the SRN, the Welsh Government would be engaged.
DB Cargo	"DB Cargo do not have any issue in principle with the development proposals to provide low carbon power generation within Connah's Quay. DB Cargo do however identify areas of potential concern during the construction phase associated with abnormal load movements and associated disruption to Weighbridge Road and access to their sidings site. Due to the limited information available in this respect at this stage the further information required so that DB Cargo can fully review their position has been detailed. In summary: Details of number, size and frequency of AILs movements. Details of the timing of AIL deliveries and what notice would be provided to local landholders/operators ahead of these movements taking place. Details of any road closures that may be required. Details of works that may be required along Weighbridge Road to facilitate the AIL movements that may impact its operation and availability to DB Cargo. Details of how impacts will be minimised. Confirmation of any proposed direct engagement with local landowners/operators in terms of ensuring any Construction Management Plan takes fully into account the access requirements of local landowners/operators.	The Applicant has prepared an AIL routing Study (Appendix A of the **Framework CTMP** (**EN010166/APP/6.6**) to explore potential routes to the Main Development Area from the three identified ports. Routes from Ellesmere Port and Connah's Quay North would be required to use A548 Weighbridge Road and based on current AIL assumptions, no works would be required at this location. AILs from the Connah's Quay North jetty would additionally require to use Weighbridge Road through the Shotton site. **The Framework CTMP** (**EN010166/APP/6.6**) identifies the requirement for a further assessment to be undertaken once the final details of AIL dimensions are available. During this process, should any works be identified in the vicinity of Weighbridge Road DB Cargo would be engaged.

	It is confirmed that DB Cargo would be happy to provide any further information or clarification on any points or issues raised in this response should Uniper require. This is in particular with regards to how their sidings site operates and their access requirements. DB Cargo would also welcome early engagement in terms of any Construction Management Plan being prepared and would be keen to work proactively with Uniper to minimise potential for impact and disruption."	
Maritime & Coastguard Agency	"The MCA notes in Chapter 2-17 that the Planning Inspectorate confirmed in its' Scoping Opinion of 20/3/24 that "the Proposed Development is unlikely to result in significant effects relating to shipping and navigation and therefore shipping and navigation can be scoped out". This is on the understanding that the applicant adheres to best practice methods and established procedures. However, this should be agreed in consultation with The Dee Conservancy and detailed further in the Environmental Statement (ES). It is our understanding that a "workshop that will be held with the Statutory Harbour Authority (Dee Conservancy for Port of Mostyn and Connah's Quay North; Manchester Ship Canal Company for Port of Ellesmere)". The outcome of this workshop is envisaged to be a high-level navigational risk assessment (NRA) which the MCA welcomes. This should include a range of potential project impacts on shipping and navigation and other marine users (including effects of transportation of AIL by vessel to the Port) which could occur during the construction, operation, and decommissioning phases of the project. This assessment will be used as evidence for the ES.	Further engagement with the Harbor Master for the Dee Conservancy and the Port of Mostyn has been undertaken. A **Navigational Risk Assessment** (**EN010166/APP/6.15**) has subsequently been prepared and is included with the Application.

	In Section 2.4.9 of the PEIR, we note that “The Applicant proposes to undertake technical engagement to clarify the responsibilities for the safety of navigation in relation to the shipborne deliveries for the Proposed Development with Natural Resources Wales (NRW) and Port of Mostyn, as it is understood that responsibility for safety of navigation in the Dee Conservancy is split between NRW (conservancy, harbour and local lighthouse authority) and Mostyn Docks Ltd (pilotage authority and statutory harbour authority for the Port of Mostyn”. We trust that these discussions will be considered within the NRA going forward.”	

Topic: Terrestrial and Aquatic Ecology

Consultee	Summary of Comment	Response
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	This ES takes into account all relevant planning policy applicable in Flintshire and Wales, including the policy highlighted by FCC, as noted in Table 11-1 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
FCC	'The scope and methodology of ecology surveys and assessments being undertaken as set out within Chapter 11 Terrestrial and Aquatic Ecology are accepted and as agreed at the EIA Scoping stage. Appendix 11-B Table 1 references the Terrestrial and Aquatic Ecology baseline surveys and the study area with the majority yet to be completed/reported. Dee Estuary SSSI/SAC/SPA/Ramsar is immediately adjacent which includes Deeside Naturalist Society (DNS) Nature Reserve; River Dee SSSI/SAC is within 100m. The Test of Likely Significant Effect/Habitat Regulations Assessment report is welcomed and the cross reference with the relevant assessments on air quality, noise/vibration and water/flood risk. Wildlife Sites/Priority habitats as listed in Ch 11 include ancient woodland which will not be directly impacted but are vulnerable to air quality changes and have been included within the air quality assessment.'	This position is noted, as noted in Table 11-3 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). The surveys referenced have now been completed and have informed the assessment presented in Section 11.6 in this Chapter. Section 11.4 of this Chapter provides a summary of the baseline conditions recorded during the field surveys.
FCC	'Development Design and Embedded Mitigation	The habitat creation, management and monitoring within the Order limits

Consultee	Summary of Comment	Response
	A Framework CEMP will be provided as part of the ES with the requirement for the final version prior to commencement included in the DCO. This is in line with the agreed Hynet DCO. This also included a REAC (Register of Environmental Actions and Commitments) produced to inform the CEMP and which provided a comprehensive list of actions/proposed mitigation measures which would also be useful for this site. A Mitigation Strategy that incorporates existing management plans/relevant SSSI management agreements as well as the proposals for habitat protection during construction and creation of new habitats. This strategy also needs to demonstrate that NBB can be achieved following the stepwise approach. This can be summarised e.g. in a Table or on an annotated plan highlighting losses, what can be re-created, and/or enhanced through future management. Species and habitat mitigation proposals can be linked together where appropriate. Long term management and continuation of existing nature reserve agreements will be key to maintaining and enhancing the designated site features. The proposed Outline Landscape and Biodiversity Management and Enhancement Plan is welcomed which develops and secures habitat management and monitoring of retained and created habitats and as a means to demonstrate biodiversity enhancement long term. The proposed management and enhancement plan needs to distinguish between habitat creation and aftercare requirements and the long-term management of new and existing habitats. An updated management plan, post establishment is preferred, which details the long-term management and monitoring, regularly reviewed (5 yearly) to demonstrate that enhancements are being achieved.	proposed post construction of the Proposed Development are presented in the **Outline LEMP** (**EN010166/APP/6.9**). The Applicant has also prepared the **Off-site Net Benefit for Biodiversity and Green Infrastructure Strategy** (**EN010166/APP/6.14**) and the **Curlew Mitigation Strategy** (**EN010166/APP/6.13**) which outline habitat creation, management and monitoring of land at Gronant Fields, Prestatyn.

Consultee	Summary of Comment	Response
	As with other large-scale projects this can include annual monitoring visits involving relevant LPA/NRW officers and other relevant bodies which can assist management flexibility.'	
JNCC	'While JNCC co-ordinates nature conservation advice at a UK-level, and advises UK Government on matters relating to nature conservation internationally, within each UK country the separate statutory bodies are responsible for nature and landscape conservation, these being: Natural England (NE), Natural Resources Wales (NRW), NatureScot (NS) and the Council for Nature Conservation and the Countryside Northern Ireland (CNCCNI).' 'This development proposal is not located within the offshore area, does not have any potential offshore nature conservation issues and is not concerned with nature conservation at a UK-level, therefore JNCC does not have any comments to make on the consultation.'	This position is acknowledged.
Natural England	Noise impacts on SPA birds Natural England note that an assessment of the impact of noise and vibration on ecological receptors such as SPA qualifying bird species is not included within this chapter but is to be included within Chapter 11. We also note and welcome that baseline surveys have been undertaken at the ecological receptors, and that noise contour maps have been produced. We advise that an increase of 3dB at receptor (at bird) from baseline to predicted noise levels should be considered significant and warrant further analysis, with the ES and within the appropriate assessment stage of the HRA.	An assessment of the noise impact on The Dee Estuary SPA/Ramsar site qualifying bird species is included within Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). Reference has been made to the Waterbird Disturbance Mitigation Toolkit pdf (Ref 11-31) for assessing noise impacts on waterbirds as agreed with NRW. This method determines disturbance thresholds that occur at different noise levels according to the sensitivity of the species impacted. Changes from baseline noise levels during

Consultee	Summary of Comment	Response
		the construction and operation phases and likely effects on birds are assessed.
Natural England	'Section 11.2.11 We note that the Temporary AIL [Abnormal Indivisible Load] Work Areas have been excluded from consideration within this assessment, and advise that subsequent scoping of designated site impacts, among other impacts, may need to be revised in subsequent iterations of this assessment, and in the HRA.'	This position is noted. The Abnormal Indivisible Load (AIL) Accommodation Works are considered in the **Framework Construction Traffic Management Plan** (**EN010166/APP/6.6**).
Natural England	'Table 11-5 We concur with the scoping of internationally and nationally designated sites for impacts at this stage.'	This position is acknowledged.
Natural England	'Table 11-7 We concur with the use of a 1% SPA population threshold for impact. We advise that consideration should also be given to SSSI only bird features, for example, Ringed Plover (Charadrius hiaticula) is a feature of Dee Estuary SSSI but not Dee Estuary SPA.'	This position is acknowledged.
Natural England	'Table 11-7 We advise that as Otter (Lutra lutra) are a feature of River Dee and Bala Lake SAC, they should be considered to be of 'International' Ecological Importance.'	As detailed in Table 11-5 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**), Otter have been considered to be of local importance within the assessment following the completion of the surveys detailed in **Appendix 11-J: Otter Technical Appendix CONFIDENTIAL** (**EN010166/APP/6.4**).
Natural England	'Section 11.6 Natural England note that an assessment of construction impacts on bird species associated with designated sites is not offered within this iteration of the ES, due to limited available data, but will be required within the ES and HRA'	This position is acknowledged, an assessment is presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Consultee	Summary of Comment	Response
Natural England	'Section 11.6 Natural England note that no preliminary assessment of likely significant effects that may occur during the decommissioning phase is offered within this section of the ES, but will be required within the ES and HRA.'	This position is acknowledged, an assessment is presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Natural England	'Section 11.6.11 Natural England note that works within the Water Connection Corridor may lead to the loss of Saltmarsh habitat, a qualifying feature of the Dee Estuary SAC (Atlantic salt meadows), such as the laying of pipeline. Works within areas of saltmarsh should be avoided wherever possible and your assessment should consider use of the least damaging methods where saltmarsh cannot be avoided.'	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. The works in the Water Connection Corridor would be limited to the refurbishment and upgrades to the existing intake structure. These works would be undertaken by divers and a support boat and/or barge, or similar, and foot-only access via the saltmarsh itself over an estimated three- to five-month period. Works within the Water Connection Corridor would not require interaction with the riverbed. All materials and plant (if required; it is expected that the majority of works within the Water Connection Corridor would require hand tools only) would be stored within the support barge and a working area would be established using scaffolding attached to the existing protection structure.

Consultee	Summary of Comment	Response
Natural England	‘Appendix 11-D In support of this consultation, Natural England have also reviewed Appendix 11-D (Ornithology Baseline Survey and Information Report) of the ES. We concur with the overall bird survey methodology but advise that Wetland Bird Survey (WeBS) data is utilised in the desk study to provide a broader picture of bird usage at the site and surrounding area.’	This position is noted and WeBS data has been considered in **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**).
NRW	‘Protected Species Paragraph 11.4.23: we concur with the scoping out of natterjack toad and hazel dormouse from the ecological impact assessment. Table 11-7 (Summary of species relevant to the ecological impact assessment) - Otters: features of the River Dee and Bala Lake Special Area of Conservation (SAC) include otter. We concur with the proposed survey approach in respect of the Dee and affected tributaries. The assessment should also consider the functional use of ponds as feeding sites for otters during the spring. Paragraphs 11.6.92 – 11.6.96: we note and concur with the assessment and conclusions regarding bat roosts. Paragraphs 11.6.100 – 11.6.115: we note the assessment and conclusions together with further surveillance regarding otter and water vole. We concur with the potential requirement for licensing. We acknowledge that surveys and assessment consider affected tributaries of the Dee. The assessments should also consider the functional use of ponds as feeding sites for otter during the spring. Paragraph 11.6.134: we concur with the assessment of no impacts to the listed protected species from the operational phase of the proposals, provided any long-term habitat loss is subject to	The position is acknowledged. Consideration has been given to ponds as feeding sites for otter in **Appendix 11-J: Otter Technical Appendix CONFIDENTIAL** (**EN010166/APP/6.4**).

Consultee	Summary of Comment	Response
	appropriate long-term compensation; this should be clarified in the DCO submission. Paragraph 11.7.5: we note the overall proposal for construction mitigation regarding protected species and concur with the outline approach. Table 11-8 (Summary of Likely Significant Residual Effects (Construction)): we concur with the conclusions regarding bat species, otters and water voles that "Likely significant effects cannot be ruled out. Further assessment is required, and surveys are ongoing".'	
NRW	'Section 11.3 (Assessment Methodology): The ES should consider current conservation status (CCS) and favourable conservation status (FCS); in consideration of EC Guidance C/2021/7301. Note that the concept of conservation status applies to a range of spatial scales. We do not consider a hierarchical, spatial approach to conservation status to be applicable in this context (ref. paragraph 11.3.8).'	Consideration has been given to CCS and FCS for European protected species in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
NRW	'Paragraph 11.3.23: we note that the preliminary assessment is to be updated in the ES following further surveys in respect of: • Bats • Great Crested Newts • Otters and water voles • Botanical features • Birds (and barn owl assessment)'	**Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) provides updated assessments for the identified ecological features (where relevant) based on the baseline survey data and evidence provided in **Appendix 11-C to 11-L** (**EN010166/APP/6.4**).

Consultee	Summary of Comment	Response
NRW	‘Table 11-7 (Summary of species relevant to the ecological impact assessment) - Great Crested Newts (GCN): we do not concur with the stated ecological importance of GCN as “local”. This should be amended to accord with Nicolet, P., Weatherby, A., Biggs, J., Williams, P., and Hatton-Ellis, T. (2007). A preliminary assessment of Important Areas for Ponds (IAPs) in Wales. Pond Conservation. (Report for the Countryside Council for Wales). Section 5.2.1 of this report states: “The North-east Wales IAP has three SACs and a number of SSSIs designated for their Great Crested Newt (Triturus cristatus) populations. The three counties also support species and assemblages of national importance”. Paragraph 11.6.88 states: “Considering the abundance of great crested newt in the wider region, that there will be no loss of waterbodies as a result of the Proposed Development and only a relatively small proportion of optimal terrestrial habitat suitable for great crested newts is to be lost in comparison to that retained (as detailed above), it is considered these impacts are not likely to impact the conservation status of great crested newt.” However, this appears not to have considered the international importance of the north-east Wales GCN population (see comment 16 above). The assessment also fails to consider that the current conservation status of GCN at a Wales spatial scale is “unfavourable”; see NRW Evidence Report 259 for further information. In our view, this assessment is also applicable to Flintshire. Reference to GCN disturbance during the construction phase should be included in the ES. Table 11-8 (Summary of Likely Significant Residual Effects (Construction)): we do not concur with the conclusions that GCN will not be significantly affected (paragraph 11.7.5), as surveys are ongoing (planned for 2025). This approach appears to contradict	The FCS of great crested newt has been considered in the impact assessment in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). The valuation of great crested newt takes into account CCS of great crested newt and the sites designated for great crested newt in the area local to the Proposed Development. Details can be found in **Appendix 11-E: Great Crested Newt Technical Appendix** (**EN010166/APP/6.4**). Disturbance to great crested newt during construction is also presented within Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Consultee	Summary of Comment	Response
	that taken for bat species, otters and water voles, for which surveys are also ongoing (see comment 26 above).'	
NRW	'Table 11-7 (Summary of species relevant to the ecological impact assessment) – Breeding birds: Appendix 11-D, para. 4.1.4 states that "Avocet and Cetti's warbler which are both listed on Schedule 1 of the Wildlife and Countryside Act 1981 were recorded breeding on the Connah's Quay Nature Reserve in 2022". As a Schedule 1 breeding species, Cetti's warbler should therefore be recognised alongside avocet in the summary of species relevant to the ecological impact assessment, along with any other Schedule 1 breeding bird species identified as being present at the site through further surveys/desk study. Disturbance to the nests, eggs or dependent young of Schedule 1 bird species listed in the Wildlife and Countryside Act 1981 (as amended) is not permissible unless licenced by NRW through a Schedule 1 disturbance licence.'	This position is noted.
NRW	'Paragraph 11.7.11: the overall scope of monitoring during construction should include an external ecological compliance audit of all identified ecological (habitat and species) features.'	This position is noted. Monitoring requirements are captured within the **Outline LEMP** (**EN010166/APP/6.9**) or the **Framework CEMP** (**EN010166/APP/6.5**) where applicable.
NRW	'If protected species are found during the surveys, information should be provided identifying the species-specific impacts in the short, medium, and long-term together with any mitigation and compensation measures proposed to offset the impacts identified. The ES should explain how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long-term financial, tenure, and management responsibility. Where the potential for significant impacts on protected species is identified, we advise that a Conservation Plan is prepared for the relevant species and included	This position is noted. Monitoring requirements are captured within the **Outline LEMP** (**EN010166/APP/6.9**) or the **Framework CEMP** (**EN010166/APP/6.5**) where applicable.

Consultee	Summary of Comment	Response
	as an Annex to the ES. In respect of European Protected Species, we advise consideration of Section 3.3.2 of EC Guidance C/2021/73013.'	
NRW	'Species licensing Where a European Protected Species is identified and the development proposal is predicted to likely contravene the legal protection they are afforded, a licence should be sought from NRW. The ES should include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended). One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' These requirements are translated into planning policy through Planning Policy Wales (PPW), edition 12, dated February 2024, sections 6.4.35 and 6.4.36 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The relevant decision maker should take them into account when considering development proposals where a European Protected Species is present.'	This position is noted. No protected species licences are currently anticipated to be required for the Proposed Development.
NRW	'Protected Sites Our advice relates to designated nature conservation sites within Wales. We advise that Natural England is consulted regarding potential impacts to the relevant designated nature conservation sites that lie within England that may be affected by the proposed development.'	This position is noted.

Consultee	Summary of Comment	Response
NRW	'We note that air quality impacts at a range of protected sites cannot be ruled out in the screening process so the ES indicates these will be assessed in greater detail in the ES for all statutory protected sites, and in the HRA for the European designations. We therefore have no further comment at this stage. We note that there are some potentially significant air quality impacts to protected sites, particularly from operational emissions of ammonia and nutrient nitrogen deposition (Nitrogen Oxides are close to screening out and acidity is also marginal), which will need to be considered in the ES and HRA. In-combination effects with other large developments in the area will also need to be considered.'	This assessment includes an assessment of air quality effects associated with the Proposed Development, informed by **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) and its supporting appendices (**EN010166/APP/6.4**). The air quality assessment also considers in-combination effects with other large development **(Appendix 8-D: Air Quality Operational Assessment** (**EN010166/APP/6.4**) which have been considered in **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**).
NRW	'Further information on the nature and extent of the proposed permanent loss of habitat and its effects on birds, including the designated features of the Dee Estuary SPA and Ramsar site, should be provided in the ES and HRA. Preliminary bird survey results detected large numbers of birds, many of which are features of the Dee Estuary SPA and other designated sites, and we note that further surveys are planned. We await the results of these surveys to be able to comment further on the permanent loss of habitat. Paragraph 11.2.6: the ES highlights disturbance during construction as a potential impact on birds, including designated features of the Dee Estuary SPA and Ramsar site. This should be assessed further once survey results are available. We suggest that a sensitivity assessment is undertaken. Please see, for example, work by: Cutts, N., Phelps, A. & Burdon D. 2009. Construction and waterfowl: Defining sensitivity, response, impacts and guidance. Report to Humber INCA.	Sections 11.6 and 11.7 of this assessment in **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) and **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**) considers all potential impacts to birds utilising the SPA and Ramsar site and surrounding habitat.

