



Connah's Quay Low Carbon Power

Applicant's Response to Relevant Representations

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1. Introduction

1.1 Background

- 1.1.1 This document, the Applicant's Response to Relevant Representations (**EN010166/APP/9.4**), has been prepared on behalf of Uniper UK Limited. It forms part of the application (Application) for a Development Consent Order (a DCO) that has been submitted to the Secretary of State (the SoS) for the Department for Energy Security and Net Zero (DESNZ), under Section 37 of 'The Planning Act 2008' (PA 2008) in respect of the Connah's Quay Low Carbon Power Project.
- 1.1.2 The Application was submitted to the SoS on 5 August 2025 and was accepted for Examination on 28 August 2025. The Examination commenced on 13 January 2026.

1.2 The Purpose and Structure of this Document

- 1.2.1 The purpose of this document is to summarise the Applicant's present position on the matters raised in the Relevant Representations (RR) submitted in respect of the Application.
- 1.2.2 The document is split into six sections:
- Section 2 – provides the Applicant's comments on the RRs submitted by organisations / businesses (non-landowners);
 - Section 3 – provides the Applicant's comments on the RRs submitted from the Deeside Naturalist Society and its members, along with U3A Chester Birdwatching 1;
 - Section 4 – provides the Applicant's comments on the RRs submitted from Members of the Public;
 - Section 5 – provides the Applicant's comments on the RRs submitted from Local Authorities; and
 - Section 6 – provides the Applicant's comments on the RRs submitted by landowners.
- 1.2.3 The Applicant has not commented on every point made within the RR. Instead the Applicant has sought to provide comments where it is helpful to the Examination to do so or where the Applicant considers that it would be appropriate for the Examining Authority (ExA) to have the Applicant's view on the matter raised. For instance, where a RR made by a landowner included a request for a side agreement or protective provisions, the Applicant has reported on progress on those discussions and the responses in the respective sections have otherwise only summarised the relevant other parts of the RR where a specific point that needs a response is raised (including in respect of land take).
- 1.2.4 Where issues raised within a RR have been dealt with previously, a cross reference to that document is provided to avoid unnecessary duplication.

The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.

- 1.2.5 For the avoidance of doubt, where the Applicant has chosen not to comment on matters raised by an Interested Party, this is not an indication the Applicant agrees with the point or comment raised or opinion expressed.

2. Organisations / Businesses (Non-landowners)

2.1 RR-016 Historic England

2.1.1 Historic England's RR and the Applicant's response are set out in **Table 1** below.

Table 1: Historic England's RR and the Applicant's response

Ref. No.	Historic England Relevant Representation Issue / Text	Applicant's Response(s)
HE1	Historic England is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport. We are the UK Government's statutory adviser and a statutory consultee on all aspects of the historic environment and its heritage assets in England. This includes archaeology on land and underwater, historic buildings, sites and areas, designated landscapes and the historic elements of the wider landscape. We work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment, broaden public access to our cultural heritage, and increase people's understanding and appreciation of the past. The Environmental Statement included with the application assesses the potential impact of the proposed development upon Terrestrial Heritage in Chapter 17, and upon Marine Heritage in Chapter 18. Both assessments appear to be broadly in accordance with current best practice. The ES confirms that all physical construction works would be sited in Wales and therefore do not fall within the remit of	This position is acknowledged, and the Applicant can confirm that there would be no physical construction works within England as part of the Proposed Development. The use of Ellesmere Port for the delivery of Abnormal Indivisible Loads (AILs) is currently contemplated. This would involve the delivery and subsequent transportation of these loads to the Main Development Area. Further information is provided in paragraphs 5.6.42 to 5.6.48 of Chapter 5: Construction Management and Programme [APP-043]. An assessment of the potential impacts of Accommodation Works (including the use of existing ports) was considered in Appendix 17-A: Terrestrial Heritage Desk-Based Assessment [APP-229] and Appendix 5-A: Environmental Screening of Accommodation Works [APP-178].

Ref. No.	Historic England Relevant Representation Issue / Text	Applicant's Response(s)
	Historic England. An area in Ellesmere Port, Cheshire West & Chester, is however specified for assessment on the grounds that the dock there may be used for the transport of plant and equipment.	As shown on Figure 3.1: Order Limits [APP-067], the Order limits are located entirely within Wales. Chapter 5: Construction Management and Programme [APP-043] identifies that the Proposed Development may require deliveries to be made to Ellesmere Port and at paragraph 5.6.42 notes no works are required at the port to facilitate these. On this basis there would be no effect on Ellesmere Port as deliveries would be in keeping with the existing operational arrangements. All accommodation works would be within the existing road network and / or port location. It is assumed that any below ground archaeological remains would have already been truncated or removed during the installation of the existing infrastructure and the proposed works would not result in below ground impacts that extend beyond the already disturbed ground. There is also no potential for resulting significant effects on the setting of above ground heritage assets as a result of the works. Therefore the Accommodation Works component of the Proposed Development was scoped out of further assessment within Chapter 17: Terrestrial Heritage [APP-055].
HE2	In setting out the baseline conditions for the assessment of the potential impact of the proposed development on Terrestrial Heritage, the ES identifies two scheduled monuments sited in England as sensitive receptors. Both are within the defined study areas for highly graded heritage assets; however, they	The Applicant acknowledges Historic England's position on construction phase impacts on terrestrial and marine historic assets within England.

Ref. No.	Historic England Relevant Representation Issue / Text	Applicant's Response(s)
	are at some distance from the indicative site boundary, with the nearer being 3km to the North East, and the other 4km away. Chapter 17 of the ES assesses the potential impact of the proposed development upon the settings of the two highly graded heritage assets identified as sensitive receptors. At 17.6.21, the permanent changes, and at 17.6.23 the temporary changes to the setting of the Promontory fort on Burton Point (National Heritage List for England entry number 1013298) during the construction phase are assessed as having a very low magnitude of impact upon the setting of the scheduled monument. The conclusion is that these are not significant. A similar assessment is made at 17.6.40 of the permanent changes, and at 17.6.42 of the temporary changes during the construction phase to the setting of the scheduled St Andrew's medieval hospital and limekiln, Denhall (NHLE 1007635). Chapter 18 of the ES identifies no potential impacts on marine heritage sited in English waters. 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 significant, and that there would be no impact on known marine heritage in English waters.	

2.2 RR-043 The Coal Authority (trading name The Mining Remediation Authority)

2.2.1 The Coal Authority (trading name The Mining Remediation Authority)'s RR and the Applicant's response are set out in **Table 2** below.

Table 2: The Coal Authority (trading name The Mining Remediation Authority)'s RR and the Applicant's response

Ref. No.	The Coal Authority (trading name The Mining Remediation Authority) Relevant Representation Issue / Text	Applicant's Response(s)
CA1	Our records indicate that within the area identified by the red line boundary there are coal mining feature present at surface and shallow depth which may impact on surface stability and public safety. Within the submitted Environmental Statement Volume IV, Appendix 14.A Geo-Environmental Desk Based Assessment the report authors acknowledge the potential risks posed by past coal mining activity. The Ground Assessment Hazard Table within the report recommends obtaining an available plans for coal workings in the project area and for the findings of this information to inform ground investigations. They recommend that a CMRA is produced for the project informed by these works. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries We have no objections to this project subject to the works recommended in the Geo-Environmental Desk Based Assessment being undertaken to establish the risks posed to the project by past coal mining activity and to information any remedial works necessary to ensure the safety and stability of the development. The applicant's attention should be drawn to the need for a Mining Remediation Authority permit to undertaken any investigatory or remedial works. Under the Coal Industry	As recommended in Appendix 14-A: Geo-Environmental Desk Based Assessment [APP-216], a Coal Mining Risk Assessment (CMRA) will be undertaken where not covered by previous investigations of the site, which will be based on the Mining Remediation Authority Consultant's Mining Report and available records / mine plans. The CMRA will determine the location and depth of underground workings (if present) and the presence of mine shafts / adits. Depending on these findings, ground investigation will be undertaken to validate the findings of the CMRA and to inform any required mitigation or remedial solution which will be incorporated into the Proposed Development design. Reference to the CMRA has been included within an updated version of the Framework Construction Environmental Management Plan (CEMP) [APP-246], submitted at Deadline 1. Ground stability and geotechnical issues (including coal mining risks) will be assessed in the detailed design phase through an interpretive Ground Investigation Report (GIR) and as the design develops then a Geotechnical Design Report (GDR), or equivalent.

Ref. No.	The Coal Authority (trading name The Mining Remediation Authority) Relevant Representation Issue / Text	Applicant's Response(s)
	Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Mining Remediation Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property may result in the potential for court action. Application forms for permission and further guidance can be obtained from: :www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? - GOV.UK (www.gov.uk) Coal mining permit terms and conditions - GOV.UK (www.gov.uk)	Any future detailed site investigations and / or remedial works will be undertaken subject to obtaining the required Mining Remediation Authority permit(s).

2.3 RR-025 National Highways

2.3.1 National Highway's RR and the Applicant's response are set out in **Table 3** below.

Table 3: National Highway's RR and the Applicant's response

Ref. No.	National Highway's Relevant Representation Issue / Text	Applicant's Response(s)
NH1	On behalf of the Secretary of State for Transport, National Highways is responsible for managing and operating a safe and efficient Strategic Road Network (SRN) in England under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for these routes. It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth in accordance with the requirements of our statutory licence and in general conformity with the requirements of the Highways Act 1980. The Department for Transport (DfT) Circular 01/2022 (Strategic Road network and the delivery of sustainable development) sets out how National Highways will work with developers to ensure that specific tests are met when promoting a scheme. This includes ensuring the transport impact is understood, any mitigation (or other infrastructure) is designed in accordance with the relevant standards and that environmental impacts are appraised and mitigated accordingly. Application History National Highways has reviewed the suite of documents available on the project website and PINS website. This	This representation is noted by the Applicant and the outstanding matters listed by National Highways are addressed in turn in the sections below.

Ref. No.	National Highway's Relevant Representation Issue / Text	Applicant's Response(s)
	included a review of the PEIR Volume 2 Chapter 10 Traffic and Transport and PEIR Volume IV Appendix 10A Transport Assessment (TA). National Highways provided the Applicant with a series of questions, and it is noted that a response to these queries has been provided in the ES Volume II Chapter 10 (APP-048) and that an updated version of the Transport Assessment has also been submitted as ES Volume IV Appendix 10A (APP-188). National Highways have no objection in principle to the proposed development, subject to a satisfactory resolution to outstanding queries and receipt of additional information and clarification, as set out in the remainder of this response. National Highways will continue to proactively collaborate with the Applicant and relevant authorities to discuss and resolve the issues raised, the majority of which are points of clarification or requests for further information. Remaining Issues The initial questions raised by National Highways are listed in Table 10.6 of ES Chapter 10 (APP-048) along with the Applicant's response. The response and supporting documentation has been reviewed and the remaining issues listed below.	

Ref. No.	National Highway's Relevant Representation Issue / Text	Applicant's Response(s)
NH2	Guidance Documents Reference 2-01 of Table 10-6 states that the TA prepared to support the DCO has been developed in accordance with DfT Circular 01/2022 and that this will be referenced in Section 1.4 of the TA (APP-188). However, no such reference has been included. It is requested that the TA be updated to include reference to DfT Circular 01/2022, noting how the document complies with this guidance.	The ES Appendix 10-A: Transport Assessment [APP-188] was prepared in conjunction with the Department for Transport (DfT) Circular 01/2022 in relation to the Strategic Road Network (SRN). Section 1.4 of the Transport Assessment [APP-188] has been updated and submitted at Deadline 1 to include reference to the DfT Circular 01/2022. A summary of the compliance of the Transport Assessment, in conjunction with the DfT Circular 01/2022, has been provided below. The SRN refers to the trunk motorways and all-purpose trunk roads in England. DfT Circular 01/2022 sets out the way in which National Highways will engage with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the strategic network. National Highways must be consulted in the development process and should co-operate as far as reasonably practicable with other parties, within acceptable timeframes. When a Transport Assessment is required, this should seek to test scenarios to determine optimum design for the development, including existing and forecasted trips on the SRN, as well as any committed developments. If a development has unacceptable safety or cumulative impact on the SRN, improvements may need to be put forward. Developments use of the SRN must not compromise

Ref. No.	National Highway's Relevant Representation Issue / Text	Applicant's Response(s)
		the SRN's prime function to enable long distance movement of people and goods. The Transport Assessment [APP-188] and Section 10.6 of Chapter 10: Traffic and Transport [APP-048] has concluded that no significant transport effects will occur during the construction and operational phases of the Proposed Development. In response to National Highway's Relevant Representation, the Applicant has specifically prepared Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) in order to demonstrate the potential impacts of construction traffic on the SRN will not be material during the peak period of the temporary construction phase, which is in line with the requirements of the DfT Circular 01/2022. Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) has been submitted at Deadline 1.
NH3	Travel Plan Reference 2-02 of Table 10-6 states that there is not anticipated to be a material change in staff travel patterns during the operation phase, which is accepted. A framework Construction Workers Travel Plan (CWTP) has been produced (APP-248). National Highways would wish to be consulted upon the development of this document.	Regarding requested consultation with National Highways on the Framework Construction Workers Travel Plan (CWTP) [APP-247] Draft DCO Requirement 5 states: (1) No stage of the authorised development may commence until a CTMP for that stage, in general accordance with the Framework construction traffic management plan, has been submitted to and approved by the relevant planning authority following consultation with the relevant highway authority.

Ref. No.	National Highway's Relevant Representation Issue / Text	Applicant's Response(s)
		(2) The CTMP for each stage must be accompanied by a construction worker travel plan in general accordance with the framework construction worker travel plan. (3) Each stage of the authorised development must be implemented in accordance with the approved CTMP and the construction worker travel plan for that stage. The Framework Construction Traffic Management Plan (CTMP) [APP-247] includes the requirement to engage with National Highways, where relevant, regarding AIL delivery routes (3.4.12), site deliveries (4.2.27) and the set up of a local liaison committee (5.1.1). The Applicant considers this to be sufficient and appropriate in this case.
NH4	Study Area and Construction Vehicle Impacts on the SRN Reference 2-03 of Table 10-6 notes that the study area set out in the PEIR did not include the SRN and it is noted that the ES study area also does not include the SRN. Reference 2-08 and 2-13 notes the previous requests for confirmation of construction worker and HGV trips during weekday peak hours, specifically on the SRN. Reference 2-14 sets out that updates have been made to the Temprow growth factors in the TA, which is welcomed, notwithstanding that this does not include consideration of SRN links.	As previously set out within Table 10-6 of Chapter 10: Traffic and Transport [APP-048], the assessment study area is considered to be relative to the anticipated scale of daily traffic movements during the peak period of the temporary construction phase. With regard to peak hour trips, 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 is secured through the Framework CTMP [APP-247] and the Framework CWTP [APP-248]. It is anticipated that Heavy Goods Vehicle (HGV) deliveries will therefore be spread

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	National Highways does not accept the Applicant's statement relating to the percentage impact on the A548 as relevant or sufficient evidence upon which to judge the potential impact on the SRN. It is our position that even small percentage increases in demand on the SRN can lead to congestion and safety concerns if flows are significant enough. We therefore expect applicants to show the number of expected trips rather than a percentage increase and to determine how the distribution of these trips would impact affected junctions through site specific assessments.	throughout the full available day to minimise impact on the local and strategic highway network. Notwithstanding the above rationale for the approach to assessment, the Applicant has acknowledged the request by National Highways and has prepared Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) in order to demonstrate the potential impacts of construction traffic on the SRN, during the peak construction phase. This has been undertaken based on an extension of the study area, including extended HGV routing beyond the A548 and through to Junction 15 of the M56 / Junction 11 of the M53. The assessment presents a scenario whereby 100% of HGV traffic is assigned in each direction on the SRN. With regards to construction worker traffic (light vehicles), the Census distribution exercise has been extended to the SRN links, inclusive of the M56, A550, A494, A55 and M53. Publicly available data relating to the Annual Average Daily Flow (AADF) at each of these SRN links has been obtained and used to undertake a percentage impact assessment, whilst also providing an indication of the absolute number of trips assigned to each link. Appropriate TEMPro growth factors have been applied in consideration of assessments relating to SRN links. The findings of Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) provide a robust demonstration that peak levels of

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		development traffic will not have a material impact on the SRN during the temporary construction phase. The topic paper has been submitted at Deadline 1.
NH5	It is requested that the Applicant provide further detail on the construction trips that may use the SRN, based on a range of realistic worst-case assumptions. National Highways would be willing to meet the Applicants to discuss and agree how this information could be presented, drawing on their experience of working with other similar DCO applicants. National Highways would also wish to be consulted upon the development of the framework Construction Traffic Management Plan (APP-247).	This request has been addressed within Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5), submitted at Deadline 1, as set out by the Applicant, in relation to NH4. The Applicant has discussed this Topic Paper with National Highways in a meeting on 15 January 2026. Regarding consultation, please refer to the response set out in NH3.
NH6	Trip Generation and Mode Split Reference 2-04 of Table 10-6 notes that the TA has assumed all construction worker trips would be made by car modes, with an assumed occupancy of 2.33 per vehicle. This is agreed in principle; however National Highways would wish to be consulted upon any further changes which may affect the number of construction worker car trips such as the use of minibuses or changes in the level of proposed parking. Further sustainable methods of travel should also be explored and promoted, as per guidance within DfT Circular 01/2022 and the need for a vision-led approach to planning.	Regarding consultation please refer to the response set out in NH3.
NH7	Collision Data Reference 2-05 of Table 10-6 notes that the study area for personal injury collisions in the PEIR did not include the SRN. This has not been addressed in the TA. National Highways request this data be considered for the SRN links and junctions which may carry construction traffic, specifically the M56, A550, A494, A55 and M53.	As set out within Table 10-6 of Chapter 10: Traffic and Transport [APP-048] , the collision data study area set out is considered to be commensurate with the assessment study area, which is informed by the likely routing of heavy vehicles and light vehicles during the construction and operational phases of development.

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		In order to address this query, Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) as set out by the Applicant in relation to NH4, has included an extended assessment of collision data to consider the identified SRN links. The findings of Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) provide a robust demonstration that peak levels of development traffic will not have a material impact on the SRN during the temporary construction phase. Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5) has been submitted at Deadline 1.
NH8	Abnormal Indivisible Loads Reference 2-10 notes a request for further information on AIL routing, volume, timing and vehicle types. The Applicant has confirmed that National Highways would be formally consulted upon this, in particular relating to AILs using Ellesmere Port, and this is welcomed. However, as there is a clear requirement for the use of the SRN as part of the construction plan, the relevant links and junctions should have been included in the transport assessment.	The exact number and size / weight of AILs would be determined at detailed design stage and would be based on specific construction methodologies that will be confirmed during this stage. Further technical assessments by specialist AIL transport contractors would be required at that stage. An AIL Route Feasibility study (Appendix A of the Framework CTMP [APP-247]) was prepared to inform any cautions which may impact the viability of AIL route options from the point of land side delivery to the site. This study considered potential AIL movements from the three port options (Port of Mostyn, Connah's Quay

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		Jetty and Ellesmere Port) based on the assumptions at the time of the submission. The potential impact of daily construction traffic (non-AIL) on the SRN has been considered as part of Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5), submitted at Deadline 1. The methodology for which has been set out by the Applicant in response to NH4.
NH9	Construction Traffic Management Plan and Decommissioning Traffic Management Plan As noted in reference 2-12, National Highways would wish to be consulted upon the development of the Construction Traffic Management Plan. We would additionally wish to be consulted upon the development of any future Decommissioning Traffic Management Plans.	Regarding consultation please refer to the response set out in NH3. As noted within Requirement 17 of the Draft DCO [APP-019], a Decommissioning Environmental Management Plan must be produced within 12 months of the date of proposed decommissioning. Plans that must be contained within that plan and relevant consultation would be determined at that time and National Highways would be consulted if required.
NH10	Cumulative Assessment As set out in reference 2-15 of Table 10-6, National Highways requested the Applicant sets out further rationale relating to the consideration of relevant developments and that they consult with Cheshire West and Chester Council (CWaC) to confirm any additional sites within their boundary which should be considered. This is in line with footnote 21 of DfT Circular 01/2022, which states "...where development proposals are not consistent with an up-to-date plan or strategy, [assessments]	Details of engagement with Flintshire County Council (FCC), within whose authority area the development is wholly situated, on cumulative and combined effects are presented in Chapter 24: Combined and Cumulative Effects [APP-062]. A meeting was held prior to submission of the DCO application to seek agreement on the Short List. An agreement was reached for FCC to review the Short List after the meeting, and acknowledgement of receipt was received from FCC. Cheshire West and Chester (CWaC) were

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	should include all relevant development that is consented or allocated over the entirety of the plan period. In some instances, due regard should be had to permissions and allocations in neighbouring authorities" It is unclear if the applicant consulted with CWaC other than to review their planning portal and it is requested that the Applicant confirm this. National Highways is aware of various DCOs and other major planning applications which are likely to impact on the SRN in the vicinity of Ellesmere Port and Chester, specifically the M53, M56, A550, A55 and A494. This is a sensitive part of the network particularly during peak periods of activity at Cheshire Oaks, when special traffic management plans are activated to manage congestion at M53 Junction 10. It is requested that the Applicant consider the construction impacts of the following applications as part of their cumulative assessment for construction traffic, along with any additional developments which may be identified by CWaC: • HyNet Hydrogen • HyNet Carbon Dioxide • Mersey Tidal Power • Stanlow CHP • Frodsham Solar • Hob Lane Solar Farm • Runcorn Spur Pipeline • Protos CCP • A494 River Dee Bridge replacement scheme	not consulted on this short list but were generally consulted on the Proposed Development throughout the process and have made no objection or comment on the approach to cumulative assessment. The Proposed Development is situated wholly within FCC. CWaC have not raised any concerns regarding the approach taken through the pre-application consultation process nor in a Relevant Representation, and as such the Applicant does not consider it necessary to re-engage further with CWaC Council. Regarding the listed schemes provided in this Representation, the Applicant considered these in light of the methodology outlined in Chapter 24: Combined and Cumulative Effects [APP-062] (in line with PINS guidance), and a discussion on the findings is presented in the following paragraphs. With regards to the listed schemes, the HyNet CCS Carbon Dioxide (CO₂) Pipeline, Mersey Tidal Power, and the A494 River Dee Bridge replacement scheme are considered in the DCO application in Chapter 24: Combined and Cumulative Effects [APP-062] and detailed in Appendix 24-A: Long List of Proposed Schemes [APP-244], and Appendix 24-B: Short List of Proposed Schemes [APP-245]. The HyNet North West Hydrogen Pipeline, Stanlow Hydrogen Ready Modular Combined Heat and Power Project, Frodsham Solar Farm, Hob Lane Solar Farm,

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	Whilst some of these applications have not yet been formally submitted into planning, it remains our concern that there are a number of large-scale projects being proposed within Cheshire and surrounding areas, with a likelihood that there will be cumulative impacts arising from the movement of people and construction materials from and around Ellesmere Port. This will place pressure on an already-congested part of the network. National Highways therefore stresses the importance of a coordinated approach to the delivery of these projects to ensure that construction traffic can be managed in such a way as to allow the continued safe operation of the SRN.	Runcorn Spur Pipeline, and Protos Carbon Capture Plant (CCP) are all located outside of the 15 km Traffic and Transport Zone of Influence (Zol) for the Proposed Development, and as such were not considered during the DCO application.
NH11	Summary National Highways has no objection in principle to the proposed development, subject to a satisfactory resolution to outstanding queries and receipt of additional information and clarification, as set out in the remainder of this relevant representation.	The Applicant has noted and responded to the queries raised above and will continue engagement with National Highways, recording such engagement through the Statement of Common Ground (SoCG) between the Applicant and National Highways (a draft of which has been submitted at Deadline 1) (EN010166/APP/8.15).
NH12	As set out in Schedule 2 Part 1 Paragraph 5 of the Draft Development Consent Order (APP-0) there is a Requirement for the Applicant to seek approval of the CTMP from the Local Planning Authority following consultation with the relevant highway authority. It is noted that 'relevant highway authority' is not defined and it is not clear if this includes National Highways, and if so when. It is requested that consultation is undertaken with National Highways on the CTMP and also the CWTP prior to commencement of construction activities.	Regarding consultation please refer to the response set out in NH3.
NH13	National Highways will require any detailed CTMP and CWTP to take the following into account:	These points are noted and have been addressed as follows:

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	- Any commitments regarding the routing and arrival / departure times of construction vehicles, including AILs, should be secured through a final CTMP. - The study area considered for the TA and CTMP must be extended to include the SRN, specifically the M53, M56, A55, A550 and A494. - National Highways would strongly recommend that the final CTMP contain a detailed construction staff trip monitoring methodology which will provide detail on how the adherence to any secured staff shift periods / movements will be monitored, in addition to detail as to what adjustive / remedial measures will be implemented should construction movements be considered to materially breach any imposed shift period movement restriction. - National Highways request that the final CTMP includes a firm commitment relating to collaboration with the developers of nearby developments in order to minimise impacts on the SRN.	- The Framework CTMP [APP-247] includes a commitment to construction working hours, routing of construction vehicles, and potential routing of AILs, to be taken forward and secured through a final CTMP. - The potential impact of construction traffic on the SRN has been considered for an extended study area as part of Topic Paper: Consideration of Construction Traffic and SRN Impacts within England: Response to RR-025 (EN010166/APP/9.5), submitted at Deadline 1, the methodology for which has been set out by the Applicant in response to NH4. - Section 8 of the Framework CWTP [APP-248] sets out the main target for mode share during construction of the Proposed Development. This includes a commitment for the CWTP Co-ordinator to monitor parking utilisation at the Main Development Area and Construction and Indicative Enhancement Area (C&IEA) (connection), reviewing the split between cars, vans and minibuses. Ensuring that this target is met is dependent on the contractor encouraging workers to travel to and from the Main Development Area by sustainable options provided in the final CWTP. If the program of monitoring determines that the target is not being met, this would result in consideration of need for additional measures to be implemented to ensure the final CWTP stays on course to meet its overall objectives.

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		4. Section 5 of the Framework CTMP [APP-248] has been updated at Deadline 1 to include a commitment to ensure collaboration with developers of nearby major developments. This would encompass advance communications and engagement regarding any significant traffic management work, inclusive of road closures and diversions.
NH14	National Highways requests that the Examining Authority treat National Highways as an Interested Party for the purposes of the Examination.	This is noted by the Applicant.

2.4 RR-044 The Maritime and Coastguard Agency

2.4.1 The Maritime and Coastguard Agency's (MCA) RR and the Applicant's response are set out in **Table 4** below.

Table 4: MCA's RR and the Applicant's response

Ref. No.	MCA Relevant Representation Issue / Text	Applicant's Response(s)
MCA1	The Maritime and Coastguard Agency (MCA) has an interest in the works associated with the marine environment below the Mean High-Water Spring and the potential impact on shipping, safe navigation, access to ports and harbours, and any impact on our search and rescue obligations. The location of the works in the marine environment falls within the jurisdiction of a Statutory Harbour Authority (SHA) and therefore they have responsibility for maintaining the safety of navigation within their waters during the construction, operation and decommissioning phases of the project. It is our understanding that the Dee Conservancy is split between Natural Resources Wales (conservancy, harbour, and local lighthouse authority) and Mostyn Docks Ltd (pilotage authority and statutory harbour authority for the Port of Mostyn). The MCA would encourage the applicant to continue working with the SHAs to develop a robust Safety Management System (SMS) for the project in accordance with the Port Marine and Facilities Safety Code (PMSC) and its associated Guide to Good Practice, to ensure that the risk and impact on	The Applicant will continue to engage with the Dee Conservancy and Port of Mostyn through the SoCG process. As secured through Requirement 19 of the Draft DCO [APP-019] a detailed AIL Risk Assessment and Method Statement will need to be prepared by the contractor in advance of the work commencing in accordance with the requirements of the selected landside delivery point(s). In addition, an updated Navigational Risk Assessment would be prepared should it be determined that Connah's Quay North is selected as a landside delivery point. These would consider further details on confirmed component size, weight, vessel size, AIL transfer, permitting and all other associated activities. The updated Navigational Risk Assessment would be in general accordance with the submitted Navigational Risk Assessment [APP-256], unless otherwise agreed with the relevant planning authority, in consultation with the Dee Conservancy.

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	other marine users are As Low As Reasonably Practicable (ALARP). We note the application is supported by a Navigation Risk Assessment which should consider and assess all works and activities undertaken below the Mean High-Water Spring as a result of the project and the impact on other marine users in consultation with the relevant SHAs	

2.5 RR-027 Natural Resources Wales

2.5.1 Natural Resources Wales' RR and the Applicant's response are set out in **Table 5** below.

Table 5: Natural Resources Wales' RR and the Applicant's response

Ref. No.	Natural Resources Wales Relevant Representation Issue / Text	Applicant's Response(s)
NRW1	1. INTRODUCTION 1.1. This Relevant Representation comprises the submission from Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) regarding the Connah's Quay Low Carbon Power Project application. 1.2. We have identified key concerns relating to the following matters, as set out in the Environmental Statement (ES): • Atmospheric pollution of the Dee Estuary Special Area of Conservation (SAC) /Site of Special Scientific Interest (SSSI) saltmarsh and Deeside and Buckley Newt Sites SAC/Connah's Quay Ponds and Woodlands SSSI oak woodland qualifying habitats during operation • Direct loss of/damage to the saltmarsh qualifying habitat of the Dee Estuary SAC/SSSI during construction/demolition • Loss of functionally linked land for Dee Estuary Special Protection Area (SPA)/Ramsar site/SSSI bird features (curlew) during construction, demolition, and operation 1.3. The above matters are those that require amendments to the scheme, substantial additional information, or a revised Development Consent Order ('DCO'). The topic headings for these matters are marked "Key Concern" in Section 2.1.1 below.	It is acknowledged that Cyfoeth Naturiol Cymru Natural Resources Wales (NRW) have key concerns relating to the following matters as set out in the Environmental Statement (ES) [APP-037 to APP-256]: • Atmospheric pollution of the Dee Estuary Special Area of Conservation (SAC) / Site of Special Scientific Interest (SSSI) saltmarsh and Deeside and Buckley Newt Sites SAC / Connah's Quay Ponds and Woodlands SSSI oak woodland qualifying habitats during operation; • Direct loss of / damage to the saltmarsh qualifying habitat of the Dee Estuary SAC / SSSI during construction / demolition; and • Loss of Functionally Linked Lland (FLL) for Dee Estuary Special Protection Area (SPA) / Ramsar / SSSI bird features (curlew) during construction, demolition and operation. Please refer to written responses provided in NRW4, NRW6, and NRW8 which address these concerns. The Applicant agrees to continue to work with NRW, through written correspondence and meetings, with the aim of reaching as many positions of agreement and common ground as possible. Dialogue will be captured within the SoCG. Following the submission of the DCO

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	1.4. We also provide comments below on matters that may need minor amendments, further information and/or clarification. These are matters that we can provide further details on in our Written Representations and/or can be addressed in our ongoing dialogue with the Applicant in the preparation of our Statement of Common Ground (SoCG). 1.5. We shall continue to provide advice to the Applicant, through correspondence and meetings, with the aim of reaching as many positions of agreement and common ground as possible prior to the examination of the proposals. Our Relevant Representation is based solely on the information provided within the application documents. Any changes in our position will be reflected in our full Written Representation and SoCG.	Application and receipt of the NRW RR [RR-027], a meeting was held on the 19th November 2025. The Applicant and NRW have also set up reoccurring fortnightly meetings.
NRW2	1.6. We have reviewed the DCO submission and, notwithstanding our key concerns and other issues raised in this representation, consider the submission, on balance, to be comprehensive and of a good quality. We are pleased to note that many of our previous concerns, as raised during the pre-application process, have been appropriately addressed.	This is noted and welcomed by the Applicant.
NRW3	1.7. Our comments are made without prejudice to any further comments we may wish to make in relation to this application and examination whether in relation to the ES, provisions of the draft DCO and its Requirements, SoCG or other evidence and documents provided by Uniper and their consultants ('the Applicant'), the Examining Authority or other interested parties.	The Applicant has engaged with NRW for pre-application advice with regards to the Marine Licence on 27 November 2025 and will continue to engage NRW on matters related to the potential disapplication of any consents / licences / permits for which NRW is the competent authority.

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	1.8. The following paragraphs comprise our Relevant Representation as a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2015 and as an 'interested party' under s102(1) of the Planning Act 2008. 1.9. In addition to being an interested party under the Planning Act 2008, NRW exercises functions under distinct legislation including (but not limited to) the Environmental Permitting (England and Wales) Regulations (EPR) 2016 (as amended) and the Marine and Coastal Access Act (MACAA) 2009. For the purpose of clarity, comments from NRW Regulation and Permitting Service are titled as such, and include comments in Annex A. We note that the application is seeking to disapply the need for certain consents/licences/permits for which NRW is the competent authority. An agreement on this has yet to be reached but we would welcome discussion with the applicant regarding these matters. We provide a comment on NRW's general purpose in Section 3.	
NRW4	2. NRW Comments on Main Issues and Impacts 2.1 Onshore Ecology Designated Sites for Nature Conservation 2.1.1. We welcome that an updated Conservation Areas Management Plan would be prepared and submitted to Flintshire County Council (FCC) and NRW for approval prior to the commencement of operation of the proposed development. The updated Conservation Areas Management	It is acknowledged that NRW have key concerns relating to atmospheric pollution of the saltmarsh in the Dee Estuary SAC / SSSI, although they welcome the updated Conservation Areas Management Plan. It should be noted that the conclusions of the Report to Inform Habitats Regulations Assessment (RIHRA) [APP-253] are based on precautionary modelling that may overestimate actual deposition such that actual deposition due to the Proposed Development may be even smaller than forecast.

