

Date: 18 December 2025  
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Dear Mr Ely,

**Application by Uniper for an Order Granting Development Consent for the Connah's Quay Low Carbon Power Project – Rule 6 Letter**

Thank you for your consultation dated 09 December 2025. The following constitutes Natural England's formal statutory response to the Rule 6 Letter. Natural England is an Interested Party (IP) within the examination of the Connah's Quay Low Carbon Power Project.

Please accept this letter as Natural England's comments in relation to the contents of the Rule 6 letter and an overview of how Natural England proposes to provide our statutory advice to the Examining Authority (ExA) during the examination phase of the project.

**1. Overview of Natural England's engagement with the Examination**

Natural England recognises the contribution low carbon power NSIPs make to delivering the Government's green energy ambitions and net zero target, and the importance of our advice in securing positive environmental outcomes. Over the next 12 – 18 months, Natural England will be engaging with nine NSIPs, in addition to this one, in the North-West and Wales where cross-boundary issues exist, that have the potential to result in overlapping examinations and/or pre-determination consultations. This is likely to place significant pressure on our resources and our ability to engage with the complex demands of these projects, particularly during examinations.

Whilst Natural England remains committed to engaging in NSIP examinations and meeting our statutory obligations, we need to address the workload pressures presented by these overlapping projects. By undertaking a review of previous contributions to NSIP examinations, we have identified how we can best focus our advice to ensure we are able to engage efficiently and effectively, and have the greatest likelihood of achieving issue resolution.

In addition, we are also concerned that if there is submission of substantial new evidence, particularly if occurring late in the Examination process, this will put further pressure on Natural England's staff. Whilst we seek to meet Examination timeframes wherever possible, our concern is that our ability to do this will be affected if significant additional information is submitted. In these circumstances, Natural England will use its best endeavours but we will provide advice to the Examining Authority on what we consider is achievable in the circumstances.

**2. Attendance of the Preliminary Meeting**

Thank you for your invitation to the Preliminary Meeting on the 13<sup>th</sup> January 2026. Natural England will not be attending but hope this letter will suffice in providing our input into this meeting.

### **3. Accompanied Site Inspections (ASI)**

Natural England does not plan to attend any site inspections, noting we are not permitted to provide advice during these visits.

### **4. Compulsory Acquisition Hearings (CAH)**

Natural England does not plan to attend any Compulsory Acquisition Hearings, as these fall outside of our remit.

### **5. Issue Specific Hearings (ISH)**

Natural England will only attend hearings by exception, targeting those ISH that have the greatest likelihood of resolving significant environmental risks. In such instances our attendance will be virtual. We highlight that where Natural England does not attend hearings, this should not be construed as a lack of concern on outstanding issues, as opposed to the likelihood of these being resolved.

Natural England would be pleased to respond to any questions from the ExA that arise from the hearings at a subsequent deadline.

As regards the first set of hearings, to date we are not aware of any significant progression of key issues since the submission of our Relevant Representations, and we are not aware of any new information from the Applicant that is proposed to be discussed in the initial hearings.

### **6. Engagement with the Applicant**

During the Examination Natural England will, where possible, engage with the Applicant to ensure issues are progressed. Due to the timing implications, Natural England will focus our engagement on key issues where the proposals are being amended in response to concerns, or where new or updated assessments present an opportunity for issue resolution.

### **7. Statement of Common Ground (SoCG),**

**Natural England will submit our own Risk and Issues log at Deadline 1, and updates to the log will be provided at all subsequent Deadlines.** This will include any relevant points regarding ongoing engagement with the Applicant. We hope this will be of assistance to the ExA in understanding Natural England's current outstanding issues and on demonstrating progress on issue resolution.

Natural England observe that the ExA has request an initial SoCG at Deadline 1. To date we have had no discussions with the applicant or their consultants regarding a draft SoCG.

**Commented [AW1]:** I was planning on pulling together a Risk and Issue log, but this will be in January. Given the number of issues raised I think it could be a useful way of keeping track of progress

### **8. Response to Deadlines**

Throughout the examination it is anticipated that many documents will be submitted and published on the PINS website. Natural England will screen all documents; however, we will only conduct detailed review and provide feedback on documents deemed relevant to our statutory function and the issues we have raised. We will advise the ExA in writing at each Deadline of which documents we have reviewed. If there is a document Natural England has not reviewed that the ExA wishes to have our advice on, then please inform us as soon as possible and we will endeavour to review ahead of the next Deadline or advise at which Deadline comments can be expected. Any documents not listed within our Deadline responses should be assumed to have not undergone detailed review by Natural England.

**Commented [KM2]:** Retained this text from the Rampion 2 Rule 6 letter as hopefully other Examiners will follow suit and only seek a final SOCG.

### **9. Submission of Additional Information**

Provision of large amounts of new or updated information during the Examination presents major challenges for consultees, particularly when engaged with multiple overlapping cases. Whilst Natural England will always make best endeavours to respond to submissions in a timely fashion, it cannot be guaranteed that all documents submitted will be reviewed by the following Deadline. Regularly updated information from the Applicant regarding the predicted submissions and arrival times can help manage this to some extent and we encourage the ExA to seek this.

Furthermore, Natural England will not provide a response to documents allowed to be submitted into Examination 'between' Deadlines. Should there be documents submitted between Deadlines, we

suggest these are issued at the next appropriate Deadline, and we will respond at the following Deadline, or if time does not allow the subsequent Deadline.

#### **10. Submissions of other parties**

We highlight that Natural England does not intend to comment on any direct responses by the Applicant or other IPs on our representations unless new technical information is included.

More generally, Natural England will not respond on the submissions of other parties unless we become aware of a fundamental point of clarity which is required. Our focus will be on providing advice under our remit on nature conservation concerns, rather than advising on the merits of the submissions of others.

#### **11. Report on the Implications for European Sites (RIES)**

Natural England notes that only submissions up to Deadline 6 will be considered in the RIES. As a result the RIES will not take account of updated advice on various Habitats Regulations Assessments (HRA) aspects beyond that point. Natural England recommends that the RIES is updated before it is included alongside the ExA report to the Secretary of State (SoS), so that a full account of the Examination's consideration of HRA matters is presented in one place.

Nevertheless, as previously advised to PINS and BEIS, Natural England does not consider consultation on the RIES adequately discharges the statutory requirement to consult Natural England on Appropriate Assessments.

#### **12. Draft Examination Timetable**

We note that the Examination timetable proposes the Issue Specific Hearing (ISH) related to ecology is to be held on 14<sup>th</sup> January 2026. This is 2 weeks before the Written Representations deadline, and as such Natural England will not have fully formulated our detailed position on the various aspects of the proposal within our remit. The Examining Authority should also note that there has been no significant progress towards resolving any of the issues raised in our Relevant Representations to date, and this is unlikely to have changed by 14<sup>th</sup> January. We therefore request that the Ecology ISH be changed to later in the process (noting the 2 alternative times reserved for ISHs in the provisional timetable).

We also note that Deadlines 5 and 6 both fall within school holidays, which may impact our resource availability. Delaying these by one week each may be advisable.

We hope these comments assist the ExA at the Preliminary Hearing. For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

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