Consultee	Summary of Comment	Response
	Section 11.2 - Consultation and Scope of Assessment and paragraph 11.2.8: the effects of disturbance to birds, including the designated features of the Dee Estuary SPA and Ramsar site, during operation (e.g. through visual and noise disturbance) should also be assessed.'	
NRW	'Paragraph 11.2.8 (Scope of the Assessment): reference to long-term habitat loss and the consequent potential requirement for compensation should be included in the ES and HRA.'	Sections 11.5 and 11.8 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) provide an overview of the mitigation measures relevant to the Proposed Development, including off-site mitigation.
NRW	'Paragraph 11.4.26: we note that a Conservation Areas Management Plan is currently in place as part of the site's current use as a power station. This involves areas of the site being managed for estuarine birds, which was secured as mitigation for previous developments. Paragraph 11.4.28 states that the Conservation Areas Management Plan will still be in place until the existing power station ceases to operate. We are unclear how arrangements for compensation for significant adverse effects on the Dee Estuary SPA/Ramsar site will be provided as operations transition. This should be further expanded on and clarified in the ES and HRA.'	As detailed in **Appendix 4-A: Operation and Maintenance Mitigation Register** (**EN010166/APP/6.4**) upon the end of management arrangements detailed within the Conservation Areas Management Plan for the existing Connah's Quay Power Station, an updated Conservation Areas Management Plan would be prepared and submitted to FCC and NRW for approval prior to the commencement of operation. This updated Conservation Areas Management Plan would be reviewed and updated at a frequency to be agreed with FCC and NRW and would remain in place until the point of the completion of the decommissioning of the CQLCP Abated Generating Station, unless otherwise agreed with FCC and NRW.

Consultee	Summary of Comment	Response
NRW	‘Table 11-6 states that “Coastal saltmarsh” ‘and “Other standing water” “within the Water Connection Corridor and adjacent to the Main Site where land is required for construction and laydown” is to be “Assessed as part of the Dee Estuary designated site”. Details relating to construction works including trackways, machinery and the potential for significant effects on the saltmarsh feature will therefore need to be provided in the ES and HRA. Paragraph 11.6.10 states that “construction of the Proposed Development has the potential to directly and indirectly impact saltmarsh habitat, which is present within the Indicative Order limits, specifically within the Water Connection Corridor and Existing Surface Water Outfall areas”. The saltmarsh at the location of the Water Connection Corridor is an Annex I habitat feature (‘Atlantic salt meadows’) of the Dee Estuary SAC. We note that likely significant effects on the saltmarsh habitat cannot be ruled out until further details are available. We would advise that laying pipes in areas of saltmarsh should be avoided in the first instance. However, if this is not feasible, directional drilling should be used rather than the open-cut method. Directional drilling, deep enough below the plant root zone, may leave the saltmarsh feature relatively intact, whereas trenching with backfill may de-stabilise the saltmarsh, which may then become prone to erosion. Detailed information should be included within the ES and HRA to enable an assessment of whether the saltmarsh could be successfully reinstated following the works. A detailed method statement and outline of any mitigation/compensation proposed is therefore likely to be required. Paragraph 11.6.11 states that: “Any existing or proposed water intake and discharge will be located outside of the saltmarsh within the Dee Estuary”. We note that the pipe will discharge away from the	As detailed in **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) the works within the Water Connection Corridor have been considerably reduced. **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) also confirms that excavation may be required within the Surface Water Outfall Area could directly affect saltmarsh habitat within the Dee Estuary SAC. As set out in Section 11.5 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**), **the Framework CEMP** (**EN010166/APP/6.5**) requires detailed method statements for works in the area to be submitted to FCC and NRW for approval in advance of the works taking place. With regard to discharges into the River Dee, it is assumed that these would be within the parameters of the existing permits held by the Applicant for the existing Connah’s Quay Power Station. Further details on permitting requirements are provide within the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**).

Consultee	Summary of Comment	Response
	saltmarsh. However, confirmation should be provided in the ES and HRA of whether 'cooling water' discharged into the estuary on high tides, which submerge the marsh, could impact the saltmarsh with elevated water temperatures. If so, the effects of the cooling water discharge on the saltmarsh will also need to be considered.'	
NRW	'Paragraph 11.6.36 states: "There are no Ancient Woodlands located within the Indicative Order limits. The nearest Ancient Woodland is located approximately 50m south-west of the Indicative Order limits by the Proposed CO2 Connection Corridor, which is a sufficient distance away to not be damaged or disturbed. There will be no direct impacts on Ancient Woodland." It is not clear how this assessment relates to other sections of Chapter 11 as it appears to contradict paragraphs 11.6.152 and 11.6.153 regarding the ongoing assessments of air quality impacts. This should be addressed in the ES. Paragraph 11.6.153: the ancient woodland assessment should consider woodland communities that are listed under Annex I of the Habitats Directive (and are one of the features of Deeside and Buckley Newt Sites SAC).'	This position is noted. Ancient Woodlands (including the features of Deeside and Buckley Newt Sites SAC) have been considered in the assessment provided in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
RSPB Wales	'The RSPB has a number of concerns relating to the Application, which have not been adequately addressed in the Environmental Statement (ES) and we consider that at present it is not possible to conclude that there will be no adverse effects on the integrity of the following designated sites and their features: • Dee Estuary Site of Special Scientific Interest (SSSI), • Dee Estuary Special Protection Area (SPA), • Dee Estuary Special Area of Conservation (SAC),	An updated assessment on the identified features is presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) and in **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**) where relevant. Further details of engagement with the RSPB are provided in Table 11-5 in

Consultee	Summary of Comment	Response
	• Dee Estuary Ramsar site. There is a need for further information to assess the effects on bird populations and associated habitats of the Dee Estuary SSSI, SPA, SAC and Ramsar site. We trust that the ongoing ornithological surveys and impact assessment will help address our concerns.'	**Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
RSPB Wales	'Disturbance impacts The application site is adjacent to and impinges upon the Dee Estuary SSSI/SPA/SAC/Ramsar. The proposal has potential to cause noise and visual disturbance to waterbird features. We understand that ornithological surveys were due to be completed in October 2024 and an impact assessment is ongoing. We are concerned over the potential disturbance to nearby roosts and feeding areas, particularly during construction but also during operation. The ES does not include details for an assessment of the likely effects of disturbance and sensitivity at various locations on the estuary, for example noise modelling in relation to feeding and roosting of SPA bird species. We welcome the proposed mitigation measures to address noise and visual disturbance although it is not clear what calibre of mitigation is needed until further information on disturbance levels is provided, both during construction and operational phases. We request further details on how such measures would be implemented. This is to ensure that appropriate mitigation measures are in place to ensure the predicted disturbance will not have an adverse effect on the waterbird features. In addition to the above comments, there is insufficient information on the potential disturbance impact of the works associated with the Water Connection Corridor, owing to an indecision on which working	An assessment of disturbance effects on waterbird features during the construction and operation of the Proposed Development is provided in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). Sections 11.5 and 11.7 in this Chapter provide an overview of the mitigation measures relevant of the Proposed Development, including off-site mitigation. **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. The works in the Water Connection Corridor would be limited to the refurbishment and upgrades to the existing intake structure and have now been reduced following statutory consultation. These works would be undertaken by divers and a support boat

Consultee	Summary of Comment	Response
	methods will be applied during the construction works. The works entail installing new intake and outfall structures and pipework in close proximity to the existing outfalls within the SSSI, SAC, SPA and Ramsar. We understand that details will be confirmed in the Environmental Statement.'	and/or barge, or similar, and foot-only access via the saltmarsh itself over an estimated three- to five-month period. Works within the Water Connection Corridor would not require interaction with the riverbed. All materials and plant (if required; it is expected that the majority of works within the Water Connection Corridor would require hand tools only) would be stored within the support barge and a working area would be established using scaffolding attached to the existing protection structure.
RSPB Wales	'Habitat loss' The fields in the Main Site are used by over-wintering birds associated with the Dee Estuary including Curlew. As such part of the proposed development site is likely to be considered as functionally linked to the SPA. Curlew is red-listed as a species of high conservation concern in Wales. Paragraph 11.6.40 identifies that habitat loss will occur within the Main Site but only refers to temporary habitat loss. The western part of the fields at the Main Site will be used as a laydown area during construction and will be reinstated into sheep pasture on completion of works. However, the remainder of the fields will form part the new power station footprint, resulting in permanent habitat loss. This will have a direct impact on birds using the sheep-gazed fields during and after construction. These fields are an important wintering area for over 100 Curlew. It is important that the	This matter has been discussed with RSPB and NRW, as detailed in Table 11-5 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). Sections 11.5 and 11.7 of this Chapter provide an overview of the mitigation measures relevant to the Proposed Development, including off-site mitigation.

Consultee	Summary of Comment	Response
	displacement of Curlew - a designated feature of the SPA - is adequately addressed at a local level. Consideration needs to be given to the creation of compensatory habitat in for Curlew. Furthermore, compensation habitat must be fully functional before construction begins'	
RSPB Wales	'We reserve the right to make further comments in future.'	This position is acknowledged.

Topic: Marine Ecology

Consultee	Comment	Response
JNCC	'JNCC has responsibility for the provision of nature conservation advice in the offshore area; 'offshore' being defined as beyond 12 nautical miles (nm) from the coastline, to the extent of the United Kingdom Continental Shelf (UKCS). Within territorial limits (<12 nm) nature conservation advice is the responsibility of the relevant country bodies. This development proposal is not located within the offshore area, does not have any potential offshore nature conservation issues and is not concerned with nature conservation at a UK-level, therefore JNCC does not have any comments to make on the consultation.'	Acknowledged.
FCC	'The scope and methodology of ecology surveys and assessments being undertaken as set out within Chapter 12 Marine Ecology are accepted and as agreed at the EIA Scoping stage.'	Acknowledged.

Consultee	Comment	Response
Natural England	'Section 12.3.16 - Natural England advise that the progression of Option 21 has the potential for direct loss of benthic habitats that are qualifying features of Dee Estuary / Aber Dyfrdwy SAC. We note a detailed assessment of the potential impacts on marine ecology of progressing this option is not provided in the subsequent assessment.'	Option 2 is no longer being considered as part of the Proposed Development and is therefore not considered in this ES.
Natural England	'Dredging' Natural England note that there is currently not enough information provided to assess the potential impacts of required construction dredging.'	Dredging is no longer being considered as part of the Proposed Development at any stage and is therefore not considered in this ES.
NRW	'Benthic Ecology In principle, we agree with the outline approach presented. However, insufficient information on some topic areas has meant that it is not possible to adequately assess the potential impacts on intertidal and subtidal habitats, which include Annex I SAC features. Therefore, we do not currently agree with some of the preliminary assessments presented. Our concerns are outlined in the detailed comments below and should be addressed as part of the full ES.'	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This includes a reduced scope of works in the Water Connection Corridor, which is the focus of this assessment. There would be no interaction with the riverbed at any stage of the Proposed Development and therefore impacts to benthic ecology have been substantially reduced since PEIR.

[1] Option 2 reporting within the PEIR at statutory consultation stage referred to an additional / new abstraction and discharge infrastructure being added along with the existing Connah's Quay Power Station cooling water infrastructure remaining in-situ.

Consultee	Comment	Response
		Updated impacts relevant to the Proposed Development in relation to benthic ecology are detailed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.2.4 Scope of the Assessment - Construction phase: potential direct benthic habitat loss as a result of construction of the new intake and outfall structures (Option 2, para. 12.3.16) should be included and assessed in the full ES, if Option 2 is to be progressed.'	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Therefore, no habitat loss would occur in the intertidal or subtidal area as a result of the Proposed Development and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of this Chapter.
NRW	'Paragraph 12.2.4 Scope of the Assessment - Operational phase mentions indirect effects to marine ecology from changes in relation to the thermal plume. This should also make specific reference to the potential influence on INNS. For example, Chinese mitten crab Eriocheir sinensis are known to be present in the Dee estuary and	The worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This

Consultee	Comment	Response
	river catchment. The potential influence on the larval stages of this species in relation to the thermal plume should be assessed.'	impact has therefore been scoped out from further assessment (Section 12.3). A marine INNS has also been produced and is included in **Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan** (**EN010166/APP/6.4**).
NRW	'Paragraph 12.3.16 - Assessment Assumptions: it appears that a direct loss of marine habitats from Option 2 (construction of new intake and outfall infrastructure), has not been considered in this section. It is likely that this would include the potential loss of Annex I SAC features and therefore should be assessed fully to inform the HRA, if Option 2 is progressed.'	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Therefore, no habitat loss (including any Annex 1 SAC habitats) would occur in the intertidal or subtidal area as a result of the Proposed Development. This potential impact has therefore been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Consultee	Comment	Response
NRW	‘Construction phase dredging We note reference to a current lack of information on this element and that this will be fully assessed as part of the ES. See our Physical Processes comments below (comments 155 - 157) for further advice regarding this.’	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (including no dredging at any stage). Therefore, impacts relating to dredging have been scoped out from assessment in Section 12.12 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	‘Section 12.5 - Development Design and Embedded Mitigation: reference to the proposed marine biosecurity/INNS Risk Assessment should be included in this section.’	The marine INNS Management plan **Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan** (**EN010166/APP/6.4**) and Marine Biosecurity Risk Assessment **Appendix**

Consultee	Comment	Response
		12-E: Marine Biosecurity Risk Assessment (**EN010166/APP6.4**) has been produced and reference to these appendices are included in Section 12.5 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Section 12.6 - Preliminary Assessment of Likely Impacts and Effects, Table 12-8: we are broadly satisfied with the ecological receptors included. However, clarification is needed on whether 'Permanent and temporary direct loss' in relation to construction activities includes the construction of the new intake and outfall structures (Option 2). This may include impacts (direct and indirect) on Annex I habitats and features and should therefore be assessed appropriately.'	Following the largely reduced scope of works from the Proposed Development, impacts considered in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and listed in Table 12-13 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) have now been updated accordingly.
NRW	'Paragraph 12.6.3 – Construction Phase impacts appear to address our advice above regarding assessment of habitat loss in relation to construction of the intake and outfall structure (Option 2), but further clarification is needed. Intertidal habitats in this area are an Annex I feature and a primary reason for designation of the Dee Estuary / Aber Dyfrdwy SAC. Therefore, any loss of habitat should be assessed and potentially compensated appropriately, in alignment with the site conservation objectives. If Option 2 is pursued and the existing infrastructure (intake and outfall) not utilised, its removal should be considered. This could provide some compensation for the loss of habitat as part of the new infrastructure but should be assessed and presented appropriately in the ES and HRA.'	As above. Option 2 is no longer being considered in the Proposed Development and no habitat loss below MHWS would occur. Therefore, this potential impact has been scoped out of assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and **the Report to Inform Habitats Regulation Assessment** (**EN010166/APP/6.12**).
NRW	'Paragraph 12.6.7 -: until full details of the construction activities in relation to the location and number of piles, berthing of vessels and construction phase dredging are available it is not possible to accurately assess the impact of these activities on Annex I features,	As above. Option 2 is no longer being considered in the Proposed Development and no

Consultee	Comment	Response
	and ascertain whether these are temporary or permanent. A full assessment should be included in the ES and HRA.'	habitat loss below MHWS would occur. Therefore, this potential impact has been scoped out of assessment in Section 12.2 and **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**).
NRW	'Paragraphs 12.6.15/12.6.36 -: until full details of the proposal and confirmation of whether new infrastructure (such as that outlined in Option 2) is likely to be introduced, it is not possible to accurately assess the potential impact on intertidal and subtidal features. Therefore, we do not currently agree with the assessment conclusion of 'negligible/not significant'. Further information should be provided in the ES and HRA.'	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Works within the Water Connection Corridor involve the refurbishment of existing eel screen only with no interaction with the river-bed what so ever. Therefore, a large portion of the impacts identified at PEIR stage have since been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The remaining relevant impacts identified are assessed in Section 12.6 of **Chapter**

Consultee	Comment	Response
		12: Marine Ecology (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.6.499 -: in relation to air blast and jet washing of intake and outfall structures and the potential effects on intertidal and subtidal features, until further information on the volumes of sediment, size of structures and frequency of the activity is provided, it is not possible to fully assess the impacts on intertidal and subtidal features. Therefore, we do not currently agree with the assessment conclusion of 'minor adverse/not significant'. Further information should be provided in the ES and HRA.'	Following completion of the upgrades to the intake and outfall infrastructure, the maintenance and cleaning methods would remain the same as previously used before the upgrades have been undertaken. Therefore, there is expected to be no impacts on intertidal and subtidal features as a result of this and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)
NRW	'Marine Mammals' We agree with the conclusions of the PEIR that there will be no likely significant effects on marine mammals based on expert judgment and the location, depth and topography of the proposed works. However, we consider some of the approaches presented and evidence used regarding marine mammals to be unfounded and speculative. These are outlined in our detailed comments below and should be addressed as part of the full ES and HRA, to ensure robust assessment.'	Following the updated reduced scope of works in the Water Connection Corridor, the assessment of likely significant effects to marine mammals has been updated in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.4.2 - Designated Sites: we welcome the inclusion of Pen Llŷn a'r Sarnau SAC and North Anglesey Marine SAC; the nearest marine mammal SACs in proximity to the Dee Estuary. Section 12.6 – Preliminary assessment of likely impacts and effects: we welcome the Zone of Influence (ZoI) of 26 km using harbour porpoise to assess the underwater sound (UWS) disturbance on	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included

Consultee	Comment	Response
	marine mammals and that the SELcum (cumulative sound exposure level) predictions represent the worst-case scenario for marine mammals from piling sound. Paragraph 12.6.30 -: we welcome implementation of standard JNCC guidance for impact piling in marine waters and expect its implementation regarding mitigating impacts to marine mammals, including the use of soft-start methods during any impact piling. Paragraph 12.6.31 -: we welcome the noise disturbance assessment conclusions for seals from impact sheet piling.'	a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Works within the Water Connection Corridor involve the refurbishment of existing eel screen only with no interaction with the river-bed what so ever. Therefore, UWS disturbance from piling is no longer part of the Proposed Development and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The remaining relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Section 12.6 – Table 12-8: the inclusion of 'designated sites' as a separate receptor in this table does not fit in with the remainder of the table. Protected features should be clearly identified for each potential impact pathway assessed to allow full consideration under the Habitats Directive.'	Noted. The 'designated sites' column has been removed from Table 12-13 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.6.30: we consider the following statement to be unsubstantiated and assumptive: 'the presence of cetaceans including harbour porpoise in the estuary, and therefore in the vicinity of the Water Connection Corridor, is considered to be low and limited to occasional presence. Therefore, the risk of injury to	Noted, text has been added to Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) in relation to risk