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	Plan would be secured by DCO Requirement 13 (Operational and maintenance environmental management plan (OMEMP)) and remain in place until completion of the decommissioning of the proposed development, unless otherwise agreed with FCC and NRW. 2.1.2. We have identified key concerns regarding potential impacts on the following designated sites for nature conservation within Wales: • Dee Estuary (Wales) SAC, SPA, Ramsar site and SSSI – the application site is located within and immediately adjacent to these sites • Deeside and Buckley Newt Sites SAC and Connah's Quay Ponds and Woodland SSSI – located 1.5km to the south These key concerns are outlined below, along with our other comments regarding designated sites. Atmospheric pollution of the Dee Estuary SAC/SSSI saltmarsh and Deeside and Buckley Newt Sites SAC/Connah's Quay Ponds and Woodlands SSSI oak woodland qualifying habitats during operation – Key Concern Dee Estuary SAC/SSSI 2.1.3. The ES Air Quality assessment (Appendix 8-D) and Report to Inform Habitats Regulations Assessment (RIHRA) identify potential Likely Significant Effects (LSE) for nitrogen deposition (Ndep) on the Dee Estuary SAC Annex I saltmarsh features (Atlantic salt meadows <i>Glauco-Puccinellietalia</i>	Precautionary assumptions include an assumption of two trains operating at full-load for every hour of the year, assuming that emissions would be at levels set in the Large Combustion Plants Best Available Techniques Reference Document (LCP BREF) or specified by the Front-End Engineering Design (FEED) contractor (whereas in practice a level of headroom would be built in for compliance purposes), assuming that there is no depletion of the plume concentrations with distance due to deposition processes, and basing the assessment on the worst-case meteorological year. An area of 0.12 hectares (ha) is considered by the Applicant to be adequate for mitigating the effects of nitrogen deposition on the species composition of at least 245 ha of affected saltmarsh because although the affected area is large the botanical effect on the saltmarsh will be relatively subtle (e.g. a small shift in plant species composition possibly favouring more competitive species) that may not arise in practice due to other influences such as existing management, existing high background nitrogen deposition rates, and tidal inundation limiting the ability of more competitive species to increase in abundance. In contrast, while the area of saltmarsh being identified for mitigation is small, it would enable an entire area of saltmarsh to persist that would otherwise be lost to coastal squeeze. This will be true even though the 0.12 ha area will also be subjected to atmospheric nitrogen deposition.

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	maritima, and Salicornia and other annuals colonising mud and sand) and the Dee Estuary SSSI saltmarsh feature. The RIHRA calculates the affected area to be 445ha in-combination and 245ha for the Proposed Development alone (of 2,566.3ha of SAC saltmarsh); representing 17% and 10% of saltmarsh, respectively. 2.1.4. We acknowledge that the exceedance is small and at the lower end of the critical load (CLo) for the most sensitive type of saltmarsh (upper) but considering the current exceedance of background Ndep CLo at this location we welcome that mitigation/compensation is proposed. However, we do not consider the proposed mitigation/compensation measures to be adequate, for the following reasons: 1) we do not consider the continuation of the management agreement for the 26ha of currently managed land following decommissioning of the old power station to be bespoke new mitigation for this impact. The extant management agreement is a legal requirement of the Section 36 consent for the existing Connah's Quay Power Station and was established to serve a wider conservation purpose at the site. This would be replaced by an updated version following decommissioning of the old power station in any case, as an embedded design measure, and we would expect this regardless of the identified air quality impact to the saltmarsh. 2) the managed realignment of 0.12ha (1,200m²) of land, potentially creating new saltmarsh of this equivalent area. We understand that this is primarily proposed to offset the loss of up to 650m² of saltmarsh for the new surface water outfall. We do not consider an area of 0.12ha to be adequate for	In a meeting on the 19 November 2025, NRW agreed to identify any habitat improvements required to saltmarsh in the Dee Estuary to which the Applicant could contribute as additional mitigation. The Applicant is willing to give consideration to such proposals. In addition, during the meeting on the 19 November 2025, the possibility of a monitoring project, co-locating ecological saltmarsh condition monitoring with air quality monitoring (concentration and deposition) was discussed. This monitoring project would aim to provide evidence to better understand the actual impacts from atmospheric nitrogen emitted from the site and surrounding Deeside industry on the special features of the Dee Estuary SAC and more widely. Further discussion between the Applicant and NRW will be held on this matter and will be recorded in a future revision of the NRW SoCG.

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	mitigating the effects of nitrogen deposition on the species composition of at least 245ha of affected saltmarsh (445ha in-combination). Furthermore, it is not clear whether this newly created saltmarsh would also suffer from similar atmospheric impacts as predicted elsewhere. 2.1.5. We therefore advise that alternative mitigation/compensation measures should be proposed and would welcome further engagement with the applicant regarding this.	
NRW5	Deeside and Buckley Newt Sites SAC/Connah's Quay Ponds and Woodlands SSSI 2.1.6. The ES Air Quality assessment and RIHRA show that in-combination ammonia and nitrogen deposition would exceed the 1% Process Contribution (PC) of Critical Levels/Loads (Cle/CLo) thresholds within the Deeside and Buckley Newt Sites SAC, which also includes the Connah's Quay Ponds and Woodlands SSSI. The corresponding background Cle/CLo are already exceeded at this site and an additional area of approximately 31% of the Annex I oak woodland habitat of the SAC/SSSI (Old sessile oak woods with Ilex and Blechnum in the British Isles) would be affected by the new exceedance. 2.1.7. The exploration of mitigation within the project design and modification of the project operating hours is welcomed, and we note that there does not appear to be a feasible mechanism to reduce such pollution further within the scope of the project's design. Instead, facilitation of habitat	The financial contribution, noted at paragraph 10.3.19 of the RIHRA [APP-253], to address nitrogen deposition impacts on Deeside & Buckley Newts SAC is being discussed with FCC and will be secured in a Section 106 Agreement, to be signed prior to the end of examination. Following discussion with FCC, the Applicant will confirm these discussions with NRW to ensure they remain appropriate and proportionate to the identified effect. These discussions will be reflected in the Applicant's SoCG with NRW (EN010166/APP/8.2). The Applicant disagrees that measures identified to offset the small increase in nitrogen deposition on Deeside & Buckley Newts SAC (noting the precautionary approach to assessment that has been undertaken as set out in the Applicant's response to NRW4) is compensation. The adverse effect on integrity (AEOI) would not be the increase in Nitrogen deposition itself, but the resulting botanical effects, such as

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	management is proposed to directly mitigate potential changes in ground flora due to elevated levels of atmospheric nitrogen. This would be achieved by funding local practitioners already engaged in woodland management at the site to enable them to maintain and enhance the condition and resilience of the woodland features. 2.1.8. Depending on the level of funding this could be a proportionate strategy. However, further details should be submitted to provide assurance that this could be secured within the DCO and implemented effectively. 2.1.9. We also consider that this measure appears to be compensatory rather than mitigatory, as it would not avoid or reduce the harmful effects on the relevant SAC/SSSI features.	excessive growth of understory, a shift in botanical composition of the ground flora, or increased sensitivity to natural stress. The proposals the Applicant have identified would (as per paragraph 10.3.17 of the RIHRA [APP-253]) either counteract the small increase in management burden that may arise from an increase in nitrogen deposition (e.g. fund increased management to ensure the negative botanical changes do not arise) or render the site more resilient to nitrogen deposition such that the adverse botanical effects of slightly increased deposition would be unlikely to arise in practice. Therefore, in contrast to Natural Resources Wales concluding sentence the measure would avoid or reduce the harmful <i>effect</i> (as opposed to the impact) on the SAC features.
NRW6	Shotton Lagoons and Reedbeds SSSI 2.1.10. The ES (Chapter 11) reports a marginal exceedance of nutrient nitrogen deposition at this site's receptor (OE29). Chapter 11's assessment of impact dismisses this result based on the non-sensitive nature of the common tern breeding habitat at this site. Paragraph 11.6.154 goes on to state that the common terns are the only designated feature of this site sensitive to air quality. However, this is incorrect as the SSSI is also notified for its reedswamp vegetation (<i>Phragmites australis</i> reedbed), which is sensitive to ammonia at 3µg CLe and nutrient nitrogen at 10-20 kgN/ha/yr CLo.	The comment about <i>Phragmites australis</i> reedbed is noted and The Applicant agrees with the conclusion that the air quality impacts can be considered insignificant, for the reasons stated by NRW.

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	2.1.11. Although air quality impacts on this feature have not been assessed, we advise that these would be <1% CLo and hence can be considered insignificant.	
NRW7	- Direct loss of/damage to the saltmarsh qualifying habitat of the Dee Estuary SAC/SSSI during construction/demolition – Key Concern 2.1.12. The proposals involve the construction of a new permanent outfall structure for surface water drainage discharge (the 'Proposed Surface Water Outfall') adjacent to the Existing Surface Water Outfall. The Proposed Surface Water Outfall is located within the Dee Estuary SAC, SPA, Ramsar site and SSSI in an area confirmed as Annex I saltmarsh habitat (Atlantic salt meadows, <i>Glauco-Puccinellietalia maritimae</i>), a qualifying feature of the Dee Estuary SAC. Saltmarsh is also a qualifying feature of the Dee Estuary SSSI. 2.1.13. Paragraph 11.3.19 of the ES, Chapter 11 estimates a <5m² area of permanent loss of saltmarsh habitat due to the Proposed Surface Water Outfall headwall extension. Paragraphs 11.6.11 and 11.6.19 of the ES, Chapter 11 refer to an approximately 650m² of temporary saltmarsh habitat loss during construction of the Proposed Surface Water Outfall. 2.1.14. The conservation objective for the "Atlantic salt meadow" feature of the Dee Estuary SAC is to maintain it in favourable condition, the achievement of which includes the following condition being met: - the total extent of Atlantic salt meadow vegetation communities within the site is maintained.	The Applicant notes NRW's comment that 'We acknowledge that such proposals could potentially be considered as mitigation for [Habitats Regulations Assessment (HRA)] purposes but consider that this would be subject to their effectiveness being certain and that the mitigation measures will be in place before the commencement of the associated impacts on the affected site'. The Applicant can create the retreat in advance of the loss, though not necessarily in advance of all the main works commencing. It is considered that provided the managed retreat area is delivered and functioning prior to the loss of saltmarsh due to construction of the outfall, this will meet the legal requirements. The Applicant will prepare a Detailed Saltmarsh Creation Strategy which will be supported by a new requirement within the Draft DCO [APP-019], to be prepared prior to construction in general accordance with a new Framework Saltmarsh Creation Strategy that will be submitted at Deadline 3. This new requirement will include appropriate wording in connection to Work No. 5 (Construction of a surface water discharge). This Strategy will include details of any proposed monitoring (to be implemented during construction and used through operation) following its creation and provide details of a contingency plan should the saltmarsh not establish.

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	2.1.15. Although the area of saltmarsh habitat which would be permanently lost to the development is low, there would still be a net loss of this Annex I habitat type. The applicant proposes offsetting this by enabling managed retreat of the embankment between the power station and Dee Estuary SAC/SPA/Ramsar site/SSSI to create an approximately 1,200m² area for natural migration inland of the saltmarsh. 2.1.16. We note that the applicant considers this would 'offset' the impact on saltmarsh rather than represent 'compensation' in the context of the Habitats Regulations and considers it as mitigation for HRA purposes. However, the proposed area of new saltmarsh would be located outside of the SAC and hence lack its standard of statutory protection. 2.1.17. We acknowledge that such proposals could potentially be considered as mitigation for HRA purposes but consider that this would be subject to their effectiveness being certain and that the mitigation measures will be in place before the commencement of the associated impacts on the affected site. However, it is not currently clear whether this would be the case. We therefore advise that, if the offsetting measures are to be considered as mitigation, the new proposed saltmarsh site should be satisfactorily created and demonstrated to be functioning for its intended purpose in advance of the main works (Works 1) commencing. 2.1.18. There should also be a firm commitment (secured by DCO requirement) for a saltmarsh mitigation and monitoring	The managed retreat area would be subject to the same nitrogen deposition as existing saltmarsh in this location, but it would allow the persistence of an area of saltmarsh that would otherwise be lost to sea-level rise in the long-term. Responses to requests for additional information: With regard to potential removal of the headwall extension this can be investigated as part of decommissioning activities. This has been added to the Commitments Register [APP-251] submitted at Deadline 1, and is secured by Requirement 17 (decommissioning environmental management plan) of the Draft DCO [APP-019]. The Applicant will undertake a scarce plant survey. This survey will be undertaken in the optimal window of June / July 2026. With regards to providing details relating to the saltmarsh soils or turves, the Applicant will develop a Saltmarsh Method Statement in liaison with the engineers to consider both soil stockpile or whether turves are appropriate. This requirement has been included in an update to the Framework CEMP [APP-246] submitted at Deadline 1. The updated Framework CEMP [APP-246] also includes the requirement for the Saltmarsh Method Statement to include details of the proposed monitoring of the recovery of saltmarsh. Worst-case assumptions on temporary loss of saltmarsh is approximately 650 square meters (sqm). Whilst the Chapter 11: Terrestrial and Aquatic

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	plan, as per the curlew mitigation and monitoring plan to be secured by Requirement 11, whereby the restoration timescales, targets and monitoring proposals are set out in more detail. 2.1.19. Further details to assess whether the newly created saltmarsh would suffer from the significant adverse atmospheric impacts predicted elsewhere in the Dee Estuary SAC/SSSI should also be provided. 2.1.20. In addition, we advise that further information, as outlined below, should be submitted to allow us to consider these proposals: • a firm commitment to removing the headwall extension to the surface water outfall on the future decommissioning of the new power station and removing the existing, redundant outfall for the old power station. • a scarce plant survey in the area of saltmarsh affected by temporary and permanent habitat loss (an NVC survey is for plant communities rather than individual plants and it is possible that rare and scarce species nearby could also be within the area affected; in particular, Slender hare's ear <i>Bupleurum tenuissimum</i> is known to be present further upstream within the Dee estuary). • further details relating to the saltmarsh soils or turves to be temporarily stored during construction and the reinstatement methods applied, including the duration of soil storage and return of any turves to the marsh.	Ecology [APP-049] notes 0.06 ha, the additional 50 m² does not change the conclusions reached within the assessment. NRW have shared the 2022 NVC Survey Report with the Applicant.

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	• details of regular monitoring of saltmarsh recovery within the reinstated areas of temporary loss until those areas have fully recovered as saltmarsh. • regarding monitoring of the saltmarsh creation (ES Chapter 5, para. 5.2.25), initial monitoring should be focused on the establishment and development of the saltmarsh focusing on vegetation establishment and cover, and sediment accretion. The condition of the saltmarsh should be assessed once the saltmarsh has developed. • an outline alternative contingency plan in case the managed realignment site fails to successfully establish as saltmarsh, to ensure that adaptive measures are available to deliver the desired objective. • paragraph 11.6.73 of the ES, Chapter 11 states that a loss of up to 0.06ha (600m²) saltmarsh would occur, whereas 650m² of temporary loss is referred to in paragraphs 11.6.11 and 11.6.19. The correct area of temporary and permanent saltmarsh loss should be clarified. 2.1.21. Paragraph 3.1.8 of the ES, Appendix 11-C: Botanical Technical Appendix refers to a more extensive NVC survey undertaken in June and July 2000, however this data was not available at the time of writing. We would be able to supply this if required, along with the results of NRW's 2022 NVC survey.	
NRW8	2.1.22. Regarding the works in the Water Connection Corridor (WCC), paragraph 11.3.19 of the ES, Chapter 11 states that works within the saltmarsh for the WCC "would be temporary (three to five months in duration) and all habitat would be restored on completion of the works". However, Section 3.2.2	It is acknowledged that Paragraph 11.3.19 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049] states the following in relation to construction within the Water Connection Corridor:

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	of the OLEMP appears to contradict this as it states: "The temporary impacts are: • Encroachment and clearance of coastal saltmarsh for proposed works within the Water Connection Corridor;" 2.1.23. Clarification should therefore be provided on whether clearance of coastal saltmarsh within the WCC is proposed and, if so, the impact of this should be assessed.	<i>'For this assessment, it is assumed that all works within the Water Connection Corridor would be completed using hand tools, working areas would be accessed by foot over the saltmarsh and required materials would be brought in by barge. There would be no impacts to the river bed, works would be temporary (three to five months in duration) and all habitat would be restored on completion of the works, noting that the Order limits as shown on Figure 3-3: Areas Described in the ES [APP-069] are the maximum extent of land required for the works.'</i> Corrections have been made to Paragraph 3.2.2 of the Outline Landscape Ecological Management Plan (LEMP) [APP-250] at Deadline 1 to remain consistent with Paragraph 11.3.19 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049] to clarify the encroachment and clearance of coastal saltmarsh is associated with works in the Surface Water Outfall Area rather than the Water Connection Corridor. The RIHRA [APP-253] has not assessed any loss of saltmarsh within the Water Connection Corridor. The Applicant has confirmed that there will be no saltmarsh removal, but it will be traversed on foot. Correction has been made to Paragraph 3.2.2 of the Outline LEMP [APP-250] to remain consistent with Paragraph 11.3.19 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049] to clarify the encroachment and clearance of coastal saltmarsh is associated with works in the

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		Surface Water Outfall Area rather than the Water Connection Corridor.
NRW9	Loss of functionally linked land for Dee Estuary SPA/Ramsar site/SSSI bird features (curlew) during construction, demolition, and/or operation – Key Concern 2.1.24. The proposals would result in an intermediate to long-term loss of up to 26ha of Functionally Linked Land (FLL) used by the curlew feature of the Dee Estuary SPA, Ramsar site and SSSI within the Main Development Area. Offsetting measures, comprising additional land within the SPA/Ramsar site to be secured for favourable dedicated curlew management, are proposed to offset this loss and outlined in the Curlew Mitigation Strategy (CMS). 2.1.25. We have discussed this approach with the applicant during the pre-application stage and agree that, in principle, the proposals outlined in the CMS could enable the proposed offsetting land to be managed appropriately to encourage and support curlew feeding and roosting, offsetting the impact of the proposed development on this feature. 2.1.26. However, as with the saltmarsh creation, we note that the applicant considers the proposals to involve mitigation, instead of compensation. We acknowledge that such proposals could potentially be considered as mitigation for HRA purposes but consider that this would be subject to their effectiveness being certain and the mitigation measures being in place before the commencement of the associated impacts	The Applicant has discussed the approach for mitigating loss of FLL with NRW on 5 March 2025, 8 May 2025, 2 June 2025, 7 July 2025 and 19 November 2025. It is noted that NRW agree that in principle, the proposals outlined in the Curlew Mitigation Strategy [APP-254] could enable the proposed land to be managed appropriately to encourage and support curlew feeding and roosting, to mitigate impacts of the Proposed Development on this feature. The Applicant notes that NRW has acknowledged that such proposals could potentially be considered as mitigation for HRA purposes but consider that this would be subject to their effectiveness being certain and the mitigation measures being in place before the commencement of the associated impacts on the affected site. The following DCO applications all have HRAs that present measures to address the loss of FLL for SPA birds as mitigation rather than compensation within the legal definition of the Habitats Regulations: • Sea Link; • East Yorkshire Solar Farm; • Lower Thames Crossing; • Sunnica Energy Farm; • A303 Stonehenge (Amesbury to Berwick Down);

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	on the affected site. Without these safeguards in place, the offsetting measures would appear to represent compensation. 2.1.27. Furthermore, paragraph 3.5.5 of the CMS states that "The land would be managed for 80 years (this being the standard HRA definition of 'in perpetuity') or until the Proposed Development is decommissioned, whichever is the sooner". A reference for this "standard HRA definition" of in perpetuity should be provided. There is no guarantee that curlew would recolonise the decommissioned brownfield land once the project has ceased to operate, so any mitigation/compensation should be permanent.	• Peartree Hill Solar Farm; and • Helios Renewable Energy. It is not only common in the DCO space; for example, the Solent Wader and Brent Goose Strategy sets out the processes for addressing loss of FLL around the Solent Habitats sites. This is used by all of the Solent local authorities when granting consent. The mitigation guidance describes it as 'offsetting' (rather than compensation) and derogations are not required for developers to deliver offsetting habitat to address loss of FLL. The reason FLL is treated this way, is because the AEOL the Applicant is seeking to address would be a possible reduction in curlew populations within the SPA due to a reduction in foraging and roosting opportunities in the wider landscape. The Applicant is therefore avoiding (or mitigating for) the AEOL (a reduction in curlew populations within the SPA) by ensuring there is no net loss of foraging and roosting opportunities by enhancing other areas already used by curlew to support greater numbers. With regard to Management for 80 years, 80 years is a legal definition given for 'in perpetuity' under the Perpetuities and Accumulations Act 1964, although a longer period of 125 years is given under the Perpetuities and Accumulations Act 2009. Practice has generally led to 80 years becoming the standard definition of 'in perpetuity' for purposes of mitigation

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		measures associated with the Conservation of Habitats and Species Regulations. Whilst, in Wales, the appropriateness of the management period is considered on a case-by-case basis, the Applicant considers the management period in this case to be suitable.
NRW10	2.1.28. We also advise that the following clarifications and details should be provided for the CMS: 1) Para. 2.4.2: Table 1 does not include historic data, only covers one year, and is likely to be too narrow in the range of months when curlew are found in significant numbers at the site. Historic data held by the applicant and Deeside Naturalists' Society (DNS) should be referred to as these may show a greater range of months when significant numbers of curlew, and possibly other qualifying species, occur within the affected fields (i.e. August, September and October). Historic data may also provide longer-term trends in the numbers of curlew (and other bird features) using the Functionally Linked Land. This may be important when determining the effectiveness of management measures in the proposed offsetting land i.e. historic baseline curlew numbers in offsetting land versus curlew numbers in preferentially managed land. 2) Para. 4.1.1: Groundwater monitoring should be applied at an early stage to determine the characteristics of groundwater changes at the offsetting site and to inform future management of water levels. Water levels should be quantified over a period of time, so that adjustments to management prescriptions can be made.	The points are addressed in turn. 1) This is noted. The Applicant will continue to engage with the Deeside Naturalists' Society (DNS) and NRW on availability of existing data sets. 2) The Applicant is in the process of commencing groundwater monitoring to inform future management. The Applicant will continue to engage with NRW on groundwater monitoring and provide NRW with any feedback of results. 3) The Applicant is currently undertaking further non-breeding bird surveys of the mitigation area and will continue to engage with NRW on results of these. (4 – 9) These points are noted and the Applicant will continue to engage with NRW on the Curlew Mitigation Strategy [APP-254] and submit an updated version of this strategy at an appropriate point during the examination. The Applicant is undertaking further work to address the proposals set out within the Off-Site Net Benefit for Biodiversity (NBB) strategy and acknowledges the potential conflicts between Off-Site NBB compensation, CMS and FLL. The Applicant will consider suitability for CMS when enhancing and creating habitat for off-site

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	3) Para. 4.2.4 states that "further surveys will be undertaken during the peak wintering months". We would wish to be consulted on the results of these surveys and would welcome further engagement regarding the development of the Curlew Mitigation and Monitoring Plan. 4) Para. 4.3.2: Regarding reference to the winter period of October – March, curlew may start to arrive earlier in the season (August/September) depending on weather and breeding success. Using grazing animals would allow minimal disturbance towards the end of summer and therefore early-returning curlew would be able to use the land. 5) Para. 4.3.6 states that one of the additional habitat management measures "will be the creation of a network of foot drains which are a common habitat feature deployed to support diverse invertebrate assemblages and create suitable habitat conditions for waders." A reference or example should be provided to support this approach. 6) Para. 4.3.12: "late in the season" should be defined. 7) The applicant has stated that management of the water tables, sward height and taller vegetation in the Secondary Curlew Area (Figure A-3) would provide additional habitat enhancement. Clarity should be provided on whether these areas would be managed on the same schedule of mowing/grazing and to the same standard as the core areas. 8) Figure A-3 indicates two field parcels of curlew feeding areas, presumably based upon one year's data. NRW and WeBS hold historic data for the area that may reveal curlew feeding in other adjacent areas. Impacts on other designated bird species that may be affected by management decisions for curlew should also be assessed.	NBB compensation and will provide further detail on how such measures will be controlled and managed. Proposals will be developed throughout detailed design collaboratively with ornithological experts and through consultation with NRW, the LPA and other relevant stakeholders.

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	9) Section 4.4: There is likely to be a need for a longer-term initial monitoring period, e.g. minimum of 10 years. Monitoring should occur for the life of the project, so that management can adapt to changes, and should contribute towards the Dee estuary WeBS count. Details of the monitoring arrangements and the feasibility of access to enable effective monitoring should also be provided. 10) A defined financial allocation should be set aside for management requirements. Oversight of the management plan from the applicant's perspective should be supported by a dedicated officer to enable effective management. 2.1.29. The Offsite Net Benefit for Biodiversity and Green Infrastructure Strategy (NBB/GIS) includes habitat management prescriptions for the offsetting land to be acquired as part of the CMS. While we generally concur with these proposals in principle, this land is designated as part of the Dee Estuary SPA, Ramsar site and SSSI. It should therefore be ensured that the proposed NBB/GIS measures would not conflict with maintaining and enhancing suitable habitat conditions for the bird features of these sites, or the aims of the CMS. Further details should be provided regarding the proposed grassland and woodland measures and how the measures located on land adjacent to that acquired for the CMS would be effectively controlled and managed.	
NRW1 1	Noise and visual disturbance of interest features of the Dee Estuary SPA/Ramsar site/SSSI during construction/demolition	This is noted and the Applicant understands that no further action is required at this stage.

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	2.1.30. As referenced in the ES, Chapter 11, paragraph 11.6.17 we agree with the use of an acoustic barrier and construction control measures to ensure construction noise will remain below 60dB, and the implementation of seasonal restrictions on works taking place beyond the acoustic barrier, with such works to be restricted to outside the wintering season (March to September).	
NRW1 2	2.1.31. We note the statement in the RIHRA (para. 10.3.2) that increased light spillage may improve foraging efficiency for some qualifying species and the reference to a paper regarding this. Although, we do not consider a single study of one species (redshank) to provide robust enough evidence to support this statement, we concur with the overall conclusions regarding light spillage.	This is noted and the Applicant understands that no further action is required at this stage. The reference to light spillage possibly improving foraging efficiency for one species was an observation and was not a basis for the actual assessment.
NRW1 3	Water quality impacts to the Dee Estuary SAC/SPA/Ramsar site/SSSI and River Dee and Bala Lake SAC/Afon Dyfrdwy (River Dee) SSSI during construction/operation/decommissioning Construction/Decommissioning 2.1.32. Although any proposed (but unspecified) control measures may theoretically provide mitigation for water quality impacts, no information has been provided to suggest these control measures will avoid the effect in the first instance. Therefore, we do not agree that the water quality impact pathway can be screened out at the Test of Likely Significant Effects (TLSE) stage. Since the measures proposed to be committed in a Construction Environmental Management Plan (CEMP) are considered as "measures to reduce or avoid harm", they should not be discounted at	The Applicant has taken mitigation measures into account which would be legally required even if no Habitats sites are involved, or which are already in place and operating (e.g. reliance on existing abstraction consents and existing infrastructure). Such measures can be considered during Stage 1: Test of Likely Significant Effects (TLSE). As noted in paragraph 7.2.35 of the RIHRA [APP-253] the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009 and the Environmental Permitting (England and Wales) Regulations 2016 make it an offence to pollute watercourses, irrespective of whether they are Habitats sites or connect to Habitats sites. The water quality protection measures identified in paragraph 7.2.36 of the RIHRA [APP-253]

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	TLSE but should be assessed fully in the Appropriate Assessment (AA) stage of the HRA process. We refer to the People Over Wind ruling for context and clarity (People Over Wind and Sweetman v Coillte Teoranta (C-323/17)). We do not consider that the Langton case (CO/2062/2020) regarding badger culling sets an appropriate precedent for screening out a water quality impact pathway for this application. 2.1.33. Information on the proposed activities that may be mitigated or avoided and their potential effect on the water quality of the Dee Estuary SAC/SPA/Ramsar site (and potentially the River Dee and Bala Lake/Afon Dyfrdwy a Llyn Tegid SAC during a big tide or low flows), the impact pathways, and the specific mechanisms for mitigation should therefore be made available for assessment. We consider that the Competent Authority will need this information to undertake their HRA.	(regarding construction) and 7.3.20 to 7.3.22 (regarding drainage during operation) would therefore be legally required even if there was no designation associated with the Dee Estuary. Following the implementation of these measures it is concluded that there would be no likely significant effect (LSE) associated with changes in water quality of the Dee Estuary SAC / SPA / Ramsar site (and the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC).
NRW14	Operation 2.1.34. We do not agree with the RIHRA's conclusion that LSE can be screened out for all features for water quality during the operational phase. 2.1.35. The stated integral design makes no reference to the composition of wastewater discharge from the site during operations. The RIHRA states that the current and future practise is to treat sewage on site and discharge with the cooling and process wastewater. In the absence of data regarding for the proposed waste water composition, we consider that there is reasonable scientific doubt that the	As discussed above, the Applicant considers that mitigation measures can be taken into account during the HRA Screening stage which would be legally required even if no Habitats sites are involved. The water quality protection measures identified in paragraphs 7.3.20 to 7.3.22 of the RIHRA [APP-253] (regarding drainage during operation) would therefore be legally required even if there was no designation associated with the Dee Estuary. Regarding foul discharge, the RIHRA [APP-253] assumes that a consented discharge has been deemed

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	discharge will have no adverse effect on the features of the Dee Estuary SAC/SPA/Ramsar site (and potentially the River Dee and Bala Lake/Afon Dyfrdwy a Llyn Tegid SAC during a big tide or low flows). Details of the composition of the proposed foul discharge should therefore be provided for consideration in the Appropriate Assessment stage of the HRA process.	to be acceptable, otherwise it would have been subject to a Review of Consents process by NRW in line with the Conservation of Habitats and Species Regulations 2017 (as amended).
NRW1 5	In-combination 2.1.36. With reference to the advice above, water quality impacts should be taken to Appropriate Assessment for both the construction and decommissioning and operational phases. Other plans and projects (both current and future) should then be assessed for adverse effects in the Appropriate Assessment stage of the HRA process to determine the in-combination effects, specifically for water quality.	This matter has been addressed in the response to NRW13 and NRW14.
NRW1 6	2.1.37. Any in-combination effects of the cooling and process water discharge during the operational phase, the temperature plume (as previously advised), and water quality should be screened in as an impact pathway during both the operational and construction/decommissioning phases (including toxic and non-toxic contaminants e.g., nutrients and sediments).	This matter has been addressed in the response to NRW13 and NRW14.
NRW1 7	Introduction of invasive non-native species (INNS) to the Dee Estuary SAC/ SPA/Ramsar site/SSSI and Deeside and Buckley Newt Sites SAC/Connah's Quay Ponds and Woodlands SSSI during construction/demolition	A detailed assessment of marine invasive non-native species (INNS) risks will be undertaken once a contractor is appointed and vessel movements are confirmed. This will allow inclusion of the vessel type and nature, duration of activity, port history, INNS status of departure ports, and antifouling condition. The

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	2.1.38. While we agree with the overall approach outlined in ES Chapter 12, paragraphs 12.6.18 – 12.6.21, the mitigation and management measures contained in the 'Marine Invasive Non-Native Species Outline Management Plan' (ES Appendix 12F) and the 'Biosecurity Risk Assessment' (ES Appendix 12E) would not adequately reduce the risks associated with the spread of marine INNS. The following key details are absent from the biosecurity risk assessment document but would have a material difference on the efficacy of the mitigation measures and assessment: • the type and nature of vessels to be used, • duration of the activity, • location and nature of ports previously visited, • INNS status of these ports, and • whether the vessels have had recent antifouling treatment. 2.1.39. We therefore advise that a 'detailed biosecurity risk assessment' for the marine element of the works should be submitted for approval, in consultation with NRW, once a suitable contractor is appointed and able to complete the relevant information, prior to any works commencing. This should be secured within the DCO requirements, potentially as part of Requirement 4 (2) b.	assessment will inform an updated Marine INNS Management Plan, which would be prepared prior to the formal submission of the final CEMP, for approval by the relevant authority, prior to any construction-related vessel activity. Appendix 12-F: Marine Invasive Non-Native Species Management Plan [APP-209] has been updated to include the additional information listed above at Deadline 1. The updated assessment and management plan will ensure that the biosecurity measures reflect the actual vessels and operations involved and will provide the basis for any mitigation required. Submission of the detailed marine biosecurity risk assessment will be secured and approval obtained in advance of works.
NRW18	2.1.40. We note that the INNS impact pathway has been screened out of the RIHRA for the Deeside and Buckley Newt Sites SAC and Halkyn Mountain/Mynydd Helygain SAC. However, this does not appear to have considered biosecurity risks from infectious diseases such as Chytrid. Since the works are within 2km of the Deeside and Buckley Newt Sites	Deeside and Buckley Newt Sites SAC and Halkyn Mountain / Mynydd Helygain SAC are located 1.5 km south and 3.6 km west of the Order limits respectively. Both sites are separated from the works by major barriers.