Consultee	Comment	Response
	cetaceans is highly unlikely.' Such statements should be fully justified and evidenced in the ES.'	of injury to marine mammals from vessels.
NRW	'Paragraph 12.6.33 states that: 'the impact of UWS effects on marine mammals, which are of high sensitivity, has been assessed as having a magnitude of very low which results in a minor adverse effect, which considered to be not significant'. We agree that the effect on marine mammals is 'not significant' given that the JNCC guidelines on piling would be adhered to. However, given the UWS assessment outcomes presented on impact piling for marine mammals, we do not agree with the magnitude of 'very low' considering the Permanent Threshold Shifts (PTS) thresholds for both seals and harbour porpoise are assessed to be exceeded. We therefore recommend the magnitude of 'very low' is re-classified to a more conservative and realistic magnitude.'	As above, following the updated scope of works, there would be no UWS produced from pilling as no piling would occur and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)
NRW	'Paragraph 12.6.43: we do not agree with the statement that: 'Cetaceans and seals are reasonably resilient to minor strikes and collisions (Ref 12-38).' The paper by Wilson, B., Batty, R. S., Daunt, F. and Carter, C., 2007 does not allege that marine mammals are 'resilient' to minor strike. We consider the use of such statements as unfounded and speculative when assessing the impacts on marine mammals. We therefore recommend the Applicant reconsiders the use of this statement and its removal from the ES.'	Noted. Following the updated reduced scope of works, Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been updated and reference to cetaceans and seal collision risks has been updated also.
NRW	'Paragraph 12.6.44 states that: 'the Irish Sea outside of the estuary is characterised by a high volume of vessel traffic (Ref 12-39) and therefore marine mammals in the region are expected to have some habituation'. We do not agree with this and consider the assumption that marine mammals are 'expected to have some habituation' to vessel traffic to be a speculative argument. It should not be inferred that, given the existing chronic stressor load of 'high volume traffic' already in the area of the development and estuary, marine	Acknowledged. Relevant text in Section 12.6 on marine mammal collision risk has been updated accordingly. **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works

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	mammals in the area will be 'habituated' and therefore undisturbed by a further load on the vessel traffic stressor from the proposed development, with no impact on tolerance level. Increasing the load to this stressor will have effects on marine mammals, especially cumulatively, and this should be assessed in the ES and HRA. Paragraph 12.2.4 Scope of the Assessment - Construction phase: potential direct benthic habitat loss as a result of construction of the new intake and outfall structures (Option 2, para. 12.3.16) should be included and assessed in the full ES, if Option 2 is to be progressed.'	required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Therefore, no habitat loss would occur in the intertidal or subtidal area as a result of the Proposed Development and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Section 12.2 and Paragraphs 12.6.4 & 12.6.29 describe the piling work needed for the cofferdam installation and subsequent piling required. We note that the cofferdam requires approximately 850 m of sheet piling, with 4-5 piles installed per day. For the outfall/intake structure another 850 m of sheet piling may be required. Cumulatively, this would lead to a large number of days of piling. Although stated to be intermittent in works, we advise more detail on the scheduling of the piling operations should be provided in the ES to ensure there are no adverse effects and that piling operations can be mitigated effectively. Paragraph 12.2.4 Scope of the Assessment - Operational phase mentions indirect effects to marine ecology from changes in relation to the thermal plume. This should also make specific reference to the potential influence on INNS. For example, Chinese mitten crab Eriocheir sinensis are known to be present in	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of

Consultee	Comment	Response
	the Dee estuary and river catchment. The potential influence on the larval stages of this species in relation to the thermal plume should be assessed.'	works, there would be no interaction with the riverbed whatsoever (including no cofferdam/pilling). Therefore, impacts relating to a cofferdam have been scoped out from assessment in Section 12.2 in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6. The worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment (Section 12.3). A marine INNS has also been produced and is included in **Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan** (**EN010166/APP/6.4**).
NRW	'Marine Fish and Fisheries We do not currently agree that impacts to protected fish in the Dee estuary from underwater sound from construction can be assessed as 'minor adverse' or 'negligible'. Paragraph 12.3.16 - Assessment Assumptions: it appears that a direct loss of marine habitats from Option 2 (construction of new intake and outfall infrastructure), has not been considered in this section. It is likely that this would include	Noted. Following the updated reduced scope of works, Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been updated including impacts to fish from UWS. Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**).

Consultee	Comment	Response
	the potential loss of Annex I SAC features and therefore should be assessed fully to inform the HRA, if Option 2 is progressed.'	This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Therefore, no habitat loss (including any Annex 1 SAC habitats) would occur in the intertidal or subtidal area as a result of the Proposed Development. This potential impact has therefore been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)
NRW	'We welcome the intention to assess the impacts of impingement and entrainment further in the ES. Until a full assessment is completed, we are unable to agree that the magnitude of impacts is likely to be 'not significant'. Construction phase dredging – we note reference to a current lack of information on this element and that this will be fully assessed as part of the ES. See our Physical Processes comments below (comments 155 - 157) for further advice regarding this.'	Noted. Following the updated reduced scope of works, the impacts of impingement and entrainment is further assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection

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		Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (including no dredging at any stage). Therefore, impacts relating to dredging have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraphs 12.6.16-12.6.18: the potential for localised deoxygenation and smothering following increases in Suspended Sediment Concentration (SSC) and disturbance of anoxic sediments should be further considered for fish and shellfish receptors in the ES. Consideration should be given to the potential impacts of smothering on newly settled cockle spat during the June/July period, particularly from suspended sediment in the water column caused by cofferdam construction. Section 12.5 - Development Design and Embedded Mitigation: reference to the proposed marine biosecurity/INNS Risk Assessment should be included in this section.'	Noted. Following the updated reduced scope of works, the impacts of increased SSC is further assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The marine INNS Management plan **Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan** (**EN010166/APP/6.4**) and Biosecurity Risk Assessment **Appendix 12-E: Marine Biosecurity Risk Assessment** (**EN010166/APP/6.4**) has been produced and reference to these appendices are

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		included in Section 12.5 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Consideration of any effects on cockles from a potential rise in water temperature due to discharge from the Water Connection Corridor should be assessed, if it exceeds current permit conditions. Section 12.6 - Preliminary Assessment of Likely Impacts and Effects, Table 12-8: we are broadly satisfied with the ecological receptors included. However, clarification is needed on whether 'Permanent and temporary direct loss' in relation to construction activities includes the construction of the new intake and outfall structures (Option 2). This may include impacts (direct and indirect) on Annex I habitats and features and should therefore be assessed appropriately.'	Impacts from abstraction of cooling water and discharge on marine ecology receptors is presented in Section 12.1 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes an assessment of available information about the existing rates and limits and any monitoring data obtained as part of the Environmental Permit. The worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment (Section 12.3). Following the largely reduced scope of works from the Proposed Development, impacts considered in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and listed in Table 12-13 in this Chapter have now been updated accordingly.
NRW	'Volume II, Chapter 12: Marine Ecology Table 12-2: Study Areas for each Marine Ecological Receptor: we welcome use of the regional approach and advise that the ZoI for	The Study Areas for relevant receptors have been updated in Section 12.4 of

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	fish receptors should be informed by underwater sound modelling for impact piling in the Water Connection Corridor. Alternatively, the wider 26 km ZoI adopted for impacts to marine mammals from underwater sound may be applied. Table 12-7: Sensitive Receptors within the Existing Baseline: river lampreys are likely to reside in the near coast and estuary so should be considered as being 'within River Dee and Estuary', rather than 'passing through periodically'. Paragraph 12.5.2: we welcome the intention to upgrade the abstraction and discharge infrastructure to comply with the Eels (England and Wales) Regulations 2009. We advise that further consideration is given to screening for eggs and juvenile of smelt, a species listed on Section 7 of the Environment (Wales) Act 2016, which are a feature of the Dee Estuary SSSI and breed in the River Dee and estuary. Table 12-8 – Potential Impacts Considered Further in the Assessment and Marine Ecological Receptors Most Likely to be Affected by the Proposed Development: we find the use of 'designated sites' as a separate receptor confusing and unnecessary. Protected features should be clearly identified for each potential impact pathway assessed to allow full consideration under the Habitats Directive. Fish, especially species such as European eel which buries in sediment, should be considered further for the following pathways: 'Permanent and temporary direct loss and physical disturbance to benthic habitats and species from works (including construction phase dredging works and berthing of vessels, such as a jack-up	**Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). Table 12-12 in this Chapter has been updated for river lampreys. Screening of eggs and juvenile smelt has been assessed in Section 12.6 in this Chapter. A column for 'designated sites' in Table 12-13 in this Chapter has been removed since PEIR stage. Following the reduced scope of works, impacts to fish have been assessed in Section 12.6 in this Chapter. This includes European eel which may bury beneath sediment. Table 12-15 in this Chapter has also been updated. **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with

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	barge (JUB), at low tide) below MHWS within the Water Connection Corridor; Indirect effects to marine ecology from hydromorphological changes (e.g. changes to water flow or sediment movement) within the ZoI; and 'Direct loss and physical disturbance to benthic habitats and species from works carried out below MHWS within the Water Connection Corridor section of the Site'. Paragraph 12.6.4: we note that less than 50% of the river will be obstructed at low tide during construction, due to the cofferdam and JUB. As the restriction in width of the river corridor may affect fish migration the potential for behavioural effects should be fully considered in the ES. It would be useful to provide maps in the ES detailing the river, with overlaid contours describing UWS levels. Paragraph 12.6.24: in the absence of any apparent evidence to support the use of soft-start procedures as mitigation for fish we do not currently agree that impacts can be assessed as 'minor adverse' or 'negligible'. We therefore advise that this is further considered in the ES. Please also see our comments on Appendix 12-B Underwater Sound Effects on Fish below. Paragraph 12.6.55: we welcome the commitment to install upgraded 2 mm screens to comply with The Eels (England and Wales) Regulations 2009. Paragraph 12.6.57: we welcome the intention to further assess the impacts of impingement and entrainment in the ES, and advise that until a full assessment is done, we are unable to agree that the magnitude of impacts is likely to be 'not significant'.	the riverbed whatsoever (including no cofferdam/pilling). Therefore, impacts relating to a cofferdam and underwater sound disturbance have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The 'Moderate beneficial' in Table 12-13 summary impacts under impingement and entrainment to marine ecology receptors has remained unchanged due to the reduced mesh size resulting is less impacts likely compared to the existing baseline conditions. This is discussed further in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). As above. Option 2 is no longer being considered in the Proposed Development and no habitat loss below MHWS would occur. Therefore, this potential impact has been scoped out of assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**).

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	Table 12-13: Summary of Significant Residual Effects (Operation): we note that potential mortality to marine ecology (and presumably fish) is classified as 'Moderate beneficial'. Please confirm whether this is an error or provide further justification in the ES. We note that, in line with the statement in paragraph 12.6.57, entrainment and impingement effects will be further assessed in the ES. Paragraph 12.6.3 – Construction Phase impacts appears to address our advice above regarding assessment of habitat loss in relation to construction of the intake and outfall structure (Option 2), but further clarification is needed. Intertidal habitats in this area are an Annex I feature and a primary reason for designation of the Dee Estuary / Aber Dyfrdwy SAC. Therefore, any loss of habitat should be assessed and potentially compensated appropriately, in alignment with the site conservation objectives. If Option 2 is pursued and the existing infrastructure (intake and outfall) not utilised, its removal should be considered. This could provide some compensation for the loss of habitat as part of the new infrastructure but should be assessed and presented appropriately in the ES and HRA.'	
NRW	'Volume II, Chapter 13: Water Environment and Flood Risk We note the scope of Assessment Assumption and Limitations as defined in paragraph 13.3.9, including no 3D thermal discharge modelling. While 3D modelling may not be required, to fully assess the potential impacts on migratory fish behaviour and the potential for the thermal plume to create a barrier, as identified in paragraph 12.6.50 of Chapter 12: Marine Ecology, further information and modelling should be provided in the ES. Paragraph 12.6.7: until full details of the construction activities in relation to the location and number of piles, berthing of vessels and construction phase dredging are available it is not possible to accurately assess the impact of these activities on Annex I features, and ascertain whether	Following the reduced scope of works in the Water Connection Corridor, the worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment (Section 12.3) of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). As above.

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	these are temporary or permanent. A full assessment should be included in the ES and HRA.'	Option 2 is no longer being considered in the Proposed Development and no habitat loss below MHWS would occur. Therefore, this potential impact has been scoped out of assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and **the Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**).
NRW	'Volume IV, Appendix 12-B: Underwater Sound Effects on Fish Paragraph 12.1.3 describes the migratory fish species found in the Dee, including twaite shad and smelt which are both listed under Section 7 of the Environment (Wales) Act 2016. Paragraph 12.5.1 states that none of the migratory fish present are of high hearing sensitivity. However, twaite shad have high hearing sensitivity and have been recorded in the Dee estuary. Section 12.2 describes the piling work required for the cofferdam construction and Section 12.3 describes the piling required for the refurbishment/replacement of the existing outfall and intake infrastructure. We note that the cofferdam would require approximately 850m of sheet piling, with 4-5 piles installed per day giving a total of between 248 and 310 days of construction. For the outfall/intake structure a further 850 m of sheet piling may be needed, although we note that in Chapter 5 this is given ass1000 m. Taken together and based on the cofferdam construction method this would give an estimated minimum 496 working days of pilling. Paragraph 12.5.16: we do not consider a 'soft start' effective mitigation for fish. While they may move away from the noise, it would still provide a behavioural deterrent, which is likely to span the	Following the reduced scope of works in the Water Connection Corridor, no pilling or any interaction with the riverbed would occur during any stage of the Proposed Development. Therefore, PEIR Appendix (previously labelled 12-B: Underwater Sound Effects on Fish) is no longer necessary for inclusion of this ES as the only UWS generated from the Proposed Development would be from the use of vessels carrying supplies. This has been assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). This included a reduced scope of works in the Water Connection Corridor which is

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	river corridor. We note that installation of both cofferdam and intake/outfall structures would be intermittent, but we consider that there is a potential significant risk of UWS affecting the behaviour of migratory fish and therefore do not agree that the impact can be considered 'minor'. We advise that further details are provided on the scheduling of the piling operations to ensure there is no adverse effect and that they can be managed to avoid key fish migration periods. Paragraph 12.5.25: we advise full consideration of the in-combination effects of UWS from impact and vibratory piling in the ES when further details on construction activities and scheduling are available. Paragraphs 12.6.15/12.6.36: until full details of the proposal and confirmation of whether new infrastructure (such as that outlined in Option 2) is likely to be introduced, it is not possible to accurately assess the potential impact on intertidal and subtidal features. Therefore, we do not currently agree with the assessment conclusion of 'negligible/not significant'. Further information should be provided in the ES and HRA.'	the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Works within the Water Connection Corridor involve the refurbishment of existing eel screen only with no interaction with the river-bed what so ever. Therefore, a large portion of the impacts identified at PEIR stage have since been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The remaining relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.6.49: in relation to air blast and jet washing of intake and outfall structures and the potential effects on intertidal and subtidal features, until further information on the volumes of sediment, size of structures and frequency of the activity is provided, it is not possible to fully assess the impacts on intertidal and subtidal features. Therefore, we do not currently agree with the assessment conclusion of 'minor adverse/not significant'. Further information should be provided in the ES and HRA.'	Following completion of the upgrades to the intake and outfall infrastructure, the maintenance and cleaning methods would remain the same as previously used before the upgrades have been undertaken. Therefore, there is expected to be no impacts on intertidal and subtidal features as a result of this and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

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NRW	‘Marine Mammals We agree with the conclusions of the PEIR that there will be no likely significant effects on marine mammals based on expert judgment and the location, depth and topography of the proposed works. However, we consider some of the approaches presented and evidence used regarding marine mammals to be unfounded and speculative. These are outlined in our detailed comments below and should be addressed as part of the full ES and HRA, to ensure robust assessment.’	Following the updated reduced scope of works in the Water Connection Corridor, the assessment of likely significant effects to marine mammals has been updated in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	‘Paragraph 12.4.2 - Designated Sites: we welcome the inclusion of Pen Llŷn a’r Sarnau SAC and North Anglesey Marine SAC; the nearest marine mammal SACs in proximity to the Dee Estuary. Section 12.6 – Preliminary assessment of likely impacts and effects: we welcome the Zone of Influence (ZoI) of 26 km using harbour porpoise to assess the underwater sound (UWS) disturbance on marine mammals and that the SELcum (cumulative sound exposure level) predictions represent the worst-case scenario for marine mammals from piling sound. Paragraph 12.6.30: we welcome implementation of standard JNCC guidance for impact piling in marine waters and expect its implementation regarding mitigating impacts to marine mammals, including the use of soft-start methods during any impact piling. Paragraph 12.6.31: we welcome the noise disturbance assessment conclusions for seals from impact sheet piling.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. Option 2 is no longer being considered as an option for the Proposed Development. Works within the Water Connection Corridor involve the refurbishment of existing eel screen only with no interaction with the river-bed what so ever. Therefore, UWS disturbance from piling is no longer part of the Proposed Development and has been scoped out of assessment in Section 12.3 of

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		Chapter 12: Marine Ecology (**EN010166/APP/6.2.12**). The remaining relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Section 12.6 – Table 12-8: the inclusion of 'designated sites' as a separate receptor in this table does not fit in with the remainder of the table. Protected features should be clearly identified for each potential impact pathway assessed to allow full consideration under the Habitats Directive.'	Noted. The 'designated sites' column has been removed from Table 12-13 in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Paragraph 12.6.30: we consider the following statement to be unsubstantiated and assumptive: 'the presence of cetaceans including harbour porpoise in the estuary, and therefore in the vicinity of the Water Connection Corridor, is considered to be low and limited to occasional presence. Therefore, the risk of injury to cetaceans is highly unlikely.' Such statements should be fully justified and evidenced in the ES.'	Noted, text has been added to Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) in relation to risk of injury to marine mammals from vessels.
NRW	'Paragraph 12.6.33 states that: 'the impact of UWS effects on marine mammals, which are of high sensitivity, has been assessed as having a magnitude of very low which results in a minor adverse effect, which considered to be not significant'. We agree that the effect on marine mammals is 'not significant' given that the JNCC guidelines on piling would be adhered to. However, given the UWS assessment outcomes presented on impact piling for marine mammals, we do not agree with the magnitude of 'very low' considering the Permanent Threshold Shifts (PTS) thresholds for both seals and harbour porpoise are assessed to be exceeded. We	As above, following the updated scope of works, there would be no UWS produced from pilling as no piling would occur and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

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	therefore recommend the magnitude of 'very low' is re-classified to a more conservative and realistic magnitude.'	
NRW	'Paragraph 12.6.43: we do not agree with the statement that: 'Cetaceans and seals are reasonably resilient to minor strikes and collisions (Ref 12-38).' The paper by Wilson, B., Batty, R. S., Daunt, F. and Carter, C., 2007 does not allege that marine mammals are 'resilient' to minor strike. We consider the use of such statements as unfounded and speculative when assessing the impacts on marine mammals. We therefore recommend the Applicant reconsiders the use of this statement and its removal from the ES.'	Noted. Following the updated reduced scope of works, Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been updated and reference to cetaceans and seal collision risks has also been updated.
NRW	'Paragraph 12.6.44 states that: 'the Irish Sea outside of the estuary is characterised by a high volume of vessel traffic (Ref 12-39) and therefore marine mammals in the region are expected to have some habituation'. We do not agree with this and consider the assumption that marine mammals are 'expected to have some habituation' to vessel traffic to be a speculative argument. It should not be inferred that, given the existing chronic stressor load of 'high volume traffic' already in the area of the development and estuary, marine mammals in the area will be 'habituated' and therefore undisturbed by a further load on the vessel traffic stressor from the proposed development, with no impact on tolerance level. Increasing the load to this stressor will have effects on marine mammals, especially cumulatively, and this should be assessed in the ES and HRA.'	Acknowledged. Relevant text in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) on marine mammal collision risk has been updated accordingly.
NRW	'Section 12.2 and Paragraphs 12.6.4 & 12.6.29 describe the piling work needed for the cofferdam installation and subsequent piling required. We note that the cofferdam requires approximately 850 m of sheet piling, with 4-5 piles installed per day. For the outfall/intake structure another 850m of sheet piling may be required. Cumulatively, this would lead to a large number of days of piling. Although stated to be intermittent in works, we advise more detail on	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included

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	the scheduling of the piling operations should be provided in the ES to ensure there are no adverse effects and that piling operations can be mitigated effectively.'	a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (including no cofferdam/pilling). Therefore, impacts relating to a cofferdam have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Marine Fish and Fisheries We do not currently agree that impacts to protected fish in the Dee estuary from underwater sound from construction can be assessed as 'minor adverse' or 'negligible'.'	Noted. Following the updated reduced scope of works, Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been updated including impacts to fish from UWS.
NRW	'We welcome the intention to assess the impacts of impingement and entrainment further in the ES. Until a full assessment is completed, we are unable to agree that the magnitude of impacts is likely to be 'not significant'.'	Noted. Following the updated reduced scope of works, the impacts of impingement and entrainment is further assessed in Section 12.6 of **Chapter 12:**

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		Marine Ecology (**EN010166/APP/6.2.12**).
NRW	'Paragraphs 12.6.16-12.6.18: the potential for localised deoxygenation and smothering following increases in SSC and disturbance of anoxic sediments should be further considered for fish and shellfish receptors in the ES. Consideration should be given to the potential impacts of smothering on newly settled cockle spat during the June/July period, particularly from suspended sediment in the water column caused by cofferdam construction.'	Noted. Following the updated reduced scope of works, the impacts of increased SSC is further assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
NRW	'Consideration of any effects on cockles from a potential rise in water temperature due to discharge from the Water Connection Corridor should be assessed, if it exceeds current permit conditions.'	Impacts from abstraction of cooling water and discharge on marine ecology receptors is presented in Section 12.1 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes an assessment of available information about the existing rates and limits and any monitoring data obtained as part of the Environmental Permit. The worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment (Section 12.3).
NRW	'Volume II, Chapter 12: Marine Ecology Table 12-2: Study Areas for each Marine Ecological Receptor: we welcome use of the regional approach and advise that the ZoI for	The Study Areas for relevant receptors have been updated in Section 12.4 of

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	fish receptors should be informed by underwater sound modelling for impact piling in the Water Connection Corridor. Alternatively, the wider 26 km ZoI adopted for impacts to marine mammals from underwater sound may be applied. Table 12-7: Sensitive Receptors within the Existing Baseline: river lampreys are likely to reside in the near coast and estuary so should be considered as being 'within River Dee and Estuary', rather than 'passing through periodically'. Paragraph 12.5.2: we welcome the intention to upgrade the abstraction and discharge infrastructure to comply with the Eels (England and Wales) Regulations 2009. We advise that further consideration is given to screening for eggs and juvenile of smelt, a species listed on Section 7 of the Environment (Wales) Act 2016, which are a feature of the Dee Estuary SSSI and breed in the River Dee and estuary. Table 12-8 – Potential Impacts Considered Further in the Assessment and Marine Ecological Receptors Most Likely to be Affected by the Proposed Development: we find the use of 'designated sites' as a separate receptor confusing and unnecessary. Protected features should be clearly identified for each potential impact pathway assessed to allow full consideration under the Habitats Directive. Fish, especially species such as European eel which buries in sediment, should be considered further for the following pathways: 'Permanent and temporary direct loss and physical disturbance to benthic habitats and species from works (including construction phase dredging works and berthing of vessels, such as a jack-up	**Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). Table 12-12 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been updated for river lampreys. Screening of eggs and juvenile smelt has been assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). A column for 'designated sites' in Table 12-13 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) has been removed. Following the reduced scope of works, impacts to fish have been assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes European eel which may bury beneath sediment. Table 12-15 has also been updated. **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. The worst-case scenario is described in Section

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	barge (JUB), at low tide) below MHWS within the Water Connection Corridor', 'Permanent and temporary direct loss and physical disturbance to benthic habitats and species from works (including construction phase dredging works and berthing of vessels, such as a jack-up barge (JUB), at low tide) below MHWS within the Water Connection Corridor', 'Indirect effects to marine ecology from hydromorphological changes (e.g. changes to water flow or sediment movement) within the ZoI', and 'Direct loss and physical disturbance to benthic habitats and species from works carried out below MHWS within the Water Connection Corridor section of the Site'. Paragraph 12.6.4: we note that less than 50% of the river will be obstructed at low tide during construction, due to the cofferdam and JUB. As the restriction in width of the river corridor may affect fish migration the potential for behavioural effects should be fully considered in the ES. It would be useful to provide maps in the ES detailing the river, with overlaid contours describing UWS levels. Paragraph 12.6.24: in the absence of any apparent evidence to support the use of soft-start procedures as mitigation for fish we do not currently agree that impacts can be assessed as 'minor adverse' or 'negligible'. We therefore advise that this is further considered in the ES. Please also see our comments on Appendix 12-B Underwater Sound Effects on Fish below.	12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (including no cofferdam/pilling). Therefore, impacts relating to a cofferdam and underwater sound disturbance have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The 'Moderate beneficial' in Table 12-13 summary impacts under impingement and entrainment to marine ecology receptors has remained unchanged due to the reduced mesh size resulting is less impacts likely compared to the existing baseline conditions. This is discussed further is Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

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	Paragraph 12.6.55: we welcome the commitment to install upgraded 2mm screens to comply with The Eels (England and Wales) Regulations 2009. Paragraph 12.6.57: we welcome the intention to further assess the impacts of impingement and entrainment in the ES, and advise that until a full assessment is done, we are unable to agree that the magnitude of impacts is likely to be 'not significant'.' 'Table 12-10: Summary of Significant Residual Effects (Operation): we note that potential mortality to marine ecology (and presumably fish) is classified as 'Moderate beneficial'. Please confirm whether this is an error or provide further justification in the ES. We note that, in line with the statement in paragraph 12.6.57, entrainment and impingement effects will be further assessed in the ES.'	
NRW	'Volume II, Chapter 13: Water Environment and Flood Risk We note the scope of Assessment Assumption and Limitations as defined in paragraph 13.3.9, including no 3D thermal discharge modelling. While 3D modelling may not be required, to fully assess the potential impacts on migratory fish behaviour and the potential for the thermal plume to create a barrier, as identified in paragraph 12.6.50 of Chapter 12: Marine Ecology, further information and modelling should be provided in the ES.'	Following the reduced scope of works in the Water Connection Corridor, the worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment (Section 12.3).
NRW	'Volume IV, Appendix 12-B: Underwater Sound Effects on Fish Paragraph 12.1.3 describes the migratory fish species found in the Dee, including twaite shad and smelt which are both listed under Section 7 of the Environment (Wales) Act 2016. Paragraph 12.5.1 states that none of the migratory fish present are of high hearing	Following the reduced scope of works in the Water Connection Corridor, no pilling or any interaction with the riverbed would occur during any stage of the Proposed Development.

Consultee	Comment	Response
	sensitivity. However, twaite shad have high hearing sensitivity and have been recorded in the Dee estuary. Section 12.2 describes the piling work required for the cofferdam construction and Section 12.3 describes the piling required for the refurbishment/replacement of the existing outfall and intake infrastructure. We note that the cofferdam would require approximately 850 m of sheet piling, with 4-5 piles installed per day giving a total of between 248 and 310 days of construction. For the outfall/intake structure a further 850 m of sheet piling may be needed, although we note that in Chapter 5 this is given ass1000 m. Taken together and based on the cofferdam construction method this would give an estimated minimum 496 working days of pilling. Paragraph 12.5.16: we do not consider a 'soft start' effective mitigation for fish. While they may move away from the noise, it would still provide a behavioural deterrent, which is likely to span the river corridor. We note that installation of both cofferdam and intake/outfall structures would be intermittent, but we consider that there is a potential significant risk of UWS affecting the behaviour of migratory fish and therefore do not agree that the impact can be considered 'minor'. We advise that further details are provided on the scheduling of the piling operations to ensure there is no adverse effect and that they can be managed to avoid key fish migration periods. Paragraph 12.5.25: we advise full consideration of the in-combination effects of UWS from impact and vibratory piling in the ES when further details on construction activities and scheduling are available.'	Therefore, PEIR Appendix (previously labelled 12-B: Underwater Sound Effects on Fish) is no longer necessary for inclusion of this ES as the only UWS generated from the Proposed Development would be from the use of vessels carrying supplies. This has been assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Topic: Water Environment and Flood Risk

Consultee	Summary of Comment	Response
Public Health Wales	‘PHW supports the proposal to obtain further information on local water abstraction points, private water supplies and historic pollution incidents. PHW would like a clearer understanding of the plans for abstraction of water as well as discharges of surface water, cooling water and process water. PHW understands that the decision on the modifications to the cooling water infrastructure will influence the need for further study to understand potential effluents, risks to the water environment and flood risks.’	Details of water abstraction points, private water supplies, and historic pollution incidents are presented in **Appendix 13-A: Water Environment Baseline Survey and Methodology Report** (**EN010166/APP/6.4**). It is proposed to maintain the existing cooling water abstraction license and operate within the requirements of this license. Subject to minor modification and alteration, the Proposed Development would utilise the existing Connah’s Quay Power Station cooling water abstraction and discharge infrastructure located within the River Dee. Upgrades to the existing cooling water intake equipment to meet current legislative requirements would be required. This would comprise installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers) subject to legislative control within a Marine Licence. The existing Environmental Permit for discharge to the River Dee would be complied with.
Environment Agency	‘Issue - Potential placement of laydown area and cranes within flood risk areas.	The Order limits no longer include any works in England, and so there would be

Consultee	Summary of Comment	Response
	Impact - Increase flood risk by decreasing flood storage volume and impeding flood flow routes. Solution - Position cranes and laydown areas outside of the design flood extent.'	no flood risk in relation to works undertaken in England.
Environment Agency	'Issue - The applicant has not assessed the breach scenario for proposed works within England. Impact - It is unclear whether the applicant can safely manage residual flood risk for the proposed works within England e.g., Ellesmere Port. Solution - Assess the breach scenario and ensure that residual flood risk can be managed safely.'	The Order limits no longer include any works in England, and so there would be no flood risk in relation to works undertaken in England.
Environment Agency	'Issue - The applicant has not considered adverse effects to flood assets from impact or vibration from the Abnormal Indivisible Loads (AIL) within England. Impact - Potential increase in flood risk. Solution - Assess potential for adverse effects from impact, or vibration, for the movement of AIL within England. Propose appropriate mitigations where needed (e.g., pre-works and post works surveys with remediation for defects, real-time monitoring of vibration within safe thresholds, not using cranes in high winds, etc). This should be carried out to protect flood assets within proximity to the proposed routing of AIL.'	The Order limits no longer include any works in England, and so there would be no adverse effects to flood assets from the AIL movements within England.
Environment Agency	'Issue - The applicant has not considered the risk of flooding in England Impact - Potential increase in flood risk	The Environment Agency have been consulted in response to these comments and the extent of works in England outlined (i.e. the Order limits no longer

Consultee	Summary of Comment	Response
	Solution - The applicant should provide a Flood Risk Assessment for proposed works within England Additional narrative/ explanation (if necessary): The applicant should request relevant models from the Environment Agency to help in their assessment of flood risk (e.g., the Manchester Shipping Canal model, tidal flood risk for the Mersey, and models relating to nearby tributaries such as the Rivacre Brook). Also to note: the Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.'	include any works in England). A meeting was held on 27 March 2025 and it was confirmed that a Flood Risk Assessment for England was not required, and that the FCA covering the Proposed Development would be sufficient. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) for assessment of flood risk in relation to the Proposed Development. Permitting requirements for England are noted but are not required from the Environment Agency in this case given there would be no works in England, with all such consents to be obtained via NRW for Wales.
Environment Agency	'Issue - No abstraction/ discharge should occur for the new development until this has been agreed with the relevant permitting authority Impact - Potential delays to scheme. Pollution risk. Solution - A water strategy is required.	Noted. However, it is proposed to maintain the existing cooling water abstraction license and operate within the requirements of this license. The existing Environmental Permit for discharge to the River Dee would also be complied with, without any variation. NRW confirmed via

Consultee	Summary of Comment	Response
	Additional narrative/ explanation (if necessary): When an abstraction licence or discharge application is received within proximity to the English/Welsh Dee border it falls into the 'cross border application process' which the Environment Agency's National Permitting Service Team leads on (and the equivalent for Natural Resources Wales). If abstractions sit in Wales only, the Environment Agency should still be consulted if it falls into 'cross border' so we can raise any concerns thereby making the process smoother.'	email exchange dated 27 January 2025 that they are content with this arrangement.
Environment Agency	'Issue - The potential requirement for dewatering during construction is noted. We assume this refers to the main site, however if any intrusive works are required at Ellesmere Port, dewatering may also be necessary. Impact - Dewatering may require a permit, dependent on duration and quantity. Solution - Liaise with the Environment Agency early to discuss permit requirements for dewatering at Ellesmere Port, if it is considered that dewatering might be required. If this is the case, please identify this in a permits and consents strategy document.'	No intrusive works are being undertaken at Ellesmere Port.
NRW	'Watercourse crossings Paragraph 13.5.34 states: "There is potential for watercourse crossings within the corridor depending on the final arrangement of infrastructure. The locations are not known at this stage, but affected watercourses may include Allt-Goch and tributary. At this stage, and applying a precautionary worst-case scenario, it is assumed that all of these watercourses will be crossed using open-cut techniques, following all embedded mitigation measures outlined for the Proposed CO2 Connection Corridor would apply to any works within the Repurposed CO2 Connection Corridor". Changes in	No works requiring watercourse crossings are expected within the Repurposed CO2 Connection Corridor. With regard to the Proposed CO2 Connection Corridor, there are no mapped watercourses that would be crossed and no evidence of any watercourses was observed during the site walkover. However, there may be some minor field ditches (likely ephemeral if present) that could potentially be crossed by the pipeline. The location and

Consultee	Summary of Comment	Response
	hydromorphology (the physical characteristics and processes of the river) have the potential to cause deterioration in the Water Framework Directive (WFD) quality elements of waterbodies. Watercourse crossings should therefore use trenchless techniques set well back from the watercourses. The construction method for crossing watercourses should ensure that the pipeline causes no loss of water from those watercourses to the ground. Sufficient information should be included in the ES and WFD Compliance Assessment to enable this to be assessed.'	condition of existing ditches would be investigated through a Pre-Works Surface Water Feature Survey prior to construction as detailed in the **Framework CEMP** (**EN010166/APP/6.5**). Appropriate mitigation measures for any such crossings of ephemeral ditches (ordinary watercourses) are set out in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Impacts on WFD quality elements of water bodies are considered in **Appendix 13-B: Water Framework Directive Report** (**EN010166/APP/6.4**).
NRW	'We advise that the Applicant follows the principles in NRW's Position Statement on 'Culverting of main rivers'. Whilst this is for main rivers, the same principles can be applied to any watercourse. The Applicant should also liaise with Flintshire County Council in relation to ordinary watercourses.'	No new culverting of watercourses is proposed. However, works to divert Oakenholt Brook culvert (ordinary watercourse) within the footprint of the CQLCP Abated Generating Station form part of the Proposed Development within the Main Development Area. The need for Ordinary Watercourse Consent from Flintshire County Council in its role as Lead Local Flood Authority (LLFA) is noted as detailed in **the Consents Agreement Position Statement** (**EN010166/APP/3.3**) document. Initial discussion has been held with Flintshire County Council regarding the culvert diversion at a meeting on 14/04/25.