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	SAC, we advise that the HRA should consider such biosecurity risks.	There are no hydrological connections between the works and the designated sites and as Chytrid is spread primarily through contact with the waterborne zoospores the Applicant considers it is reasonable to screen the INNS impact pathway out of the RIHRA [APP-253] .
NRW19	2.1.41. We note reference to the Environmental Damage (Prevention and Remediation) (England) Regulations 2015, which apply in England. Please note that the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009 (as amended) apply in Wales.	This is noted and it can be confirmed the Welsh Regulations act, as do the English Regulations, to protect water quality. No further action is required.
NRW20	Protected Species Great crested newts, bats, otter, water vole, hazel dormouse, and natterjack toad 2.1.42. Overall, we are largely satisfied with the survey and assessment in respect of great crested newts (GCNs), bats, otter, water vole, hazel dormouse, and natterjack toad and agree with the conclusions of the ES. We also acknowledge that no protected species licences for the above species are currently likely to be required.	This is noted and the Applicant understands that no further action is required at this stage.
NRW21	2.1.43. However, in respect of GCN we advise that the assessments should be based on a 1.6km dispersal distance as opposed to the 250m stated in the submission (note: Section 6.2.3 of Guidelines for the Selection of Biological SSSIs. Part 2: Detailed Guidelines for Habitats and Species Groups: Chapter 18 Reptiles and Amphibians).	As a precaution paragraph 7.2.46 of the RIHRA [APP-253] does use a 1.6km zone of influence for Habitats sites designated for Great Crested Newt (<i>Triturus cristatus</i>) (GCN) as follows: ' <i>However, regarding the HyNet DCO Natural Resources Wales advised the applicant that functionally linked land for the newt populations lay within 1.6 km of the SAC. The areas of suitable habitat within the Proposed Development Site</i>

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		<i>are beyond this distance from the SAC. Therefore, Deeside & Buckley Newt Sites SAC is not discussed further regarding this impact pathway.'</i> It is noted that Section 6.2.3 GCN (<i>Triturus cristatus</i>) of Guidelines for the Selection of Biological SSSIs. Part 2: Detailed Guidelines for Habitats and Species Groups: Chapter 18 Reptiles and Amphibians states: <i>'The majority of adult newts remain within about 250 m of their natal pond for most of their lifecycle if habitat conditions are suitable, with longer range dispersal undertaken less frequently (Kupfer et al. 1998; Haubrock et al. 2017; and see overview in Jehle et al. 2011). Generally, areas closer to the breeding pond are of relatively higher value to newts, with certain habitat types and features being more favoured. Great crested newts have been found to disperse across habitats which offer little cover or foraging opportunity, such as hard standing and arable land, in order to reach more distant and higher value habitats. As this species can disperse over 1.6 km between ponds, SSSI boundaries should allow for long distance movements that contribute to maintaining population viability and gene flow and recognise the range of terrestrial habitats used by the species'.</i> The impact assessment for GCN has been conducted based on the Proposed Development extent, specifically the Construction and Operation Area (refer

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		to Table 11-7 Chapter 11: Terrestrial and Aquatic Ecology [APP-049]). It is acknowledged that the Guidelines quoted above refer to SSSI boundaries allowing for long distance movement to maintain population viability, gene flow and terrestrial habitats used by the species. The GCN assessment has taken into consideration all recent records for amphibians and designated sites relating to amphibians within 2 km of the Construction and Operation Area. Waterbodies up to 500 m were identified and surveyed for GCN (where applicable). Refer to paragraph 3.1.3 and 3.3.1 of Appendix 11-E: Great Crested Newt Technical Appendix [APP-195]. This is considered to be a sufficient study area and survey area for GCN and proportionate to the Proposed Development.
NRW2 2	2.1.44. We note the identification of 1 no. pond confirmed to be supporting GCN (P2) and would welcome this record being submitted to the relevant Local Environmental Records Centre.	GCN records collected as part of the project will be submitted to Cofnod before the end of the examination.
NRW2 3	Schedule 1 bird species (Wildlife and Countryside Act 1981, as amended) 2.1.45. We note that if Schedule 1 bird species are found breeding within the working area, or close enough to it that works would result in disturbance of the breeding birds, works would stop immediately and the advice of an ornithologist obtained to ensure that measures are put in place to avoid	This is noted and the Applicant understands that no further action is required at this stage.

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	disturbance occurring. This would be secured via Requirement 4 (CEMP).	
NRW2 4	2.1.46. Where buffer distances are required or need to be considered, reference should be made to Goodship, N.M. and Furness, R.W. (MacArthur Green) Disturbance Distances Review: An updated literature review of disturbance distances of selected bird species. NatureScot Research Report 1283, or alternative published references for species not listed in Goodship & Furness 2022.	The Framework CEMP [APP-246] will be updated to include reference to this guidance in the event that a Schedule 1 bird species is found breeding within the Order limits and submitted at Deadline 1.
NRW2 5	2.1.47. 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 is noted and adequate measures to avoid disturbance to Schedule 1 breeding bird species are secured in the Framework CEMP [APP-246] .
NRW2 6	2.2 Marine Ecology Eels and fish 2.2.1. We welcome the commitment for eel screen upgrade works to meet current legislative requirements, including The Eels (England and Wales) Regulations 2009, comprising the removal of one existing 3mm screen and the installation of one new 2mm screen on each of the existing 28 intakes. This embedded design measure would be secured via Requirement 4 (CEMP) and any additional permits/licences required for the works to the intake structure.	This is noted and the Applicant understands that no further action is required at this stage.
NRW2 7	2.2.2. ES, Chapter 12, para. 12.2.16 states: "Furthermore, there is no evidence of any thermal impacts from existing discharge rates" and on that basis thermal impacts from the discharge have been screened out for assessment. We	As per Section 12.4 of Chapter 12: Marine Ecology [APP-050] , it is considered that the existing baseline environment demonstrates that there is no evidence of

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	advise that references should be provided to support this statement.	any thermal impacts from existing permitted discharge rates.
NRW2 8	2.2.3. ES, Chapter 12, para. 12.2.22 states: "The Applicant proposes to maintain the permitted abstraction and discharge parameters as far as reasonably practicable, e.g. abstraction would continue to be limited to periods around high water in line with the current abstraction licence." We welcome the intention to adhere to the conditions in the current abstraction licence but advise that further clarity is provided on what is meant by 'as far as reasonably practicable', including the circumstances in which there would be deviation to abstracted and discharged parameters. It should also be confirmed that all parameters, if deviations occur, are within the worst-case scenario assessed in Section 12.3.	Water abstraction and discharge would be regulated in operation under the environmental permits for the Proposed Development and the existing Connah's Quay B station. This application and variation, respectively, are being prepared. Whilst no changes to permitted abstraction and discharge parameters are being requested, as these permits are not final there is the potential for parameters to change. As such, the language "as far as reasonably practicable" is used here. As no changes to abstraction and discharge parameters are being requested the expected operation does lie within the worst-case scenario assessed.
NRW2 9	2.2.4. ES, Chapter 12, para. 12.4.3: the bullet list of features contains the following errors/omissions: - the Dee SSSI is also designated for European smelt, - the River Dee and Bala Lake SAC is also designated for river/sea lamprey and bullhead, - the River Dee SSSI is designated for salmon, sea lamprey, and European smelt. Brown/sea trout (<i>Salmo trutta</i>) are not a feature of the site but are protected under Section 7 of the Environment (Wales) Act 2015.	The Applicant can confirm that relevant marine designated features have been assessed in Chapter 12: Marine Ecology [APP-050] .
NRW3 0	2.3 Air Quality 2.3.1. Based on the information submitted, we consider that the proposed development will require an Environmental	We confirm that the Environmental Permit application is being prepared and will be submitted in Q1 2026 to NRW.

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	Permit ('permit') to operate. Please note, however, that NRW's Permitting Service have not yet received a permit application in respect of the proposed development to date. Therefore, we have carried out a 'high-level' model review of the air quality information submitted in support of the above application. A 'high-level' model review consists of providing advice regarding the general assessment methodology of an air quality assessment (AQA) used and whether the correct guidance regarding key model input parameters has been followed. 2.3.2. We have undertaken a 'high-level' model review in this instance because this approach is considered to provide a suitable balance of offering you greater assurances that the findings of the AQA are reliable. However, this approach also does not risk 'pre-determining' a future permit application.	
NRW3 1	2.3.3. Our previous advice regarding air quality has been addressed and generally we are satisfied with the AQA submitted. However, please see our following comments. 2.3.4. Table 8-2 (Scoping Opinion Responses from the UKHSA), states: "It is recommended that the air quality impacts assessment also include the diesel-powered back-up generators and associated pollutants." The applicant has responded that: "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 have a significant effect on local air	The Applicant notes that NRW are satisfied with the air quality assessment submitted. As highlighted in NRW's comment, the Applicant's position is that 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 have a significant effect on local air quality. The Applicant confirms that evidence of the estimation of possible impact from the back-up generators will be provided during the Environmental Permit application process submitted to NRW in 2026.

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	quality." Reasonable evidence of the estimation of possible impact should be provided to support this statement.	
NRW3 2	2.3.5. It should be ensured that all relevant pollutants (including total amine emissions) that could be emitted from the stacks have been identified and assessed to inform the HRA (in line with published guidance).	There will be an additional assessment undertaken as part of the Change Application, planned to be submitted at Deadline 3, all emissions and associated Environmental Assessment Levels (EAL) will be presented as current at that time.
NRW3 3	2.3.6. Please note: this advice is provided without prejudice to any detailed assessment which will be undertaken by NRW's Permitting Service, as part of the permit application process, if required. There is a risk that a permit application may be refused, even if planning permission is granted for the proposed development.	This is noted and the Applicant understands that no further action is required at this stage.
NRW3 4	2.4 Water Environment and Flood Risk Water Pollution 2.4.1. We note that a Construction Environmental Management Plan (CEMP) would be implemented for the construction stage. The Framework CEMP (EN010166/APP/6.5) outlines the control measures for mitigating water quality impacts, taking into account Guidance for Pollution Prevention (GPP) documents GPP5 and GPP6. This would be developed into a detailed CEMP and supporting documents, secured post-consent as a requirement of the DCO. 2.4.2. Section 4.7 of the Framework CEMP states that a Drainage Management Strategy would be developed and	Because the CEMP must be in general accordance with the Framework CEMP [APP-246], as certified, and this Framework CEMP includes the specific reference to a Construction Drainage Management Strategy needing to be prepared, such Strategy is already sufficiently secured without the need to specifically cross-reference this document within Requirement 4 or 7. The operational drainage design would be implemented early in the construction phase to enable the use of the new outfall. In addition, the specifics of construction drainage are not known. The Framework CEMP [APP-246] will be updated to set out more principles to support the development of the Construction Drainage Management Strategy, at Deadline 1. This would include recommendations to consider Sustainable Drainage Management Systems (SuDS), Phased

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	provided in the final CEMP(s). We advise that the provision of the drainage management strategy documents to support the CEMP should be included in Requirement 4 or 7 of the DCO.	Drainage Implementation, Pollution Prevention Hierarchy, sediment and erosion control measures, inspections and maintenance arrangements, and training for staff on the importance of effective water management practices and methods. However, that said, in the interests of clarity and transparency, the Applicant has included an additional limb under Requirement 4(2) to specifically secure that the CEMP must incorporate a Construction Drainage Management Strategy.
NRW3 5	2.4.3. Regarding ES, Appendix 13B (Water Framework Directive Report), on the basis of adherence to the commitments in the CEMP and associated documents, we agree with the conclusions of the Construction Phase Assessment for marine water quality that any impacts can be avoided or mitigated and so are unlikely to have a significant impact on any Water Framework Directive (WFD) quality elements. Likewise for the operational phase, we agree with the assessment of no deterioration in any WFD quality element relating to marine water quality and no likelihood of the prevention of any water quality objectives from being met.	This is noted and the Applicant understands that no further action is required at this stage.
NRW3 6	2.4.4. The supporting Figure 13-1 (Surface Water Features) does not appear to show all the WFD waterbodies reported in the WFD compliance assessment, only Swinchiard Brook. We therefore advise that an updated plan is submitted which clearly shows all the WFD waterbodies that have been identified in the assessment.	Figure 13-1: Surface Water Features [APP-132] will be updated to include the screened out Water Framework Directive (WFD) water bodies, namely Wepre Brook and Nant Sir Roger (Dee Estuary). The updated figure will be submitted to the Examination at Deadline 1.
NRW3 7	Flood Risk	This is noted and the Applicant understands that no further action is required at this stage. The potential

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	ES, Chapter 13: 2.4.5. We note that there are no longer any works planned in the River Dee, aside from installation of new eel screens and minor repairs to existing inlets. We also note that a surface water outfall is proposed (para. 13.3.9). NRW should be consulted with further details of these works, to assess whether a Flood Risk Activity Permit (FRAP) or Marine Licence is needed, regardless of the requirement for in-channel works. A FRAP may be required for any works in, over, under or within 8m of a fluvial main river (including any defences on that main river), or 16m of a tidal main river (including any defences on that main river), or within a flood plain.	requirement for a Flood Risk Activity Permit (FRAP) is identified as item 12 in the Consents and Agreement Position Statement [APP-021] .
NRW3 8	2.4.6. We note and welcome the inclusion of flood risk management elements in the CEMP. Works to divert existing culverted watercourses (para. 13.5.43) may require advice or consent from the Lead Local Flood Authority, or an Ordinary Watercourse Consent.	This is noted and the Applicant understands that no further action is required at this stage.
NRW3 9	Appendix 13-C: Flood Consequences Assessment 2.4.7. We have previously engaged with the applicant regarding the hydraulic model developed for this proposal during the pre-application stage. In summary, we consider that the model is suitable to use for its intended purpose for this project/site.	This is noted and the Applicant understands that no further action is required at this stage.
NRW4 0	2.4.8. The Flood Map for Planning identifies the application site to be at risk of flooding and mostly within Flood Zone 3 (Sea). The Repurposed CO ₂ Connection Corridor and Water Connection Corridor also fall within Flood Zone 3 (Rivers). We acknowledge that there is already a consented power station development at this site and are satisfied that the correct	Appendix 13-F: Hydraulic Modelling Report [APP-215] also simulated future resilience scenarios using the following tidal events: • 1 in 200 year (0.5% Annual Exceedance Probability (AEP)) plus 2074 95th percentile climate change;

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	flood risks and flood risk zones relevant to the Proposed Development have been identified within the Flood Consequences Assessment (FCA). However, we advise that greater detail should be provided on the following aspects. 2.4.9. We have agreed with the applicant that the relevant design event for the site is the 0.5% (1 in 200 year) AEP tidal event, with allowance for climate change (70th percentile) over the lifetime of the development, including breach analysis where appropriate. We note that the proposed lifetime of the development is 30 years from a construction date in the 2030's, and on that basis, it was agreed that the 2074 climate change epoch would cover the lifetime of the proposed development. It was also agreed that the 2100 epoch would be analysed as a conservative approach to flood risk, as the normal lifetime considered for Highly Vulnerable Development is 100 years. TAN15 (2025) also requires the 95th percentile climate change scenario to be assessed in order to inform mitigation measures, and as a sensitivity test. 2.4.10. We note that the results of the 2100 epoch and 95th percentile model runs are included in Appendix 13-F (Hydraulic Modelling Report), but we advise that these should be presented and summarised in the FCA so that the information is more readily available for decision makers. Also, as TAN15 requires the breach scenario to be considered as the design event, there should be a description of the existing flood defences and appropriate justification of why a breach/undefended scenario has not been included.	• 1 in 1000 year (0.1% AEP) plus 2074 95th percentile climate change; • 1 in 200 year (0.5% AEP) plus 2100 70th percentile climate change; and • 1 in 1000 year (0.1% AEP) plus 2100 70th percentile climate change. The 1 in 200 year (0.5% AEP) 2074 plus 95th percentile scenario shows a maximum increase in flood depth within the channel adjacent to the Main Development Area of +0.11 m when compared to the 70th percentile scenario. The proposed area for permanent development is not shown to be inundated during this event (Appendix 13-F: Hydraulic Modelling Report [APP-215]). The 1 in 200 year (0.5% AEP) 2100 plus 70th percentile scenario event shows the proposed area for permanent development not to be flooded within this scenario (Appendix 13-F: Hydraulic Modelling Report [APP-215]). An updated Appendix 13-C: Flood Consequence Assessment (EN010166/APP/6.4) has been submitted at Deadline 1. In relation to the consideration of the breach scenario, it was agreed with NRW in May 2025 that the undefended scenario undertaken as part of the

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		hydraulic modelling represents the worst-case scenario for the Proposed Development. Therefore, no breach analysis was undertaken as part of the hydraulic modelling assessment (Appendix 13-F: Hydraulic Modelling Report [APP-215]). For all simulations the model was simulated in the partially undefended scenario (undefended at the Main Development Area, defended throughout the wider model) which removes the private defences and screening mound along the frontage of the existing Connah's Quay Power Station. The flood defences in NRW's received model are based on North Wales Tidal Defence Survey which were added to the model in 2020. It is understood from NRW that the sea defences were surveyed in 2016. The sea defences have been retained from the NRW 2020 River Dee Model on the left and right bank of the River Dee upstream of the existing Connah's Quay Power Station site. Defences on the left bank of the River Dee along the boundary of the existing Connah's Quay Power Station site are private defences and there is little information about the current condition, standard of protection or the maintenance / management regime of the defences. The site walkover identified the defences at the existing Connah's Quay Power Station site are generally raised ground along the Dee Estuary frontage with a setback partial gabion wall which has access openings to the existing Connah's Quay Power Station site. Construction information provided by the Applicant shows that the observed gabion wall is an earthwork embankment built as a screening mound with one side

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		having a gabion construction. It was agreed with NRW in May 2025 that the private defences at the existing Connah's Quay Power Station site would be removed from the baseline model to create a partially undefended model and a conservative estimate of flood risk at the Main Development Area.
NRW4 1	2.4.11. We also advise that analysis of flood risk in the 0.1% (1 in 1000 year) scenario (including climate change - central and upper end estimates) should be included in the FCA, as it is a requirement of TAN15. During our previous hydraulic model review we noted that small areas of flood risk detriment were shown, albeit at a distance from the site: an explanation of these should also form part of the FCA, to address any detriment in terms of flood risk due to the project.	As noted in response to NRW 40, Appendix 13-F: Hydraulic Modelling Report [APP-215] also simulated future resilience scenarios using the following tidal events: • 1 in 200 year (0.5% AEP) plus 2074 95th percentile climate change; • 1 in 1000 year (0.1% AEP) plus 2074 95th percentile climate change; • 1 in 200 year (0.5% AEP) plus 2100 70th percentile climate change; and • 1 in 1000 year (0.1% AEP) plus 2100 70th percentile climate change. The 1 in 1000 year (0.1% AEP) 2074 plus 70th percentile scenario event shows the proposed area for permanent development to be inundated with floodwater to a maximum flood depth of 0.43 m during this event (Figure 13F-34 Appendix 13-F: Hydraulic Modelling Report [APP-215]). The 1 in 1000 year (0.1% AEP) 2074 plus 95th percentile scenario event shows a maximum increase in flood depth within the channel adjacent to the Main

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		Development Area of +0.17 m when compared to the 70 th percentile scenario. There is a small section of the proposed area for permanent development near the frontage that is shown to flood as the maximum water level rises c.0.1 m above the raised ground levels. The area of inundation is small and remains at a depth of less than 0.15 m (Figure 13F-32 Appendix 13-F: Hydraulic Modelling Report [APP-215]).
NRW4 2	2.5 Geology and Ground Conditions 2.5.1. We note that excavated material would be managed in accordance with the appropriate exemption and/or environmental permit or, if applicable, a Materials Management Plan (MMP) will be developed under the Contaminated Land: Applications in Real Environments (CL:AIRE) Definition of Waste: Development Industry Code of Practice by the construction contractor. 2.5.2. We note that the extent of 'cut' will not be known until the detailed design and further ground investigations are completed. As all of the identified contaminated land locations are designated as 'cut', a detailed cut-and-fill plan should be produced to outline the nature and extent of existing ground materials/made ground excavations, as this could have a direct influence on the degree to which existing contamination could be mobilised and spread.	A Materials Management Plan (MMP) will be developed (which would typically include a cut-and-fill plan), either as a technical appendix to the final CEMP or as a standalone document. The requirement for the MMP is secured through the Framework CEMP [APP-246] .
NRW4 3	2.5.3. Clarification should also be provided on how the estimated radii of influence (RoI) relate to the designated contaminated land areas. This could be provided in a figure that shows the proposed cut, the RoI layer and the	The cut-and-fill plan that would be developed as part of the MMP (NRW42) would also identify the designated contaminated land areas (confirmed through detailed site investigations) and the estimated Radius of

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	designated contaminated land areas. This would help to identify whether dewatering may be required in a particular contaminated land area and the estimated radius of influence.	Influence. Furthermore, the hydrogeological assessment (as discussed in Chapter 13: Water Environment and Flood Risk [APP-051]) will be undertaken where excavations or dewatering is required in high sensitivity groundwater environments. Potential interactions between excavation, dewatering, and contamination will be considered as part of detailed site investigations and within the dewatering scheme which will be developed prior to construction.
NRW4 4	2.5.4. Until further details on the cut-and-fill, local groundwater conditions and environmental quality of materials being excavated have been fully evaluated/finalised we maintain our previous advice that groundwater flows should be assessed as part of detailed site investigations, including the need to assess for the presence of private water supplies and the degree to which the current groundwater flow regime could be changed by the construction, operation and decommissioning of the proposed infrastructure, as much of it will be built in 'cut'.	This is noted and will be assessed as part of detailed site investigations.
NRW4 5	2.5.5. The Stage 1, Tier 2 Generic Risk Assessment: Soil and Groundwater Report is based on particular boreholes/borehole locations. Further site investigation is proposed (Figure 14.2, Potential Areas of Contamination) and we welcome that this would be completed prior to construction of the Proposed Development. The site investigations would likely be significant in scope given the number of contaminated land locations that are designated as Risk 3, 4 or 5. However, it is unclear how the Risk Assessment: Soil and Groundwater Report is aligned with the	The scope of detailed site investigations will be designed to assess any potential areas of contamination that the development may interact with as recorded in Figure 14-2: Potential areas of contamination [APP-141] . The 'Risk Assessment: Soil and Groundwater Report' referred to in the representation is understood to be referring to Appendix 14-F: Stage 1, Tier 2 Generic Risk Assessment: Soil and Groundwater [APP-221] . The ground investigation undertaken to support this risk

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	Potential Areas of Contamination illustrated in Figure 14.2 as there are some significant geospatial gaps. Clarification should therefore be provided on this as the conclusions of the Risk Assessment may be altered by the subsequent site investigations	assessment was designed to provide a preliminary understanding of baseline groundwater conditions to include general groundwater quality, levels and flow. Subsequent ground investigations will be more detailed and will include an investigation of the areas of potential contamination that may interact with the Proposed Development and would address the geospatial gaps referred to.
NRW4 6	2.5.6. Operational contamination does not appear to have been included in the surface drainage design. We therefore advise that this is scoped in, or a robust justification provided if it is deemed not to be required.	The Surface Water Drainage Strategy will be produced in general accordance with the Outline Surface Water Drainage Strategy [APP-213] and approved by FCC. Pursuant to Requirement 6 of the Draft DCO [APP-019] , no stage of Work No. 1 may become operational until, for that stage, a surface water drainage strategy for works relevant to that stage, in general accordance with the relevant part of the Outline Surface Water Drainage Strategy [APP-213] , has been submitted to and approved by the relevant planning authority. A surface drainage design has not yet been completed because a firewater strategy has not yet been developed, and the areas of potential surface water contamination have not been finalised. As mentioned in the Outline Surface Water Drainage Strategy [APP-213] , the surface water drainage strategy for firewater and potential contamination areas would be developed in consultation with NRW and FCC post-DCO consent and would be detailed in the Surface Water Drainage Strategy. Only after which, the drainage design would be able to be developed, which would need to be in accordance with the Surface Water Drainage Strategy.

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NRW4 7	2.6 Landscape 2.6.1. Our landscape advice relates to the landscape character and visual amenity of the Clwydian Range and Dee Valley National Landscape (CRDVNL). This is the name for the legally designated Area of Outstanding Natural Beauty. At its closest point, the Main Development Area is located approximately 10km from the National Landscape boundary. 2.6.2. We welcome that our previous advice has been reflected in the ES. However, we advise that higher resolution digital copies of the viewpoint photography should be made available for examination purposes, as the submitted versions suffer from pixelation, which is likely due to having been provided at a lower resolution.	The images have been provided at the highest available resolution and cannot be further enhanced. Any blurring visible when zooming in is due to atmospheric haze and viewing distance, not image quality. Several viewpoints are located kilometres from the Proposed Development, where a loss of clarity is expected. Achieving noticeably higher image quality would require specialist lenses well beyond standard practice. In any event, higher resolution imagery would not materially improve or change the assessment of visual effects, nor is it necessary to understand the visual impacts of the Proposed Development.
NRW4 8	2.6.3. The Zone of Theoretical Visibility (ZTV) analysis has been prepared for the tallest elements (the absorbers and HRSG stacks at 150m plus 8m Raised Ground Level (i.e. 158m above ordnance datum (AOD)) (Figure 15-8) and for the 'main site structures' modelled at 65m above ground level (Figure 15-7). Based on the ZTVs, we note potential visibility of the development within the CRDVNL 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. 2.6.4. Based on the above, and considering the relevant principles (27 – 29) to be secured and applied through the Design Principles Document (Appendix 7.8), we agree with the conclusion of ES Chapter 15, that, although there would	This is noted and the Applicant understands that no further action is required at this stage.

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	be adverse visual effects within the CRDVNL, e.g. at Moel Famau, the effect on the visual amenity of people at this location would not be significant. We also agree that there would be no significant adverse effects on the special qualities of the CRDVNL.	
NRW49	2.7 Major Accidents and Hazards 2.7.1. The Applicant will require an Environmental Permit to operate the proposed installation under the Environmental Permitting Regulations 2016. NRW has already been engaged in providing permit pre-application advice regarding this. Under the Control of Major Accident Hazards (COMAH) Regulations 2015, the Applicant will also be required to notify the COMAH Competent Authority (HSE/NRW) if hazardous substances exceed the thresholds set out in those regulations, which is still to be confirmed.	An Environmental Permit application for the Proposed Development and a proposed variation to the permit for the existing Connah's Quay B station will be submitted in Q1 2026. The Applicant is working with our technology providers to investigate the status of the Proposed Development under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Applicant acknowledges that an appropriate COMAH application will need to be made, if required, when it is possible to do so.
NRW50	2.7.2. Regarding ES, Chapter 22, Table 22-8, please note that amine solvent may qualify under COMAH dependent on the type of solvent used.	Amine solvents were included in Table 22-8 in Chapter 22: Major Accidents and Disasters [APP-060] and it is recognised that commentary on its COMAH status was not provided as the specific amine solvent to be used is unknown. Once the material inventory (including the specific amine solvent) has been confirmed, progress will continue with the COMAH application which will include relevant safety reports which will be required to be drafted as the Proposed Development is likely to be a Lower Tier COMAH establishment.
NRW51	2.7.3. Regarding ES, Figure 22-1, please note that in September 2025 the COMAH competent authority received notification of a new lower tier COMAH establishment	Chapter 22: Major Accidents and Disasters [APP-060] includes a general scenario for domino effects from other COMAH establishments. Safety reports

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	currently under construction at Weighbridge Road, Deeside Industrial Park, Deeside, Flintshire, CH5 2LL. However, to our knowledge the operator has not yet made an application to the Hazardous Substances Authority.	which will be included as part of the COMAH application, as mentioned in NRW50, should include domino effects, where any new COMAH establishments are covered.
NRW5 2	NRW'S GENERAL PURPOSE 3.1 NRW is satisfied that this advice is consistent with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources. In particular, NRW acknowledges that the principles of sustainable management include taking account of all relevant evidence and gathering evidence in respect of uncertainties, and taking account of the short-, medium- and long-term consequences of actions. NRW further acknowledges that it is an objective of sustainable management to maintain and enhance the resilience of ecosystems and the benefits they provide and, in so doing meet the needs of present generations of people without compromising the ability of future generations to meet their needs, and contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015. ANNEX A – NRW Regulation and Permitting Services	This is noted and the Applicant understands that no further action is required at this stage.
NRW5 3	Marine Licensing: Regulatory Response A.1.1 Works proposed under the DCO that are within Welsh Waters may require a marine licence under the Marine and Coastal Access Act 2009, for which NRW is the licensing authority. The applicant has noted that the project includes works carried out below mean high-water springs (MHWS) that will require a marine licence under the MACAA. To date	The Applicant has engaged the Marine Licence pre-application advice service as noted here and will be developing the application for the marine works in parallel to the DCO timeline.

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	no marine licence application has been received. The applicant has recently contacted the Marine Licensing Team in order to engage in pre-application advice.	
NRW5 4	Dee Conservancy Trust A.2.1. The Dee Conservancy Harbour Authority's comments concerning navigation and use of the Dee Estuary waterway, and use of land and riverbed owned by the Harbour Authority (NRW), are as follows. A.2.2. Draft DCO Schedule 3, paragraph 1 (m): Regarding the proposed disapplication of the Dee Conservancy Act 1889, parts of this Act remain alive with regards to the ownership of riverbed and foreshore on the Welsh side of the Dee Estuary. The impact of disapplying the 1889 Act in relation to the parts of the DCO application within the Dee Conservancy estate should therefore be assessed and clarified.	The Applicant has been engaging with the Dee Conservancy throughout the pre-application stage and has agreed a form of protective provisions for the benefit of the Dee Conservancy, which are contained within Part 4 of Schedule 13 to the Draft DCO [APP-019] . In order to avoid any potential for conflict between the Dee Conservancy Act 1889 and the controls secured by the DCO (through both requirements contained within Schedule 2 and protective provisions contained within Schedule 13), the Applicant has disapplying the Dee Conservancy Act 1889 in respect of the Proposed Development. This does not affect the wider application of the Dee Conservancy Act 1889 but simply ensures that there is no scope for this legislation to inadvertently impact the powers and controls secured through the Draft DCO [APP-019] .
NRW5 5	A.2.3. ES, Chapter 3, para. 3.3.31: Existing land uses within the water corridor should include and recognise use of the Dee waterway by commercial fishers.	The Navigational Risk Assessment (NRA) [APP-256] considers commercial traffic associated with both the Proposed Development and the wider Dee waterway at the Water Connection Corridor, and as such the Applicant considers any risks to commercial fishers have been appropriately addressed. Should any updated NRA be required, the Applicant directs NRW to their response to MCA1.
NRW5 6	A.2.4. ES, Chapter 5, para. 5.6.22: The Corus Jetty is defunct. References to mooring or land-over activities at the Connah's Quay North Jetty should instead refer to the	This is noted. The Applicant has used the term 'Connah's Quay North Jetty' to collectively refer to Midway Berth and the associated shore side area.

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	Midway Berth, which is in the process of being transferred into NRW ownership and operation.	The Applicant is also aware of the change in ownership and operation (to NRW) of the Midway Berth.
NRW5 7	Disapplication of specific consents A.3.1. The Consents and Agreement Position Statement (paragraph 1.5.9) includes the following statement regarding the disapplication of specific consents: "The Applicant proposes to use the Draft DCO (EN010166/APP/3.1) to disapply the following prescribed consents. The Applicant has engaged and agreed with Natural Resource Wales to this approach prior to the submission of the application: - the requirement to obtain consent pursuant to section 28E (duties in relation to sites of special scientific interest) of the Wildlife and Countryside Act 1981; - the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 (byelaw making powers of the authority) to the Water Resources Act 1991; - section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1990; and - Regulation 5 (removal of hedgerows) of the Hedgerows Regulations 1997" A.3.2. However, we are not aware of any prior engagement or agreement regarding the above prior to the submission of the application. Furthermore, please note that the latter two matters are not for agreement with NRW and instead should be pursued with the relevant determining authorities. However, we would welcome engagement with the applicant regarding the matters that are relevant to NRW.	Article 9(8) of the Draft DCO [APP-019] provides that the Order constitutes a 'reasonable excuse' for the purposes of Section 28P (offences) of the Wildlife and Countryside Act 1981 (WCA 1981). Due to the location of the Proposed Development, there is a high chance that various SSSI assents under the WCA 1981 will be required by the undertaker carrying out works pursuant to the Connah's Quay DCO. To avoid the potential for undue delay to the delivery of the overall Proposed Development associated with such approval processes, it is proposed that, in the same way that operations authorised by planning permission under the Town and Country Planning Act 1990 regime would form a 'reasonable excuse', so should consent granted by the Connah's Quay DCO. This would mean that the making of the DCO removes any need to obtain separate assents for works undertaken pursuant to the DCO. This approach is considered appropriate on the basis that the DCO process facilitates an equivalent process to that under section 28I of the WCA 1981. The Applicant has updated the Draft SoCG with NRW (EN010166/APP/8.2) to clarify the position regarding disapplication of consents. The Applicant has also updated the Draft SoCG with FCC (EN010166/APP/8.1) to clarify the position regarding the other provisions where disapplication is sought.