Consultee	Summary of Comment	Response
		Requirements have been taken into account in development of **Appendix 13-D: Outline Drainage Strategy** (**EN010166/APP/6.4**). The Council suggested that they would support daylighting of the culvert. However, further survey has shown the culvert to be very deep, meaning an open watercourse would need to be of significant width, and thus not achievable within the Main Development Area.
NRW	'We advise that the use of culverts is avoided. For access purposes, bridges should be used wherever possible to maintain the natural flow, allow natural channel migration and maintain natural sediment and gravel movement downstream. Where culverting is proposed, the Applicant should fully demonstrate why it is both necessary and the only reasonable alternative. We refer the Applicant to the 'NRW National Culverts Study' and appendix A of that report.'	No new culverting of watercourses is proposed. However, works to divert existing culverted watercourses (ordinary watercourses) within the footprint of the CQLCP Abated Generating Station form part of the Proposed Development within the Main Development Area. Ordinary Watercourse Consent from Flintshire County Council in its role as Lead Local Flood Authority (LLFA) would be applied for to enable these works as detailed in the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document.
NRW	'It is unclear whether power cables installed as part of the project will cross any watercourses. We advise that horizontal directional drilling or other forms of undergrounding are used wherever possible. Detailed information on the proposed methodology, along with evidence to demonstrate that there will not be impacts on fluvial	No works requiring watercourse crossings are expected within the Repurposed CO2 Connection Corridor. With regard to the Proposed CO2 Connection Corridor, there are no mapped watercourses that would

Consultee	Summary of Comment	Response
	geomorphology, should be provided within the ES and WFD Compliance Assessment'	be crossed and no evidence of any watercourses was observed during the site walkover. However, there may be some minor field ditches (likely ephemeral if present) that could potentially be crossed by the pipeline. The location and condition of existing ditches would be investigated through a Pre-Works Surface Water Feature Survey prior to construction as secured in **the Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**). Appropriate mitigation measures for any such crossings of ephemeral ditches (ordinary watercourses) are set out **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Impacts on WFD quality elements of water bodies are considered in **Appendix 13-B: Water Framework Directive Report** (**EN010166/APP/6.4**).
NRW	'Water Resources No abstraction/discharge should occur for the new development until this has been agreed with NRW and the relevant permit obtained.'	The existing permit limits for abstraction and discharge (volume, temperatures and water quality) would be maintained unchanged. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement.
NRW	'Paragraph 13.5.48 refers to the proposed site drainage including a foul sewer for sanitary wastewater. Paragraph 13.5.55 explains that "A new cesspit and filtration system will be installed for storage and	It remains the case that connection to the public sewerage system is not proposed, with connection prevented by the location

Consultee	Summary of Comment	Response
	settling of black and grey wastewater, keeping with current site arrangements…current permitted practice is to treat sewage on site and discharge treated sewage waters with main cooling water purge discharge to the River Dee. It is anticipated that this will continue with no change to the existing permitted discharge limits." However, paragraph 13.6.73 states: "There is no existing sewage connection for grey and black wastewater export from the Main Site. Black and grey wastewater from the existing power station is currently directed to an underground cesspit and filtration system for storage and settling, which is emptied periodically by a waste management company for offsite disposal at a suitable and licenced waste facility. It is expected that the Proposed Development will utilise a new filtration system for black and grey wastewater." On this basis, we note that grey/black wastewater is currently discharged to a cesspit and then removed off site and is also treated on site in-line with an existing permit. It is unclear as to whether the current practises will continue. We note the proposed development is in a publicly sewered area and as such, we would expect the site to connect to the mains sewerage system. Further information should therefore be submitted to demonstrate that either the foul drainage will be discharged to the main sewerage system or that it is not reasonable to connect to the mains. We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new development, specifically paragraphs 2.3-2.5 which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having considered the cost and/or practicability it can be shown to the satisfaction of the determining authority that connection to a public	of the railway line. Black and grey wastewater (i.e. non-cooling and non-process wastewater) from the existing Connah's Quay Power Station is currently directed to an underground septic tank system for storage and settling (as treatment). Current practice is then to treat sewage on site and discharge treated sewage waters with main cooling water purge discharge to the River Dee under the conditions of the environmental permit. Due to sub-optimal operation of one of the existing systems, the septic tank is instead currently emptied periodically by a specialist contractor (approximately once per six-month period). It is proposed that the Proposed Development would utilise a new similar system for black and grey wastewater including foul drainage from permanent welfare facilities, with treated black and grey wastewater either to be discharged to the River Dee with main cooling water purge discharge (in accordance with the existing permit) or to be removed by specialist contractor. Connection to the mains sewer is not considered feasible due to a railway crossing being required for any new connection. The Proposed Development would continue to operate within current permit limits, and therefore would not

Consultee	Summary of Comment	Response
	sewer is not feasible, should non-mains foul sewage disposal solutions be considered. We therefore advise that you should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps: • Approach the sewerage undertaker to reach an agreement for a connection to the foul sewer. • If the sewerage undertaker refuses connection to the public sewer, request that they adopt the proposed treatment system. • If the sewerage undertaker refuses both of the above, you must appeal the refusal with Ofwat. For further details please see [redacted] Should a connection to the mains sewer not be feasible, you will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, to justify the use of private sewerage.'	present any new risk to the water environment.
NRW	'It is noted that the ES will address potential impacts to water, recognising that robust mitigation measures will need to be implemented to prevent pollution from the project. A Construction Environmental Management Plan (CEMP) should be produced to include any necessary mitigation measures for pollution prevention. It should also be ensured that GPP5 and GPP6 are adhered to during the works.	A CEMP would be in place for the construction stage. Refer to the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**) which outlines the control measures for mitigating water quality impacts, taking into account Guidance for Pollution Prevention (GPP)

Consultee	Summary of Comment	Response
	We also note that an Outline Surface Water Drainage Strategy will be produced which should address water quality issues during operation and maintenance of the site. Only clean and uncontaminated water should be directed to surface water drains. Any fuels, oils and chemicals should be appropriately bunded and kept at least 10 metres away from any surface water drain/watercourse.'	documents GPP5 and GPP6. This would be developed into a detailed CEMP post consent as a requirement of the DCO. The detailed CEMP, secured by a DCO requirement, would be supported by a Water Management Plan to be submitted post consent but prior to construction. The Outline Surface Water Drainage Strategy is included as **Appendix 13-D** (**EN010166/APP/6.4**), and its suitability for protecting the water environment is assessed within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Fuels, oils and chemicals would be appropriately bunded and have a suitable buffer from watercourses.
NRW	'Position statement RPS261 (Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK (www.gov.uk)) should be considered regarding dewatering activities. If the conditions cannot be met a permit would be needed for dewatering.'	Noted. RPS261 has been considered with regard to dewatering activities. Impacts associated with dewatering are assessed within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
NRW	'Water Quality We cannot currently agree with any conclusions relating to chemical contamination of the Dee estuary in the absence of a baseline dataset. We cannot currently agree to any conclusions that assume no contamination of the sediment (marine) or soil (terrestrial) that may	Comment is noted and covered by responses below. Further correspondence has been undertaken with NRW regarding these concerns, and it is understood the NRW were provisionally content with the subsequent responses with regard to

Consultee	Summary of Comment	Response
	be disturbed during the construction, operation or decommissioning of the proposed development.'	water quality (as covered below), pending review of the final ES.
NRW	'We do not agree with any conclusions of "no significant impact" (or "negligible" effect) that are predicated on the mitigation measures to be outlined in a CEMP or a WMP (Water Management Plan).'	It is understood that this comment relates to lack of detail regarding water mitigation measures that would be provided within a CEMP, which was unavailable at the time of statutory consultation. A **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**) is now included within the DCO Application which outlines the control measures for mitigating water quality impacts. This would be developed into a detailed CEMP post consent as a requirement of the DCO. The detailed CEMP, secured by a DCO requirement, would be supported by a Water Management Plan to be submitted post consent but prior to construction. Further details regarding the contents of these documents are given in in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**), through which this is secured.

Consultee	Summary of Comment	Response
NRW	'We agree with the general approach to the assessment of impacts of the proposed development. However, we do not concur with the methods used in support of that approach. The PEIR states that the "worst case scenario" is considered (e.g. paragraphs 13.3.6, 13.3.8), but assumptions have been made in relation to the baseline environmental conditions that are based on a lack of data'	It is noted that NRW agreed with the general approach to the assessment. It is understood from the further NRW comments below and further correspondence with NRW that concerns regarding methodology were due to a lack of baseline water quality data for the River Dee. There are no longer any works proposed in the River Dee aside from minor modifications comprising installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers). There would be no physical disturbance of the estuary bed which could mobilise contaminants in sediment (including no requirement for a jack-up barge or coffer dam). The existing Environmental Permit for discharge to the River Dee would be complied with. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. The response read that, "as there will no longer be any in-river working (and thus no disturbance of the sediment), we are content that there wouldn't be any need to carry out the baseline water quality surveys that we advised in our PEIR consultation response (dated 18/11/24)".
NRW	'Paragraph 13.3.9: we note that determination of any contamination of the sediment in the Water Connection Corridor is planned to	As per the above comment, there are no longer any works proposed in the River

Consultee	Summary of Comment	Response
	inform the ES. No conclusions relating to the significance of impacts on the marine environment should be drawn without these data. Any scenarios considered should not be deemed to be "worst-case" if an assumption of no contamination and no impact is made. www.naturalresourceswales.gov.uk [redacted] Page 21 of 36'	Dee aside from minor modifications comprising installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers). There would be no physical disturbance of the estuary bed which could mobilise contaminants in sediment (including no requirement for a jack-up barge or coffer dam). NRW have confirmed (27/01/25) that baseline water quality monitoring of the River Dee is not required.
NRW	'Paragraphs 13.6.2 and 13.6.64: much of the proposed mitigation of the adverse impacts is predicated on the content of an as-yet unformed CEMP. Since the CEMP and WMP are not available for review, the assertion that the "good practice measures" will be applied, appropriate and effective is currently assumptive with insufficient justification. As such, we cannot currently agree with the conclusions of negligible impact and/or not significant as the impacts have not been adequately assessed and the mitigation has not been either determined or evaluated.'	A **Framework Construction Environmental Management Plan** (CEMP) (**EN010166/APP/6.5**) is included within the DCO Application which outlines the control measures for mitigating water quality impacts. This would be developed into a detailed CEMP post consent as a requirement of the DCO. The detailed CEMP, secured by a DCO requirement, would be supported by a Water Management Plan to be submitted post consent but prior to construction.
NRW	'Paragraph 13.6.23: we agree that further assessment will be necessary to determine whether the effects of mobilisation of contaminants from disturbed soil are likely to be significant or if they can be mitigated through embedded and good practice measures. The presence and concentration of any contaminants should be assessed, and the results used to inform both the level of risk to the	**Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) includes an assessment of impacts on water quality including from site runoff that may contain sediments and potentially contaminants from chemical spills and

Consultee	Summary of Comment	Response
	marine environment, and the efficacy of any mitigation measures proposed.'	leaks. This would primarily be mitigated through measures outlined in the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**) and summarised in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). A preliminary ground investigation including for determination of contamination was undertaken in January-March 2025. Refer to **Chapter 14 Geology and Ground Conditions** (**EN010166/APP/6.2.14**) for the contaminated land assessment.
NRW	'Paragraph 13.6.36: we note that the installation of a cofferdam is being considered as "temporary", along with its effects. However, the impacts of this installation may not be "temporary". For the purposes of the ES, "temporary" should be defined for both the installation and the effects. It should be made clear in the ES that in the absence of a final design for this aspect of the works, the impacts cannot adequately be predicted or assessed, and so should not be assumed to be temporary without appropriate mitigation.'	The use of a cofferdam is no longer required for the Proposed Development and so no longer requires assessment.
NRW	'Paragraph 13.6.68: we note that there is no proposal to change the characteristics (operating temperatures and discharges) of the thermal plume from the cooling water. The lack of proposed assessment of the plume impacts is being justified by this assertion. If the design envelope of the proposal changes, manifesting a change in the characteristics of the thermal plume or the impacts of the plume change beyond the current situation, an impact assessment through thermal plume modelling would be needed.'	The comment is noted. The existing Environmental Permit for discharge to the River Dee would be complied with. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement.

Consultee	Summary of Comment	Response
NRW	‘Section 1.2.34 - Table 4: Results of water quality sampling undertaken by NRW for the River Dee (2014-2024): the Environmental Quality Standards (EQS) reported for comparative purposes and assessment in the ES should be site-specific, accounting for the background baseline dissolved organic carbon concentration of the estuary waters. We also recommend that the Predicted No-Effect Concentration is used for clarity and to avoid any requirement to compare the EQS with likely ecological response. Section 1.2.32 - Table 4: Results of water quality sampling undertaken by NRW for the River Dee (2014-2024): we note that the water quality data referred to relate to the sampling points at Johnson’s Hole and the Powergen Buoyage Point. These were established for monitoring the impacts of industrial discharge from: Deeside Power station; Shotton Paper Mill; Tata Steel Limited and Shotton Works so are not suitable for deriving baseline conditions for water quality in the estuary. The data provided in the PEIR also lack any consideration of organic contaminant concentration (e.g. PAH, OCP, PBDE, VOC, organotins, alkylphenols). Data should be collected to establish the water quality baseline conditions in the estuary. Sample points should be established beyond any mixing zones of existing discharge points and analysis determinants should include any contaminants that may either be discharged during the operation of the proposed development, disturbed from the sediment during either the construction or operational phases of, or released into the estuary accidentally. We would welcome further engagement to establish a monitoring programme appropriate for defining baseline environmental conditions.’	NRW have been engaged further on this matter. There are no longer any works proposed in the River Dee aside from minor modifications comprising installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers). There would be no physical disturbance of the estuary bed which could mobilise contaminants in sediment (including no requirement for a jack-up barge or coffer dam). The existing Environmental Permit for discharge to the River Dee would be complied with. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. The response read that, “as there will no longer be any in-river working (and thus no disturbance of the sediment), we are content that there wouldn’t be any need to carry out the baseline water quality surveys that we advised in our PEIR consultation response (dated 18/11/24)”.

Consultee	Summary of Comment	Response
NRW	‘Paragraph 1.4.18: consideration should be given to the impacts of any additional in estuary surface water outfall infrastructure required for surface water drainage. The effects of the construction and operation of this infrastructure should be assessed.’	No construction is required for surface water outfalls within the River Dee. The only work for surface water outfalls would be for Old Rockcliffe Brook (Kelsterton Brook), and the potential effects on this watercourse are assessed within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Full drainage details are given in **Appendix 13-D: Outline Drainage Strategy** (**EN010166/APP/6.4**).
NRW	‘We agree with the inclusion of the Dee (N. Wales) WFD waterbody for assessment of the impacts on marine water quality. Please note that NRW have produced guidance on the process of assessing WFD compliance (ref. Section 2.1.2) which can be made available upon request. We advise that this is used for any further WFD Compliance Assessment for this project.’	The NRW guidance has been requested and obtained. This has been used to guide the WFD Assessment included as **Appendix 13-B: Water Framework Directive Report** (**EN010166/APP/6.4**).
NRW	‘Paragraph 1.2.3 refers only to “downstream water features”. Assessment of the effects of the proposal on the water environment within the entire ZoI will be needed, including upstream of the Water Connection Corridor, where any effects will be transported by the flood tide. Throughout the PEIR and its appendices, multiple spatial definitions for the ZoI of the effects of activities related to the proposed development are used. Chapter 16, figure 16, 16-2 displays both the downstream ZoI and the estimated limit of upstream ZoI. Chapter 16, paragraph 16.4.17 states that modelling of the hydrodynamics of the estuary will include the region up to the tidal limit. We welcome the assessment of impacts of proposed activities within the entire region identified as within the ZoI. We	Noted. Potential impacts throughout the entire ZoI (Study Area) upstream and downstream of the Construction and Operation Area up to 1 km have been considered. Refer to **Figure 13-1: Surface Water Features** (**EN010166/APP/6.4**) for the Study Area for the Water Environment assessment, which is also described in more detail in Section 13.4 in Chapter 13: Water Environment and Flood Risk (**EN010166/APP/6.2.13**) of the ES.

Consultee	Summary of Comment	Response
	advise that this approach should be consistently applied throughout the assessment, including the WFD Compliance Assessment.'	
NRW	'Section 4.2.1, Table 5 – Screening of the Proposed Development's Activities against WFD Quality Elements: temporary AIL works should be screened in for assessment if any port of operation is within the Dee (N. Wales) waterbody (e.g. Port of Mostyn and Mid-way Berth), as any vessels used, and their methods of operation may affect the water quality of the estuary.'	Noted. Vessel movements have been considered in terms of potential impacts to WFD Quality Elements. Refer to **Appendix 13-B: Water Framework Directive Assessment** (**EN010166/APP/6.4**).
NRW	'Although there is no anticipated change to the extent or magnitude of the existing environmental pressure, the discharge of chemicals in the cooling waters should be scoped in for assessment. We note that there is unlikely to be any change to the chemical composition of the discharged cooling water, but changes to the hydrology and morphology of the Water Connection Corridor may affect how these pressures manifest in the estuarine environment.'	There are no longer any works in the River Dee aside from minor modifications comprising installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers). No works to the discharge location are proposed and so no changes to the hydrology and morphology of the estuary are anticipated. The existing Environmental Permit for discharge to the River Dee would be complied with. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. Nonetheless, an assessment of the cooling water discharge is provided within Section 13.6.
NRW	'The down-tide ZoI overlaps with the Shellfish Waters Protected Area: Dee (West). The potential for adverse effects from chemical contaminants (including but not limited to heavy metals) that are either discharged, remobilised or accidentally spilt during construction activities should therefore be assessed.'	An assessment of potential impacts to water quality (and by extension their associated protected areas) is provided within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**)

Consultee	Summary of Comment	Response
		(see Section 13.6) for the construction, operation and decommissioning phases.
NRW	'Flood Risk Flood risk from the Tidal Dee is likely to be significant, as evidenced by past hydraulic modelling studies upstream of the site. Flood risk is a major component of the scope of the EIA and at this preliminary stage requires hydraulic modelling to inform the Flood Consequences Assessment (FCA), which should be completed to inform the DCO application. We would welcome further engagement regarding these aspects.'	Hydraulic modelling has been undertaken in consultation with NRW. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) for full details.
NRW	'Some elements of work will require a Marine Licence, and others will require a Flood Risk Activity Permit (FRAP), depending on the proposed location, methods and design.'	Noted. The requirement for permits and consents is considered within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) (Section 13.5) and within **the Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document, where these are not disapplied through the DCO.
NRW	'We recommend that the Flintshire Lead Local Flood Authority (LLFA) are included in any consultation on the FCA and proposed surface water attenuation/SuDS Approval Body approvals, given the potential impact on tributaries of the Dee.'	Initial engagement with the FCC Lead Flood Authority (LLFA) regarding the Drainage Strategy was undertaken in June 2024 and April 2025, with feedback taken into account in development of **Appendix 13-D: Outline Surface Water Drainage Strategy** (**EN010166/APP/6.4**).
NRW	'The DCO application proposes highly vulnerable development (power station). Our Flood Risk Map confirms the development site to be located partially within Zone C1 (and Zone B) of the	Hydraulic modelling has been undertaken in consultation with NRW and is detailed

Consultee	Summary of Comment	Response
	Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and most of it falls within Flood Zone 3 (Sea). The entire site is located along the coastline of the Tidal Dee. The documents submitted correctly identify the location of the constituent parts of the site within the relevant flood zones according to the DAM and FMfP. Paragraphs 13.6.25 to 13.6.32 and 13.6.85 to 13.6.91 of Chapter 13 identify a range of flood risks associated with the construction and operational phases respectively. A preliminary FCA is included with the submitted documents (Appendix 13-C). The FCA introduces the relevant policy and identifies relevant sources of flood risk. No substantial assessment of flood risks has been provided because of ongoing hydraulic flood risk modelling work. Discussions concerning the modelling approach were held with NRW on 7 May 2024, and a modelling method statement was submitted to NRW on 4 September 2024. The method statement was reviewed by NRW and returned to AECOM on 3 October 2024. Our comments should be addressed, and the modelling work completed to inform the flood risk to the proposed development.'	in **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).
NRW	'The flood risk modelling study will need to examine the existing flood risk to the site (baseline) and the flood risk to the proposed development in the design event i.e., the 0.5% (1 in 200 year) Annual Exceedance Probability (AEP) tidal event with appropriate breach/overtopping analysis and allowance for climate change over the lifetime of the development (see comment no. 131 below). We would welcome the opportunity to review this model for its use in the FCA.'	Hydraulic modelling has been undertaken in consultation with NRW, design events and climate change allowances have been agreed. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).