2.6 RR-035 Royal Mail Group Limited

2.6.1 Royal Mail Group Limited's RR and the Applicant's response are set out in **Table 6** below.

Table 6: Royal Mail Group Limited's RR and the Applicant's response

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RM1	Royal Mail Group Limited (Royal Mail) supports Uniper UK Limited's Connah's Quay Low Carbon Power Project, however Royal Mail is seeking to ensure that its road-based operations are not adversely impacted by construction traffic and any changes to local highway capacity during the scheme's construction phase. Royal Mail has six operational properties within 10km of the proposed scheme. These operational facilities rely on frequent use of the local road network on a daily basis. Accordingly, Royal Mail wishes to draw its operational obligations and requirements to the attention of both the Applicant and the Examining Authority. Furthermore, Royal Mail is registering as an Interested Party to reserve its position to make further representations at the Examination, if required. Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal	Section 10.6 of Chapter 10: Traffic and Transport [APP-048] has concluded that no significant transport effects would occur during the construction phase of the Proposed Development. Additional measures have been set out within a Framework CTMP [APP-247] to ensure temporary traffic increases are managed effectively during the construction phase. This includes timing of construction hours to ensure the majority of construction traffic movements take place outside of typical morning and evening 'peak' hours, which are traditionally the most vulnerable time periods for highway capacity constraints.

Ref. No.	Royal Mail Group Limited Relevant Representation Issue / Text	Applicant's Response(s)
	Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure. The conditions imposed by Ofcom reflect those standards. Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development. Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is highly sensitive to changes in the capacity of the highway network.	
RM2	Royal Mail is of the view that the construction phase of Connah's Quay Low Carbon Power Project has potential to impact on its operational interests, especially when combined with any potential cumulative highways impact of other major developments in the area. In order to protect Royal Mail's position, it is requested that specific wording is added to the Framework Construction Traffic Management Plan (CTMP) to secure the following mitigations for the benefit of Royal Mail:	With regards to the requested amendments, the Applicant has amended Section 5 of the Framework CTMP [APP-247] for submission at Deadline 1 and includes Royal Mail as a 'relevant party'. This update would ensure that Royal Mail receives advanced communications and engagement regarding any significant traffic management work, inclusive of road closures and diversions. This is secured through Requirement 5 of the Draft DCO [APP-019].

Ref. No.	Royal Mail Group Limited Relevant Representation Issue / Text	Applicant's Response(s)
	1. the CTMP should include specific requirements that during the construction phase Royal Mail is notified by the Applicant or its contractors at least one month in advance on any proposed road closures / diversions / alternative access arrangements, hours of working; 2. where road closures / diversions are proposed, the Applicant or its 3. contractors liaise with Royal Mail at least one month in advance to identify and make available alternative highway routes for operational use, where possible; and 4. cumulative highways impact from other major developments in the surrounding area is fully addressed by the applicant.	The cumulative highways impact which could arise in combination with other major developments has been considered within Section 10.6 of Chapter 10: Traffic and Transport [APP-048]. The assessment has concluded that no significant transport effects would occur during the construction and operational phases of the Proposed Development.
RM3	Any questions of Royal Mail should be sent to: (Redacted)@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited (Redacted)@realestate.bnpparibas) Director, BNP Paribas Real Estate'	This is noted by the Applicant.

2.7 RR-033 Public Health Wales

2.7.1 Public Health Wales' (PHW) RR and the Applicant's response are set out in **Table 7** below.

Table 7: PHW' RR and the Applicant's response

Ref. No.	PHW Relevant Representation Issue / Text	Applicant's Response(s)
PHW1	Dear Sir/Madam, EN010166 - Connah's Quay Low Carbon Power Project – Section 56 of the Planning Act 2008, Regulation 8 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and Regulation 16 Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Public Health Wales is the national public health agency for Wales and works in collaboration with the seven health boards within Wales to protect and promote health and wellbeing. Thank you for the opportunity to review the application for this proposal. We provided comments (letter dated 18th November 2024) at the pre-application stage, we are generally supportive of proposals that seek to reduce emissions that contribute to climate change. In our earlier responses we sought clarification of a number of details, namely; 1. 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	Environmental mitigation for the construction, operation and decommissioning stages of the Proposed Development are secured through the Requirements set out in Schedule 2 of the Draft DCO [APP-019]. These include, for example, the Requirement for a detailed CEMP to be prepared and implemented in general accordance with the Framework CEMP [APP-246], and an Operation and Maintenance Environmental Management Plan to be prepared and implemented in general accordance with Appendix 4-A: Operation and Maintenance Mitigation Register [APP-177]. These Requirements ensure that the environmental measures identified through the assessment are secured and enforceable throughout the lifecycle of the Proposed Development. As noted in this representation, the previous queries raised by PHW have been addressed by the material provided in the application.

Ref. No.	PHW Relevant Representation Issue / Text	Applicant's Response(s)
	for any further mitigation or monitoring strategies. For example, post-combustion amine stripping in a dedicated carbon capture plant may require ammonia mitigation processes. These decisions will also impact on the nature of the waste produced by the plant. 2. 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. 3. PHW supports the proposal to obtain further information on local water abstraction points, private water supplies and historic pollution incidents. 4. 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. The additional information provided in the application has satisfied our concerns and we have no further comments. The Environmental Impact Assessment (EIA) identifies that management of site both during the construction and operational phases will be critical in controlling and mitigating	

Ref. No.	PHW Relevant Representation Issue / Text	Applicant's Response(s)
	impacts associated with the development. We recommend that any consent granted be suitably conditioned to ensure robust management and impact mitigation systems are in place that meet those described in the EIA as a minimum. We trust this will help with your overall decision and we would be happy to review any additional information in relation to these comments. Environmental Public Health team at Public Health Wales Tîm Iechyd Cyhoeddus Amgylcheddol yn Iechyd Cyhoeddus Cymru	

2.8 RR-026 Natural England

2.8.1 Natural England's RR and the Applicant's response are set out in **Table 8** below.

Table 8: Natural England's RR and the Applicant's response¹

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
NE01	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site NE comment on mechanism for securing resolution – e.g. mitigation/ compensation:	EN010166/APP/6.4 Environmental Statement Volume IV Appendix 1-A: Scoping Report (dated August 2025) 9.4.32 Ornithology	Of the qualifying migratory species, seven were recorded in the adjacent Dee Estuary in significant numbers from baseline data gathered between April 2022 and February 2023, accounting for various tide states.	The HRA lacks species-specific consideration. A more robust evaluation must be undertaken at AA. Detailed surveys are recommended for two years, we note only one year of evidence is provided. It is currently unclear how the proposed conservation area will address the ecological requirements of these species. Further detail is needed to demonstrate how the area will function in practice to support and mitigate project impacts. A clear distinction should also be made between mitigation and compensation measures.	Not applicable – further assessment required		<u>HRA lacks species-specific consideration</u> Individual species for which the SPA or Ramsar site was designated only need to be specifically discussed where impacts on those species differ. For the Dee Estuary SPA / Ramsar site the only individual qualifying species that required specific discussion within the HRA was curlew, as this was the only species for which the footprint of the Proposed Development has been identified to include FLL. With regard to assessment of impact on birds in the Dee Estuary SPA / Ramsar itself, this was undertaken by agreeing a specific noise disturbance threshold with NRW (a more precautionary threshold was then used in the assessment) that would apply to all SPA birds. The affected areas are in the Welsh part of the SPA / Ramsar site. Natural Resources Wales has not expressed any disagreement with the Applicant's noise assessment in their RR [RR-027] .

¹ This table is an evolution of that which was provided by Natural England in their RR.

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							<u>Survey scope and extent</u> As set out in Appendix 11D: Ornithology Technical Appendix [APP-193] there is a wealth of contemporary data available for the Order limits and wider Survey Area. The Applicant has undertaken detailed surveys, covering a full 12-month period (November 2023 to October 2024) and including all phases of the tidal cycle along with nocturnal surveys, the results of which have been used to inform the impact assessment. As set out in Table 1 of Appendix 11D: Ornithology Technical Appendix [APP-193], these data are supported by other third party data, including ornithological surveys undertaken within the Order limits between April 2022 and February 2023 by Aspect Ecology, monthly wetland bird data collected by the Deeside Naturalists' Society for the Connah's Quay Power Station Nature Reserve spanning the period January 2013 to December 2023 and Wetland Bird Survey (WeBS) data obtained from the British Trust for Ornithology (BTO) for the period 2018 to 2023. Collectively, these present data relevant to the Proposed Development spanning the period between 2013 and 2024. The Applicant considers that these combined datasets are more than adequate to

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							characterise the ornithological baseline. As set out in Table 11-5 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049], the approach to ornithological surveys has been discussed with NRW at a meeting on 18 July 2024, and in March 2025 and May 2025 as detailed in Section 2 of the Draft NRW SoCG (EN010166/APP/8.2). NRW has not raised any concerns regarding the scope or extent of ornithological surveys in their RR [RR-027]. <u>Mitigation of project impacts</u> The identified mitigation is secured through requirement of the Draft DCO [APP-019] as detailed below: Measures relating to construction practices are secured through Requirement 4 (Construction Environmental Management Plan), this includes the provision of the 3 m acoustic fence and timing restrictions on certain works. Measures relating to the proposal at Gronant Fields are secured through Requirement 11 (Curlew Mitigation and Monitoring Plan). Measures relating to the reinstatement of areas of temporary land use following the completion of the construction works are secured through Requirement 10 (Landscape and Ecological Management Plan).

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							A full list of environmental mitigation and the relevant securing mechanism is provided in the Commitments Register [APP-251] .
NE02	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.19 Loss of functionally linked land for Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site and 10.3 Operation 10.3.4 Loss of functionally linked land for Dee Estuary / Aber Dyfrdwy SPA/Ramsar site Pages 68 and 71	As Gronant Fields is a significant distance away from the FLL lost and disturbed, the Curlew Mitigation Strategy presents itself as compensation. The proposals do not prevent or overcome the initial loss of FLL in that specific locality. It is unlikely the affected birds will commute that distance to adopt the new site. This should also not hinder the condition of any SAC habitat.	Given the distance involved, the strong preference would therefore be to replace the FLL at risk with similar areas much closer to the impact so that it continues to sustain curlews in this part of the Dee Estuary SPA and Ramsar site. The provision of any new functional habitat for SPA curlews outside of the SPA boundary could be accepted as mitigation. The implications of FLL loss without local habitat replacement should be considered by the HRA. This may cause an adverse effect in view of the Dee Estuary SPA's Conservation Objectives	Not applicable – further assessment required If the Gronant Fields option is pursued, we advise this location would be difficult to class as mitigation and should be considered as a compensatory measure. The HRA must then engage the derogation stage (first demonstrating no alternative solution and imperative reasons of overriding public interest).		The Applicant undertook a detailed land search to identify potentially suitable land parcels for mitigation for the loss of functionally linked foraging and roosting habitat for Curlew. This process considered land on the open market and potentially suitable land adjacent to the Dee Estuary. As part of this search, discussions were held with FCC to determine if there was any council owned land that could be suitable for the purpose of the mitigation. Following a review by the Applicant's land and ecological teams the sites identified by FCC were discounted as unsuitable. As detailed in the Curlew Mitigation Strategy [APP-254] , the initial study identified four potentially viable sites (Thurstaston, Greenfield, Bagillt Fields and Gronant Fields). Throughout the land search, the Applicant held discussions with NRW on 5 March 2025 and 9 May 2025 and the Royal Society for the Protection of Birds (RSPB) on 14 April 2025. These Meetings are recorded in the draft SoCGs with these parties ((EN010166/APP/8.2)) and (EN010166/APP/8.4) respectively) included as part of the Application. Following

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							these discussions and further review of constraints, the Gronant Fields site was selected as the preferred option The selection process is set out in Section 3 of the Curlew Mitigation Strategy [APP-254]. In summary, factors considered included, proximity to the Order limits, existing land use and habitats present, distance from the SPA / Ramsar site and in particular proximity to the estuary, potential sources of disturbance (e.g., noise sources / recreational pressure), availability for purchase and opportunity for management in perpetuity, and existing levels of use by Curlew and other bird species. Whilst the Applicant acknowledges the distance between Gronant Fields and the Order limits, Gronant Fields offered the best opportunity for delivering the objectives of the offsetting land, i.e., ensuring no net loss in Curlew foraging and roosting opportunities. The Applicant considers that replacement of FLL is mitigation rather than compensation because the AEOI the Applicant is seeking to address would be a possible reduction in curlew populations within the SPA due to a reduction in foraging and roosting opportunities in the

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							wider landscape. The Applicant is therefore avoiding (or mitigating for) the AEOI (a reduction in curlew populations within the SPA) by ensuring there is no net loss of foraging and roosting opportunities by enhancing other areas already used by curlew to support greater numbers. The Applicant notes that NRW has acknowledged that such proposals could potentially be considered as mitigation for HRA purposes. Nonetheless, the Applicant has submitted a Notice of a proposed without prejudice HRA derogations in Wales [PDA-003] at procedural Deadline A which covers loss of FLL.
NE03	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.19 Loss of functionally linked land for Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site and 10.3 Operation 10.3.4 Loss of functionally linked land for Dee Estuary / Aber Dyfrdwy SPA/Ramsar site Pages 68 and 71	Referring to the Curlew Mitigation Strategy, assessment should establish whether the Dee Estuary SPA would become significantly less attractive to a significant proportion of the SPA curlew population if that FLL was lost, and how would this affect their overall distribution within the SPA.	Note, current surveys at Gronant Field do not cover the full life cycle of Curlew. It should be made clear how the work will further enhance to support an equivalent number of birds to those displaced through the loss of the FLL.	Not applicable – further assessment required		The Applicant refers Natural England to their response to NRW9, which addresses NRW's Representation on this matter, for context. The objective of the offsetting land is to maintain the qualifying non-breeding Curlew population of the Dee Estuary SPA, by ensuring no net reduction in foraging and roosting opportunities. The Applicant is currently undertaking further non-breeding bird surveys of the Gronant Fields site to establish existing usage of the site by non-breeding Curlew and other SPA species, along with ground water monitoring to inform the specific management prescriptions for

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							the site. The Applicant has also sought existing data from the WeBS and will continue to work with NRW, RSPB and the DNS to gather historic data on the use of Gronant Fields. This data will inform ongoing discussions on the Curlew Mitigation Strategy [APP-254] and general approach to management of the site. Section 4.1 of the Curlew Mitigation Strategy [APP-254] sets out the objectives of the habitat creation and enhancement works, these being that the offsetting area at Gronant Fields will provide an optimal foraging resource for Curlew and support an increased number of individuals that includes an equivalent number to those displaced from the Main Development Area. This will be achieved through the provision of 26 ha of enhanced wet grassland with a network of created linear foot drains. The aim of managing this habitat is to provide suitable foraging (and roosting) opportunities for Curlew throughout the late autumn, winter and early spring period (October to March) by providing conditions that would support high densities of Curlew invertebrate prey found in field vegetation and the soil surface (in particular earthworms, beetles and fly, especially crane fly, larvae).

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							The Applicant will continue to engage with NRW and Natural England on the Curlew Mitigation Strategy [APP-254] and ongoing surveys.
NE04	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.19 Loss of functionally linked land for Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site and 10.3 Operation 10.3.4 Loss of functionally linked land for Dee Estuary / Aber Dyfrdwy SPA/Ramsar site Pages 68 and 71	Natural England require further assurances that the land within the SPA does not currently act as supporting habitat for any other SPA features which might then be adversely affected by the mitigation for curlew. If it does, there is a direct impact on the SPA and that location would be unsuitable to address concerns.	There should be very clear standards set as to what is the conservation baseline for those areas (i.e., the expected favourable condition to be reached) and what added value/outcomes any mitigation would deliver over and above that.	Not applicable – further assessment required There must be a high degree of certainty about the current functionality of the land being targeted for impacts within the SPA		As set out in the Applicant's response to NE03, the Applicant is currently undertaking further non-breeding bird surveys of the Gronant Fields site to establish existing usage of the site by non-breeding Curlew and other SPA species. The Applicant has also sought existing data from the WeBS and will continue to work with NRW, RSPB and the DNS to gather historic data on the use of Gronant Fields. These data will inform ongoing discussions on the Curlew Mitigation Strategy [APP-254] and general approach to management of the site. Surveys undertaken by the Applicant and detailed in Section 4.2 of the Curlew Mitigation Strategy [APP-254] identify that the offsetting land does not currently support Curlew or any other SPA species. As set out in Section 4.1 of the Curlew Mitigation Strategy [APP-254], there are a number of practical interventions set out by the Applicant, such as creating foot drains and controlling water levels, along with implementing a sensitive

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							grazing regime, that will deliver the required mitigation and are beyond the current conversation management conditions.
NE05	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.19 Loss of functionally linked land for Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site and 10.3 Operation 10.3.4 Loss of functionally linked land for Dee Estuary / Aber Dyfrdwy SPA/Ramsar site Pages 68 and 71	Complications arise when mitigation is targeted within a SPA as it forms part of formally designated site and already supports a good population of qualifying features	Any proposed mitigation within the SPA to benefit SPA curlews must not constitute habitat management that should be being undertaken in any case. If this area is already being used by SPA curlews, any mitigation should go above and beyond their normal habitat management to account for the reduction in supporting functional habitat elsewhere	Not applicable – further assessment required The land must already be managed in favourable condition to meet the Wildlife and Countryside Act 1981 (as amended) requirements.		As set out in NE04 above the offsetting land does not currently support Curlew or any other SPA species. The measures set out in the Curlew Mitigation Strategy [APP-254] identify actions, such as creation of wet features and changes to water management that exceed current management practices and will provide enhancement beyond typical land management, that would be expected in the SPA.
NE06	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 6.6 Loss of Functionally Linked Land Construction, decommission and operational Page 30	Natural England do not support the approach to identify areas of FLL (I.E areas of greenfield greater than two hectares within 2km of the proposal). Specific reference to Sections 6.6.5 and 6.6.6.	This approach does not consider areas of smaller FLL which may in-combination support more than 1% of the designated site population. We highlight that brownfield sites including those associated with relic canal dredgings support good populations of designated bird species on the English border.	Not applicable – further assessment required In the absence of further evidence, it is possible greater areas of FLL may be affected by the proposal.		This appears to be a misunderstanding of the Applicant's approach to loss of FLL and how the Applicant has used the 2 ha figure referenced in NE06. The Applicant can confirm that losses of FLL due to the Proposed Development were not based on a particular type of habitat or a particular size of land parcel but solely on the results of the bird surveys

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							undertaken for the DCO application. There is only one area of potential FLL being lost due to the Proposed Development (during construction and operation). That area supports significant populations of curlew (i.e. regularly more than 1% of the SPA population) and is therefore classified as FLL and its loss is being addressed through the Curlew Mitigation Strategy [APP-254]. No other habitat outside SPA / Ramsar boundaries, but used by SPA / Ramsar birds, is being lost due to the Proposed Development. The Conservation of Habitats and Species Regulations 2017 (as amended) require consideration of LSEs / AEOI 'alone <u>or</u> in combination' with other plans and projects. An AEOI due to loss of FLL has already been identified 'alone' for the Proposed Development (prior to consideration of mitigation i.e. the Curlew Mitigation Strategy). Therefore, strictly speaking there is no requirement to consider losses due to 'other plans or projects'. Nonetheless, the HRA did so for completeness and context. A 2 ha sieving threshold was used for the selection of other Proposed Development sites for 'in combination' assessment on the basis that many Dee Estuary SPA bird species (including curlew) prefer large open areas of

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							farmland, grassland or wetland and smaller parcels (e.g. less than 2 ha) are likely to be less attractive and support few birds due to poorer sightlines, closer proximity to sources of predators, and preference or distance from blocks of residential development). While in theory the loss of a series of small sites could cumulatively result in a significant loss of FLL it would take a large number of them to have a significant effect. Moreover, applications for small developments rarely undertake wintering bird surveys so less data are available on which to base an assessment. The approach taken is proportionate to the exercise by focusing attention on those other developments most likely to support SPA birds in sufficient numbers to result in 'in combination' effects, given that the only area of FLL being affected by the Proposed Development is already being addressed through habitat creation and enhancement. In terms of brownfield sites, no proposals for redevelopment of canal arising sites were identified in the search for other plans or projects. NRWs has not expressed any disagreement with the Applicant's approach to

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							identifying projects for assessment in their RR [RR-027] .
NE07	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 6.6 Loss of Functionally Linked Land Construction, decommission and operational Page 30	Our concerns conclude with NE06. FLL should be informed by site specific information, including desk - based data and habitat suitability surveys.	Reference should be made to the scale of unrestricted views, food availability, size of the habitat and other habitat attributes associated to the qualifying birds to determine habitat suitability. Alongside evidence recommended in NE 8.	Not applicable – further assessment required		As noted in response to NE06 the Applicant's assessment of loss of FLL was informed by site-specific information where it was available for the projects in question. However, since the only area of potential FLL within the Order limits has been acknowledged as FLL, and mitigated through the Curlew Mitigation Strategy [APP-254] , that will address all potential for losses 'in combination' with other plans or projects. Detailed analysis of those other plans or projects is therefore not required.
NE08	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 4.2 Desk Study and Field Surveys Construction, decommission and operational Page 12	Natural England note that data gathering efforts have not drawn on English sources of initial evidence despite the proximity to designated sites across the border and the nature of overlapping designations.	Site specific information from multiple appropriate bodies across both England and Wales such as the local records centre, wildlife trusts, or recording societies. Reference could be made to specific species related layers on Magic Map, the NBN Atlas and Wetland Bird Survey Data Draw on existing information gathered for other recent developments in the area. Provision of a map of qualifying (and notified) bird species noted during desk and detailed surveys to provide clarity on the location of observations and the area affected by the development works. This will support evidence used to inform visual and noise disturbance, which may extend beyond the site boundary.	Not applicable – further assessment required		Reference has been made to Natural England's guidance on SSSI Impact Risk Zones and other sources of data. The provision of further information from WeBS or National Biodiversity Network (NBN) Atlas, or maps of bird distribution data from surveys, in the HRA would not alter the assessment presented for either direct or indirect effects on the Dee Estuary SPA / Ramsar site, although the bird survey reports (Appendix 11D Ornithology Technical Appendix [APP-133]) present maps of survey results. Regarding direct effects (e.g. disturbance of birds within the SPA / Ramsar), this assessment was undertaken using specific noise

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							disturbance thresholds agreed with NRW in May 2025 (a more precautionary threshold was then used in the assessment) that would apply to all SPA birds irrespective of their precise distribution in the SPA (since the SPA / Ramsar boundary was used to define the sensitive areas). The rationale for use of these disturbance thresholds was discussed with Natural England during a meeting on 5 December 2025. With regard to loss of FLL, the only area of potential FLL within the Order limits has been acknowledged as FLL, and mitigated through the Curlew Mitigation Strategy [APP-254]. That will address all potential for losses 'in combination' with other plans or projects. The affected areas are in the Welsh component of the SPA / Ramsar site. NRW has not expressed any disagreement with the Applicant's noise assessment in their RR [RR-027].
NE09	Qualifying bird species and assemblages FLL impacts associated the Dee Estuary SPA, Ramsar site in - combination with other plans and projects	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10.4 In Combination Assessment Construction, decommission and operational	This section requires amendment to ensure a robust assessment has occurred when assessing impacts to qualifying bird species and assemblages including areas of FLL.	The in -combination assessment must refer to any shared pressures or known areas of mitigation/ compensation. The assessment must consider how the projects will interact with the scheme. It is unclear what in - combination impacts have been identified. These must be	Not applicable – further assessment required It is currently unclear how the scheme will interact with wider schemes such as HyNet North West including whether the scheme will harm any proposed mitigation areas.		Air quality 'in combination' effects are explicitly discussed in Sections 10.2 and 10.3 of the RIHRA [APP-253]. The only other 'in combination' effect identified is regarding loss of functionally-linked habitat, which is discussed in section 10.4 of the RIHRA [APP-253]. Section 10.4 of the

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
		Page 75		detailed for full transparency and robust assessment.			RIHRA [APP-253] also lists the other plans and projects that have been assessed. This explicitly includes the HyNet CO₂ Pipeline Project in paragraphs 10.4.3 and 10.4.4. The Proposed CO₂ Connection Corridor to the HyNet CO₂ Pipeline Project is part of the Order limits for the DCO and its impacts have therefore assessed as part of the DCO. No impacts of the Proposed Development on known areas of mitigation and compensation have been identified. NRW has not expressed any disagreement with the Applicant's noise assessment in their RR [RR-027].
NE10	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.13 - Curlew Mitigation Strategy (dated August 2025) 3.0 Site Selection Process 3.4 Sites Considered Construction, decommission and operational Page 10	This section does not detail comparative ecological information between Bagillt Fields and Gronant Fields with only size and locations detailed.	The following information should be obtained: Existing bird usage Habitat suitability for curlew during all life and behavioural stages Designation details which may include: unit features, unit condition, existing pressures, existing management for favourable condition and details of pertinent Conservation Objectives that may apply.	Not applicable – further assessment required In the absence of this information, it would be difficult to ascertain which site would be more preferential to address the scheme specific impacts to FLL.		The Applicant's rationale for taking forward Gronant Fields over other sites is set out in Section 3.5 of the Curlew Mitigation Strategy [APP-254] . In summary, the main factors were the land is capable of flooding in winter / has ways to control water levels / allows for the creation of hollows, channels, foot drains or scrapes; there is no direct public access and so disturbance from recreation would be negligible; the land consists of individual field parcels over 3 ha in size, with limited intervening boundary vegetation; and the fields have stockproof boundaries and are suitable for grazing.

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							As set out in the Applicant's response to NE03, the Applicant is currently undertaking further non-breeding bird surveys of the Gronant Fields site to establish existing usage of the site by non-breeding Curlew and other SPA species. The Applicant has also sought existing data from the WeBS and will continue to work with NRW, RSPB and the Deeside Naturalist's Society to gather historic data on the use of Gronant Fields. This data will inform ongoing discussions on the Curlew Mitigation Strategy [APP-254] and general approach to management of the site. The Applicant will continue to engage with Natural England on the Curlew Mitigation Strategy [APP-254] and ongoing surveys and management prescriptions.
NE11	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.13 - Curlew Mitigation Strategy (dated August 2025) 4.2 Existing Conditions 4.2.2 Notable Bird Records Construction, decommission and operational Page 14	To understand that the land parcel at Gronant Fields is effectively mitigating the loss at the development site, it must be ascertained how the land parcel at Gronant Fields is being utilised by all qualifying bird species and assemblages to provide a baseline population. The species and quantities must continue to be accommodated alongside the additional displaced birds.	WeBS data should be sufficient for initially informing baseline usage, assuming that data exists for all months of interest. Otherwise, detailed bird surveys will be required. Two years of detailed surveys are typically required.	Not applicable – further assessment required However, please note, it is unlikely that the actual displaced birds from FLL lost or degraded will utilise Gronant Fields due to the distance from the scheme, therefore this must be recorded as their numerical equivalents.		The Applicant is currently undertaking further non-breeding bird surveys of the Gronant Fields site through to March 2026. The results of these surveys to date have been shared with Natural England and will be shared monthly until the surveys are complete. The current peak count of curlew is 2, with no curlew recorded on the nocturnal or two diurnal surveys in December 2025.

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							As set out in the Applicant's response to NE03, the Applicant is currently undertaking further non-breeding bird surveys of the Gronant Fields site to establish existing usage of the site by non-breeding Curlew and other SPA species. The Applicant is currently in discussions with NRW regarding proposed groundwater monitoring to inform the specific management prescriptions for the site (if deemed suitable). The Applicant has also sought existing data from the WeBS and will continue to work with NRW, RSPB and the Deeside Naturalist's Society to gather historic data on the use of Gronant Fields. These data will inform ongoing discussions on the Curlew Mitigation Strategy [APP-254] and general approach to management of the site. The Applicant will continue to engage with Natural England on the Curlew Mitigation Strategy [APP-254] and ongoing surveys.
NE12	Qualifying bird species and assemblages Loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.13 - Curlew Mitigation Strategy (dated August 2025) 4.3 Implementation and 4.4 Monitoring and Management Construction, decommission and operational	Natural England do not yet have the assurances that mitigation/compensation is feasible at this stage.	Measures proposed are currently high -level and lack details. It is not understood who will undertake management and monitoring responsibilities, including habitats, water levels and species surveys.	Not applicable – further assessment required We understand a Curlew mitigation and monitoring plan will be produced and are of the opinion this cannot be delayed to ensure provisions can confidently be applied and accommodate both existing		The Applicant owns the land at Gronant Fields (as shown in Figure A2 of Appendix A of the Curlew Mitigation Strategy [APP-254]) and will be responsible for future management. Please see response to NE11 regarding ongoing and proposed surveys as well as

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		Pages 15 to 17			and predicted numbers of qualifying species.		the collation of wider supporting datasets. The Applicant will continue to engage with Natural England on the Curlew Mitigation Strategy [APP-254] , including the monitoring and management set out in Section 4.4 of Curlew Mitigation Strategy [APP-254] .
NE13	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Mersey Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 6.6 Loss of Functionally Linked Land Construction, decommission and operational Page 30	The applicant should consider if there is scope for impacts on the Mersey Estuary SPA, Ramsar site as a result of interchange of birds.	The Mersey Estuary SPA and Ramsar site is located within the 20km initial search radius and is screened out of further assessment. Clearer justification may support this conclusion.	Not applicable – further assessment required		It is very likely that birds from the various Liverpool City Region SPAs move between those SPAs at different dates or times of the winter (for example). However, by addressing the loss of FLL for the Dee Estuary SPA the Applicant is effectively addressing this issue. If the mitigation ensures no net loss of functionally-linked habitat (i.e. high-tide supporting habitat), it does not matter to the assessment if birds from this SPA sometimes move to the Mersey Estuary SPA. This is a theoretical impact without definite evidence of a connection.
NE14	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.11 Noise and visual disturbance to Dee Estuary / Aber Dyfrdwy SPA/Ramsar site	Section 10.2.11 notes there will be 'no meaningful difference' in background conditions of barge movements but acknowledges the proposal will lead to more intensified movement during the construction and demolition period. Natural England advise that further information is required to support this conclusion.	Further information to determine the scale of change and response of birds to barge passage. This may not be the same for all species and certain behaviours may be more affected. This will vary with the tide and the impact of failing to feed may be greater than disturbance of a roost.	Not applicable – further assessment required We advise this statement is vague and would benefit from further clarity i.e. the current levels of usage and new levels of usage. Furthermore, this potential impact has not been considered within the screening stage of the HRA.		Very few wetland birds were recorded at Connah's Quay North during surveys for the Proposed Development as reported in Appendix 11D: Ornithology Technical Appendix [APP-193] . Typically, the following species were recorded on most survey visits in single figures: mallard, little egret, cormorant, redshank, herring gull and black-headed gull. Given the

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		Page 66		Assessment must determine if there will be more than a 1% increase in disturbance levels.	We advise amendment to Section 7.2.16.		small use of this area by SPA/ Ramsar birds, and the fact that shipping passes Connah's Quay North to access numerous quays and wharves upstream, significant disturbance is very unlikely from the increased barge movements.
NE15	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.5 Framework Construction Environmental Management Plan (dated August 2025) 4.4 Terrestrial and Aquatic Ecology Table 5: Terrestrial and Aquatic Ecology Construction Page 38	Materials for Water Connection Corridor will have materials brought in by barge between April and June inclusive.	We advise the HRA must draw on findings of wider documents for consistency. This must now progress to AA.	Not applicable – further assessment required		No use of the Connah's Quay North site for the purposes of the Proposed Development will occur during operation. Assessment of grounding out during construction is discussed in paragraphs 7.26 to 7.28 of the RIHRA [APP-253], as noted by Natural England. During construction, as a worst-case assessment, approximately 60 barge operations are anticipated over a 12-month period at Connah's Quay North. In reality, the number of operations would be less than this as the Applicant would also seek to utilise the existing port facilities at Port of Mostyn and Ellesmere Port. Each barge would ground at low tide, remaining in contact with the intertidal sediments only for the duration of a single tidal cycle (typically a few hours) before refloating on the subsequent tide. Based on published tide-time data for the River Dee at Chester, the estuary experiences two low waters per 24-hour period (approximately every 12

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							hours), therefore, the proposed barge use represents only a small fraction of available low-tide windows. Temporary physical interaction between the barge hulls and the seabed may cause minor, short-term disturbance or localised compression of sediments. However, the soft, mobile sediments that characterise the intertidal area are naturally subject to regular reworking by tidal and wave action, giving them a high capacity for recovery from such disturbance. Although this level of use would be greater than current activity at the quay, the spatial extent of contact and the duration of each event remain very limited. The River Dee and Dee Estuary is a highly dynamic system in which natural erosion, deposition and sediment transport processes continually reshape the intertidal and subtidal zone. In this context, the additional disturbance from barge movements is expected to be brief, localised and minimal (well within the range of natural variability). Given the limited frequency and scale of activity and noting that other developments considered are predominantly terrestrial in nature and not likely reliant on vessel operations, no LSEs

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							are predicted to any qualifying features of the River Dee and Bala Lake SAC. Connah's Quay North is in the Welsh part of the SAC. NRW has not expressed any disagreement with the Applicant's assessment of impacts from Connah's Quay North on River Dee & Bala Lake SAC in their RR [RR-027] .
NE16	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction, decommission and operational	Natural England note that operational noise has been screened out of further assessment and has not progressed to AA. We do not concur with this approach. Where there is a change of 3dB or more within baseline noise levels a LSE should be identified and considered within AA, and in - combination with other proposals, where necessary. Both LAm _{ax} and LA _{eq} units of measurement must be considered as separate issues within the HRA process.	We advise the following activities must progress to AA: Construction phase - Water connection works Construction and demolition phases – Barge movements Construction phase - Compound 1 enabling works Construction phase - Compound 2 enabling works Construction phase - Shrouded piling within the main development area Operational phase.	Not applicable – further assessment required Natural England does not advocate use of thresholds as birds' reaction to noise is site - and species -specific. We advise the HRA is updated to reflect this. The provision of a bund and acoustic fencing will only sufficient if they reduce the impacts to acceptable levels.		Both A-weighted maximum sound level (LAm _{ax}) and A-weighted equivalent continuous sound level (LA _{eq}) have been considered in the assessment. The affected areas of the Dee Estuary SAC / SPA / Ramsar site are within Wales and as set out in the RIHRA [APP-253] , NRW has agreed to the use of noise thresholds for disturbance in a Microsoft Teams meeting on 8 May 2025 as detailed in Section 2 of the Draft NRW SoCG (EN010166/APP/8.2) . In fact, NRW have agreed to using a higher threshold than The Applicant has used in the RIHRA [APP-253] (70 dB rather than the 60 dB used in RIHRA [APP-253]). Since NRW have agreed to the use of noise thresholds, where noise due to the Proposed Development would fall below the 60 dB LAm _{ax} threshold it is not necessary to carry forward to Appropriate Assessment. The Applicant would also note that Natural England have

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							agreed to use of a 60dB noise threshold on other projects as noted in the RIHRA [APP-253] (see paragraph 6.3.5). With regard to paragraph 7.2.19 and 7.3.2 of RIHRA [APP-253], 7.2.19 refers to baseline noise levels whereas 7.3.2 refers to the noise produced by the operational development. Paragraph 7.3.2 states that noise produced by the Proposed Development during operation would not exceed 60 dB (LAeq or LMax). Using the thresholds agreed with NRW a conclusion of no LSE can therefore be reached. The affected areas are all in the Welsh part of the SPA / Ramsar site. NRW has not expressed any disagreement with the Applicant's noise assessment in their RR [RR-027].
NE17	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.11 Noise and visual disturbance to Dee Estuary / Aber Dyfrdwy SPA/Ramsar site Page 66	This section starting at 10.2.12 is confusingly written and greater clarity is required to clearly demonstrate which works will cause an impact. This must be clearly documented and transparent details of avoidance and mitigation measures provided.	Further assessment of: The water connection works The compound 1 enabling works The compound 2 enabling works The main development area shrouded piling.	Not applicable – further assessment required Natural England do not concur with the approach taken to identify the significance of impacts relating to noise. It would not currently be sufficient to rule out a likely significant effect by stating this will only occur when plant is operating near the barrier and/or there is already a high level of noise disturbance (82 to 90dB LMax).		Both LMax and LAeq have been considered in the assessment reported in RIHRA [APP-253]. The assessment presented utilises the 60dB disturbance threshold rather than using a comparison against baseline noise. Since the affected areas are all in Wales, the Applicant considers the thresholds agreed with NRW are appropriate.

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							Regarding the specific points made, the assessment identifies that: • 'Site enabling works', main civils works' and 'plant installation works' would all have noise levels below 60dB LAeq / LMax provided the 3 m acoustic fence, as detailed in the Framework CEMP [APP-246], is in place. • The 'Water Connection Works' and 'Proposed Surface Water Outfall' would be subject to seasonal restriction, as detailed in the Framework CEMP [APP-246], since acoustic fencing would not be possible (as these works are within the SPA). As indicated in Appendix D of the RIHRA [APP-253], for the phases 'Compound 1 enabling works' (Main Development Area), 'Compound 2 enabling works' (C&IEA), 'Main Development Area Plant Installation', 'Main Development Area Enabling Works' and 'Main Development Area Shrouded Piling' noise levels in the SPA would exceed 60dB even with mitigation (e.g. shrouds on piling or the 3 m acoustic fence). However, in all cases this is a worst-case that would only arise when the plant is operating close to the SPA (as noise levels have been modelled with the plant on the

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							boundary of the SPA) and even then, would only affect relatively small parts of the SPA as noted. This is relevant because it means that for the majority of these phases (when plant is not operating adjacent to the SPA) there would not be exceedance of the agreed noise thresholds in the SPA. In other words, even in these phases the exceedance of noise thresholds will only be for relatively short periods, over a small part of the SPA, and noise levels would not be out of character with existing baseline noise levels that the birds already experience, thus meaning 'significant disturbance' (rather than just any disturbance) would not arise. 'Significant disturbance' is defined by the Agreement on the Conservation of African-Eurasian Migratory Waterbirds 2016 as follows: • <i>"Disturbance should be judged as significant if an action (alone or in combination with other effects) impacts on (water)birds in such a way as to be likely to cause impacts on populations of a species through either:</i> • <i>changed local distribution on a continuing basis; and/or</i> • <i>changed local abundance on a sustained basis; and/or</i>

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							<i>the reduction of ability of any significant group of birds to survive, breed, or rear their young."</i> Regarding changes in distribution, any disturbance to be significant must therefore be 'continuing' or 'sustained' rather than ephemeral or of short duration. No other projects have been identified as resulting in noise impacts in the affected locations at the same time as the Proposed Development (since the HyNet CO₂ Pipeline project would have already been installed). NRW has not expressed any disagreement with the Applicant's noise assessment in their RR [RR-027].
NE18	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.3 Operation 10.3.1 Visual disturbance (Lighting disturbance) of Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site Page 70	Natural England advise any residual impacts from the lighting strategy are addressed.	We advise any residual impacts from the lighting strategy are addressed in the AA. Increased lighting can also improve predator species and cause a detriment to certain qualifying features	Not applicable – further assessment required We do not recommend delaying the details of the lighting arrangements to later stages of the DCO.		No residual impacts from lighting are expected for the reasons explained in 10.3.1 of RIHRA [APP-253] i.e. ' <i>... there would still be an approximate 250 m gap between the operational facility and the SPA boundary to the west, including an existing 2 m high bund on the SPA / Ramsar boundary. The way the Proposed Development layout has been designed, there would also be an approximately 30 m separation between the operational facility and the River Dee running parallel to the Proposed Development Site</i> ', coupled with the lighting design controls set out in 10.3.2. Note that the lighting

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							design controls are specified in the RIHRA [APP-253] and are not deferred to later stages. No FLL (that would not be lost to the Proposed Development) would be illuminated in any way. The affected areas of Dee Estuary SPA / Ramsar site are in Wales. NRW has not expressed any disagreement with the Applicant's disturbance assessment in their RR [RR-027].
NE19	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.3 Operation 10.3.1 Visual disturbance (Lighting disturbance) of Dee Estuary/ Aber Dyfrdwy SPA / Ramsar site Page 70	Noting the proposal will be closer to the Dee Estuary SAC, Ramsar site and SPA than the current power station.	Natural England advise further consideration of visual impacts throughout the relevant stages of the HRA.	Not applicable – further assessment required		While the CQLCP Abated Generating Station would be closer to the SPA / Ramsar than is currently the case there would still be a 250 m separation from the area of SPA / Ramsar to the west and a 30 m separation from the River Dee to the north as per paragraph 10.3.1 of RIHRA [APP-253]. These separation distances coupled with the lighting design controls set out in 10.3.2 would ensure no adverse effect. Note that the lighting design controls are specified in the RIHRA [APP-253] and are not deferred to later stages. No FLL (that would not be lost to the Proposed Development) would be illuminated in any way. The affected areas of Dee Estuary SPA / Ramsar site are in Wales. NRW has not expressed any disagreement with the Applicant's

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							disturbance assessment in their RR [RR-027] .
NE20	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA, Ramsar site	EN010166/APP/6.2. 25 Environmental Statement Volume II, Chapter 25: Summary of Likely Significant Effects (dated August 2025) Table 25 -1: Summary of Likely Significant Environmental Effects Page 25	This section identifies loss of roosting and foraging habitat for Dee Estuary SPA/Ramsar site qualifying bird species, specifically, Bar -tailed godwit, Pintail, Curlew and Redshank.	This must be specifically discussed within the HRA. Acknowledging proposals are for on and off-site enhanced habitat, we advise further information is needed to determine the suitability of any mitigation/compensation.	Not applicable – further assessment required		This is a reference to the area of the Dee Estuary SAC and SPA which will be subject to 650 m ² of temporary habitat loss due to the construction of the Proposed Surface Water Outfall, and a few square metres of permanent loss. This is discussed in RIHRA [APP-253] (e.g. paragraphs 10.2.1 to 10.2.18) and is addressed through setback of defences south of the existing Connah's Quay Power Station that will allow existing saltmarsh to retreat inland and therefore persist, rather than be lost due to coastal squeeze as would occur otherwise.
NE21	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.2. 25 Environmental Statement Volume II, Chapter 25: Summary of Likely Significant Effects (dated August 2025) Table 25 -1: Summary of Likely Significant Environmental Effects Page 25	Noise and visual disturbance to the Dee Estuary SPA and Ramsar site will occur to qualifying bird species as above. This requires noise mitigation and sensitive timings of work when working in the Surface Water Outfall area and Water Connection Corridor to avoid the over -wintering period.	We advise the HRA must align to mitigation measures in wider documents. Natural England support the need to avoid works in the wintering period.	Not applicable – further assessment required		Necessary noise mitigation detailed in the Framework CEMP [APP-246] is already discussed in RIHRA [APP-253] . Using shrouds on piling equipment is discussed in paragraph 10.2.16 and 10.2.17, of the RIHRA [APP-253] , the 3 m acoustic fence during construction is discussed in paragraph 10.2.12 and 10.2.17 of the RIHRA [APP-253] , while seasonal restriction is discussed in paragraph 10.2.12 and 10.2.17 of the RIHRA [APP-253] where it is identified that the Water Connection Corridor works and Proposed Surface Water Outfall would need to be constructed outside the sensitive period for Dee

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							Estuary SPA / Ramsar, i.e. outside the period of September to March.
NE22	Qualifying bird species and assemblages Direct/indirect impacts and loss of FLL associated to the Dee Estuary SPA and Ramsar site	EN010166/APP/6.4 Environmental Statement Volume IV Appendix 1 -A: Scoping Report 14.5 Impact Assessment Methodology Page 229	It remains uncertain whether in - river works will be avoided.	We advise that potential in -river works be progressed to AA. These activities could negatively affect water quality, reduce feeding resources for birds and directly disturb or displace.	Not applicable – further assessment required		The only 'in river' works proposed are the use of Connah's Quay North for barge deliveries and works in the Water Connection Corridor to the existing cooling water infrastructure. These are both discussed in the RIHRA [APP-253] . Use of Connah's Quay North is discussed in paragraphs 7.2.6 to 7.2.8 (and further discussed in the Applicant's response to NE14 and NE15). Works in the Water Connection Corridor are discussed in paragraphs 7.2.9 to 7.2.12 of RIHRA [APP-253] . In both cases a conclusion of no LSE has been reached for the reasons set out in those paragraphs. The fact that works will take place within the Dee Estuary SAC / SPA / Ramsar site does not necessarily mean that a LSE will automatically arise, as this depends on the nature of the works. As per paragraph 7.2.10 of RIHRA [APP-253] , access to the infrastructure in the Water Connection Corridor to replace the eel screens and undertake other minor refurbishment would be undertaken at low tide (divers will also be present for safety reasons) while paragraphs 10.2.12 and 10.2.17 of RIHRA [APP-253] both make it clear that the Water Connection Corridor works would be timed

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							to avoid the winter, thus avoiding disturbance of SPA birds.
NE23	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC, Ramsar site and the River Dee & Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction, decommission and operational	A number of impact pathways have not progressed to AA and rely on mitigation measures (such as surface water drainage strategies, CEMP and existing consents/permits) to prevent a LSE. Following the People Over Wind ruling by the Court of Justice of the European Union, NE advise amendment to the HRA. Where there is reference to existing permits and consents, we advise pertinent safeguarding details such as duration of consent, locations of consent, if the site is using the full consented volume of water and if any review of consents would be planned for the near future are included.	The following activities will require progression to AA: Construction and demolition - Offloading of materials at Connah's Quay North Water Connection Corridor - Utilisation of existing discharge infrastructure and existing cooling water abstraction within the River Dee subject to further additions and refurbishment Water Connection Corridor - Refurbishment and upgrades by divers and a support boat/barge, with access over the saltmarsh Water Connection Corridor - The proposed surface water outfall including the need to walk across Qualifying saltmarsh Operational Main Development Area – Recirculation of hybrid cooling of both the Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) Operational Main Development Area – Surface water management including contaminant handling and foul water management.	Not applicable – further assessment required		The Applicant has taken mitigation measures into account which would be legally required even if no Habitats sites are involved, or which are already in place and operating (e.g. reliance on existing abstraction consents and existing infrastructure). See preceding response (NE22) for confirmation that there will be no refurbishment in the Water Connection Corridor by divers, who are purely there for safety. This, and the fact that works will instead be done by walking over the saltmarsh, is not a mitigation measure introduced to protect Habitats sites but an inherent part of the construction methodology for the Proposed Development. Such measures can be considered during LSE as an integral embedded part of the development design or if it is required to comply with other legislation unrelated to Habitats sites. As noted in paragraph 7.2.35 of RIHRA [APP-253] the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (<i>and the Environmental Damage (Prevention and Remediation) (Amendment) (Wales) Regulations 2015</i>) and the Environmental Permitting (England and Wales)

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							Regulations 2016 make it an offence to pollute watercourses, irrespective of whether they are Habitats sites or connect to Habitats sites. The water quality protection measures identified in paragraph 7.2.36 of RIHRA [APP-253] (regarding construction) and 7.3.20 to 7.3.22 (regarding drainage during operation) would therefore be legally required even if there was no designation associated with the Dee Estuary. Similarly, regarding abstraction, the RIHRA [APP-253] confirms that the Applicant will continue to operate within the limits of the existing licence (paragraph 7.3.17 to 7.3.18). Whether the full consented volume of the existing abstraction licence is currently being used is not relevant because the assessments made by NRW when issuing the licence will have assessed the maximum permitted abstraction. Other mitigation measures, such as those secured independently by the requirement for detailed CEMP(s) or a detailed drainage strategy in accordance with the Draft DCO [APP-019] (and not simply where the CEMP repeats a statutory requirement) or which are not

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							covered by consented permits, are not taken into account at the LSE stage and have only been taken into account for the Appropriate Assessment.
NE24	Qualifying habitat loss and degradation Direct habitat loss or damage to qualifying habitat within the Dee Estuary SAC and Ramsar site and the River Dee and Bala Lake SAC	10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.1 Direct habitat loss within Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 64	Section 10.2.1 details the direct and permanent loss of qualifying saltmarsh habitat at an area of 650m ² . This habitat is a notified feature of the Dee Estuary SAC and will also support notified bird species associated with the Ramsar site and SPA.	Habitat management would not be sufficient to address concerns as this would likely infer compensation and be a requirement of the IROPI opinion (Imperative Reasons of Public Interest) in which the appropriate stages of the HRA must be progressed to. Measures to address impacts should also function to the benefit of the bird species.	Not applicable – further assessment required Consideration of the derogation tests of the Habitats Regulations may be required.		Comments regarding classification of continuing management of the existing SAC / SPA / Ramsar areas within Applicant ownership as mitigation are noted and are being considered. The managed retreat of existing defences south of the existing Connahs Quay Power Station are considered mitigation in this case for the reasons set out in paragraph 10.2.10 of RIHRA [APP-253] <i>'Setting back the embankment would reduce long-term losses of saltmarsh in the Dee Estuary due to coastal squeeze and thus ensure no net loss of grass dominated SM16 or SM28 saltmarsh in the Dee Estuary by enabling the saltmarsh in the existing area to expand landwards. Provided this is done before the existing area of saltmarsh is lost it would allow the saltmarsh (which would be a naturally shifting community without hard defences) to move naturally inland to a greater extent by managed realignment than the loss due to the new outfall and therefore avoid a net loss. It would therefore not conflict with the conservation objectives regarding extent or</i>

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							<i>proportions. This is considered to offset the impact on saltmarsh rather than represent 'compensation' in the context of the Habitats Regulations. With these measures in place, no adverse effect on the integrity of the SAC / SPA / Ramsar site'.</i> Given the managed retreat to offset this impact is within the Dee Estuary only 1.5km upstream of the area of loss, and would enable the persistence of an existing area of saltmarsh similar to that which will be lost but of larger extent, for a much longer period than would be the case without the managed retreat, it is considered appropriate and would be used by SPA bird species just as the existing saltmarsh that would retreat is used. The Applicant notes from NRW's RR [RR-027] that 'We acknowledge that such proposals could potentially be considered as mitigation for HRA purposes but consider that this would be subject to their effectiveness being certain and that the mitigation measures will be in place before the commencement of the associated impacts on the affected site'. In response to the Procedural Decision [PD-006] dated 25 November 2025, the Applicant

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							has prepared and submitted a Notice of a proposed without prejudice Habitats Regulations Assessment (HRA) derogation in Wales [PDA-003] . Within the derogation, information is provided to show the Applicant has considered and can demonstrate that there are no alternative and less damaging solutions to the Proposed Development as proposed, that there are imperative reasons of overriding public interest and that, if not considered mitigation, the necessary compensation measures can be secured.
NE25	Qualifying habitat loss and degradation Direct habitat loss or damage to qualifying habitat within the Dee Estuary SAC, Ramsar site and the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 - Appropriate Assessment 10.2 Construction and demolition 10.2.7 Direct habitat loss within Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 65	It is not possible to comment on the efficacy of the proposed saltmarsh extension to address the medium -term temporary loss of saltmarsh.	The HRA does not include details of the management agreement of the saltmarsh associated with the development. It is unknown if this compensation/mitigation is feasible at this stage.	Not applicable – further assessment required		Since the proposal involves continuing existing management, already agreed with NRW through the existing Conservation Areas Management Plan, there is a high level of confidence that it would be feasible. The Applicant will prepare a Detailed Saltmarsh Creation Strategy which will be supported by a new requirement within the Draft DCO [APP-019], to be prepared prior to construction in general accordance with a new Framework Saltmarsh Creation Strategy that will be submitted at Deadline 3. This new requirement will include appropriate wording in connection to Work No. 5 (Construction of a surface water discharge). This

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							Strategy will include details of any proposed monitoring (to be implemented during construction and used through operation) following its creation and provide details of a contingency plan should the saltmarsh not establish. The managed retreat area would be subject to the same nitrogen deposition as existing saltmarsh in this location, but it would allow the persistence of an area of saltmarsh that would otherwise be lost to sea-level rise in the long-term.
NE26	Qualifying habitat loss and degradation Water Quantity, Level and Flow impacts to the Dee Estuary SAC, Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.2 Construction and Decommissioning Phases - Water Quantity, Level and Flow 7.2.45 Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 46	LSEs are screened out of further assessment as the Site Improvement Plan for the Dee Estuary does not identify change in water quantity, level and flow as threat to site integrity as it is a tidal ecosystem. Natural England do not concur.	We would expect details of change in use and potential changes to hydrological regime, flow and velocity, including water chemistry, impact on sedimentation and water temperature to support the assessment.	Not applicable – further assessment required In the absence of hydrological investigations this conclusion is not supported by Natural England.		The RIHRA [APP-253] prepared by the Applicant states that '<i>With the Dee General Directions in place no additional water supplies beyond existing consents and licensed volumes would be required for the Proposed Development</i>' (paragraph 7.2.42). It also notes that the Applicant is not proposing to amend the existing abstraction licence and permitted discharge limits controlled via the environmental permit (paragraphs 7.3.17 and 7.3.18). Since the existing abstractions have not been put forward for revision, the Applicant is not changing the existing baseline, and that baseline has been deemed acceptable through the grant of the existing environmental permit.

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NE27	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC and Ramsar site and the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.2 Construction and Decommissioning Phases 7.2.3 Direct Loss of / Damage to Qualifying Habitat 7.2.6 Offloading of materials at Connah's Quay North Page 39	The HRA does not identify LSE to benthic habitats and coastal geomorphology at designated sites. This requires consideration, both alone and in - combination during all stages of the scheme. There is the potential for increased disturbance to bed and banks morphology associated with vessels movement – e.g. vessel wake – and barges left to ground out on the riverbed at low tide with consequent direct footprint and potential scour from tidal flows interacting between seabed and boat surfaces.	Assessment should consider not only the soft sediment habitats that characterise much of the area but also the morphology of the seabed and potential for habitat recovery. Although the impact of offloading may be moderate and result in no LSE on the River Dee and Bala Lake SAC, the cumulative impacts with other activities associated with the development or other projects in the estuary may not be negligible Surface water drainage including sediment laden run -off must be adequately assessed during construction, demolition and operational phases.	Not applicable – further assessment required Natural England advise further information is required to support a no LSE conclusion. The CEMP and drainage strategy must progress to AA.		During construction, approximately 60 barge operations are anticipated over a 12 month period at Connah's Quay North. In reality, the number of operations would be less than this as the Applicant would also seek to utilise the existing port facilities at Port of Mostyn and Ellesmere Port. Each barge would ground at low tide, remaining in contact with the intertidal sediments only for the duration of a single tidal cycle (typically a few hours) before refloating on the subsequent tide. Based on published tide-time data for the River Dee at Chester, the estuary experiences two low waters per 24-hour period (approximately every 12 hours), therefore, the proposed barge use represents only a small fraction of available low-tide windows. Temporary physical interaction between the barge hulls and the seabed may cause minor, short-term disturbance or localised compression of sediments. However, the soft, mobile sediments that characterise the intertidal area are naturally subject to regular reworking by tidal and wave action, giving them a high capacity for recovery from such disturbance. Although this level of use would be greater than current activity at the quay, the spatial extent of contact and the duration of

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							each event remain very limited. The River Dee and Dee Estuary is a highly dynamic system in which natural erosion, deposition and sediment transport processes continually reshape the intertidal and subtidal zone. In this context, the additional disturbance from barge movements is expected to be brief, localised and minimal (well within the range of natural variability). Given the limited frequency and scale of activity, and noting that other developments considered are predominantly terrestrial in nature and not likely reliant on vessel operations, no LSEs are predicted to any qualifying features of the River Dee and Bala Lake SAC. Surface water runoff during construction will be managed in accordance with the Framework CEMP [APP-246] and during operation would be managed in accordance with the Outline Surface Water Drainage Strategy [APP-213]. Please also see further details provided in response to NRW46. Connah's Quay North is in the Welsh part of the SAC. NRW has not expressed any disagreement with the Applicant's assessment of impacts from activities at

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							Connah's Quay North on River Dee & Bala Lake SAC in their RR [RR-027].
NE28	Qualifying habitat loss and degradation Direct habitat loss within the Dee Estuary SAC and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.1 Direct habitat loss within Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 63	Natural England do not concur that mitigation can be applied to the direct loss of saltmarsh. We also raise concerns that the proposal seeks to extend the duration of existing habitat management under mitigation proposals. Natural England advise that landowners are required to maintain land designated as a SSSI in favourable condition in line with the requirements of S28 of the Wildlife and Countryside Act 1981 (as amended).	This must be treated as a compensation, and not mitigation, and should only be considered following an AA and the passing of the no alternatives and IROPI tests.	Not applicable – further assessment required		This matter has been addressed in the Applicant's response to NE24. The Applicant notes that landowners are required to maintain land designated as SSSI in favourable condition. The Applicant understands Natural England's point to be that the Applicant would be required to continue the existing management of the Connah's Quay Conservation Areas throughout the lifetime of the Proposed Development to comply with the WCA 1981 and therefore this is not mitigation for the loss of saltmarsh. The Applicant notes that even if the continued management of the Conservation Areas was disregarded, the setback of flood defences south of the existing power station would still be sufficient as it would enable far more habitat to persist in the face of sea level rise than would be lost to the new outfall.
NE29	Qualifying habitat loss and degradation Direct habitat loss or damage to qualifying habitat within Dee Estuary SAC, Ramsar site and SPA and the River	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition	It is not clear how the conclusion of no erosion at the outfall is assessed in paragraph 10.2.2, and whether this was the outcome of modelling considering the type of sediment and design of the structure.	The new surface water outfall design has not yet been finalised, the figure of 650m ² for saltmarsh loss during construction of the new outfall should be justified and related to the dimensions of the structures to be created/refurbished. This figure should also include any area affected not only by the	Not applicable – further assessment required It is accepted that the initial loss of saltmarsh habitat would be reduced in the short -term by the burial of sections of the pipe. However, this may not equally lead to the short -term restoration of the		The figure of 650 m ² is temporary loss associated with the installation of connection of the drainage network from within the Main Development Area to the proposed outfall. This area is based on the dimensions of the expected construction footprint as shown within the Order limits. It is

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	Dee and Bala Lake SAC	10.2.2 Direct habitat loss within Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 63		scouring effect of the discharge of water from the outfalls, but also by potential scour due to tidal flows around the structures.	saltmarsh community, depending on the community association at the time of construction and the surrounding saltmarsh from which presumably recovery will take place (paragraph 10.2.3).		therefore worst-case as it cannot go beyond the Order limits. The permanent loss associated with the with the proposed headwall structure is in the region of 5 m² but is subject to detailed design. The assessment does not include scour losses because as detailed in paragraph 10.2.2 of the RIHRA [APP-253], no scour losses are expected. The erosion assessment was a qualitative assessment made by a coastal process specialist, as modelling was not considered necessary. The conclusion is based on the fact (as noted in paragraph 10.2.2 of the RIHRA [APP-253]) that velocities are not high enough to cause scour erosion around the new outfall. The Applicant undertook a walkover survey on the 23rd January 2026 to validate this position. The findings of this will be reported at Deadline 2. It is highly standard that the detailed design process for DCOs does not start until after consent is granted, and if development consent is granted based on a temporary loss of 650 m² the contractors would need to work within these parameters. Section 2.13 of the Framework CEMP [APP-246] provides further details on mitigation measures specific to the Surface Water

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							Outfall Area within which these works would take place. The area of managed retreat to offset losses of saltmarsh is much larger than the temporary and permanent losses combined so would address any lag time in restoration of saltmarsh post-construction. It should be noted that no works are proposed in River Dee & Bala Lake SAC, hence direct habitats loss associated with this site are not assessed in the RIHRA [APP-253].
NE30	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC and Ramsar site	EN010166/APP/6.4 Environmental Statement Volume IV Appendix 1 -A: Scoping Report 14.5 Impact Assessment Methodology Page 229	A general model of the hydrodynamics and sediment dynamics of the study area has been carried out, but not one specific to the impact of the outfall flows on the morphology of the saltmarsh.	Further modelling is proposed in 14.5.2 but subject to temporary works in the river. This does not currently provide sufficient evidence to conclude no LSE within the HRA	Not applicable – further assessment required		This matter has been acknowledged in the Applicant's response to NE29. The erosion assessment was a qualitative assessment made by a coastal process specialist, as modelling was not considered necessary. The conclusion is based on the fact (as noted in paragraph 10.2.2 of the RIHRA [APP-253]) that velocities are not high enough to cause scour erosion around the new outfall.
NE31	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC and Ramsar site	EN010166/APP/6.4 Environmental Statement Volume IV Appendix 1 -A: Scoping Report (dated August 2025) 14.7.4 Increased suspended sediment (SSC) Operational Page 230	During operation, temporary increases in SSC sediment deposition may occur from potential maintenance dredging, potentially leading to contaminant mobilisation turbidity.	The operational impacts of sediment deposition and dredging requirements has not been discussed within the HRA	Not applicable – further assessment required		There is no dredging proposed as part of the construction or operation of the Proposed Development. For this reason, dredging has not been discussed or assessed in the RIHRA [APP-253].

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NE32	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC and Ramsar site	EN010166/APP/6.4 Environmental Statement Volume IV Appendix 14 - B: Land Contamination Methodology (dated August 2025) Construction	We do not support accidental immobilisation of contaminants into the designated water sites. Contaminated land should be identified as a LSE within the HRA.	Progression to AA is required.	Not applicable – further assessment required		Appendix 14-B: Land Contamination Methodology [APP-217] is a methodology document. The relevant assessment is presented Chapter 14: Geology and Ground Conditions [APP-052] . Paragraph 14.6.10 of Chapter 14: Geology and Ground Conditions [APP-052] states: <i>'To summarise the assessment presented in Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment (EN010166/APP/6.4), there are no significant effects assessed for the construction of the Proposed Development', while paragraph 14.6.13 states that 'To summarise the assessment presented in Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment (EN010166/APP/6.4), there are no significant post-construction (i.e. remediation) effects; effects are considered to be negligible to minor beneficial (not significant).'</i> Therefore, no actual leaching of contamination is expected. Since remediation or containment of contaminants would be a legal requirement even if there were no Habitat sites involved, this does not need taking forward to Appropriate Assessment

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							The Order limits are entirely within Wales. NRW has not raised any concern over this issue in their RR [RR-027].
NE33	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC, Ramsar site and SPA and River Dee and Bala Lake SAC	EN010166/APP/6.1 Environmental Statement Volume I Non -Technical Summary (dated August 2025) Section 8.15.8 Mitigation Operational Page 86	The potential for major accidents and disasters has not been discussed within the HRA.	We recommend the HRA aligns to wider material submitted	Not applicable – further assessment required There is a need for an Environmental Permit and there are embedded mitigation measures such as Framework CEMP, Framework CTMP, ground investigations and compliance with regulations		The RIHRA [APP-253] considers the reasonably foreseeable implications of delivering the Proposed Development at Connah's Quay such as through pollution. Major accidents and disasters can occur at any power station or construction site but are not covered in the HRAs for those projects because they are not a planned or expected outcome of operation of the Proposed Development. Chapter 22: Major Accidents and Disasters [APP-060] identifies legislation relevant to the control of major accidents and disasters and demonstrates all major accident and disaster risk events would be tolerable or tolerable-if as low as reasonably practicable (ALARP) and therefore the residual effects are Not Significant.
NE34	Qualifying habitat loss and degradation Water quality & water quantity, level and flow impacts at the Dee Estuary SAC, Ramsar site and SPA and River	EN010166/APP/6.1 Environmental Statement Volume I Non -Technical Summary (dated August 2025) 8.4.6 Mitigation Page 61	We support embedded mitigation such as precautionary methods of vegetation clearance, a minimum of 30 m ecological safeguard zones for all construction laydown areas, for the protection of sensitive habitats/species occupying the Dee Estuary. Additional sediment control measures will be in place	The HRA may require amendment to clearly state these measures will be provided	We advise these measures are appropriately secured		This representation is noted and no further action is required as these measures are secured by Requirement 4 (Construction Environmental Management Plan) of the Draft DCO [APP-019] . The Commitments Register [APP-251] provides further information on securing mechanisms for each

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	Dee and Bala Lake SAC		around the Kelsterton Brook/Old Rockcliffe Drain culvert .				individual commitment made by the Applicant.
NE35	Air quality and aerial pollutants Atmospheric pollution at internationally designated sites	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction, demolition and operational	There remain outstanding concerns from our previous statutory engagement on the PEIR document.	We advise further information is still required for: Clarity on the distance and screening thresholds for all sources (traffic and agricultural), both alone and in -combination Assessment of backup or auxiliary power provisions The correct application of critical loads and levels Impacts on supporting habitat The Emission Factor Toolkit does not recommend projecting figures beyond 2030. The explanation of emissions assumed from 2034 is not provided.	Not applicable – further assessment required This has only been partially addressed within the HRA and Appendix 8C. Information is required to inform the significance of impacts and scope for mitigation.		Natural England's concerns were addressed in the main text of Chapter 8: Air Quality [APP-046] . Table 8-5 provides a response to each of Natural England's comments in relation to air quality. For example, the last version of the Emission Factor Toolkit (v13) states projections until 2040 can be used.
NE36	Air quality and aerial pollutants Atmospheric pollution at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction and demolition	Insufficient assessment of construction and demolition impacts.	Air quality assessment must consider expanding populations of <i>Luronium natans</i> . Consideration of NH3 and NOx critical levels for the floating vegetation of the watercourses ('Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche</i> - <i>Batrachium</i> vegetation') is also not evidenced.	We do not support the screening conclusion that the species is only found in Bala Lake as aerial pollutants must not compound the ability for this species to colonise new areas. As the assessment has not considered all Qualifying features, it is not possible to exclude LSE from construction impacts on the River Dee and Bala Lake SAC based on the information provided within the HRA documents.		Paragraph 7.2.56 of the RIHRA [APP-253] makes it clear the critical levels for ammonia and NOx would not be exceeded at this SAC alone or in combination. This is true during both construction and operation of the Proposed Development. The only interest feature of this SAC which is identified on Air Pollution Information System (APIS) as being sensitive to nitrogen deposition is <i>Luronium natans</i> . However, <i>Luronium natans</i> is known to be confined to Bala Lake and associated slow flowing sections of the River Dee, approximately 50 km from the stretch of River Dee relevant to the Proposed Development, and much further than this following the river meanders.

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							In subsequent comments, Natural England indicates the Applicant should assume <i>Luronium natans</i> may spread through the river system, but this is unrealistic; the lower stretches of the River Dee are of an entirely different character to the upper stretches and apart from being too far from the existing populations for colonization, are also too fast flowing for the species to establish. The River Dee / Afon Dyfrdwy SSSI Restoration Technical Report concludes that the Lower Dee has “<i>Limited suitable habitat present in areas of slower flows. High turbidity may be a limiting factor</i>”. <i>Luronium natans</i> is well documented (e.g. in the Natural Resource Wales Core Management Plan including Conservation Objectives for Afon Tywi / River Tywi SAC as being confined to Bala Lake and associated slow flowing sections of the River Dee. The Applicant notes that NRW have not disagreed with screening out the SAC in their RR [RR-027].
NE37	Air quality and aerial pollutants Atmospheric pollution at the Mersey Estuary	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary	There is no assessment of potential impacts to the Mersey Estuary Ramsar site and SPA.	It is not possible to exclude LSE at this stage in the absence of evidence.	Not applicable – further assessment required		Paragraphs 7.3.36 and 7.3.37 of the RIHRA [APP-253] discuss air quality impacts on Mersey Estuary SPA / Ramsar from operation but not construction or demolition.