Consultee	Summary of Comment	Response
NRW	'We note that the operational lifetime of the proposed development would be 30 years. WG current guidance assumes that 75 years of climate change should be considered [redacted] The FCA (paragraph 1.3.35) states that sea level rise estimates from 2100 will be used to assess the impacts of climate change, in line with that guidance.'	Climate change allowances in line with current guidance have been used to assess the impacts of the proposed development. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).
NRW	'The design/method of construction and proposed mitigation, including land raising (as mentioned in Chapter 13, paragraph 13.5.60) must also be included in the FCA. To meet the requirements of TAN15 A1.14 for new Highly Vulnerable Development (HVD), it must be demonstrated that the development can be designed to be flood free in the design event. It must also be demonstrated that the proposed development does not negatively impact flood risk elsewhere (A1.12).'	The FCA includes proposed mitigation measures that are required. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).
NRW	'Appendix 13-A (Water Environment Baseline Survey and Methodology Report) discusses drainage but does not appear to address SuDs within the operational site drainage strategy. Operational drainage is particularly important at this site given the nature of the water environment, including the presence of shallow groundwater, and the potential for heightened contamination risks to the ground and groundwater during the site's operational life. Any drainage strategy, whilst meeting climate change stormwater predictions/flows, must also be designed, as much as possible, to remove the possibility of chemicals/contaminants, existing or operational, affecting the local water environment.'	Noted. The **Outline Surface Water Drainage Strategy** is included as **Appendix 13-D** (**EN010166/APP/6.4**), and its suitability for protecting the water environment is assessed within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). A SuDS approach is included in this strategy.
NRW	'Flood Risk Activity Permit The site is located close to the river Dee, which is a main river. Flood Risk Activity Permits (FRAP) (under the Environmental Permitting	Noted. The requirement for permits and consents is also considered within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**)

Consultee	Summary of Comment	Response
	(England & Wales) Regulations 2016) will be required for some aspects of the proposed development, as identified in Chapter 13, paragraph 13.5.24. A FRAP may also be required if access to an NRW-maintained flood risk management asset is likely to be affected. Details of the FRAP application process, including timescales, can be found on our website: [redacted] Details of what to include with a FRAP application can also be found online: [redacted] Any work in or near the affected ordinary watercourses and tributaries of the Dee would need an Ordinary Watercourse Consent (OWC) from the Lead Local Flood Authority (LLFA). This includes any works that may affect access to LLFA-managed assets.'	(Section 13.5) and within the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document, where these cannot be disapplied through the DCO.
Welsh Water	'It appears the application does not propose to connect to the public sewerage system, and therefore Dwr Cymru Welsh Water has no objections in principle. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be reconsulted on this application.'	It remains the case that connection to the public sewerage system is not proposed, with connection prevented by the location of the railway line. Black and grey wastewater (i.e. non-cooling and non-process wastewater) from the existing Connah's Quay Power Station is currently directed to an underground septic tank system for storage and settling (as treatment). Current practice is then to treat sewage on site and discharge treated sewage waters with main cooling water purge discharge to the River Dee under the conditions of the environmental permit. Due to sub-optimal operation of one of the

Consultee	Summary of Comment	Response
		existing systems, the septic tank is instead currently emptied periodically by a specialist contractor (approximately once per six-month period). It is proposed that the Proposed Development would utilise a new similar system for black and grey wastewater including foul drainage from permanent welfare facilities, with treated black and grey wastewater either to be discharged to the River Dee with main cooling water purge discharge (in accordance with the existing permit) or to be removed by specialist contractor.
Welsh Water	'It appears the application proposes to continue utilising the existing water supply at a proposed usage of approximately 80m3/hr, and therefore Dwr Cymru Welsh Water has no objections in principle.'	This comment is noted.
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	Details of the legislation, policy and guidance taken into account in the development of this impact assessment is introduced in Section 13.1 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) with further detail given in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**). This includes PPW, TAN15 and the Flintshire LDP.

Topic: Geology and Ground Conditions

Consultee	Comment	Response
UK Health Security Agency	'We note that the applicant has considered and identified areas of possible land contamination on site. As such, we anticipate that the applicant [will] provide an appropriate assessment within the ES'	A Conceptual Site Model (CSM) and PRA is included in **Appendix 14-A: Geo-Environmental Desk Based Assessment** (**EN010166/APP/6.4**). Section 14.6 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.4**) and **Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment** (**EN010166/APP/6.4**) assesses potential risks from land contamination during the construction phases.
Mining Remediation Authority	'Our comments remain as those above [comments given by the Mining Remediation Authority in the EIA Scoping Opinion]. We would expect the detailed designs, and route layout, to be cognisant of the potential risks posed by coal mining features and the need for any further investigatory or remedial works necessary to address these.'	Ground stability and geotechnical issues will be assessed in the detailed design phase through an interpretive GIR and as the design develops then a GDR, or equivalent. Ground stability is a factor to be considered in the engineering design.
Environment Agency	'Issue' 'The main report identifies that a contaminated land investigation will be carried out on the main site prior to construction. No such investigation is mentioned for the Ellesmere Port site. 'Impact' 'The proposed Ellesmere Port site is brownfield land, and the presence of contamination must be considered. If any intrusive works are required, this could open a pathway for contamination to enter groundwater underlying the site. Neglecting to identify and remediate contaminants could lead the development to pose an	The Order limits no longer include Ellesmere Port. No works are required at Ellesmere Port and therefore no such investigations are required.

Consultee	Comment	Response
	unacceptable risk to sensitive receptors such as the bedrock Principal aquifer. 'Solution' 'Confirm if intrusive works are required for Ellesmere Port and carry out relevant investigations if necessary. 'Additional narrative/ explanation' [(if necessary: See also Natural Resources Wales EIA Scoping Opinion comment 86).]	
Environment Agency	'Issue' 'Geological conditions underlying the Ellesmere Port site are not given. The bedrock geology underlying Ellesmere Port is a Principal Aquifer, which is a sensitive receptor. 'Impact' 'Lack of adequate characterisation can lead to insufficient protection measures and controls. Impacts of the development on underlying aquifers must be considered. The ground investigation mentioned previously can contribute to this. If intrusive works are not currently expected, but are later added to the proposals, it would be possible to inadvertently overlook geological conditions if these have not already been assessed and reported. 'Solution' 'Ensure the geology in the Ellesmere Port area is characterised and considered in all future documentation. This will enable risks to controlled waters and appropriate mitigation to be identified.'	The Order limits no longer include Ellesmere Port. No works are required at Ellesmere Port and therefore no such investigations are required. Any operations at Ellesmere Port would be managed in accordance with the Port's existing operating procedures which would include provision for leaks and spills.
Environment Agency	'Issue' 'Loading and unloading activities, new chemical or equipment storage, or firefighting equipment installed at Ellesmere Port could pose a risk to controlled waters without mitigation. 'Impact' 'Leaks and spills from loading and unloading, chemical or equipment storage, or firewater run-off, could pose a risk to surface water and underlying aquifers.	The Order limits no longer include Ellesmere Port. No works are required at Ellesmere Port. Any operations at Ellesmere Port would be managed in accordance with the Port's existing operating procedures which would include provision for leaks and spills.

Consultee	Comment	Response
	‘Solution’ ‘Equipment and chemicals must be appropriately bunded. AIL with the potential to cause contamination must be stored in such a way that prevents contaminants from entering soil or watercourses. We recommend that firewater run-off is controlled with sealed drainage to prevent water from migrating to surface water or groundwater.’	
Environment Agency	‘Issue’ ‘“Information and quantities in relation to hazardous loads and detail of the size / weight of Abnormal Indivisible Loads (AILs) are still being considered as part of the EIA and through ongoing design development. These impacts will be reported and assessed within the ES.” The requirement for, and specification of, any mitigation for hazardous materials cannot be determined until details are confirmed. ‘Impact’ ‘Improper management of hazardous materials can pose an unacceptable risk to sensitive receptors such as controlled waters. Ellesmere Port may require additional permits, or a permit variation, to enable them to handle and store hazardous materials. It is important to ensure that Ellesmere Port is suitably permitted prior to first delivery.’ ‘Solution’ ‘We understand that the details are to be confirmed in the ES. Any permits and mitigation to be agreed with Environment Agency [and Natural Resources Wales, as applicable] prior to commencement of any works. Permits and consents need to be identified in consent document with a description as to what it will cover.’	The Order limits no longer include Ellesmere Port. No works are required at Ellesmere Port. Any operations at Ellesmere Port would be managed in accordance with the Port’s existing operating procedures which would include provision for leaks and spills.
NRW	‘Groundwater Chapter 14: Table 14-9 - Potential Areas of Contamination (Baseline Risk Scores 3 to 5) shows all site locations that scored 3-5 in terms	The extent of ‘cut’ will not be known until the detailed design and when further ground investigations are completed. It is assumed that earthworks / excavations /

Consultee	Comment	Response
	of Baseline Risk are defined as 'Cut'. This implies that much of the site will require some degree of excavation, presumably to ensure that the proposed infrastructure is founded on suitable loadbearing materials. The ES should therefore confirm the degree to which 'Cut', i.e., excavation, will be required as its extent and depth will have a direct influence on the degree to which existing contamination could be mobilised and spread. It is likely that dewatering will be required given the presence of a shallow and tidally influenced groundwater system. Chapter 5: Construction Management and Programme, makes no reference to construction dewatering. However, Appendix 14- A (Geo-environmental Desk-based Assessment) includes various comments on dewatering and with respect to 'Cut' states the following in Table 23: Preliminary Ground Hazard Assessment: "Ground investigation will reduce the uncertainty in knowledge of the ground conditions. A strategy to establish the risk of below-ground obstructions will be developed and mitigation measures implemented which could include bulk excavation to remove them, or excavation to a pre-determined cut-off depth to allow new structures to be founded on consistent strata risk". Our EIA Scoping response (dated 06/03/24, our ref. CAS-248951-N4H8) advised that "Dewatering could also generate a moderate cone of influence which may 'spread' existing contamination and salinity, although saline groundwater may be ubiquitously present given the site setting". However, Appendix 13-A: Water Environment Baseline Survey and Methodology Report does not appear to have considered this. As the information above suggests that 'Cut' (excavation) will be required and hence dewatering likely, we advise that dewatering should be fully considered in the ES.	cutting may happen anywhere within the Order limits as a worst-case scenario for the assessment presented in Section 14.6 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.4**) and **Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment** (**EN010166/APP/6.4**). However, the full extent/depth of it is currently unknown. Reference to dewatering is made in **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**). Dewatering is discussed further in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and **Appendix 13-E: Hydrogeological Assessment** (**EN010166/APP/6.4**). A strategy to establish the risk of below-ground obstructions would be developed and mitigation measures implemented which could include bulk excavation to remove them, or excavation to a pre-determined cut-off depth to allow new structures to be founded on consistent strata risk. This strategy will be developed at detailed design stage.

Consultee	Comment	Response
	The nature, extent and, potentially, magnitude of contaminant mobilisation arising from cut and dewatering activities in and around the proposed development footprint will also be significantly influenced by the size of the proposed excavation area. The excavation/cut and dewatering phase could have a duration of many months or potentially a few years. This would be a significant amount of time over which to control contaminant migration which could arise through the influence of dewatering. The duration of construction elements related to cut excavation and groundwater level reduction and control through dewatering is therefore important to consider in terms of managing contamination and operational risks (e.g., dewatering pumps failing); this should be clarified in the ES. We maintain our EIA Scoping advice that groundwater flows should be assessed as part of detailed site investigations, including the need to assess for the presence of any private water supplies and also the degree to which the current groundwater flow regime (baseline system) could be changed by the construction, operation and decommissioning of the proposed infrastructure, notably as it appears that much of the infrastructure will be built in 'Cut'.'	
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	Legislation, planning policy, and guidance relating to Geology and Ground Conditions and which are pertinent to the Proposed Development are listed in Table 14-1 in **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.4**) and are inclusive of the noted policy documents, legislation and guidance including: PPW (14-24), FCC LDP (2015-2030) (14-26), and TAN 6, Planning for

Consultee	Comment	Response
		Sustainable Rural Communities, 2010 (Ref 14-51). Further detail regarding these can be found in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).

Topic: Landscape and Visual Amenity

Consultee	Extract of Comment	Response
FCC	'The DCO application would be accompanied by an Environmental Impact Assessment, and the PEIR indicates the topics to be assessed which are considered to be comprehensive'.	FCC's position is acknowledged.
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also, the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023'.	This assessment has been carried out with regard to the policies and guidance relevant to the Proposed Development.
NRW	'Our advice relates to the landscape character and visual amenity of the Clwydian Range and Dee Valley National Landscape (CRDV NL), which is the name for the legally designated Area of Outstanding Natural Beauty (AONB). At its closest point, the main application site[2] is located approximately 10km from the National Landscape boundary. We welcome that our following scoping advice has been reflected in the PEIR: The Landscape and Visual Impact Assessment (LVIA) study area has been extended to include the summit of Moel Famau on the ridgeline of the Clwydian Range within the CRDV NL. A viewpoint from Moel Famau is used as an assessment viewpoint within the LVIA (Viewpoint 15).	This comment is acknowledged.

[2] The site of the proposed Combined Cycle Gas Turbine (CCGT) with Carbon Capture Plant (CCP).

Consultee	Extract of Comment	Response
	Potential impacts on Special Qualities of the National Landscape are assessed. The National Landscape boundary is shown on mapping (e.g., LVIA Figure 15-6). A Zone of Theoretical Visibility (ZTV) analysis has been prepared for the tallest element (the absorber stack(s)) at 128m above ordnance datum (AOD) (Figure 15-8) and for the 'main site structures' modelled at 65m above ground level (AGL) (Figure 15-7). Based on the ZTVs, we note potential visibility of the development within the CRDV NL would primarily be confined to the ridgeline around and including Moel Famau. This area of potential visibility is captured within the extended LVIA Study Area. Far-reaching 360-degree views are available at Moel Famau. In the context of these views, the proposed development would introduce a small element, viewed at a distance of approximately 14.5km. Although visible, and noticeable, the proposal would consolidate industrial development within a part of the view that is already affected by similar development (e.g., the existing Connah's Quay Power Station). As reported in the PEIR (Chapter 4, paragraph 4.3.7), except for the absorber stack(s) (≤ 128m AOD), the proposal would not introduce new buildings or structures that are significantly taller than those within the existing Power Station, which has 85m tall boiler stacks. Based on the above, we agree with the conclusion of the LVIA (Chapter 15), that the effect on views and the visual amenity of people at Moel Famau would not be significant. We also agree that there would be no significant effects on the special qualities of the National Landscape'.	

Consultee	Extract of Comment	Response
NRW	'Notwithstanding the above, we recommend that measures are included as part of the ongoing design process to ensure the development is integrated sympathetically within the context of both local and distant views, including those from the CRDV NL. We therefore welcome the statement in paragraph 15.5.2 that further details regarding embedded mitigation will be submitted with the DCO application, and note the following measures relevant to reducing the impact on distant views: Material selection to assist with breaking up the massing of the buildings and structures; The design of the absorber column(s) (stack) and the Combined Cycle Gas Turbine and Heat Recovery Steam Generator stack(s) will include consideration of appearance to reduce visual impact, to include a colour study of the existing colour/materials of the surrounding natural landscape palette and the existing power station building.	Please refer to Section 15.5 of **Chapter 15: Landscape and Visual Amenity** (**EN010166/APP/6.2.15**) for further details on embedded mitigation measures.
NRW	For the benefit of the Examining Authority, members of the public, and other interested parties, we recommend that the viewpoint photograph from Moel Famau is re-taken when visibility is improved. The current photograph (Winter Viewpoints Photography, Figure 15.24: Representative Photo-view) is adversely affected by low cloud/mist which restricts visibility of the site. In clear conditions the site and development will be visible, and this should be reflected in the photography which accompanies the LVIA'.	Updated photography, during clear weather conditions, for Viewpoint 15 is included in **Figure 15-10A-15-24A: Summer Viewpoint Photography** (**EN010166/APP/6.3**).
NRW	We note the findings as outlined in Appendix D 'Landscape and Visual Amenity', but advise that the following points should be addressed in the final LVIA submitted for the examination stage:	a) Updated photography, during clear weather conditions, for Viewpoint 15 is included in **Figure 15-10A-15-24A:**

Consultee	Extract of Comment	Response
	a) As previously advised, the viewpoint photograph from Moel Famau should be retaken when visibility has improved, as 'Winter Viewpoints Photography, Figure 15.24: Representative Photo-view' is adversely affected by low cloud/mist which restricts visibility of the site. In clear conditions the site would be visible, and in certain light conditions the wider site would be highlighted. This should be reflected in the photography and narrative which accompanies the LVIA, in particular as there is no wireframe provided for this viewpoint. As previously acknowledged, both the material and colour selection are important mitigation factors which are yet to be determined. b) The LVIA narrative should be clearer in explaining that Moel Famau is 'representative' of other high points on the ridge line of hill forts, including Moel Arthur at 456m and Moel y Parc at 398m which are all on the Offa's Dyke long distance footpath. c) The Zone of Theoretical Visibility (ZTV) analysis was prepared for the tallest element (the absorber stack(s)) at 128m above ordnance datum (AOD). At this height visibility of the development within the CRDV NL was primarily confined to the ridgeline around and including Moel Famau. The application should include a revised ZTV to reflect the stack height increase to a maximum of 150m.	**Summer Viewpoint Photography** (**EN010166/APP/6.3**). b) The baseline description for Viewpoint 15 - Moel Famau, Jubilee Tower, Offa's Dyke Way, Llangynhafal, Denbighshire has been modified to state the viewpoint is representative of available long-distance views located in the Clwydian Range National Landscape within **Appendix 15-C: Representative Viewpoints** (**EN010166/APP/6.4**). c) The ZTV has been updated to reflect the stack height increase and is presented on Figure 15-8: Zone of Theoretical Visibility - 150 m Absorber Column Height plus 8 m Raised Ground Level (**EN010166/APP/6.3**).
Flint Town Council	1. Visual and Environmental Impact: The Council strongly objects to the potential visual impact of the development on local residents and landscapes. Particular concern centres on the introduction of 150-metre-tall chimneys, which will dominate the skyline and may significantly detract from the visual character of the surrounding area. The Council requests clarification on: Inclusion of a viewpoint from the Oakenholt Hall Conservation Area in the final Environmental Impact Assessment (EIA), specifically in	Representative viewpoints are taken from publicly accessible locations and follow guidance given within GLVIA3 and good practice. The entirety of Oakenholt Hall including access roads lies within privately owned land and therefore a viewpoint would not be taken from the Oakenholt Hall Conservation Area. Viewpoints 9, 10 and 11 are located within less than a 1.4

Consultee	Extract of Comment	Response
	the updated Appendix D of the Landscape and Visual Amenity Report. While the project team indicated that three 3D visuals would be included in the EIA, the Council remains unconvinced that the full scale of the visual impact has been adequately presented. The Council requests comprehensive, independently produced modelling from key residential and tourism-related viewpoints.	km radius from Oakenholt Hall at publicly accessible locations. Views from these locations have been assessed in detail in **Appendix 15-E: Visual Impact Assessment** (**EN010166/APP/6.4**) and are indicative of visual effects experienced from Oakenholt Hall. Updated Type 3 photomontages are illustrated on **Figures 15.25 to 15.29** (**EN010166/APP/6.3**). The photomontages have been prepared for operation at Year 15. The selection of viewpoints for photomontages considered views which would experience significant impacts as a result of the Proposed Development during operation, locations where the Proposed Development would be prominent in the view, through professional judgement or where specific locations have been requested through consultation. The photomontages prepared are based on guidance from the following publications: • Visual Representation of Development Proposals Technical Guidance Note 06/19 – Landscape Institute, 2019 (Ref 15-11) • “GLVIA3 (Ref 15-1)

Topic: Physical processes

Consultee	Comment	Response
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also, the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	The assessment in **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) has had due regard of policies covered by PPW (2024) and the FCC LDP. Both policy documents are referenced in Table 16-1 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).