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	Ramsar site and SPA	Test of Likely Significant Effects (HRA Stage 1) Construction and Demolition					This is because no part of the Affected Road Network is within 200m of the SPA.
NE38	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, Ramsar site and SPA	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction and Demolition	Ammonia, nitrogen and acid deposition arising from construction traffic must progress to AA. The study area is shown in Figure 8.1 EN010166 -000452 – ES Chapter 8: Air Quality (Rev 00) (Chapter 8) but it is unclear that this includes all roads where there would be a pollution change of >1% of the critical level or load, or which roads were screened in as having >500AADT as outlined in Table 1 Appendix 8C/ para 8.3.12.	It is therefore not considered that sufficient evidence has been provided to exclude AEOL to this protected site arising from construction impacts.	Not applicable – further assessment required		There are no Habitat sites within 200m of the Affected Road Network other than Dee Estuary SAC / SPA / Ramsar and River Dee & Bala Lake SAC, which have been discussed in the RIHRA [APP-253] .
NE39	Air quality and aerial pollutants Atmospheric pollution at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Operational	It is not possible to exclude LSE on the River Dee and Bala Lake SAC from impacts of nitrogen deposition due to in - combination effects and existing background levels.	An AA has not been undertaken in relation to River Dee and Bala Lake SAC, but is required for nitrogen deposition and possibly ammonia.	Not applicable – further assessment required		Paragraph 7.2.56 of the RIHRA [APP-253] makes it clear the critical levels for ammonia and NOx would not be exceeded at this SAC alone or in combination. This is true during both construction and operation. The only interest feature of this SAC which is identified on APIS as being sensitive to nitrogen deposition is <i>Luronium natans</i> . However, <i>Luronium natans</i> is known to be confined to Bala Lake and associated slow flowing sections of the River Dee, approximately 50 km from the stretch of River Dee relevant to the Proposed Development as the crow flies, and much further than this following the river meanders. In subsequent comments, Natural England indicates the Applicant should assume <i>Luronium natans</i> may

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							spread through the river system, but this is unrealistic; the lower stretches of the River Dee are of an entirely different character to the upper stretches and apart from being too far from the existing populations for colonization, are also too fast flowing for the species to establish. The River Dee / Afon Dyfrdwy SSSI Restoration Technical Report concludes that the Lower Dee has “<i>Limited suitable habitat present in areas of slower flows. High turbidity may be a limiting factor</i>”. <i>Luronium natans</i> is well documented (e.g. in the Natural Resource Wales Core Management Plan including Conservation Objectives for Afon Tywi / River Tywi SAC) as being confined to Bala Lake and associated slow flowing sections of the River Dee. The Applicant notes that NRW have not disagreed with screening out the SAC in their RR [RR-027].
NE40	Air quality and aerial pollutants Atmospheric pollution at internationally designated sites in - combination with other plans and projects	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 8. In -Combination Assessment 8.2 Potential for likely significant effects in combination	Clarity is needed in regard to the in - combination assessment and sources of emissions considered. The in -combination assessment is unclear (cumulative PCs are included in appendix 8D for NOx, Ndep and acid dep, but not ammonia) – and whether the	The keywords used in planning portal/ Permit searches should be provided to ensure the scope is sufficient. It is unclear if agricultural sources of emissions and traffic emissions from potential but not committed developments such as allocations in local plans have	Not applicable – further assessment required While this 15 km distance is likely appropriate for large point sources, it is unclear that other sources are included that could overlap (spatially and temporally) with impacts at the protected		In-combination ammonia from operational traffic wasn't presented in isolation within Chapter 8: Air Quality [APP-046] , or Appendix 8D: Air Quality Operational Assessment [APP-183] . In the Change Report, to be submitted at Deadline 3, these

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		Construction, decommission and operational Page 61	scope of in -combination projects is complete.	been considered. It is recommended that a live register of plans and projects is maintained. This includes Enfinium Deeside Energy from Waste Plan and HyNet - related point sources (e.g. other CCPs) within 15 km to assist in an updated assessment.	sites, in particular agricultural sources.		impacts will be presented in isolation.
NE41	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, SPA and Ramsar site	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 8. In -Combination Assessment 8.2 Potential for likely significant effects in combination Dee Estuary SAC/SPA/Ramsar site Construction, decommission and operational Page 61	Clarity is needed in regard to the in - combination assessment and sources of emissions considered. The project alone would generate a PC of 1.5% of the Nitrogen deposition critical load and 2.4% in combination, so an LSE was identified. Table 35 of Appendix 8D shows that the contribution of the Proposed Development to ammonia at receptor OE2 (Dee Estuary) would represent 2% of the lowest critical level for the SAC of 1µg/m3. Assuming the higher critical level (3µg/m3) it would contribute 0.67% alone (not 0.3% as stated in the Section 7.3.33).	The HRA indicates that no other new point sources of ammonia were identified in combination with the Proposed Development, but it is unclear what range of sources were considered or why the sources identified did not emit ammonia. Also, ammonia is just below the critical level in the 1km square containing the identified receptor point (2.6µg/m3) based on APIS data. As ammonia concentrations are spatially variable, it is likely that some points in the grid square are higher than the critical level. It is therefore considered that ammonia should be addressed in the operational AA, given uncertainty of emissions in the area. We concur that acid deposition in - combination would not result in >1% PC so LSE can be excluded.	Not applicable – further assessment required Further clarification is required to the in - combination assessment and effects of ammonia.		The only notable source of ammonia within the grid square used for background ammonia is the A548 Weighbridge road, which runs along the southern edge of the square. It would be reasonable to assume background concentrations of ammonia are homogenous across the remainder of the square. The background ammonia concentrations will be updated in the Change Report, with the latest value from APIS being 1.9 µg/m ³ for the same grid square. With regard to the typographical error, the Applicant acknowledges that the contribution of the development alone is 0.67% not 0.3%, although the Applicant also notes this would not change the conclusion of the analysis. Nonetheless, since the air quality modelling is being amended for the Change Report this can be corrected in a future update to the RIHRA to be submitted at Deadline 3.

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NE42	Air quality and aerial pollutants Atmospheric pollution at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 9. Conclusion of HRA Stage 1 Section 9.1.1 Operation - Atmospheric pollution at River Dee and Bala Lake SAC Page 62	It is not possible to exclude LSE on the River Dee and Bala Lake SAC from impacts of nitrogen deposition based on the information provided within the HRA documents. LSE from operational ammonia at this receptor can also not be excluded.	Assessment is available in Appendix 8D which indicates that in - combination impacts at receptor OE10 (project alone, traffic impacts and cumulative added together) could be over 1% of the Ndep critical load (0.14kgN/ha/yr which is approx. 1.4% of the 10kgN/ha/yr critical load – Table 36). Ammonia was modelled at approx. 0.02µg/m3 which is 0.67% of the 3µg/m3 critical level. As outlined for Dee Estuary below, uncertainty in the in - combination ammonia emissions and the comparatively high ammonia concentrations in the area (2.4µg/m3 at receptor OE10) means that, in the absence of further evidence.	Not applicable – further assessment required It is accepted that receptor OE10 is located in Wales – but any adverse impact could affect conservation objectives within England. The absence of <i>Luronium natans</i> does not imply that it would not have the potential to expand within the boundary of the SAC which could be undermined by atmospheric pollution.		Paragraph 7.2.56 of the RIHRA [APP-253] makes it clear the critical levels for ammonia and NOx would not be exceeded at this SAC alone or in combination. This is true during both construction and operation. The only interest feature of this SAC which is identified on APIS as being sensitive to nitrogen deposition is <i>Luronium natans</i> . However, <i>Luronium natans</i> is known to be confined to Bala Lake and associated slow flowing sections of the River Dee, approximately 50 km from the stretch of River Dee relevant to the Proposed Development as the crow flies, and much further than this following the river meanders. In subsequent comments, Natural England indicates the Applicant should assume <i>Luronium natans</i> may spread through the river system, but this is unrealistic; the lower stretches of the River Dee are of an entirely different character to the upper stretches and apart from being too far from the existing populations for colonization, are also too fast flowing for the species to establish. The River Dee / Afon Dyfrdwy SSSI Restoration Technical Report concludes that the Lower Dee has “ <i>Limited suitable habitat present in areas of slower flows. High turbidity may be a limiting factor</i> ”.

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							<i>Luronium natans</i> is well documented (e.g. in the Natural Resource Wales Core Management Plan including Conservation Objectives for Afon Tywi / River Tywi SAC) as being confined to Bala Lake and associated slow flowing sections of the River Dee. The Applicant notes that NRW have not disagreed with screening out the SAC in their RR [RR-027].
NE43	Air quality and aerial pollutants Atmospheric pollution at the Mersey Estuary Ramsar site and SPA	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 9. Conclusion of HRA Stage 1 Section 9.1.1 Operation - Atmospheric pollution at Mersey Estuary Ramsar site and SPA Page 62	Consideration of the sensitivity of the bird species associated with the SPA and Ramsar site would be relevant within an AA – but not at the screening stage.	The screening assessment should be based on the PC modelled at the receptor (in this case OE6). Tables 33, 35, 36 and 38 in Appendix 8D indicate these would be 0.1% for NOx, 0.2% for ammonia, 0.4% for Ndep and 0.3% acid dep from the project alone.	Not applicable – further assessment required		There is no requirement in law for information about the sensitivity of the qualifying features of a Habitat site to be excluded from consideration at the HRA screening stage of the HRA process.
NE44	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, Ramsar site, SPA	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.2 Construction and demolition 10.2.25 Atmospheric pollution of Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site Page 69	The assessment has not addressed the Conservation Objectives of the Dee Estuary or whether this addition would undermine these. It is accepted that the addition is small given the extent of saltmarsh in the estuary, but it is unclear whether such addition would adversely impact on the integrity of the site. For example, if the upper saltmarsh (nearer the road) is more botanically diverse than pioneer saltmarsh (which is more frequently inundated) or supports qualifying species of the SPA,	Consideration of the impact on saltmarsh indicated that the proposed development alone would result in increased Ndep (>1%) on 1.3ha of protected habitat from construction impacts. In -combination impacts would be assumed to act in addition to this.	Not applicable – further assessment required It is therefore not considered that sufficient evidence has been provided to exclude AEOL to this protected site arising from construction impacts.		As per paragraph 10.2.25 and 10.2.26 of the RIHRA [APP-253] the Applicant considers that they have clearly justified why no LSE would arise: <i>'This would affect approximately 1.3 ha of saltmarsh or 0.008% of saltmarsh in the SAC. However, the following factors and characteristics that counteract negative ecological impacts must be taken into account:</i> <i>The small (though not imperceptible) impact;</i>

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			addition of pollutant to this area may have an adverse effect not directly related to its area. The 5 -year construction period may also delay any ongoing decline in Ndep in the area.				• <i>The fact that some saltmarsh in this area would be pioneer saltmarsh less susceptible to nitrogen deposition;</i> • <i>The fact that less than 0.01% of saltmarsh in the SAC would be affected and this would be a qualitative effect rather than loss of saltmarsh and may not arise at all in practice due to other confounding factors such as management and tidal inundation regime;</i> • <i>The fact that the effect would be temporary. Although not short-term, construction would last approximately five years but the worst-case data reported above are for the worst-case construction year not the entire construction period; and</i> • <i>The fact that long-term nitrogen deposition over decades is generally more of a concern than shorter-term changes in deposition.</i> <i>Therefore, it is considered that this would not constitute an adverse effect on the integrity of the Dee Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site'.</i> Moreover, the affected area of Dee Estuary SAC / SPA / Ramsar site is in Wales (adjacent to the A548) and NRW have not expressed any disagreement with the assessment of construction

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							period air quality impacts on this Habitats site in their RR [RR-027].
NE45	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, Ramsar site, SPA	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.3 Operation 10.3.5 Atmospheric pollution of Dee Estuary/ Aber Dyfrdwy SAC / SPA / Ramsar site Page 71	The AA focusses on nitrogen deposition only, with modelling indicating 445 ha of saltmarsh would be subject to 'in - combination' nitrogen deposition above 1% of the critical load. Ammonia is just below the critical level in the 1km square containing the identified receptor point OE2 (2.6µg/m3) based on APIS data. As ammonia concentrations are spatially variable, it is likely that some points in the grid square are higher than the critical level. It is therefore considered that ammonia should be addressed in the operational AA, given uncertainty of emissions in the area.	It is unclear what area within the entirety of the protected site would be affected and whether this would have the potential for expansion of the qualifying saltmarsh or potentially more sensitive habitats, as well as this habitat supporting qualifying bird species.	Not applicable – further assessment required Insufficient information has been provided to rule out AEOI.		Regarding ammonia, even allowing for localised spatial variation, ammonia concentrations are forecast to be below the critical level for the relevant habitat (saltmarsh) alone or in combination with other plans or projects (paragraph 7.3.33 of the RIHRA [APP-253] . Therefore, there is no mechanism for a LSE to occur. Process Contribution at OE2 was reported as an annual mean ammonia concentration of 0.02 µg/m³ which is equivalent to 0.7% of the critical level value. The 2.6 µg/m³ background is 13% below the critical level value, and the additional 0.7% would not place achievement of the critical level at risk. The Applicant has reached a professional judgement that a LSE is unlikely to occur and would expect the information before Natural England to enable them to do the same.
NE46	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, Ramsar site, SPA	EN010166/APP/6.2. 8 - Environmental Statement Volume II, Chapter 8: Air Quality (dated August 2025) including Appendix 8C and 8D Table 8 -19: Results of Operational Impact Assessment for Designated Habitats – FEED 2 Scenario -	Ammonia concentrations were over 1% at OE2 (Dee Estuary) (and OE11 a SSSI entirely in Wales) in FEED 1. The assessment of the Dee estuary for FEED1 is in Ch 11. Table 8.19 indicates that ammonia concentrations at the Dee Estuary under the FEED 2 scenario (alone) was 1.4% – which contradicts the statement	This should be clarified. It may be that the most affected site was actually non statutory OE30, as in Table 8.20, rather than OE2 as stated .	Not applicable – further assessment required		The Applicant can confirm that in Chapter 8: Air Quality [APP-046] assessment the value of 1.4% for the FEED 2 scenario was correct and that there was a typographical error in the accompanying text. These calculations will be superseded by the Change

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		Proposed Development only Page 73	in para 8.6.39 that it was less than 1% (and only non - statutory sites exceeded 1%).				Report to be submitted at Deadline 3.
NE47	Air quality and aerial pollutants Atmospheric pollution at the Dee Estuary SAC, Ramsar site, SPA	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 10. HRA Stage 2 – Appropriate Assessment 10.3 Operation 10.3.5 Atmospheric pollution of Dee Estuary/ Aber Dyfrdwy SAC / SPA / Ramsar site Page 71	Mitigation is suggested to extend the duration of positive management of the saltmarsh and other habitats within the approximately 26 ha Connah's Quay Conservation Areas for the lifetime of the Proposed Development, or in perpetuity (80 years) whichever is the shorter. This would include management to create an approximately 1,200m ² area of retreat to allow natural migration inland of SAC saltmarsh.	Whilst this is welcomed, the assessment does not justify why this is mitigation rather than compensation (i.e. it will not prevent potential loss/ damage to the habitat directly affected by nitrogen addition), or which aspect of the nitrogen addition it would mitigate against. It also is unclear whether it would address any impact in the English section of the protected site, which falls in Natural England's remit.	Not applicable – further assessment required It is not justified why proposals to address this impact are referred to as mitigation, rather than compensation and whether proposals would address impacts to English areas of the designated site. It is therefore considered that insufficient evidence has been provided that the proposed development in combination would not result in AEOL in this protected site with or without mitigation.		The Applicant considers that this matter has been addressed in their response to NE24.
NE48	Air quality and aerial pollutants Atmospheric pollution at internationally designated sites	EN010166/APP/6.2. 8 - Environmental Statement Volume II, Chapter 8: Air Quality (dated August 2025) including Appendix 8C and 8D 8.4.19 Future Baseline Page 4 9	It is noted that the impact is assessed as both the proposed development against the current baseline, and secondly having regard to the "removed" contributions from the current Connah's quay power station (as a future baseline). For clarity, NE comments are based only on the PC/ in combination PC values presented in the AQ appendices, and not the "change" values.	The impact should be assessed against the current (APIS or monitored) baseline. The removal of existing emissions would be an in - combination consideration (i.e. a "post APIS" project that could overlap spatially and temporally with the proposed development).	Not applicable – further assessment required		The RIHRA [APP-253] assessment took no account of the 'change' values since the improvement from the closure of the existing Connah's Quay Power Station on Habitats sites is generally small. Therefore, the RIHRA [APP-253] has been precautionary and in line with Natural England's advice.
NE49	Air quality and aerial pollutants Atmospheric pollution (dust) at the Dee Estuary SAC, Ramsar site, SPA & the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) Executive Summary Test of Likely Significant Effects (HRA Stage 1) Construction and decommission	Following the People Over Wind ruling by the Court of Justice of the European Union, NE advice amendment to the HRA. 7.2.50 Atmospheric Pollution – dust deposition, Section 7.2.52 refers to the need for a CEMP in relation to dust impacts to the	We advise the impacts of dust are progressed to AA.	Not applicable – further assessment required The CEMP aims to avoid or reduce the likely harmful effects on a European sites. However, it cannot be taken into account when determining whether or not a plan or project is likely to		Since measures to control dust are already included in project proposals irrespective of the presence of Habitats sites (since such measures are standard embedded measures on construction sites) it is considered these can be taken

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			Dee Estuary and River Dee and Bala Lake. Any reference to a permit or consent would also require assessment as this may infer mitigation.		have a significant effect on a site and requires an AA (following the People Over Wind ruling by the Court of Justice of the European Union).		into account at the HRA screening stage.
NE50	Air quality and aerial pollutants Atmospheric pollution at internationally designated sites in - combination with other plans and projects	EN010166/APP/6.2. 8 - Environmental Statement Volume II, Chapter 8: Air Quality (dated August 2025) including Appendix 8C and 8D 8.6.15 Operation Phase Page 52	NOx concentrations were <1% at all receptors for FEED 1 and 2 scenarios (alone and in combination – though noting throughout NEs concerns with the robustness of the in-combination assessment). For the unabated scenario some receptors were >1% but the PEC was <70% of the critical level.	Although these should be assessed in the detailed/appropriate assessment, in practice it is considered that AEOI can be excluded as the conservation objective to maintain the site below the critical level would not be undermined.	Not applicable – further assessment required		Since this comment states that <i>'in practice it is considered that AEOI can be excluded as the conservation objective to maintain the site below the critical level would not be undermined'</i> the Applicant doesn't consider further text, or assessment, is required for the RIHRA [APP-253] .
NE51	Air quality and aerial pollutants Atmospheric pollution at internationally designated sites	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 9. Conclusion of HRA Stage 1 Section 9.1.1 Operation Page 62	Modelling in the assessment has regard to amine chemistry (use of ADMS amines chemistry module to model direct and indirect N -amine formation, and Environment Agency AQMAU methodology for incorporating amines into N deposition and acid deposition calculations (Oct 2023)	Key operational factors that would impact on emissions are: Use of ammonia controls (such as an acid wash or equivalent) Solvent selection and management to control N-amine formation Use of NOx controls (Selective Catalytic Reduction) to minimise NOx emissions.	We advise the following measures are appropriately secured It is assumed the DCO will require these controls to be built into the operation of the plant, to ensure emissions are no worse than predicted and modelled. Measures suggested to include are: Legally binding emission limits at the stack (permitted emissions to be no higher than modelled and assessed in the HRA) Solvent and N - amine management plan – chosen option will require permit - stage verification/updates once the solvent is fixed Secured NOx controls – likely that SCR will be required to limit NOx to levels in assessment Monitoring to validate model predictions – this would		The Applicant confirms Natural England's understanding that the Proposed Development will require an Environmental Permit in order to operate. NRW, as the relevant authority, will fully consider the potential effects on nationally and internationally designated ecology sites in determining the appropriate emission limit values for all points of emission to air and the associated monitoring requirements.

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					include stack emissions, and monitoring at ecological sites (e.g., passive NH ₃ samplers/vegetation community monitoring) to validate modelling and inform adaptive control (6.4 AQ Assessment) Triggers to require reduction in emissions would be incorporated into the protocol.		
NE52	Qualifying otter Impacts to commuting and foraging otter at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.2 Construction and Decommissioning Phases 7.2.24 Noise and Visual Disturbance at River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC Page 43 7.3.1 Noise and Visual Disturbance (Within Site Boundaries and Functionally linked land) Page 5	Natural England are satisfied with the survey methodology which identifies no resting places for otter. However, we are concerned to note the project area and immediate vicinity has been noted as suitable for commuting and foraging otter. This includes the <i>entire continuum of hydrologically connected watercourses</i> , yet no further assessment has been undertaken.	Natural England do not support the approach to rule out LSE to otter at the Screening stage of the HRA. They have the potential to be adversely affects by noise and visual disturbance during all phases of the project, loss of FLL including resting or foraging habitat, barriers to movement (which coincide with noise and visual concerns) and water quality degradation which can affect habitat and food sources. Progression to AA is required.	Not applicable – further assessment required		There will be no barriers to otter movement during construction, demolition and operation, nor any fragmentation of territories. There are no construction works within the River Dee & Bala Lake SAC and the only works proposed in connected habitat in the Dee Estuary are construction of the Proposed Surface Water Outfall and the minor works to the existing cooling water infrastructure in the Water Connection Corridor, neither of which block watercourses. The Proposed Surface Water Outfall is at the landside end of a watercourse after which it flows in culvert under the existing Connah's Quay Power Station site, while the cooling water infrastructure is existing and largely buried. The works here (as noted in paragraph 7.2.9 to 7.2.11 of the RIHRA [APP-253]) consist solely of minor additions and refurbishment at the intake, including upgrading the eel screens and minor repairs to surface concrete, metalwork,

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							and timbers at the intakes in the subtidal zone, which will be undertaken by hand. Lighting on the Dee Estuary north of the Order limits will be in keeping with that for the existing Connah's Quay Power Station and the Lighting Strategy already contains (as mentioned in 10.3.2 of the RIHRA [APP-253]) measures to minimise illumination of the river and adjacent habitats. Moreover, no evidence of otter holts or couches (the resting places where they are most likely to be disturbed) was found within 300 m of the Order limits, and the works will be undertaken during the day when otters are not active but in their holts and resting places. Otters are most susceptible to significant disturbance (i.e. that which will affect population survival) when they are using their resting and breeding places. Surveys for the Proposed Development have not identified any otter resting or breeding sites within 300 m of the Order limits. The affected areas of the River Dee are located in Wales. The Applicant notes that NRW have not raised any concerns about impacts on SAC otters in their RR [RR-027].

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
NE53	Qualifying otter Noise and visual disturbance to otter at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.2 Construction and Decommissioning Phases 7.2.24 Noise and Visual Disturbance at River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC Page 43	We do not concur that otters can tolerate noisy environments and as mobile creatures can travel overland which negates the need to address barriers to movement. It is also noted that overnight staff can disturb commuting otter, but this has not been assessed further. We have previously raised concerns with noise levels when referring to qualifying bird species. This advice would equally apply to otter. It would not be appropriate to conclude existing noise levels would remain at similar rates.	Progression to AA is required.	Not applicable – further assessment required		The Applicant has addressed this matter in their response to NE52. There would be no requirement for workers to enter the Dee Estuary SAC / SPA / Ramsar site at night and therefore no potential for disturbance of otters through this pathway.
NE54	Qualifying Otter Noise and visual disturbance to otter at the River Dee and Bala Lake SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.2 Construction and Decommissioning Phases 7.2.24 Noise and Visual Disturbance at River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC Page 43 7.3.1 Noise and Visual Disturbance (Within Site Boundaries and Functionally linked land) Page 53	Natural England have raised concerns with the noise modelling assessment conclusions within NE17 and NE16 which equally apply to otter. There is reference to a net increase in operational lighting which is to be managed by a lighting strategy. It would not be appropriate to include mitigation measures within the screening stage of the HRA (see comments regarding People over Wind).	Progression to AA is required. We advise visual screening measures are extended to the River Dee. Section 10.2.11 details wider bird mitigation such as seasonal avoidance measures, sensitive lightning strategy, acoustic fencing and visual screening bunds. Natural England highlight these measures would also be of benefit to otter and fish species associated with the River Dee and Bala Lake SAC. We also signpost: Otters: advice for making planning decisions - GOV.UK. The 200m radius suggested for otter (reduced to 30m for non - breeding holts) is appropriate and in line with standard otter mitigation techniques to reduce / avoid disturbance impacts to resting places.	Not applicable – further assessment required The 200m radius suggested for otter (reduced to 30m for non - breeding holts) is appropriate and in line with standard otter mitigation techniques to reduce / avoid disturbance impacts to resting places. We advise this measure is secured.		The Applicant has addressed matter in their response to NE52.

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
NE55	Qualifying fish species Water impacts on qualifying fish species at the River Dee and Bala Lake SAC and the Dee Estuary SAC	EN010166/APP/6.12 - Report to Inform Habitats Regulations Assessment (dated August 2025) 7. HRA Stage 1: Test of Likely Significant Effects 7.3 Operational Phase - Water Quantity Level and Flow 7.3.24 River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC Page 56	Qualifying fish species are identified as using the watercourses arounds the scheme including areas of water abstraction. LSE has been screened out due to scheme requiring operation to the licence regime. Natural England does not concur with this approach.	Further detail on the abstraction regime would be required to alleviate concerns.	Not applicable – further assessment required A LSE must be identified and progressed to AA.		The RIHRA [APP-253] states that ' <i>With the Dee General Directions in place no additional water supplies beyond existing consents and licensed volumes would be required for the Proposed Development</i> ' (paragraph 7.2.42). It also notes that the Applicant is not proposing to amend the existing abstraction licence (paragraphs 7.3.17 and 7.3.18). Since the existing abstractions have not been put forward for revision, the Applicant is not changing the existing baseline, and that baseline has been deemed acceptable through the grant of the existing abstraction licence.
NE56	Qualifying fish species Water quality impacts on qualifying fish species at the River Dee and Bala Lake SAC and the Dee Estuary SAC	EN010166/APP/6.2. 12 - Environmental Statement Volume II - Chapter 12: Marine Ecology (dated August 2025) 12.6.7 Effects to marine ecology from changes in marine water quality due to accidental spills from vessels and surface run - off from land - based construction activities within Zol Construction, decommission and operational Page 94	Siltation and run -off has the potential to impact migratory fish features by creating a non - physical barrier to migration.	We agree with the approach. However, should the proposal change, and works be required in the river, Natural England advise seasonal restrictions are applied.	We advise these measures are appropriately secured We advise adherence to the CEMP. Any in -river works would require further assessment.		This is noted and the Applicant understands that no further action is required at this stage.
NE57	Qualifying fish species Construction impacts on qualifying fish	EN010166/APP/6.5 Framework Construction Environmental Management Plan (dated August 2025)	A fish rescue may be required under an FR2 permit granted by NRW during construction where de -watering or over - pumping is required.	This is not discussed within the HRA	Not applicable – further assessment required		There are currently no proposals for dewatering of waterbodies and thus no expected need for fish rescue. The reference to a Fish

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
	species at the River Dee and Bala Lake SAC and the Dee Estuary SAC	4.4 Terrestrial and Aquatic Ecology Table 5: Terrestrial and Aquatic Ecology Construction Page 38					Rescue 2 (FR2) permit within Framework CEMP [APP-246] is a generic protection measure should the requirement for de-watering be identified in the future.
NE58	Qualifying fish species Construction impacts on qualifying fish species at the River Dee and Bala Lake SAC and the Dee Estuary SAC	EN010166/APP/6.2. 12 - Environmental Statement Volume II - Chapter 12: Marine Ecology (dated August 2025) 12. Marine Ecology 12.6 Introduction Construction Page 2	Construction -phase works within the Water Connection Corridor include the refurbishment of existing eel screens to meet current legislative requirements.	We support the approach.	We advise these measures are appropriately secured Natural England welcome narrower bar spacing (from 3mm to 2mm) for intake screening for eel and other juvenile species.		This is noted and no further action is required as this mitigation is secured through Requirement 4 (CEMP) of the Draft DCO [APP-019] .
NE59	Qualifying fish species Lighting impacts on qualifying fish species at the River Dee and Bala Lake SAC and the Dee Estuary SAC	EN010166/APP/6.2. 12 - Environmental Statement Volume II - Chapter 12: Marine Ecology (dated August 2025) 12.7 Additional Mitigation and Enhancement Measures Construction, decommission and operational 12.7.2 Migratory Fish Page 101	Artificial light at night (ALAN) can have an impact on fish migration.	We agree with the approach for qualifying fish species.	We advise these measures are appropriately secured Adhering to the proposed mitigation measures, which include avoidance of ALAN would be suitable. We also highlight ALAN must also be avoided in key migratory periods for qualifying fish species.		This is noted and no further action is required as this mitigation is secured through Requirement 4 (CEMP) of the Draft DCO [APP-019] .
Nationally designated sites							
NE60	Impacts to Ringed plover, a notified feature of Dee Estuary SSSI	REFERENCE TO CONFIDENTIAL REPORT EN010166/APP/6.4 Appendix 11 -D: Ornithology Technical Appendix CONFIDENTIAL Annex E: British Trust for Ornithology Core Count Data Page 61	Illustrates a significant population of Ringed Plover during autumn, winter and spring from Welsh desk -based resources. Occasional observations of Ringed Plover were found within 120m north of the project on Qualifying mudflats during detailed bird surveys.	Coincides with NE1, NE8, NE9 and NE10	Not applicable – further assessment required		Ringed Plover are considered in Chapter 11: Terrestrial and Aquatic Ecology [APP-049] . As detailed in Appendix 11-D: Ornithology Technical Appendix [APP-193] Ringed Plover were not recorded in project specific surveys, however Table 8 notes the desk study identified they were recorded in small numbers on mudflats north of the Order limits in August 2024. Appendix 11-D: Ornithology

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							Technical Appendix [APP-193] also provides details of peak counts from WeBS data.
NE61	Air quality and aerial pollutants Atmospheric pollution at nationally designated sites	EN010166/APP/6.2. 11 Environmental Statement Volume II, Chapter 11: Terrestrial and Aquatic Ecology (dated August 2025) 11.6.137 Operation Phase 11.6.148 Other International and National Nature Conservation Designations Page 165	Thurstaston Common SSSI (OE4) – Ndep at this heathland site would be over 1% in combination (eg 1.4% in Table 43 App8D in FEED2), but it is not considered in the assessment in Chapter 11	It is not considered that sufficient evidence is provided to exclude harm to this site	Not applicable – further assessment required		Table D-10 of Appendix 8D: Air Quality Operational Assessment [APP-183] presents the cumulative (or 'in combination') assessment for FEED2, rather than Table 43. The cumulative nitrogen deposition dose to Thurstaston Common (OE04) is given as 0.05 kgN/ha/yr which is 1% of the critical load of 5 kgN/ha/yr. It would therefore be below the threshold for concluding no significant effects. These calculations will be superseded by the modelling reported in the Change Report to be submitted at Deadline 3.
NE62	Air quality and aerial pollutants Atmospheric pollution at nationally designated sites	EN010166/APP/6.2. 11 Environmental Statement Volume II, Chapter 11: Terrestrial and Aquatic Ecology (dated August 2025) 11.6.137 Operation Phase 11.6.148 Other International and National Nature Conservation Designations Page 165	Inner Marsh Farm SSSI (receptor OE9) was considered not sensitive to nitrogen (e.g. Table 33, 35, 36 and 38 in Appendix 8D for FEED1). APIS identifies several habitat types present on the site which are sensitive to N deposition and ammonia, and some of the bird species will be dependent on these habitat types (as indicated on APIS, their consideration will be site specific).	It is not considered that sufficient evidence has been provided that this site would not be harmed by N addition (and ammonia) from the different scenarios.	Not applicable – further assessment required		Paragraph 11.6.154 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049] states that ' <i>APIS identifies that no features of Inner Marsh Farm SSSI are sensitive to air quality impacts</i> '. APIS Site Relevant Critical Load application lists three bird species for the SSSI: pintail, teal and black-tailed godwit. For pintail and teal, APIS indicates nitrogen deposition may be positive. For black-tailed godwit APIS indicates that nitrogen deposition is as likely to be positive as negative. While standing open water and canals is also identified as a habitat for pintail and teal, APIS also identifies that there is no critical load

Ref. No.	Topic	Issue Summary	NE commentary and advice on: Further details about the project in order to enable assessment Further evidence or assessment work required	NE comment on mechanism for securing resolution – e.g. mitigation/ compensation	Matters that must be secured in the DCO (with DCO/ DML or omission ref as applicable)	Risk	Applicant's Response(s)
							available for this habitat. It also identifies that impacts depend on nitrogen or phosphorus limitation. Most lowland freshwater bodies are phosphorus limited rather than nitrogen limited. Therefore, there is no reason to conclude the bird interest of this SSSI would be adversely affected by nitrogen deposition. The Air Quality chapter to be included within the Change Report at Deadline 3 will clearly document the impacts at the Inner Marsh Farm SSSI.
NE63	Air quality and aerial pollutants Atmospheric pollution at nationally designated sites	EN010166/APP/6.2. 11 Environmental Statement Volume II, Chapter 11: Terrestrial and Aquatic Ecology (dated August 2025) 11.6.137 Operation Phase 11.6.148 Other International and National Nature Conservation Designations Page 165	The assessment of the River Dee (England) SSSI at 11.6.156 in Chapter 11 indicates that additional nitrogen on both heathland and saltmarsh could cause a shift in species richness away from less nitrogen tolerant species and towards more common nitrogen tolerant species, and an increase in percentage grass cover.	Use of information within NECR210 alone (loss of one species metric) is not considered sufficient to exclude any adverse impact (especially to saltmarsh, which is not considered in the report). It is not considered sufficient evidence is provided to exclude harm to this site.	Not applicable – further assessment required		APIS does not identify any applicable nitrogen critical loads for any designated features of the River Dee (England) SSSI. Saltmarsh is not a designated feature of the River Dee (England) SSSI. Please note that the assessment reported in Chapter 11: Terrestrial and Aquatic Ecology [APP-049] is for the Welsh part of the River Dee (the Afon Dyfrdwy (River Dee) SSSI), which is designated partly for saltmarsh. Heathland is not a designated feature of this SSSI. NRW have not identified any disagreement with the Applicant's air quality assessment in their RR [RR-027].
NE64	Air quality and aerial pollutants Atmospheric pollution at	EN010166/APP/6.2. 8 - Environmental Statement Volume II, Chapter 8: Air Quality (dated August	In -combination impacts of Ndep at Thursaton Common SSSI (receptor OE4) were over 1% (eg Table 43 in Appendix 8D indicates in combination impacts	Evidence is not provided to conclude harm can be excluded. These are not assessed any further in Chapter 11.	Not applicable – further assessment required		This matter has been addressed in the Applicant's response to NE61.

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	nationally designated sites	2025) including Appendix 8C and 8D 8.6.15 Operation Phase Page 52	would be 0.07kgN/ha/yr which is 1.4% of the 5kgN/ha/yr critical load .				
NE65	Air quality and aerial pollutants Atmospheric pollution at nationally designated sites	EN010166/APP/6.2. 8 - Environmental Statement Volume II, Chapter 8: Air Quality (dated August 2025) including Appendix 8C and 8D 11.6.5 Construction Phase Page 123	Table 11.9 in Chapter 11 indicates that Inner Marsh Farm SSSI (OE9) was assessed for construction impacts, but the Mersey Estuary sites (OE6) were not. Other SSSIs considered in England were Thurstaston Common SSSI (OE4) and New Ferry SSSI (OE7)	Evidence is not provided to conclude harm can be excluded. Mersey Estuary designated sites require further consideration. Thurstaston Common SSSI and New Ferry SSSI were assessed for operation only.	Not applicable – further assessment required		Inner Marsh Farm SSSI is discussed for construction impacts for the reasons given in 11.6.26 of Chapter 11: Terrestrial and Aquatic Ecology [APP-049] (dust, hydrology and water quality) and at the request of NRW. The assessment concludes that all effects on this site and, therefore, on Mersey Estuary SSSI, Thurstaston Common SSSI and New Ferry SSSI can be dismissed during construction due to distance. These SSSIs were assessed as part of the operational assessment because of the stack emissions from the Proposed Development and their associated Zol.

2.9 RR-001 Ambition North Wales

2.9.1 Ambition North Wales' RR and the Applicant's response are set out in **Table 9** below.

Table 9: Ambition North Wales' RR and the Applicant's response

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
ANW1	This is a formal representation on behalf of the North Wales Corporate Joint Committee, Ambition North Wales, on the proposed Connah's Quay Low Carbon Power (CQLCP) project that is currently at the pre-examination stage. The project, led by Uniper, looks to develop a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Plant fitted with Carbon Capture Plant (CCP) within the site of the existing Connah's Quay Power Station. The projects would achieve a net electrical output capacity of more than 350MW up to a likely maximum capacity of 1.38GW. Ambition North Wales supports the project, recognising its potential to contribute significantly to the region's energy transition and economic development. The project also generally aligns with the vision and priorities laid out in the North Wales Energy Strategy, hereafter referred to as the NWES, which sits within the responsibilities of Ambition North Wales' Low Carbon Energy Programme. This representation will showcase this alignment. Industrial Consumption The NWES details that, at the time of preparation in 2020, commercial and industrial consumption represented the	This is noted and the Applicant understands that no further action is required at this stage.

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
	largest proportion of the region's energy use by sector at 39% (compared to the transport and domestic sectors that were at 30% apiece). By capturing at least 95% of the project's CO₂ emissions and integrating with the HyNet industrial cluster's CO₂ transport and storage infrastructure, the project would be aiming to balance the need for power production and jobs in addition to reducing emissions. Enhancing Energy Security With the NWES projecting an increase in annual electricity demand for north Wales by 2035 compared to 2017, the CQLCP project offers a reliable and flexible power source, especially during periods when renewable energy generation is insufficient. Flexibility, the ability to adjust the balance between electricity supply and demand to handle the variability in renewable electricity generation, is crucial for maintaining a stable electricity supply. The NWES recognises the important consideration of introducing CCS technology to decarbonise non-renewable energy generation during the energy transition. Economic and Community Benefits Stakeholders engaged throughout the development of the NWES expressed strong ambitions for the energy sector to contribute to the region's economy and consequently its wellbeing. The development is expected to create over 60 permanent high-skilled jobs and create additional employment opportunities during construction, major outages	

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
	at the operational phase and through the supply chain. Such economic stimulation is important for the Deeside region and supports local communities. Environmental Considerations We acknowledge that Uniper have produced an Outline Landscape and Ecological Management Plan (LEMP) in which it states that "proposals for landscape and biodiversity enhancement have been designed to achieve the following outcomes: • No net loss of biodiversity and a quantifiable net benefit for biodiversity as a result of the Proposed Development; • Maintain, enhance and increase the extent of green infrastructure network on-site; • Apply the Building with Nature Standards Framework (BwNSF) (Ref 34) to ensure the Proposed Development delivers the twelve standards in relation to wellbeing, water and wildlife; and • Maintain, enhance and increase the extent of qualifying feature(s) for the Dee Estuary/Aber Dyfrdwy Special Area of Conservation (SAC)/ Special Site of Scientific Interest (SSSI)." The project also aims to reduce disruption to local communities by phasing construction activities strategically. We note the report highlights how construction materials and methods will be chosen to minimise embedded carbon and carbon emissions.	

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
ANW2	Local Ownership The project, managed by Uniper UK Limited from Birmingham and owned by Uniper SE from Germany, will not be locally owned and will widen the gap between local and non-locally owned renewable energy generation. The NWES notes that, at the time of development in 2020, 8% (95MW) of installed capacity was locally owned and the strategy aims to rely on existing locally owned infrastructure to accelerate Wales' ambition to increase local ownership in the region. Ambition North Wales would like to see how this could be addressed, such as by establishing a dedicated office in north Wales during the construction, operation and decommissioning stages.	There has been a power station on site at Connah's Quay for over 70 years. Investment at Connah's Quay by the Applicant could contribute significantly to economic growth in the region, by providing skilled technical jobs and creating new opportunities during construction, along with potential opportunities through the wider supply chain. The electricity generated by the proposed new Combined Cycle Gas Turbine (CCGT) with carbon capture would feed into the electricity transmission network owned by National Grid and then be distributed from there as required. This is no different to the Applicant's existing power station on site. The proposed new development at Connah's Quay would be able to generate flexible 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. According to the UK's independent advisor on climate change, the Climate Change Committee (CCC), demand for electricity is forecast to increase by 50% by 2035². To meet this increasing demand and achieve the UK's decarbonisation goals, the CCC has also advised

² In its Balanced Pathway for the Sixth Carbon Budget (Dec 2020), the UK's Climate Change Committee (CCC) forecast a 50% increase in electricity demand by 2035 and a doubling in electricity demand by 2050 (Sixth Carbon Budget - Climate Change Committee (theccc.org.uk))

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
		that a range of different technologies with both renewables and decarbonised generation, such as gas with CCS, will be needed to maintain a secure and stable supply of electricity ³ . In its report in March 2023 ⁴ , the CCC recommended that the Government give equal focus to low-carbon flexible solutions as to the full delivery of its existing renewables and nuclear commitments.
ANW3	Welsh Government Decarbonisation Target The Welsh Government, as stated in the NWES, has expressed an ambition to exceed their previous targets and aim for 100% decarbonisation. Whilst the technology proposed for the CQLCP Project does aim to capture 95% of CO₂ emissions as previously stated, the project expects that some infrequent controlled maintenance activities could require temporary venting of small amounts of CO₂. Chapter 20 (Climate Change) of the Environmental Statement Volume II states that 'the climate change assessment has determined that the impact of greenhouse gas (GHG) emissions arising during the operation of the Proposed Development would produce a moderate adverse effect, which is significant, in relation to the overall and ever decreasing UK and Welsh carbon Budgets and the global atmosphere' which contradicts the Welsh Government's long term net zero ambitions. The project, however, does acknowledge that 'whilst the consistency with UK energy policy and good planning practice indicates a minor (to moderate) adverse impact' the 'overall emissions will be demonstrably lower than a corresponding,	The greenhouse gas (GHG) assessment assumes an approximate 95% value for both the carbon capture rate (CCR) of the CCP and the availability of the transport and storage (T&S) system. However, these assumptions represent different aspects of the Proposed Development's operation: • Carbon Capture Rate (95%) – Refers to the proportion of CCGT stack emissions captured by the on-site CCP and then processed by the HyNet T&S system. Under this assumption, 5% of total CCGT emissions will be released to the atmosphere via the stacks. • T&S System Availability (95%) – Relates to potential outages of the T&S system and the ability of the Proposed Development to capture and store carbon emissions during its operational life. The GHG assessment assumes that the HyNet T&S system would be offline for 5% of the total operational period, while the Proposed Development continues operating at

³ CCC Sixth Carbon Budget electricity generation sector summary Sector-summary-Electricity-generation.pdf (theccc.org.uk)

⁴ Delivering a reliable decarbonised power system - Climate Change Committee (theccc.org.uk)

Ref. No.	Ambition North Wales Relevant Representation Issue / Text	Applicant's Response(s)
	unabated power station'. It also states that it is 'fully aligned with policy goals for projects of this type and provides a net positive impact when compared to this assessment's future baseline'.	maximum output during these offline periods. This represents a worst-case scenario for GHG emissions. In practice, outages are more likely to be planned and coordinated with the Proposed Development's operations rather than occurring unexpectedly.
ANW4	Conclusion The CQLCP project supports a strategic initiative that balances the need for low-carbon energy generation with economic growth. Whilst the considerations around local ownership and the impact of GHG emissions arising during operation are acknowledged, we believe that its overall positive impact on energy supply, job creation and Gross Value Added would be a significant step in decarbonising north Wales.	This is noted and welcomed by the Applicant.

2.10 RR-036 Royal Society for the Protection of Birds

2.10.1 Royal Society for the Protection of Birds' (RSPB) RR and the Applicant's response are set out in **Table 10** below.

Table 10: RSPB' RR and the Applicant's response

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
RSPB1	Connah's Quay Low Carbon Power Project DCO – final submitted text for RSPB Relevant Representation Planning Inspectorate Reference: EN010166 Text of Relevant Representation from the Royal Society for the Protection of Birds (RSPB) 27 October 2025 Introduction The Royal Society for the Protection of Birds ('the RSPB') has engaged in constructive pre-application dialogue with Uniper ('the Applicant') regarding the Connah's Quay Low Carbon Power Project Development Consent Order (DCO) application ('the Application') with a focus on ornithological related matters. Unfortunately, despite this helpful process, a number of significant matters remain of concern to the RSPB, as outlined in this representation. The RSPB will continue to work with the Applicant to discuss these concerns further and explore ways to resolve them during the DCO Examination. The Applicant's project ('the Proposal') briefly comprises: • Demolition of an existing gas treatment plant and other buildings within the existing Connah's Quay Power Station site;	This is noted by the Applicant and matters are addressed in turn in the sections below.

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	- The construction, operation and maintenance of a Combined Cycle Gas Turbine Generation Plant with Carbon Capture Plant and other associated infrastructure. Environmental Context As the Applicant is aware, the Proposal is in an area of high environmental sensitivity, including areas designated for their habitats and species of international importance at both a national and international level. These designations include: - Dee Estuary Site of Special Scientific Interest (SSSI), - Dee Estuary Special Protection Area (SPA), - Dee Estuary Special Area of Conservation (SAC), - Dee Estuary Ramsar site. The Application site is adjacent to Oakenholt Saltmarsh part of the RSPB Dee Estuary Reserve, and it also adjoins the Deeside Naturalists Society's Connah's Quay Nature Reserve. The Proposal has the potential to impact, directly and indirectly, a suite of environmental and landscape assets of national and international importance. It is the RSPB's primary interest to understand and assess the implications for these sites, and ensure they are comprehensively assessed and protected in accordance with the legislative and regulatory frameworks that apply to them. Due to limited resources the RSPB has not had the opportunity to review fully the Applicant's submitted	

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	Examination documents and we will carefully review these including the Environmental Statement (ES), especially the scope and currency of its evidence base, and the Habitats Regulations Assessment (HRA) prepared to support the Proposal. This representation comprises the RSPB's initial concerns which we will develop further in our Written Representation.	
RSPB2	Our headline concerns The RSPB's main interest is the Proposal's potential impacts on nationally and internationally protected sites, as well as its potential to deliver tangible goods for nature recovery. We aim to ensure the Proposal avoids negative impact first, then minimises impacts where they are unavoidable, and then compensates as a last resort (subject to justification under the appropriate policy/legislation). We have noted that reference to this mitigation hierarchy has been made and will seek to ensure this remains a guiding principle. The RSPB's principal areas of concern regarding the potential effects of the Proposal on the noted important sites and features are as follows: • Potential noise and visual disturbance • Potential habitat loss within the Main Development Area • Potential noise and visual disturbance to waterbird features We are concerned over the potential disturbance to nearby roosts and feeding areas, particularly during construction but	The Applicant will continue to discuss these matters further and explore ways to resolve them, as detailed below and in the Applicant's response to RSPB3. Regarding the points raised on noise and visual disturbance, Chapter 11: Terrestrial and Aquatic Ecology [APP-049] notes the use of a 3 m acoustic fence and construction control measures to ensure noise would remain below 60dB, which is considered to be an appropriate threshold as to not disturb SPA birds. The Framework CEMP [APP-246] secures that this acoustic fencing would be installed between April and September inclusive (unless otherwise agreed with FCC and NRW) and that no clearance works or site establishment works within the Main Development Area and C&IEA would occur between October and March inclusive in the absence of the 3 m acoustic fencing. Further to this, seasonal restrictions on works taking place beyond the acoustic fence (i.e., works will not take place in the wintering season March to September, inclusive) would be in place. This mitigation would be secured via a CEMP produced for each stage of the authorised development, in general accordance with the Framework CEMP [APP-246] and is required to be

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	also during operation. We welcome the proposed mitigation measures to address noise and visual disturbance, although it currently remains unclear as to what the full extent of mitigation will be. We understand that additional measures to minimise noise are likely to be required and will be considered, at the detailed design stage. It is essential that appropriate mitigation measures are in place to ensure the predicted disturbance will not have an adverse effect on the waterbird features. We will seek further clarity on disturbance mitigation measures during the Examination process. Potential loss of habitat frequented/used by waterbird features. The ES identifies that habitat loss will occur within the Main Development Area. The western part of the fields at the Main Development Area will be used as a 'laydown area' during construction and will be reinstated into pasture on completion of works. 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 during and after construction. In total the ES identifies some 10.03 ha is likely to be temporarily lost and 12.45 ha permanently lost. The fields are used by a significant number of over-wintering birds associated with the Dee Estuary, most notably Curlew (regularly supporting more than 1% of the qualifying non-breeding Curlew population of the SPA/Ramsar site). As such	approved by the relevant planning authority pursuant to Requirement 4 of the Draft DCO [APP-019]. The Applicant notes that the afore mentioned 60dB threshold was adopted on a precautionary basis, with a 70dB threshold agreed with NRW, who have also agreed that the proposed mitigation would be sufficient in mitigating noise and visual disturbance on interest features of the Dee Estuary SPA, Ramsar site / SSSI during construction and demolition (see NRW11), as well as not expressing any disagreement with the Applicant's noise assessment in general. As per the RIHRA [APP-253], the acoustic fence and seasonal avoidance would address visual impacts as well as noise. The acoustic fence would provide a visual screen (as would the existing vegetated bund west of the works) while the seasonal avoidance for works in the SPA / Ramsar would ensure they were not undertaken when sensitive bird populations were present. The acoustic fence and seasonal avoidance would address visual impacts as well as noise. For operational noise, Requirement 12 of the Draft DCO [APP-19] requires a scheme for the management and monitoring of noise during the operation of the Proposed Development to be submitted and approved by the relevant planning authority. This scheme must comply with the limits on noise set out within the Design Principles Document [APP-264]. The noise limit is 8 dB higher than the background sound levels as set out in Table 9-8: Baseline Sound Survey Results of Chapter 9: Noise and Vibration [APP-047].

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	part of the proposed development site has been determined/identified as being functionally-linked to the SPA. It is important that the displacement of Curlew (red-listed as a species of high conservation concern in Wales and a designated feature of the SPA), is adequately addressed. It is the RSPB's position that the potential loss of these fields, which are functionally linked to the SPA/SAC/Ramsar sites would lead to an adverse effect in the absence of suitable mitigation measures. In addition to the loss of functionally-linked land there is also direct loss of saltmarsh habitat (some 0.065ha) within the Dee Estuary SPA/SAC/Ramsar site during the construction works.	Regarding the loss of FLL and specifically the impact on Curlew, The Applicant refers the RSPB to their responses to NRW9 and NE03, which addresses NRW and Natural England's Representation on this matter, for context. The Applicant is progressing the Curlew Mitigation Strategy [APP-254] through continued discussion with NRW and Natural England. Section 4.1 of the Curlew Mitigation Strategy [APP-254] sets out the objectives of the habitat creation and enhancement works, these being that the offsetting area at Gronant Fields will provide an optimal foraging resource for Curlew and support an increased number of individuals that includes an equivalent number to those displaced from the Main Development Area. This will be achieved through the provision of 26 ha of enhanced wet grassland with a network of created linear foot drains. The aim of managing this habitat is to provide suitable foraging (and roosting) opportunities for Curlew throughout the late autumn, winter and early spring period (October to March) by providing conditions that would support high densities of Curlew invertebrate prey found in field vegetation and the soil surface (in particular earthworms, beetles and fly, especially crane fly, larvae). The Applicant will continue to engage with NRW and NE on the Curlew Mitigation Strategy [APP-254] and ongoing surveys of the offsetting area. This includes working with both the RSPB and DNS, to inform ongoing discussion. Regarding the loss of saltmarsh, the Applicant's response to NRW7 addresses this concern, and is

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
		repeated herein. The Applicant can create the managed retreat in advance of the loss, though not necessarily in advance of all the main works commencing. It is considered that provided the managed retreat area is delivered and functioning prior to the loss of saltmarsh due to construction of the outfall, this will mitigate the effect of such loss. The Applicant will prepare a Detailed Saltmarsh Creation Strategy which will be supported by a new requirement within the Draft DCO [APP-019], to be prepared prior to construction in general accordance with a new Framework Saltmarsh Creation Strategy that will be submitted at Deadline 3. This new requirement will include appropriate wording in connection to Work No. 5 (Construction of a surface water discharge). This Strategy will include details of any proposed monitoring (to be implemented during construction and used through operation) following its creation and provide details of a contingency plan should the saltmarsh not establish.
RSPB3	Habitats Regulations Considerations The RSPB note in the conclusions of the HRA that the Applicant states that, with mitigation measures, there will be no adverse effect on the integrity of any Habitats sites (namely SPA/SAC/Ramsar sites). Those mitigation measures include the identification of land at Gronant Fields, Prestatyn, for 'off-setting measures' to facilitate the delivery of improved habitat for curlew. The RSPB will review the rationale identified within the Applicant's HRA to conclude that the Proposal would not lead to adverse effects on the integrity of any Habitats site. There is an argument that delivery of off-	As the replacement off-site habitat is being provided before the loss of any FLL, this provision meets the tests to form mitigation, rather than compensation, in HRA terms. There is an extensive precedent for measures, including off-site habitat improvement measures, to address FLL not being considered compensation. The following recently made DCOs all had HRAs that presented measures to address the loss of FLL for SPA birds as mitigation rather than compensation within the legal definition of the Habitats Regulations, which was

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	site habitat improvement measures may be more accurately regarded as compensation within the terms of the Habitats Regulations. Where adverse effects on the integrity of one or more of the internationally important sites cannot be avoided or mitigated, a successful derogation case will be necessary for the development to proceed. This includes satisfying the following legal tests: 1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site(s); 2. The proposal needs to be carried out for imperative reasons of overriding public interest; 3. The necessary compensation measures can be secured.	accepted by the Secretary of State when granting development consent: • East Yorkshire Solar Farm; • Lower Thames Crossing; • Sunnica Energy Farm; • A303 Stonehenge (Amesbury to Berwick Down); and • Helios Renewable Energy. It is not just common in the DCO space; for example, the Solent Wader and Brent Goose Strategy sets out the processes for addressing loss of FLL around the Solent Habitats sites. This is used by all the Solent local authorities when granting consent. The Solent Wader and Brent Goose Mitigation Guidance (Whitfield, Marceau, and Shavelar, 2024) describes it as 'offsetting' (rather than compensation) and derogations are not required for developers to deliver offsetting habitat to address loss of FLL. The reason FLL is treated this way, is because the AEOL the Applicant is seeking to address would be a possible reduction in curlew populations within the SPA due to a reduction in foraging and roosting opportunities in the wider landscape. The Applicant is therefore <u>avoiding (or mitigating for)</u> the AEOL (a reduction in curlew populations within the SPA) by ensuring there is no net loss of foraging and roosting opportunities by enhancing other areas already used by curlew to support greater numbers.

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
		In response to the Procedural Decision [PD-007] dated 25 November 2025, the Applicant has prepared and submitted a Notice of a proposed without prejudice Habitats Regulations Assessment (HRA) derogation and Wales [PDA-003]. Within the derogation, information is provided to show the Applicant has considered and can demonstrate that there are no alternative and less damaging solutions to the Proposed Development as proposed, that there are imperative reasons of overriding public interest and that, if not considered mitigation, the necessary compensation measures can be secured.
RSPB4	Without prejudice to the outcomes of the above tests, any compensation for loss or damage to SPA/Ramsar site habitat must deliver high-quality, functionally-equivalent habitat, as close to the affected site as possible. It must also be in place and functional before the damage occurs, and secured in perpetuity, with appropriate financial arrangements in place for its management and monitoring. With respect to the currently preferred site at Gronant Fields for the Applicant's mitigation measures to address the loss of functionally-linked land, we note that this site also lies within the Dee Estuary SPA/SSSI/Ramsar sites. The RSPB will be reviewing these measures in the light of the site's current interest features and conservation objectives and whether these proposed enhancements can be achieved without compromising existing features. We will also review further the Applicant's other mitigation measures. The RSPB will provide further commentary on these important issues in our Written Representation, including the	This matter has largely been addressed in the Applicant's response to RSPB2. Regarding the point raised on ensuring mitigation is in place and functional prior to FLL loss, the measures set out in the Curlew Mitigation Strategy [APP-254] are secured via Requirement 11 of the Draft DCO [APP-019]. Requirement 11 identifies that a Curlew Mitigation and Monitoring Plan must be developed in general accordance with this strategy document and the enhancement measures must be in place prior to works commencing within the relevant areas of the Order limits. Regarding the site's other interest features and conservation objectives, these will be part of the focus of the development of the Curlew Mitigation Strategy [APP-254]. Discussions have already been held with NRW on this matter and will continue as the 2025/2026 surveys are completed.

Ref. No.	RSPB Relevant Representation Issue / Text	Applicant's Response(s)
	timing and treatment of mitigation and compensation measures.	Please refer to the response to NRW9 regarding the proposed management and monitoring arrangements as well as implications of proposed mitigation measures for Dee Estuary SPA / SSSI / Ramsar Features.
RSPB5	Finally, the RSPB reserves the right to add to and/or amend its position in light of changes to or any new information submitted by the Applicant.	The Applicant will continue to engage with the RSPB and record this through updates to the Draft RSPB SoCG [APP-283] .

2.11 RR-010 Enfinium Ltd

2.11.1 Enfinium Ltd's RR and the Applicant's response are set out in **Table 11** below.

Table 11: Enfinium Ltd's RR and the Applicant's response

Ref. No.	Enfinium Ltd Relevant Representation Issue / Text	Applicant's Response(s)
ENF1	I am registering an interest on behalf of enfinium, the operator of Parc Adfer Energy Recovery Facility where carbon capture development is also proposed, as we may wish to participate in the examination to discuss cumulative impacts or other points affecting the Parc Adfer Carbon Capture proposal.	This is noted and the Applicant understands that no further action is required at this stage.

2.12 RR-048 Welsh Government

2.12.1 Welsh Government's RR and the Applicant's response are set out in **Table 12** below.

Table 12: Welsh Government's RR and the Applicant's response

Ref. No.	Welsh Government Relevant Representation Issue / Text	Applicant's Response(s)
WG1	Dear Sir or Madam, I write further to your recent consultation regarding the proposed carbon capture plant at Connah's Quay Power Station, Connah's Quay. Having reviewed the supplied consultation information, should a full planning application be submitted in respect of the proposed development, the Welsh Government would comment as follows: The applicant will be required, by way of condition, to submit to the Local Planning Authority, a detailed Construction Traffic Management Plan (CTMP) that shall be to the satisfaction of the Welsh Government, as Overseeing Organisation for the Strategic Road Network (SRN).	The Application has been made to the Planning Inspectorate and will be determined by the SoS. A Framework CTMP [APP-247] has been submitted as part of the DCO application. The final CTMP is secured through Requirement 5 of the Draft DCO [APP-019]. No stage of the authorised development may commence until a final CTMP is produced in general accordance with the Framework CTMP [APP-247] by the appointed construction contractor(s), for agreement with the relevant planning authorities, in consultation with the relevant highways authority, inclusive of the North and Mid Wales Trunk Road Agent (NMWTRA), who manage the SRN on behalf of the Welsh Government.
WG2	In addition to considering the impact of all construction and operational traffic associated with the development, the Welsh Government will also require details to prove that access for transporting AILs is achievable from the point of entry to the Welsh trunk road network to the point of egress, that minimises any impact on the safety and free flow of trunk road traffic. This information will be required prior to any determination. Please supply the likely traveling weights and dimensions of AILs as well as swept paths of the worst case	The exact number and size / weight of AILs would be determined at detailed design stage and would be based on specific construction methodologies that will be confirmed during this stage. Further technical assessments by specialist AIL transport contractors will be prepared in accordance with Requirement 19 of the Draft DCO [APP-019].

	AILs at all potential horizontal constraints along the access route (as a minimum all SRN junctions will be required).	An AIL Route Feasibility study (Appendix A of the Framework CTMP [APP-247]) was prepared to inform any cautions which may impact the viability of AIL route options from the point of land side delivery to the site. This study considered potential AIL movements from the three port options (Port of Mostyn, Connah's Quay Jetty and Ellesmere Port) based on the assumptions at the time of the submission. Only deliveries from Ellesmere Port would require the use of the SRN. The Framework CTMP [APP-247] has been updated and submitted at Deadline 1 to include the requirement to fill in the provided 'DfT regulations - Form of Notice to Police and to Highway and Bridge Authorities' in the future as part of the detailed CTMP. The Framework CTMP [APP-247] also includes a commitment to ongoing liaison between all relevant parties, including the provision of advance communication of traffic management work and details regarding AIL deliveries, with updates to be made during the work as appropriate.
WG3	Please note, to screen the proposals, the draft abnormal load notifications would be particularly helpful to the Welsh Government as highway authority. For our review to be meaningful we need the attached to be filled out as much as possible. There may be many unknowns at this time, but the closer we get to a completed form the more meaningful feedback we will be able to provide. As an absolute minimum we would need best estimates for: Full route details. • Vehicle weight	As noted in response to WG2, an AIL Route Feasibility study (appended to the Framework CTMP [APP-247]) was prepared to inform any cautions which may impact the viability of AIL route options from the point of land side delivery to the site. This study provides the details of the routes, vehicle length, vehicle width and vehicle height. The Procedures and Advice Guidance (PAG) document is noted. The exact number and size / weight of AILs would be determined at detailed design stage and would be based on specific construction methodologies

	• Vehicle length • Vehicle width • Vehicle height Without these details the route suitability cannot be confirmed. Attached for reference, is the draft version of our “Pulling Together” – Best Practice for Transporting Abnormal Loads in Wales - Procedures and Advice Guidance (PAG) document, noting we would expect the haulier to fully screen the route.	that will be confirmed during this stage. Further technical assessments by specialist AIL transport contractors will be prepared in accordance with Requirement 19 of the Draft DCO [APP-019]. The Applicant has updated the Framework CTMP [APP-247] and submitted at Deadline 1 to include the requirement to complete the ‘DfT regulations - Form of Notice to Police and to Highway and Bridge Authorities’ in the future as part of the detailed CTMP.
WG4	For your information below are our standard planning conditions (taken from the aforementioned PAG document attached), which would be included as part of any future planning application; Structural assessment No on-site development works shall be undertaken until: a. an assessment of the capacity and impact on all structures along those parts of the highway network which shall be utilised during the construction of the development including bridges, culverts, retaining walls, embankments, and b. details of any improvement works required to such structures as a result of construction of the development have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as	This is noted by the Applicant. Additional information in relation to the Welsh Government's standard planning conditions has been set out in answer to Representations WG1, WG2 and WG3. A Framework CTMP [APP-247] has been submitted as part of the DCO application and submitted at Deadline 1, which secures mitigation by the requirements that are set out. The Applicant considers that the requirements set out in the Draft DCO [APP-019] cover the suggested conditions set out in this RR. The preparation of detailed CTMP(s) is secured by Requirement 5 of the Draft DCO [APP-019]. The appointed construction contractor(s) would use the Framework CTMP [APP-019] as a document to develop and submit a detailed CTMP(s), for approval by the relevant planning authority, in consultation with the relevant highway authority, which would include the NMWTRA, who manage the SRN on behalf of the Welsh Government.

	appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load (AIL) deliveries to the development site. Condition surveys Condition surveys of all highway features along those parts of the highway network which shall be utilised during the construction of the development shall be undertaken prior to, during and on completion of the construction phase of the development. The survey reports shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) within 28 days of the surveys. Liability for incidental damage Prior to the commencement of development works, a scheme to provide for the remediation of any incidental damage directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The scheme shall be implemented as approved throughout the construction phase of the development. Traffic Management Plan	
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	AILs associated with the development shall be delivered strictly in accordance with a Traffic Management Plan (TMP) as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any works. The TMP shall include: a. proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic b. evidence of trial runs that mimic the movement of the worst case AILs along the access route where appropriate, at the discretion of the Highway Authority c. number and size of AILs, including loaded dimensions and weights d. number and composition of AIL convoys, including anticipated escort arrangements e. methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary f. convoy contingency plans in the event of incidents or emergencies g. estimated convoy journey durations and timings along the route, including release of forecast traffic queues h. swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route where appropriate, at the discretion of the Highway Authority	
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	i. proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed j. plans for the reinstatement of any temporary works after completion of the construction phase k. land ownership must be clarified on all drawings showing proposed highway modifications. The developer shall be responsible for the acquisition and reinstatement of all third-party land including re-instatement of boundary features l. proposals to liaise with all relevant stakeholders and members of the public regarding construction traffic and AIL movements m. consideration of the cumulative impact of other abnormal load generating schemes proposing to use all or part of the same access route n. the appointment and role of a transport coordinator to administer the abnormal indivisible load delivery strategy o. means of control of timing of delivery of AIL movements p. temporary traffic diversions and traffic hold points q. details of banksmen and escorts for abnormal loads r. management and maintenance of layover areas, junctions, passing places, public rights of way and welfare facilities while AIL deliveries take place s. details of temporary signage. t. details of any alterations to any works that are carried out to enable AIL movements AILs associated with the maintenance and decommissioning of the development shall leave the site strictly in accordance	
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with a TMP as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any removal, replacement of decommissioning works. Highway works No development works shall be undertaken until full details of any highway works associated with the construction of layover areas, passing places and highway improvements as agreed with each relevant highway authority including: a. the detailed design of any works b. geometric layout c. construction methods d. drainage, and e. street lighting have been submitted to and approved in writing by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The highway works shall be completed in accordance with the approved details prior to the commencement of any AIL deliveries to the development site. No development works shall be undertaken until the developer demonstrates rights of access to all proposed works that are not part of the highway network to the satisfaction of the local planning authority.	
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	Road Safety Audit The applicant shall undertake a Road Safety Audit of the scheme (Stages 1 – 4) in accordance with the Design Manual for Roads and Bridges GG 119. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.	
WG5	Section 278 Agreement The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented. For further information on this matter please refer to Welsh Government Procedure & Advice Guidance PAG 109/18: section 38, 184, and 278 Agreements under the Highways Act 1980. If you have any further queries, please forward to the following Welsh Government Mailbox: NorthandMidWalesDevelopmentControlMailbox@gov.wales	For all highway works where a highways agreement would be required pursuant to the Highways Act 1980, this will either be provided for through an independent section 278 Agreement negotiated with the relevant highway authority at the time required, or through the powers of the DCO. Where the highway works in question are covered by the powers of the DCO, once made, a section 278 Agreement would not be required and an agreement under Article 18 of the Draft DCO [APP-019] may be entered into instead. The Draft DCO [APP-019] includes Article 18 (agreements with street authorities) which specifically provides that the undertaker and street authorities may enter into agreements relating to various works on streets. The article provides a list which reflects the model provisions, save that sub-paragraph (1)(b) has been added to clarify that, as well as providing for the construction of streets (including any structures carrying those streets) an agreement may relate to strengthening, improving, repairing or reconstructing streets (or structures).