Topic: Terrestrial Heritage

Consultee	**Comment**	**Response**
Historic England	'Assessment appears to be broadly in accordance with current best practice, although we would take issue with the suggestion made in Table 17-3 that Grade II Listed Buildings and Grade II Registered Parks & Gardens are only of medium sensitivity/value. These are national designations, and should therefore be considered of high sensitivity/value. Historic England considers that the assessment of potential impacts on heritage assets has been carried out in an appropriate manner, and that the very low magnitude of impact identified accurately reflects the potential impact of the proposed development on the settings of designated terrestrial heritage assets and marine heritage sited in England. We agree that the temporary impact of the proposed development on the settings of the two scheduled monuments during the construction phase is not	Regarding the value of Grade II listed buildings and Registered Parks and Gardens, as outlined in Section 17.3.2 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**), Table 17-7 in this Chapter is a guide that is used alongside professional judgement, assessment of significance and consultation to assign heritage values to assets. The assets are not automatically ascribed a value on the basis of their level of designation. NPPF paragraph 213 makes a distinction between Grade II listed buildings and 'assets of the highest significance' (i.e. scheduled monuments, protected wreck sites, grade I and II* listed buildings grade I

Consultee	Comment	Response
	significant, and that there would be no impact on the settings of the three Grade II* Listed Buildings or on known marine heritage.'	and II* registered parks and gardens and World Heritage Sites). This distinction is built into Table 17-7 where Grade II listed buildings are placed in the medium value category and the assets listed above are in the high value category.
Cadw	'Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.' 'We concur with the above conclusions; the proposed development will not have an unacceptably damaging effect upon the settings of any of the above designated historic assets. Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Gwynedd Archaeological Trust: [redacted]'	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC), and the HER has been consulted, with the HER data obtained set out within the desk-based assessment (**Appendix 17-A: Terrestrial Heritage Desk Based Assessment** (**EN010166/APP/6.4**)).
FCC	'A geophysical survey of the western spur area has been completed and mitigation proposals for the pipeline in this area are being worked on. The main development site [Main Development Area] is to undergo some bore holing, and this will allow paleo-environmental sampling of the peat under the made ground when completed. The main site [Main Development Area], at present, does not have any plans to enter the natural under the made ground and this should not require any archaeological mitigation in this area.'	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) to agree the scope of any archaeological fieldwork required to inform the baseline. Mitigation requirements within the Order limits has been agreed with CPAT and set out within the **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**).

Consultee	Comment	Response
FCC	‘References Technical Advice Note 5: Nature Conservation and Planning (2009) should be added to the reference list.‘	The assessment presented in Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) takes account of the most up to date and relevant guidance and policies at the time of writing.
FCC	‘The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.’	The assessment presented in Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) takes account of the most up to date and relevant guidance and policies at the time of writing.
Heneb (CPAT, advisors to FCC)	‘We are currently in contact with Wessex Archaeology and AECOM regarding the ongoing development of the Environmental Statement and the archaeological mitigation within that statement. We have reviewed the content of the PEIR and we are in agreement with the proposed mitigation which includes a Protocol for Unexpected Archaeological Discoveries and a scheme of Archaeological Monitoring and Recording (formerly called a watching brief) during initial topsoil stripping of the field west of the current plant which may change to a Strip/Map and Excavate protocol if archaeological features are revealed. The archaeological monitoring would also cover any new groundwork that may be necessary on the Dee foreshore. The majority of the scheme is on reclaimed and raised ground with deep modern dumping materials present and no archaeological potential is likely in these locations. In addition, the scheme uses existing lengths of pipeline to transport the waste gas to storage	An **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**) has been prepared and agreed with CPAT which sets out the mitigation strategies agreed for the Proposed Development, including archaeological monitoring and recording and a protocol for unexpected archaeological discoveries. A review of borehole logs undertaken as part of Ground Investigation (GI) works undertaken for the Proposed Development has been completed and the results summarised in the desk-based assessment (**Appendix 17-A: Terrestrial Heritage Desk Based Assessment** (**EN010166/APP/6.4**).

Consultee	Comment	Response
	under the Dee Estuary which further reduces archaeological impacts. We understand that the bore hole logs will be passed to AECOM for review of potential paleoenvironmental deposits at depth (normally peat deposits) which may be of archaeological interest. Deep deposits of interest are highly unlikely to be affected where reclaimed and raised ground is present assuming new foundations do not reach these deposits.'	

Topic: Marine Heritage – N/A None were sought after

Topic: Socio-Economics , Recreation and Tourism

Consultee	Comment	Response
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	The ES has been prepared having regard to the relevant National Policy Statements (EN-1, EN-2, EN-4 and EN-5) as well as PPW, the statutory development plan in Wales (Future Wales: The National Plan 2040) and FCC LDP. Legislation, planning policy, and guidance relating to this assessment and which are pertinent to the Proposed Development are listed in Table 19-1 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**), and are inclusive of the noted policy documents, legislation and guidance. Further detail regarding

		these can be found in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).

Topic: Climate change

Consultee	Comment	Response
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	The noted policies have been considered within the Climate Change assessment, and these have been specifically addressed within Table 20-1 in **Chapter 20: Climate Change** (**EN010166/APP/6.2.20**) and **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**). There are no Technical Advice Notes relevant to the Proposed Development.

Topic: Human Health

Consultee	Summary of Comment	Response
PHW	'We support that the scoping document seeks to examine areas particularly relevant to human health, including air quality, surface- and groundwater, incident risk and management, noise and vibration and traffic changes. PHW are supportive of work to reduce and mitigate the impacts of climate change on health by reducing emissions from fossil fuels	This position is acknowledged. The Applicant has contacted BCUHB to discuss the human health assessment on numerous occasions. No response has been received from the Board, and

Consultee	Summary of Comment	Response
	as we transition to renewable energy sources. PHW will be interested to see if there may be a side-effect benefit of NOx reduction from emissions as emitted gases may require processing before entering the carbon capture system. We welcome use of the Wales Health Impact Assessment Support Unit Guidance and the Wellbeing of Future Generations Act in formulating the human health impact assessment (HIA) for this project. As stated, PHW works closely with health boards across Wales. Since this project is located within Betsi Cadwaladr University Health Board (BCUHB), we can work with the Director of Public Health (DPH) within BCUHB to make them aware of the project, particularly regarding any health concerns that may arise from this project. There may be some aspects of the development relating to health of the population that can be fielded directly to the DPH, as the lead for local public health issues.'	therefore engagement has not been possible.
UKHSA	'We have considered the submitted documentation and note this is at the stage of Preliminary Environmental Information Report (PEIR), as such we are happy with the approach taken and the conclusions drawn, including scoped out (health) effects.' 'In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA's predecessor organisation Public Health England (PHE) produced an advice document Advice on the content of Environmental Statements accompanying an application under the NSIP Regime', setting out aspects to be addressed within the Environmental Statement. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that	Public Health England's 'Advice on the content of Environmental Statements accompanying an application under the NSIP Regime' has been considered and is detailed in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**). Where health impacts are scoped out, an explanation is provided in Section 21.2 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**).

Consultee	Summary of Comment	Response
	where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.' 'It should be noted that Public Health Wales (PHW) is the national public health agency in Wales who will take the lead in health and wellbeing considerations.'	
UKHSA	'We note the assessment presented in section 21.6.83 to 21.6.87, Radiation and exposure to electromagnetic fields. In considering public health impacts associated with changes to the electricity infrastructure, the following guidelines explain where it is necessary to demonstrate compliance with the exposure guidelines that apply to public exposure to EMFs in the UK: https://assets.publishing.service.gov.uk/media/5a796799ed915d07d35b5397/1256-codepractice-emf-public-exp-guidelines.pdf'	The Proposed Development contains an Electrical Connection, which could produce EMFs. As noted in Table 21-1, **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) undertakes an assessment in line with Control of Electromagnetic Fields at Work Regulations 2016 (Ref 21-4). The Human Health assessment presented in Section 21.6 of this Chapter assesses whether or not significant effects to human receptors would arise from EMFs produced in the operational phase under the 'radiation' determinant. It finds that no significant effects are likely.
UKHSA	'Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their	This position is acknowledged. This assessment considers the impacts of traffic and combustion pollutants associated with the Proposed Development. These are assessed under the 'air quality' and 'transport modes, access, and connections' determinants in Section 21.6 of **Chapter 21: Human Health**

Consultee	Summary of Comment	Response
	consideration during development design, environmental and health impact assessment, and development consent.'	(**EN010166/APP/6.2.21**). It finds that no significant effects are likely.
FCC	'The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023.'	As stated in Table 21-1, **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) the Applicant has considered guidance from Planning Policy Wales (PPW) (edition 12, 2024 (Ref 21-11)) when undertaking the human health assessment. It has also considered relevant policies from the Flintshire Local Development Plan, also stated in Table 21-1.

Topic: Major Accidents and Disasters

Consultee	Comment	Response
HSE	'HSE's land use planning advice: CEMHD5 has nothing further to add to the previous consultation response. CEMHD7 response remains the same as previous response of no comment to make as there are no HSE Licensed explosives sites in the vicinity of the Proposed Development.'	This position is acknowledged and the substance of previous consultation responses is shown in Table 22-6 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**).
Natural Resources Wales (NRW)	'Chapter 22 (Major Accidents and Disasters) of the PEIR includes Table 22-5: Hazardous Substances Likely to be Present during the Operation of the Proposed Development, which lists these as: • Natural gas (comprising a mixture of hydrocarbons; primarily methane (CH4))	This position is acknowledged. The substances likely to be present onsite are detailed in Table 22-6 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**). The PEIR also referenced the presence of BESS chemicals, but

Consultee	Comment	Response
	• CO2 gaseous • Amine solvent • Ammonia Solution • Diesel • SCR catalyst'	the client has since confirmed that no BESS is proposed as part of the development.
NRW	'During the operational phase, the development has the potential to cause pollution incidents as a consequence of fire and explosion. We therefore advise that an outline Battery Safety Management Plan (oBSMP) should be provided that secures pollution prevention measures during operation. This should set out the key fire safety provision for the BESS and include measures for fire reduction and protection. We recommend that you seek the advice of the North Wales Fire and Rescue Service in relation to the oBSMP.'	The Applicant considers that the backup electrical battery does not constitute a BESS. Therefore, there is no need for an oBSMP.
NRW	'The oBSMP will be an important document for the purpose of describing water management measures to control surface water runoff and to drain hardstanding and other structures. We advise this includes runoff from any incidents including fire suppression water. The management of water run-off would be particularly important in the event of a fire (e.g. at the BESS) and the need to use substantial amounts of water. The ES and oBSMP should set out the precautions that will be in place to contain any firewater produced and how firewater will be disposed of without causing pollution. We advise the use of	The Applicant considers that the backup electrical battery does not constitute a BESS. Therefore, there is no need for an oBSMP.

Consultee	Comment	Response
	penstocks as a means of preventing firewater contaminating watercourses.'	
NRW	'Where CO2 capture plants use dangerous substances in quantities above a certain threshold the COMAH Regulations 2015 will apply to the whole site. If this is the case, Uniper will be required to apply for a Hazardous Substances consent from the Local Authority and notify the Competent Authority.'	This comment is acknowledged. The Applicant will engage the Local Authority (FCC) and Competent Authority with regards to the COMAH Regulations 2015 and Hazardous Substances consent. Further information is provided in the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document.
Office for Nuclear Regulation (ONR)	'The Proposed Development lies within a nuclear site consultation zone. When consulted on formal planning applications around nuclear sites, ONR will provide advice to Local Planning Authorities (LPAs), where those planning applications meet with ONR's consultation criteria. ONR may also make representations to LPAs when consulted regarding Local Development Plans and Strategies. The advice that ONR provides is dependent on the specific details of the planning application. Therefore, ONR does not comment on pre-planning applications. After receiving a request for consultation on a formal planning application ONR would consider the following questions: Does the Proposed Development represent an external hazard to a nuclear installation; and	The Proposed Development is located approximately 9 km from the Urenco facilities at Capenhurst and lies within the 12 km ONR consultation zone for major hazard facilities. It is highly unlikely that the Proposed Development would represent an external hazard to the existing nuclear installation. We note that the existing refinery at Stanlow lies much closer to the Urenco site. Appropriate consequence modelling would be undertaken as part of the detailed design phase. Due to the anticipated inventory at the Main Development Area[3], it is anticipated that the Main Development Area would be a COMAH establishment, and as such a Major Accident Prevention Policy (MAPP) would be developed. On and off site emergency plans would be put in place, which would be agreed with the HSE and

[3] As shown in Figure 3-3: Areas described in the ES (**EN010**166/APP/6.3).

Consultee	Comment	Response
	Could the Proposed Development be accommodated within the Local Authority off-site emergency planning arrangements. If ONR had significant health and safety concerns on either count then it would advise against the development. If ONR was satisfied that the Proposed Development could be accommodated within the Local Authority off-site emergency planning arrangements and that it posed no external hazard to the installation, then ONR would have no grounds to advise against.'	FCC. The HSE would advise on potential domino effects from and to the side with neighbouring, existing COMAH establishments. On this basis it is anticipated that there would be no grounds for the ONR to advise against the development.
FCC	'The submitted environmental statement will need to have regard for PPW (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force / adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire LDP adopted by the Council on 24 January 2023.'	The assessment has been completed with regard to the latest edition of the PPW and the FCC LDP.

Topic: Materials and Waste

Consultee	Comment	Response
FCC	"It is noted that there is no data available in this table for recycled and secondary aggregates. The following publication may assist. [redacted]	Data related to recycled aggregate is included in Table 3 of **Appendix 23-A: Materials and Waste Baseline Data Report** (**EN010166/APP/6.4**). The source of data is Minerals and Mineral Products Sales in Great Britain, Mineral Products Association (MPA), Profile of the UK Mineral Products Industry (2023 Edition) (Ref 23-30).

Consultee	Comment	Response
	[redacted] The ES should demonstrate where waste materials are being reduced, reused and treated/recycled prior to disposal, in line with the waste hierarchy. Options for reuse and treatment of waste should be considered to enable reuse/recovery where possible rather than disposal."	This provides more recent data than The Contribution of Recycled and Secondary Materials to Total Aggregates Supply in Great Britain - 2020 Estimates (Ref 23-31) publication. Both publications do not provide recent Wales based data for recycled aggregate, the most recent is 2005 and has not been included since it is more out of date than the Minerals and Mineral Products Sales in Great Britain, MPA, Profile of the UK Mineral Products Industry (2023 Edition). Section 23.5 Development Design and Embedded Mitigation of **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**) and the **Framework Site Waste Management Plan** within the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**) provides information on applying the waste hierarchy during construction Ref 23-32.
FCC	"The submitted environmental statement will need to have regard for Planning Policy Wales (PPW) (edition 12, 2024) and any relevant legislation and guidance such as relevant Technical Advice Notes that is in force/adopted in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023."	Legislation, policy and guidance are outlined in Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics (**EN010166/APP/6.4**) and Table 23-1 of **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**).
Natural Resources Wales (NRW)	"No material is to be deposited within 10 m of any watercourse without discussion with NRW. The site is in the immediate vicinity of the Dee Estuary (a SSSI, SAC and SPA), should any contaminated water or materials enter or pollute	As outlined within the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**), no material is to be

Consultee	Comment	Response
	the watercourse or groundwater, NRW must be notified on [redacted]	deposited within 10 metres of any watercourse without discussion with NRW.
Natural Resources Wales	"According to our records there are three historic landfills within the immediate vicinity of the proposed works (Connah's Quay Power Station, Connah's Quay Power Station No. 1 and Connah's Quay Power Station No. 3). If during construction/excavation works any contaminated material is revealed, the movement of such material either on or off site must be done in consultation with NRW. Any waste excavation material or building waste generated during the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990."	As outlined in the **Framework Site Waste Management Plan** (Section 23.2 Duty of care) within the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**), all waste movement off-site and would be accordance with the Environmental Protection Act 1990.
Natural Resources Wales	"Materials and Waste Management The activity of importing waste into the site for use as, for example, hardcore must be registered with NRW as an exempt/permitted activity under the Environmental Permitting (England and Wales) Regulations 2016. NRW should be contacted to discuss the necessity for an exemption or permit for any waste material imported to, treated on, and exported from the site. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous Waste consignment notes."	It is not currently proposed to import waste for use in construction. If recycled aggregate is brought to site this would not be considered a waste since it would be produced in accordance with the WRAP Quality Protocol: Aggregates from Inert Waste (Ref 23-29). As outlined in the **Framework Site Waste Management Plan** (SWMP) within the **Framework Construction Environmental Management Plan** (**EN010166/APP/6.5**), details of all appointed waste carriers, brokers and contractors would be included in the SWMP to developed by the contractor, including copies of appropriate waste carrier licences/registrations.

Topic: Cumulative and Combined Effects

Consultee	Comment	Response
Environment Agency	'Issue' – 'An awareness of the wider implications of the development on the delivery of the HyNet Industrial Cluster is needed.' 'Impact' – 'To understand how the development fits into the greater HyNet Industrial Cluster to help ensure the delivery of the HyNet scheme in its entirety can be achieved.' 'Solution' – 'A summary of how the development fits into the wider scheme should be provided, particularly in relation to water quality and resources and abstraction/ discharge licences.' 'Additional narrative/ explanation (if necessary: the Environment Agency have recently published the Phase 3 outputs on the DESNZ funded Environmental Capacity for Industrial Clusters project which includes Hynet from a water resource / quality perspective: https://www.gov.uk/government/publications/environmentalcapacity-for-industrial-clusters. This provides an overview of the environmental issues which need to be managed by Hynet related developments coming forward to ensure delivery of the scheme in its entirety can be achieved. Of note, an extract from the report states the following: 'In HyNet an assessment of abstraction licences in 2012 and 2023 found that surface water may be available for licensing at volumes required for HyNet up to 2030, however, future water availability for HyNet (2030+) is less certain. Uncertainty exists around wastewater impacts in HyNet from low carbon technologies and the potential thermal, toxicological and ecological impacts around catchments across the HyNet region. How wastewater is to be managed has yet to be fully determined. dA strategic whole system view of industrial cluster development is required, involving industry, government,	The Applicant proposes to maintain the Proposed Development's permitted abstraction and discharge parameters in relation to cooling water. As is currently the case, it is anticipated that abstraction would be intermittent and limited to no more than three hours abstraction per tide around high water (one hour before and two hours after). Purge discharge would also be consistent with the existing site operation, with no more than three hours commencing on the ebb tide one hour after high water. The cooling water (and process water) discharge will be consistent with the operation of the existing power station in terms of temperature and water quality and will comply with the existing environmental permit limits. As such, the baseline situation with regards to abstraction and discharge of River Dee water is unchanged and so does not cause any decrease in water availability or water quality against the existing Dee Estuary baseline. As such, the Proposed Development would not adversely affect the

	regulators and spatial planners to address environmental challenges facing the deployment of low carbon technologies.''	delivery of the HyNet Industrial Cluster with regard to water resources or water quality.

2. Appendix E-2: Regard had to Section 47 and 48 Consultee Responses

Summary of responses and regard had to those responses

Matter raised	Regard had to comment by the Applicant	Change made to project? Y or N
Site Location Some respondents recognised the need for the Proposed Development and considered the existing gas-fired power station site a suitable location due to its established infrastructure and proximity to the Liverpool Bay depleted gas field, making it a practical choice for the Proposed Development.	This has been noted, and we thank the respondents for their support of the application.	N
Site Location The proposed location has raised concerns among some respondents due to its proximity to an environmentally sensitive area, the Dee Estuary. This location is valued for its wildlife and bird populations, particularly migratory species, which many are concerned could be disrupted by the development. Respondents expressed concern about potential impacts on the local habitats and suggested that the area's environmental significance makes it a challenging site for a development of this nature.	The Applicant has undertaken ecological surveys to determine the use of the fields within the Main Development Area by ornithological features of the Dee Estuary's ecological designations. These surveys have determined that the agricultural fields are utilised by curlews. The Applicant has sought to minimise land take within these areas as part of construction laydown and has included ecological safeguarding zones in the north and west of the Main Development Area. In addition to this, the Applicant is committed to providing mitigatory habitats for the temporary and permanent loss of this land. The mitigation would be in place prior to the commencement of any works within these fields. Information related to the mitigation strategy is also presented within **Chapter 11: Terrestrial and Aquatic Ecology** of the **ES** (**EN010166/APP/6.2.11**).	N
Site Location Some expressed a belief that any new construction should remain within the existing power station footprint to minimise disruption and environmental impact on the surrounding sensitive habitats.	The proposed new power station is to be built on the Applicant's land, adjacent to the existing power station. Information about the project and the alternatives that have been considered, including the use of existing power station site, can be found within **Chapter 4: The Proposed Development of the ES** (**EN010166/APP/6.2.4**) and **Chapter 6: Project Alternatives of the ES** (**EN010166/APP/6.2.6**).	N
Existing Site Some respondents expressed concerns about the visual appearance of the current	The existing Connah's Quay Power Station is an existing asset that forms part of the baseline of the visual appearance of the area.	N

Matter raised	Regard had to comment by the Applicant	Change made to project? Y or N
power plant, noting that it stands out in the landscape.		
Visual Impact There were some requests among respondents for thoughtful design and aesthetic integration to minimise visual impacts and preserve local character. Suggestions include painting the facility to blend in with the surroundings and incorporating substantial landscaping and vegetation.	A colour study (**Appendix 15-F: Colour Analysis of the ES** (**EN010166/APP/6.4**) identifies that incorporating a colour analysis inspired by the landscape - drawing from the hues of the water, sky, and surrounding environment would help to minimise impacts. Requirement 3 of the Draft DCO (EN010166/APP/3.1) provides that no stage of the authorised development may commence until details of the external appearance including colour of all new permanent buildings and structures have been submitted to and approved by the relevant planning authority. The study notes *'to enhance the camouflage effect... a gradient or patterned design that incorporates multiple tones. This would allow the building to reflect the natural transitions and textures of the vegetation, creating a stronger sense of integration with its surroundings.'*	Y
CCS Technology While there is some support for the technology as a transitional step towards greener energy, there were some reservations from respondents about its implementation and location. Clear communication about the environmental benefits and the necessity of the Proposed Development is seen as essential to fostering broader community acceptance.	The Overarching NPS for Energy is very clear in its support for CCS technology and states at paragraphs 3.5.1 and 3.5.2 that "*There is an urgent need for new carbon capture and storage (CCS) infrastructure to support the transition to a net zero economy*" and "*The Climate Change Committee states that CCS is a necessity not an option*". Paragraph 3.5.9 goes on to state that "*The alternatives to new CCS infrastructure for delivering net zero by 2050 are limited.*" The proposed new CCGT power station with carbon capture at Connah's Quay would be able to flexibly and reliably generate low carbon power to meet the growing need for electricity, whenever it is required. Power stations such as this will play a crucial role in the future energy system, as they can help ensure that energy is available at times when it is needed most, and when power from renewable sources cannot meet demand. Information on the likely significant environmental effects of the Proposed Development can be found within the ES, with further information about the project and alternatives that have been considered in **Chapter 4: The Proposed Development** of the **ES** (**EN010166/APP/6.2.4**) and **Chapter 6: Project Alternatives** of the **ES** (**EN010166/APP/6.2.6**).	N

Matter raised	Regard had to comment by the Applicant	Change made to project? Y or N
CCS Technology Some respondents expressed opposition to establishing another gas power station, citing environmental concerns and the continued reliance on fossil fuels. They stressed the need for more sustainable and clean energy sources. Some respondents advocate for exploring alternative energy sources such as nuclear or geothermal.	The Overarching NPS for Energy is very clear in its support for CCS technology and states at paragraphs 3.5.1 and 3.5.2 that "*There is an urgent need for new carbon capture and storage (CCS) infrastructure to support the transition to a net zero economy*" and "*The Climate Change Committee states that CCS is a necessity not an option*". Paragraph 3.5.9 goes on to state that "*The alternatives to new CCS infrastructure for delivering net zero by 2050 are limited.*" The proposed new CCGT power station with carbon capture at Connah's Quay would be able to flexibly and reliably generate low carbon power to meet the growing need for electricity, whenever it is required. Power stations such as this will play a crucial role in the future energy system, as they can help ensure that energy is available at times when it is needed most, and when power from renewable sources can't meet demand. Information on the likely significant environmental effects of the Proposed Development can be found within the ES, with further information about the Proposed Development and alternatives that have been considered in **Chapter 4: The Proposed Development** of the **ES** (**EN010166/APP/6.2.4**) and **Chapter 6: Project Alternatives** of the **ES** (**EN010166/APP/6.2.6**).	N
CCS Technology Technologies like solar, wind, and nuclear were cited by some respondents as being preferred technology to gas-powered, due to their perceived lower environmental impact.	Information on the Proposed Development and the alternatives that have been considered, including alternative technologies can be found within **Chapter 4: The Proposed Development** of the **ES** (**EN010166/APP/6.2.4**) and **Chapter 6: Project Alternatives** of the **ES** (**EN010166/APP/6.2.6**).	N
CCS Technology A notable portion of the feedback expressed reservations about the effectiveness and practicality of implementing carbon capture technology at the proposed scale. Respondents questioned whether the claimed capture rates are achievable.	The plant design will incorporate post-combustion carbon capture technology, capable of capturing at least 95% of CO_2 emissions produced. The total CO_2 captured values stated today are taken from a preliminary Front End Engineering Design ('Pre-FEED') study that was undertaken in 2023 by AECOM[4]. CO_2 capture values will be verified following completion of a full FEED study and subsequent EPC (engineering, procurement and construction) contract award which the Applicant expects to be in 2026. Further information can be found within	N

[4] AECOM is a specialist engineering and infrastructure consulting firm, appointed by the Applicant to deliver technical support services on the Connah's Quay Low Carbon Power project.

Matter raised	Regard had to comment by the Applicant	Change made to project? Y or N
	Chapter 4: The Proposed Development of the **ES** (**EN010166/APP/6.2.4**) and **Chapter 6: Project Alternatives** of the **ES** (**EN010166/APP/6.2.6**).	
CCS Technology Some respondents acknowledged the importance of the Proposed Development, particularly in the context of addressing energy generation needs while transitioning toward more sustainable sources. Many recognise the urgency of tackling climate change and reducing carbon emissions, noting that investing in technologies like carbon capture - despite some reservations about their effectiveness - could play a role in mitigating immediate emissions from power generation. Some also view the Proposed Development as a potential improvement over existing technologies and a means to address regional energy demands.	This has been noted, and we thank the respondents for their support of the application.	N
Air Quality Some respondents shared concerns about the potential impact of air quality on their health and well-being due to the proposed development. They raised a number of issues related to emissions during both the construction and operational phases: • **Fugitive Emissions:** Feedback included concerns about dust and particulate matter generated during construction and decommissioning, with some concerned that this could temporarily affect local air quality and potentially cause respiratory discomfort. • **Traffic-Related Emissions:** Concerns were also raised about the possibility of increased vehicular traffic during construction, leading to higher emissions and congestion at peak times, which some perceive as a potential health concern. • **Point-Source Emissions:** Some respondents noted uncertainty about emissions from the new CCGT power station once operational and questioned how they might compare to current emission levels.	**Chapter 8: Air Quality** of the **ES** (**EN010166/APP/6.2.8**) and its supporting appendices provide full details of the technical assessments that have been undertaken for the construction, operation and decommissioning phases of the Proposed Development. This includes consideration of both effects on human health and ecological receptors. These findings are also considered within **Chapter 21: Human Health** of the **ES** (**EN010166/APP/6.2.21**) in the context of the demographics of the population. The assessments conclude that there would be no likely significant effects on human health either during construction, operation or decommissioning of the Proposed Development. Embedded mitigation in relation to dust and air quality during construction, which is detailed in the **Framework CEMP** (**EN010166/APP/6.5**) includes: - The use of water suppression and regular cleaning to minimise mud on roads; and - Control dust during earth moving activities. Further details can also be found in the	N

Matter raised	Regard had to comment by the Applicant	Change made to project? Y or N
	Framework CTMP (**EN010166/APP/6.6**) and the **Framework CWTP** (**EN010166/APP/6.7**). With regard to operational emissions, the Proposed Development would be designed such that process emissions to air comply with the Emission Limit Value requirements specified in the Industrial Emissions Directive (IED) and where additional, or tighter, the relevant Large Combustion Plant (LCP) Best Available Techniques Reference Document (BREFs). This would be regulated by NRW through the Environmental Permit required for the operation of the Proposed Development. The Environmental Permit may also include additional Emission Limit Values for species not covered under the IED or LCP BREF. As part of the Targeted Consultation, one of the key changes presented related to an increase in the proposed stack heights for the carbon capture plant. This change was introduced to help to mitigate the human health and ecological effects of the project. The Applicant sought views from affected stakeholders and consultees on the revised stack heights, and all feedback received was carefully considered as part of the ongoing design refinement and assessment process.	
Air Quality Some respondents highlighted the importance of regular air quality monitoring as an integral part of the Proposed Development. They expressed a desire for transparency regarding the results of these assessments and clear communication about how potential air quality concerns will be addressed. One respondent suggested having an effective system for reporting any health concerns they believe may be related to air quality changes during construction, with timely feedback and reassurance that issues will be appropriately managed.	**Chapter 8: Air Quality** of the **ES** (**EN010166/APP/6.2.8**) and its supporting appendices provide full details of the technical assessments that have been undertaken for the construction, operation and decommissioning phases of the Proposed Development. This includes consideration of both effects on human health and ecological receptors. These findings are also considered within Chapter **21: Human Health** of the **ES** (**EN010166/APP/6.2.21**) in the context of the demographics of the population. The assessments conclude that there would be no likely significant effects on human health either during construction, operation or decommissioning of the Proposed Development. A Dust Management Plan would be implemented during construction which would include measures to control other emissions. This could involve monitoring of dust deposition and/or real-time PM10	N

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	continuous monitoring. If monitoring is required, the approach would be agreed with the relevant local planning authority ahead of construction commencing. A Continuous Emissions Monitoring System would be put in place for the monitoring of some residual emissions in the stacks, as agreed with NRW through the Environmental Permit. A Stakeholder Communications Plan would be implemented by the Applicant at detailed design. This would include measures for community engagement before and during the construction phase, including details of the complaints procedure. While not specifically detailed in the Environmental Statement, any incidents or complaints relating to health and air quality during construction would be managed through established Environment, Health and Safety (EHS) systems operated by both the EPC contractor and the Applicant. These systems are designed to ensure timely response, investigation, and resolution of any reported issues. In addition, operational emissions from the Proposed Development will be regulated by Natural Resources Wales (NRW) through the environmental permitting process, which sets enforceable conditions for air quality and public health protection.	
Biodiversity – wildlife Residents have shared concerns about the potential impact on wildlife, particularly bird species like the curlew in the Dee Estuary. They emphasised the estuary's importance as a critical habitat and expressed concern about the challenges of minimising disturbances from the development. Suggestions included creating compensatory habitats to support and protect affected species.	The Applicant has undertaken ecological surveys to determine the use of the fields within the Main Development Area by ornithological features of the Dee Estuary's ecological designations. These surveys have determined that the agricultural fields are utilised by curlews. The Applicant has sought to minimise land take within these areas as part of construction laydown and has included ecological safeguarding zones in the north and west of the Main Development Area. In addition to this, the Applicant is committed to providing mitigatory habitats for the temporary and permanent loss of these habitats. The mitigation would be in place prior to the commencement of any works within these fields.	Y

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	Information related to the mitigation strategy is presented within the **Curlew Mitigation Strategy** (**EN010166/APP/6.13**).	
Biodiversity – wildlife Some respondents have expressed concerns about the potential environmental impacts of the proposal, with a perception that the development could cause lasting effects on local ecosystems. There are concerns about the possibility of permanent loss of wildlife habitats.	**Chapter 11: Terrestrial and Aquatic Ecology** of the **ES** (**EN010166/APP/6.2.11**) acknowledges that the construction of the Proposed Development would result in temporary and permanent habitat loss. However, the Applicant is committed to achieving a net benefit for biodiversity. Further information can be found within the **Green Infrastructure Statement** (**EN010166/APP/6.11**).	Y
Biodiversity – construction Respondents believe that construction activities will disturb not only curlews but also several other important bird species in the area, particularly during sensitive periods such as autumn and winter. The scale and height of the proposed construction are viewed as challenges for effective mitigation efforts.	An assessment of the potential effects of the project on bird species has been prepared and is presented in **Chapter 11: Terrestrial and Aquatic Ecology** of the **ES** (**EN010166/APP/6.2.11**). The assessment identifies a series of mitigation measures required to minimise effects on bird species.	Y
Biodiversity – construction Some respondents have shared concerns about the effectiveness of proposed mitigation measures, such as noise screening and working practices. There is a perception that these measures may not fully address potential disturbances to wildlife, particularly given the ecological importance of the area.	The modelling presented in the **Report to Inform the Habitat Regulations Assessment Report (HRA)** (**EN010166/APP/6.12**) supports the conclusion that the proposed measures would be effective in avoiding adverse effects on integrity on the qualifying features of the adjacent Habitat sites.	Y
Biodiversity – wildlife There is a perception that inadequate provisions for alternative feeding and roosting habitats for curlews and other wildlife will lead to displacement and further threats to their populations.	The Applicant acknowledges the importance of protecting sensitive species and habitats and confirms that potential impacts on birds, including curlews, have been assessed in detail within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) of the ES, as well as in the supporting **Report to Inform the Habitat Regulations Assessment Report (HRA)** (**EN010166/APP/** **6.12**). With regards to habitats, the Proposed Development would result in significant adverse effects on Open Mosaic Habitats within the C&IEA and modified grassland within the Main Development Area until these areas are resituated in accordance with the **Outline Landscape Environmental**	Y

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	Management Plan (**OLEMP**) (**EN010166/APP/6.9**). It is anticipated that the Proposed Development may give rise to significant adverse effects on Terrestrial Invertebrates in the short term until suitable habitats are reinstated following construction of the Proposed Development, in accordance with the Outline LEMP (**EN010166/APP/6.9**). The Applicant remains committed to ongoing engagement with relevant ecological stakeholders to ensure that appropriate protections remain in place throughout the lifecycle of the Proposed Development.	
Biodiversity – wildlife Participants have expressed concerns that the development could result in a notable reduction in biodiversity in a region celebrated for its wildlife and status as an internationally significant wetland. Some feel that while the development may address national energy needs, it should not do so at the expense of already vulnerable local wildlife. There is a sentiment among some respondents that preserving the area's ecological value is more important than the potential economic benefits of the project.	The Applicant has undertaken ecological surveys to determine the use of the fields within the Main Development Area by ornithological features of the Dee Estuary's ecological designations. These surveys have determined that the agricultural fields are utilised by curlews. The Applicant has sought to minimise land take within these areas as part of construction laydown and has included ecological safeguarding zones in the north and west of the Main Development Area. In addition to this, the Applicant is committed to providing mitigatory habitats for the temporary and permanent loss of this land. The mitigation would be in place prior to the commencement of any works within these fields. Information related to the mitigation strategy is also presented within **Chapter 11: Terrestrial and Aquatic Ecology** of the **ES** (**EN010166/APP/6.2.11**). The Applicant has also prepared a **Green Infrastructure Statement** (**EN010166/APP/6.11**) which details how the Proposed Development would achieve a Net Benefit for Biodiversity. Please also see the **Curlew Mitigation Strategy** (**EN010166/APP/6.13**).	Y
Biodiversity – nature reserve Concerns have been expressed about the potential impact of the development on the enjoyment and ecological value of the nearby nature reserve. Some are concerned that construction and operation could disrupt the natural environment, affecting both local wildlife and the experience of recreational visitors.	The Applicant is committed to maintaining access to bird hides located within the Applicant's landholding throughout the construction, operation and decommissioning phases. Mitigation measures have been embedded within the design that will minimise disturbance to wildlife. These measures include the provision of 3 m tall acoustic	Y

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Respondents emphasised the importance of careful management and mitigation strategies to protect the reserve's ecological integrity and its role in supporting biodiversity and community well-being.	fencing around certain sections of the Main Development Area, timing of construction activities to avoid sensitive windows (where possible) and appointment of a suitably qualified Ecological Clerk of Works who would provide ecological oversight during site clearance and construction works on site (such as habitat clearance). Information related to biodiversity and green infrastructure is provided in the **Outline LEMP** (**EN010166/APP/6.9**).	
Consultation Process One respondent expressed concerns about the consultation process. They perceived the questionnaire as being more supportive of the proposed development and shared feedback about wanting more comprehensive engagement and information throughout the process.	As explained in this Consultation Report, the Applicant has undertaken extensive pre-application consultation in compliance with the Planning Act 2008 and related regulations and guidance. The Applicant has a long-standing presence at Connah's Quay and understands the importance of being a good neighbour. To ensure local people were consulted on the proposals, the Applicant agreed a programme of local community consultation with the relevant host local planning authorities – Flintshire County Council and Cheshire West and Chester Council[5]. This consultation programme was detailed in the **Statement of Community Consultation** (Appendix B-3 of the **Consultation Report** (**EN010166/APP/5.2**).	N
Construction Some respondents expressed concerns about noise, vibration, and environmental disruption during extensive construction periods. They sought assurances on noise reduction, structural integrity, and pollution mitigation.	A detailed construction noise assessment has been undertaken within **Chapter 9: Noise and Vibration** of the **ES** (**EN010166/APP/6.2.9**) to identify the likely effects associated with construction noise. It identifies that following the application of both embedded and additional mitigation no significant construction noise effects are anticipated to arise during construction, with the exception of temporary moderate adverse effects on Noise Sensitive Receptors R21 and R22 due to road traffic noise on Kelsterton Road. Further information can be found within **Chapter 9: Noise and Vibration** of the **ES** (**EN010166/APP/6.2.9**) **and Chapter 10: Traffic and Transport** of the **ES** (**EN010166/APP/6.2.10**). Embedded mitigation in relation to noise, which is detailed in the **Framework CEMP**	N

[5] Following a reduction in the Site boundary that took place after the Statutory Consultation had ended, the land within the Site that fell within CWCC's administrative boundary was removed from the Site. This meant that CWCC was no longer a host local authority.

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	(**EN010166/APP/6.5**), includes: - restriction on core working hours to 08:00 to 18:00 Monday to Friday (except Bank Holidays) and 08:00 to 13:00 on Saturdays; - application of appropriate standard and best practice control measures; and - where construction works are proposed outside core hours, additional noise assessments would be undertaken if the construction noise and vibration thresholds are likely to be exceeded. In relation to vibration, it is considered only receptors within 100 m of construction activity could experience ground borne vibration. The vibration levels predicted are considerably below the thresholds for damage to buildings.	