2.13 RR-050 Ramblers Cymru – (Flintshire Footpaths Committee)

2.13.1 Ramblers Cymru – (Flintshire Footpaths Committee)'s RR and the Applicant's response are set out in **Table 13** below.

Table 13: Ramblers Cymru – (Flintshire Footpaths Committee)'s RR and the Applicant's response

Ref. No.	Ramblers Cymru – (Flintshire Footpaths Committee) Relevant Representation Issue / Text	Applicant's Response(s)
RC1	Public path 28 is within or close to site boundary at south end. We would wish this to be safeguarded. Although currently a cul de sac path (because no way of crossing rail line) we would like this path extended northwards, if at all possible, to enhance the Wales Coastal path - which currently has to follow the roads.	There are no further works proposed to Public Footpath 28, in its current form, as demonstrated in Chapter 10: Traffic and Transport [APP-048]. The section of the path managed by the Applicant is being maintained and is currently undergoing work to improve access and security. Extending the path northwards is not practicable due to a number of factors. It would require access to the operational site which would not be acceptable from the perspective of the Applicant's Health and Safety obligations. It would also require the crossing of land other than the Applicant's and would, therefore, require the agreement of those landowners. Access to the nature reserve is also restricted, in agreement with NRW and the DNS.

3. Deeside Naturalists' Society (Non-landowners)

3.1 RR-009 Deeside Naturalists' Society

3.1.1 Deeside Naturalists' Society (DNS) and the Applicant's response are set out in **Table 14** below.

Table 14: Deeside Naturalists' Society's RR and the Applicant's response

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
DNS1	[To] The Planning Inspectorate: Comments from Deeside Naturalists Society. We are writing on behalf of Deeside Naturalists Society (DNS). We wish to be 'Persons with Interest' in the development. We manage the nature reserve at Connah's Quay immediately adjacent to Order limits of the proposed development. We do this in collaboration with Uniper, through a lease. The DNS is a registered charity, formed in 1973 to 'stimulate interest in natural history and to play a part in the conservation of flora and fauna on Deeside and in the surrounding area'. The DNS has over 400 members who receive regular newsletters and an annual programme of events and field meetings which are organised throughout the year to places of special ecological interest and importance of Members are provided with a key to gain access to the nature reserve. DNS manage the wildlife hides within the reserve and conduct scientific monitoring of birds and other wildlife daily, both on the nature reserve and adjoining areas including the area proposed for development of the new power station. The nature reserve is highly regarded by local people as it offers wonderful opportunities to	The Applicant will continue to engage on this matter through the SoCG process. A response regarding continued access is provided below against DNS5.

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
	experience the exceptionally rich birdlife of the Dee Estuary. We value the partnership between Deeside Naturalists and Uniper that has enabled this to happen. Members are provided with a key to gain access to the nature reserve. DNS manage the wildlife hides within the reserve and conduct scientific monitoring of birds and other wildlife daily, both on the nature reserve and adjoining areas including the area proposed for development of the new power station. The nature reserve is highly regarded by local people as it offers wonderful opportunities to experience the exceptionally rich birdlife of the Dee Estuary. We value the partnership between Deeside Naturalists and Uniper that has enabled this to happen. The proposed new power station will have a huge impact on everyone who currently enjoys visiting the reserve, both during the construction phase (due to noise, vehicle movements, loss of wildlife habitat and disturbance to wildlife) - during its eventual operation, when the building and chimneys will dominate the skyline. We wish to be reassured that robust measures will be in place to enable members of Deeside Naturalists to continue to visit during construction and ultimately return to normal visiting arrangements once complete.	
DNS2	Impact on Curlew We are concerned about the impact of the development on Curlews and other birds currently using the fields where the new power station will be built. We support the need for both the provision of mitigation for this impact onsite, and the provision of compensatory habitat offsite. We wish to ensure that there is mitigation for foraging Curlew as close to the development site as is possible. This is because wintering	The Applicant thanks the DNS for their comments on Curlew mitigation and notes that they are supportive of the Gronant Fields site. The Applicant will continue to engage with the DNS (as well as NRW, the RSPB, and Natural England) on the Curlew Mitigation Strategy [APP-254] and opportunities to enhance existing habitat features within the Order limits for Curlew on completion of the construction of the Proposed Development detailed in the Outline LEMP [APP-250].

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
	Curlew are often highly site faithful, returning to the same site year after year, and will not readily adopt new feeding areas some distance away. We have identified additional mitigation measures on Compartment 1 (known as the Ash Lagoon), adjacent to the development, which should be implemented as part of the programme of work and be in place during and after construction. This would include: • A modest increase in grazing of the grassland to achieve a maximum sward height of circa. 10cm over the winter period. This to be done outside of breeding season (i.e. not April to July) to achieve target height for Curlew foraging. • Graze in autumn as far as possible and avoid lengthy winter grazing as this can disturb Curlews. • Removal of existing fenced enclosure withing the field to create more Curlew feeding habitat. • No input of artificial feed or fertilizer. • Increasing the size and height of the island in the lagoon, making it more suitable for roosting Curlews and other waders. We also consider that land to be used for 'laydown' purposes during construction should be restored in a way that maximises their potential for feeding Curlews. In practice this would mean the restoration of invertebrate-rich grassland with shallow pools and the avoidance of any tree planting that is not strictly necessary. Curlews generally avoid feeding close to trees and woodland as they like to maintain an open view so they can	As per the Applicant's response to NRW10, the Curlew Mitigation Strategy [APP-254] will be updated and submitted at an appropriate point during the examination. The Outline LEMP [APP-250] identifies that temporary laydown areas in the west of the Main Development Area outside of the operational footprint would be reinstated as grassland with shallow scrapes. Areas of tree and hedgerow planting are also shown in this area for NBB purposes. The Applicant will continue to work with DNS to implement management within Compartment 1. Management of this area is detailed within the Conservation Areas Management Plan for the existing Connah's Quay Power Station. As detailed in Chapter 11: Terrestrial and Aquatic Ecology [APP-049], upon the end of management arrangements detailed within the Conservation Areas Management Plan 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. The Applicant is currently undertaking further ornithological surveys of the mitigation area at Gronant Fields, along with investigations and monitoring of groundwater and the sites hydrology. The requirement

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
	detect predators. We are supportive of Uniper delivering compensatory habitat for Curlews at Gronant. We have reviewed the Curlew Mitigation Strategy document and, overall, we think the plan for the restoration and management of the land is well planned. We have the following observations of the strategy: • Curlews currently foraging at Connah's Quay are unlikely to directly benefit from the compensatory habitat, especially in the short-term as they show a high degree of fidelity to their wintering sites. However, we recognise that the compensatory habitat will benefit the overall population of Curlew wintering in the Dee Estuary SPA. • We question the creation of foot drains on the land and would prefer that shallow scrapes are created in existing low points in the fields, which can be readily identified by a levelling survey or LiDAR. This will create excellent Curlew foraging habitat without artificial features on a relatively natural landform. bWe also recommend that earthworm surveys are carried out to assess the current availability of invertebrate prey for Curlew.	for further surveys, including for soil invertebrates and other biodiversity will be discussed and agreed with NRW and other statutory consultees.
DNS3	Impact on internationally important Dee Estuary SSSI, SPA and Ramsar site. We highly concerned about the impact of the development on the internationally important bird populations that use the saltmarsh and mudflats immediately adjacent to the proposed development. We wish to be reassured that everything is done to reduce this impact as far as possible. This would include the re-instatement of the main sluice that formerly operated to	As stated in response to DNS2, for comments relating to the management of Compartment 2, the Applicant will continue to work with DNS to implement management under the Conservation Areas Management Plan for the existing Connah's Quay Power Station. The Applicant can confirm that the existing sluice will be re-instated as part of ongoing management and maintenance of Compartment 2.

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
	maintain optimal conditions for wading birds on the pools in Compartment 2. This should be done before works commence. We are concerned that acoustic fences that are only 3m high will be insufficient for what they have to do (i.e. prevent as much noise disturbance to the riverside as is possible, given that the construction work may last for nine years). We note from Environmental Statement Volume II Chapter 25: Summary of Likely Significant Environmental Effects that: 1. Loss of roosting and foraging habitat - Dee Estuary Special Protection Area (SPA)/Ramsar site qualifying non-breeding species (Bar-tailed godwit, Pintail, Black-tailed godwit, Curlew, Redshank) is thought to be a Moderate or Major adverse impact. We agree this will be the case, mostly in relation to wintering and passage Curlew, as noted earlier. We believe that with the compensatory habitat proposed and the additional mitigation measures we propose, there is little scope for further mitigation or compensation. There will be a significant residual impact on Curlews that traditionally use the site as their ability to find alternative foraging area locally is likely to be limited.	The approach to the noise assessment was discussed and agreed with NRW in May 2025. Section 5 of Chapter 9: Noise and Vibration [APP-047] explains how acoustic fencing would be implemented along the northern and western boundaries of the Main Development Area and along the northern boundary of the C&IEA, as shown in Figure 5-3: Construction Areas [APP-083]. A height of 3 m is standard for acoustic fences based upon the main source of noise for construction plans which is typically the engines and generators. For other noise sources (e.g. piling) shrouds on the piles would be used as mitigation to address noise in accordance with the controls included in the Framework CEMP [APP-246]. Appendix D of the RIHRA [APP-253] illustrates noise levels after mitigation is applied. Works to install the acoustic fence would be undertaken outside of the wintering period, as presented in the Framework CEMP [APP-246] and no clearance works or site establishment works within the Main Development Area and C&IEA would occur between the October and March inclusive in the absence of the 3 m acoustic fencing. The final CEMP is to be prepared in general accordance with the Framework CEMP [APP-246], and no stage of the authorised development may commence until the final CEMP is approved by the relevant planning authority pursuant to Requirement 4 of the Draft DCO [APP-019]. Regarding comments made on the loss of roosting and foraging habitat being assessed as Moderate or Major

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
		Adverse (Significant), Chapter 25: Summary of Significant Likely Effects [APP-063] also demonstrates that, after the application of additional mitigation / enhancement, the residual effect would become Negligible or Minor Adverse (Not Significant). Specifically regarding Curlew, the Applicant has addressed this concern above in DNS2.
DNS4	2. Noise and visual disturbance - Dee Estuary SPA/Ramsar site qualifying non-breeding species (Bar-tailed godwit, Pintail, Black-tailed godwit, Curlew, Redshank) is thought to be a Moderate or Major adverse impact. We agree this will be the case. We are very unclear if the proposed 'additional noise mitigation' will be sufficient to reduce the impact to Negligible or Minor adverse. We would like to understand more about the mitigation measures and suggest that detailed monitoring is carried out in the first two years to assess the disturbance impacts when works commence. We also suggest that there is a rapid response if disturbance issues are found to be significant. DNS members monitoring birds at the reserve may be able to provide evidence. This will be more effective than simply monitoring bird numbers during the construction period. The same impacts apply to the Dee Estuary Site of Special Scientific Interest (SSSI) species, in terms of the loss of roosting and foraging habitat and the noise and visual disturbance.	The noise mitigation identified has been modelled to be effective, in that it would reduce noise levels to below the 60dB disturbance threshold used in the HRA and the 70dB disturbance threshold agreed with NRW. Published guidance exists regarding the benefit to be assumed from different types of mitigation. The Applicant is committed to undertaking monitoring of the abundance of wintering bird species following the methodology for the 2023 / 2024 Wetland Bird Counts detailed in Appendix 11-D: Ornithology Technical Appendix [APP-193]. The frequency of this monitoring during construction is to be discussed and agreed with FCC and NRW. In addition to this, the Framework CEMP [APP-246] notes Ecological Clerk of Works (ECoW(s)) would be appointed by the undertaker to manage the risks to ecology during construction, advising on protecting valued biodiversity features and providing practical solutions. The appointed ECoW(s) would be appropriately qualified and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). The ECoW(s) would be able to monitor during periods of noisy activities to determine if

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
		certain activities require additional noise mitigation at the source.
DNS5	Impact on Deeside Naturalists members visiting the nature reserve. We wish to be absolutely clear that suitable access for our members to visit the nature reserve including the hides, will be maintained both during and after construction. We are very concerned about the impacts on visiting during the construction phase, which we understand could last for up to nine years. We are appreciative that Uniper will provide a temporary access road for DNS members to use to access the reserve during the construction phase. We understand this will be a stone track. This will need to be constructed to a high standard to avoid potholing and the need for regular repairs. The 3m acoustic fence will run between the track and the development site, providing a certain level of screening. We note that working hours are as follows: Core construction working hours would be 08:00 and 18:00 Monday to Friday (except Bank Holidays) and 08:00 and 13:00 on Saturdays. However, it is likely that some construction activities may need to be undertaken outside of these core working hours. This is partly because certain construction activities cannot be stopped, such as concrete pouring, but also to manage the construction programme. It will be very important to communicate in advance to DNS when work that may affect members visiting the reserve is undertaken outside core working hours. We have also spoken	Paragraphs 5.6.17, 5.6.18, and 5.6.19 of Chapter 5: Construction Management and Programme [APP-043] explain how an alternative temporary access to the Connah's Quay Power Station Nature Reserve would be provided to DNS members during the construction phase of the Proposed Development, as well as how a permanent access road would be provided to access the bird hides during operation. The anticipated access would continue from the Access to the Main Development Area, with a designated access road following the southern and western boundary of the ecological safeguard zone shown on Figure 5-3: Construction Areas [APP-083]. This would minimise health and safety risks associated with the construction phase. Regarding communications, as detailed within the Framework CEMP [APP-246], a Community Liaison Group would be set up prior to construction and would continue until final commissioning of the Proposed Development as a formal forum for local issues to be raised. A Community Liaison Officer would be appointed to lead discussions with local communities and act as the primary point of contact, should there be any queries or complaints. The officer would develop a Stakeholder Communications plan to include measures for community engagement and track queries or

Ref. No.	DNS Relevant Representation Issue / Text	Applicant's Response(s)
	with Uniper about the need to ensure separation of construction traffic from DNS members visiting the reserve. We understand that they have considered this, and provision will be made, but we need to see the details of this.	complaints. The final CEMP(s) will include this control measure.
DNS6	Impact on Schedule 1 breeding birds on the site We were unable to see parts of the Appendix 11-D and trust that appropriate provisions will continue to be made within the Uniper site for nesting Peregrine and Little Ringed Plover, incorporating these needs within the new development. (Redacted) Secretary (Redacted)	Measures to prevent disturbance to Schedule 1 breeding birds during construction are detailed in the Framework CEMP [APP-246], secured via the Draft DCO [APP-019].

3.2 RRs from Deeside Naturalist members – RR-007; RR-014; RR-015; RR-017; RR-018; RR-021; RR-029; RR-031; RR-034; RR-038; and RR-041

3.2.1 A number of individual representations from members of the Deeside Naturalists have provided RRs and these have been summarised into broad issues/themes, and the Applicant's response are set out in **Table 15** below.

Table 15: Deeside Naturalist members' RR and the Applicant's response

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
DN1	Impacts on wildlife in Dee Estuary locality • Raises the need to be aware of the potential harmful effects of the work as the whole area, including the fields where the power station is located, is important for many species already struggling against human impacts and other threats. • Consider that mitigation of the effects of the works should begin immediately, including the creation and actioning of an improved funded management plan for the protected area within the current SSSI and adjacent to RSPB Oakenholt Marsh. • Raises concern of the need to protect wild places, which are being lost at an alarming rate contributing to the existing biodiversity crisis. • Raises impact of new power station on visitors to the reserve and also on the wildlife that depends on the estuary.	Chapter 11: Terrestrial and Aquatic Ecology [APP-049] considers relevant ecological features and receptors and outlines any potential impacts that could arise from the construction and operation of the Proposed Development. These impacts are addressed and appropriate mitigation measures are outlined to prevent adverse impacts on these ecological features and receptors. Mitigation measures are included in the Framework CEMP [APP-246]. A final CEMP for each stage of the authorised development would be prepared in general accordance, and approved by the relevant planning authority, pursuant to Requirement 4 of the Draft DCO [APP-019]. Upon completion of the construction, a number of areas within the Order limits will be reinstated in accordance with the Outline LEMP [APP-250]. In addition, the Green Infrastructure Statement [APP-252] demonstrates how the Proposed Development would result in an NBB. With regards to mitigation being undertaken immediately, the Applicant has an existing Conservation

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		Areas Management Plan for the management of the Connah's Quay Nature Reserve. Beyond the Applicant's land holding it may not be possible to amend management regimes. In terms of the specific recommendation to consider RSPB Oakenholt Marsh, the applicant has engaged RSPB in relation to the mitigation for the loss of FLL, however the management of this site is the responsibility of RSPB. The noise modelling presented in Appendix D of the RIHIA [APP-253] demonstrates that noise levels at RSPB Oakenholt Marsh would be well below the 60dB threshold agreed with NRW. As detailed in Chapter 11: Terrestrial and Aquatic Ecology [APP-049], upon the end of management arrangements detailed within the Conservation Areas Management Plan 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.
DN2	Impacts on birds (including Curlews) and their habitats • Site linked to the nearby Estuary SSSI site through usage by birds, e.g pink footed geese and avocets for over	The ecological impact assessment presented in Chapter 11: Terrestrial and Aquatic Ecology [APP-049] and the RIHRA [APP-253] take into account waterbirds associated with and using the Dee Estuary protected sites, including Curlew and outlines any

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
	wintering. Proposal will displace those birds who choose this area to forage/rest. • The opportunity to see rare and common birds on the site is valued, and usually visitors to the area miss the beauty that exists along the estuary and especially at this site. The area is known as an excellent place for birds to feed as they pass through. • Concerns raised on the impact on Curlews (which is under threat) and other birds currently using the fields where the new power station will be built, and also the impact on the internationally important bird populations that use the saltmarsh and mudflats immediately adjacent to the proposed development. • Concerns raised on the loss of the habitats for Curlews and other birds, since habitats are regularly used by feeding and roosting birds, and their loss must be properly addressed. Important saltmarsh should not be disturbed. • Supports the need for effective mitigation for this impact onsite, and also the provision of compensatory habitat offsite. Note that Deeside Naturalists have identified additional mitigation measures that should be implemented as part of the works, and seek reassurance that all measures are being undertaken to reduce impacts as far as possible. This should include the re-instatement, before works commence, of the main sluice on the Compartment 2 pools that formerly operated to maintain optimal conditions for wading birds. This would provide improved alternative feeding areas for waders that might be impacted by disturbance.	potential impacts which are then in turn addressed and appropriate mitigation measures outlined to prevent adverse effects on these species. With specific reference to Curlew, the Applicant is progressing the Curlew Mitigation Strategy [APP-254]. Section 4.1 of this document sets out the objectives of the habitat creation and enhancement works, these being that the offsetting area at Gronant Fields will provide an optimal foraging resource for Curlew and support an increased number of individuals that includes an equivalent number to those displaced from the Main Development Area. This will be achieved through the provision of 26 ha of enhanced wet grassland with a network of created linear foot drains. The aim of managing this habitat is to provide suitable foraging (and roosting) opportunities for Curlew throughout the late autumn, winter and early spring period (October to March) by providing conditions that would support high densities of Curlew invertebrate prey found in field vegetation and the soil surface (in particular earthworms, beetles and fly, especially crane fly, larvae). The Applicant will continue to engage with the DNS on the Curlew Mitigation Strategy [APP-254] and opportunities to enhance existing habitat features within the Order limits and the Applicant's control for Curlew. The measures set out in the Curlew Mitigation Strategy [APP-254] are secured via Requirement 11 of the Draft DCO [APP-019]. Requirement 11 identifies that a Curlew Mitigation and Monitoring Plan must be developed in general accordance with this strategy

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
	Desire for the locality to be returned to being as quiet as it is currently is, and therefore, it's important to retain noise levels that cannot be heard in the hides.	document and the enhancement measures must be in place prior to works commencing within the relevant areas of the Order limits. As detailed in the Outline LEMP [APP-250], areas of temporary land use would be reinstated on completion of the construction. The Applicant notes suggested amendments to the Indicative Landscape Plan, and will consider these as necessary when developing the detailed LEMP in accordance with the Outline LEMP [APP-250] at the appropriate time. As noted in response to DNS3, the Applicant will continue to work with DNS to implement management under the Conservation Areas Management Plan for the existing Connah's Quay Power Station.
DN3	Impacts on wildlife near residential building(s) - Raises the importance of existing wildlife near homes, and the need for reassurances that the wildlife space at the back and side of home would not be touched. - Raises importance of the need to protect and retain the surrounding area to homes which also retains privacy and security. - Noted that had spoken to (Redacted) but was not reassured that spaces behind/side of home would not be touched. Further information can be provided if required. - Noted that any activities will be seen, and conversely operatives could see activities in private garden. Noted noise can already be heard from vehicles.	The Outline LEMP [APP-250] provides an Indicative Landscape Plan showing retained habitat. The Applicant believes the concerns regarding wildlife are addressed, but would welcome further correspondence, if necessary. Regarding security concerns, Section 2.7 of the Framework CEMP [APP-246] discusses site security and the requirement for site specific assessments of security and trespass risk. This is secured by Requirement 4 of the Draft DCO [APP-019].

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
DN4	Visual impacts and location of proposal - Concerns that the entire plant 'is huge' and that the revised plans show much taller structures than originally published. - Live in close proximity and alarmed about prospect of project 'looming up' alongside the river/estuary. - Owing to the sheer scale of the buildings, considers it would be better built across the river in the industrial estate.	The maximum height parameters presented at the Statutory Consultation for both emissions stacks were increased following modelling of potential atmospheric emission in order to minimise adverse environmental effects. Appendix G of the Consultation Report [APP-035] provides further information on changes following the Statutory Consultation. Chapter 15: Landscape and Visual Amenity [APP-053] considers landscape and visual impacts of the Proposed Development and where significant effects are anticipated, there are no feasible additional mitigation or enhancement measures that could be implemented to reduce effects further. To effectively explain why the Proposed Development location was chosen, it is important to note the objectives. Paragraphs 6.2.52 to 6.2.62 in the Planning Statement [APP-262] summarise how it is considered that the Applicant has taken a proportionate approach to the consideration of alternatives and is elaborated in Chapter 6: Project Alternatives [APP-044]. <u>Proposed Development Objectives:</u> In terms of the Proposed Development's objectives, Section 6.4 of Chapter 6: Project Alternatives [APP-044] sets out the Applicant's intention to support the energy transition by developing low carbon, flexible, generation options in line with government policy.

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		In selecting the Proposed Development, the Applicant has had regard to a range of objectives, including: land available for power plant to be built on; connections for the power plant (including grid connections, natural gas, water connection utilising carbon capture and convenient connection to CO₂ transport infrastructure); staffing; speed of development; and flexible generation. Overall, the Proposed Development would allow evolution of the Connah's Quay site as an example of how the energy industry is adapting to the challenge provided by climate change, whilst maintaining security of supply through this transition, and maintaining opportunities for the Applicant's workforce and the wider community. The Proposed Development therefore fulfils the objectives, and alternatives that do not fulfil these objectives were ruled out. <u>Site selection:</u> Section 6.7 of Chapter 6: Project Alternatives [APP-044] explains how the site selection criteria were further assessed in terms of the following three key areas: • Land ownership (the Main Development Area and C&IEA is wholly owned by the Applicant and where compulsory acquisition powers are still required, these are minimised); • Point of Grid Connection (the Main Development Area has the advantage of connections to the high voltage electricity transmission network in close proximity, and has grid connection agreements, a Network Exit

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		Agreement for natural gas supply to an existing Above Ground Installation (AGI)); and • Connection to the HyNet CO₂ Pipeline Project (the Main Development Area is located in close proximity to the HyNet CO₂ Pipeline; limited additional works are required outside the Main Development Area to connect the CCP as part of the Proposed Development to the HyNet CO₂ Pipeline Project). Therefore, the 'North site' was selected as the preferred site for the CCGT Generating Station, with the main reasons for this summarised in Section 6.8 of Chapter 6: Project Alternatives [APP-044]. It was subsequently determined that the 'South site' would be required to facilitate construction. The site selection process excluded the consideration of alternative site locations because of the above reasons.
DN5	Impacts on recreation and human health • The reserve is highly regarded by local people as it offers wonderful opportunities to experience the exceptionally rich birdlife of the Dee Estuary. The partnership between Deeside Naturalists and Uniper has enabled this to happen. • The reserve is important for the mental health and well-being of local people as it offers wonderful opportunities to experience the exceptionally rich birdlife of the Dee Estuary. • The proposed new power station will have an enormous impact on everyone who currently enjoys visiting the reserve, both during the construction phase (due to noise	From a human health perspective, it is recognised that access to natural spaces can alleviate stress and support overall wellbeing. The role of the reserve in supporting wellbeing is recognised, and the assessment in Chapter 21: Human Health [APP-059] Environmental Statement indicates that no significant effects on human health, including mental health, are anticipated. The assessment methodology at Section 21.3 details how the Applicant's consideration of health encompasses the general well-being of the community and their mental health. The potential effects of the

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
	and vehicle movements) and during its eventual operation. Wish to be reassured that robust measures will be in place to enable members of Deeside Naturalists to continue to visit during construction with minimal disruption and ultimately return to normal visiting arrangements once complete. • The current reserve is an oasis of peace and calm, which is a place to escape from the 'hussle and bussle', which is good for people's mental health and well being. • It's a quiet haven that to go to in order to alleviate stress and concerns raised this will no longer be possible when the work begins.	Proposed Development with respect to human health were assessed during the construction, operation (including maintenance) and decommissioning stages against a range of determinants to human health, which are listed within Table 21-5, and include: noise and vibration; and access to open space, leisure and play. Section 21.6.27 of Chapter 21: Human Health [APP-059] recognises that the construction activities of the Proposed Development have the potential to lead to increases in noise and vibration, which could lead to adverse health and well-being effects. Overall, no likely significant residual effects have been identified within Chapter 9: Noise and Vibration [APP-047] at the construction stage following the implementation of measures detailed in the Framework CEMP [APP-246], with the exception of Receptors 21 and 22, which are residential properties along Kelsterton Road (see Figure 9-1: Noise Sensitive Receptor and Sound Monitoring Locations [APP-120]). Requirement 4 of the Draft DCO [APP-019] secures a CEMP that must be in general accordance with the Framework CEMP [APP-246]. Whilst it is recognised that these properties could individually experience significant effects, the overall likely effect on human health is assessed to be Minor Adverse (Not Significant) for the health of the general population and Minor Adverse (Not Significant) for the vulnerable sub-population. During operation, paragraph 21.6.71 details that the overall likely effect on human health arising from

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		impacts on noise and vibration during the operational phase is assessed to be Negligible (Not Significant) for the general population and Minor Adverse (Not Significant) for the vulnerable sub-population. Section 21.6.31 of Chapter 21 also considers how construction activities of the Proposed Development may intersect, or otherwise impact upon, the accessibility of open space, leisure and play, including Public Rights of Way (PRoW) in the study area. Overall, this section concludes that the likely effect on human health is Minor Adverse (Not Significant). As detailed at paragraph 21.6.33, two PRoW would be temporarily diverted during the construction phase; however, these are not along the coast. Furthermore, no other impacts to open space or leisure facilities are expected. This includes access to Connah's Quay Nature Reserve for the DNS. Temporary access provision for DNS members is discussed in the Applicant's response to DNS5. In addition, paragraph 21.6.74 of Chapter 21: Human Health [APP-059] outlines there would be no effect during the operational phase to open space, leisure and play. With regards to the Nature Reserve, a separate permanent access road to maintain access to the bird hides during operation of the Proposed Development would be constructed, as described in Chapter 4: The Proposed Development [APP-042], and shown on Figure 4-1: Indicative Site Layout [APP-079]. Furthermore, impacts during construction and operation

Ref. No.	Relevant Representation (s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		will be managed through mitigation measures such as the Framework CEMP [APP-246] to maintain safe access for visitors where practicable. Overall, taking into account the embedded mitigation measures as detailed in Section 21.5, no significant effects were found on human health at any stage of the Proposed Development within Chapter 21: Human Health [APP-059]. Compliant with Section 4.4 'Health' of EN-1, the Proposed Development has therefore fully considered the impacts on human health and wellbeing in terms of direct as well as indirect impacts, such as continued access to the nature reserve. It is also in line with the aims of Planning Policy Wales, updated in 2024, which following the Well-being of Future Generations (Wales) Act, promotes through the planning system healthier lifestyles, for example, through enabling opportunities for connecting with the natural environment; enabling access to tranquil areas; and improving physical and mental well-being.

3.3 RR-046 U3A Chester Birdwatching 1 & Deeside Naturalists

3.3.1 U3A Chester Birdwatching & Deeside Naturalists and the Applicant's response are set out in **Table 16** below.

Table 16: U3A Chester Birdwatching 1 & Deeside Naturalists's RR and the Applicant's response

Ref. No.	Relevant Representation Issue / Text	Applicant's Response(s)
U3A1	I am a member of Deeside Naturalists and U3A Birdwatching 1 and visit the nature reserve at Connah's Quay on a regular basis. The reserve is highly regarded by local people as it offers wonderful opportunities to experience the exceptionally rich birdlife of the Dee Estuary. I value the partnership between Deeside Naturalists and Uniper that has enabled this to happen. The proposed new power station will have an enormous impact on everyone who currently enjoys visiting the reserve, both during the construction phase (due to noise and vehicle movements) and during its eventual operation, when the building and chimneys will dominate the skyline. I wish to be reassured that robust measures will be in place to enable members of Deeside Naturalists to continue to visit during construction with minimal disruption and ultimately return to normal visiting arrangements once complete.	DNS members' access is addressed in the Applicant's responses to DNS5. Visual impacts are addressed in the Applicant's response to DNS4.
U3A2	I am concerned about the impact on Curlews and other birds currently using the fields where the new power station will be built and support the need to both the provision of effective mitigation for this impact onsite, and the provision of compensatory habitat offsite. Deeside Naturalists have identified additional mitigation measures that should be actioned onsite, and I would like to see them implemented as part of the programme of work.	The Applicant notes the suggested amendments to the Indicative Landscape Plan and will consider these as necessary when developing the detailed LEMP in accordance with the Outline LEMP [APP-250] at the appropriate time (see the Applicant's response to DNS2).

Ref. No.	Relevant Representation Issue / Text	Applicant's Response(s)
U3A3	I am also concerned about the impact of the development on the internationally important bird populations that use the saltmarsh and mudflats immediately adjacent to the proposed development. I wish to be reassured that everything is done to reduce this impact as far as possible. This should include the re-instatement, before works commence, of the main sluice on the Compartment 2 pools that formerly operated to maintain optimal conditions for wading birds. This would provide improved alternative feeding areas for waders that might be impacted by disturbance.	The Applicant will continue to work with DNS to implement management under the Conservation Areas Management Plan for the existing Connah's Quay Power Station. In relation to impacts on bird populations that use the adjacent saltmarsh and mudflats, Chapter 11: Terrestrial and Aquatic Ecology [APP-049], discusses the use of a 3 m acoustic fence and construction control measures to ensure noise will remain below 60dB, which is considered to be an appropriate threshold as to not disturb SPA birds. The Framework CEMP [APP-246] notes that this acoustic fencing would be installed between April and September inclusive (unless otherwise agreed with FCC and NRW) and that no clearance works or site establishment works within the Main Development Area and C&IEA would occur between October and March inclusive in the absence of the 3 m acoustic fencing. Further to this, seasonal restrictions on works taking place beyond the acoustic fence (i.e., works will not take place in the wintering season – March to September, inclusive) would be in place. This mitigation would be secured via a CEMP produced for each stage of the authorised development, in general accordance with the Framework CEMP [APP-246] and is required to be approved by the relevant planning authority pursuant to Requirement 4 of the Draft DCO [APP-19]. The Applicant notes that the aforementioned 60dB threshold was adopted on a precautionary basis, with a 70dB threshold agreed with NRW, who have also

Ref. No.	Relevant Representation Issue / Text	Applicant's Response(s)
		agreed that the proposed mitigation would be sufficient in mitigating noise and visual disturbance on interest features of the Dee Estuary SPA / Ramsar site / SSSI during construction and demolition (see NRW11), as well as not expressing any disagreement with the Applicant's noise assessment in general.

4. Members of the Public

4.1 Relevant Representations from: RR-003; RR-005; RR-006; RR-008; RR-020; RR-022; RR-030; RR-032; RR-037; and RR-045.

- 4.1.1 RRs received from Members of the Public have been reviewed and broad issues / themes identified, and the Applicant's responses are set out in **Table 17** below.

Table 17: RRs from Members of the Public according to broad Issue(s) / Theme(s) and the Applicant's response(s)

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
P1	Principle of development There is no objection to the proposals in principle and understands the climate reasons for the project to take place.	The Planning Statement [APP-262] sets out the key national policies in Sections 3, 4 and 5. Section 3.6 of the Planning Statement [APP-262] confirms that the Government has concluded that the need for new low carbon energy infrastructure, such as the Proposed Development, is so acute that it is a 'Critical National Priority' (CNP). Paragraph 3.6.2 of the Planning Statement explains: <i>"EN-1 [Overarching National Policy Statement for energy] confirms that for the purposes of CNP policy, low carbon infrastructure includes natural gas fired generation that is CCR [Carbon Capture Ready]. This means that the Proposed Development, being a low carbon CCGT [Combined Cycle Gas Turbine] generating station with CCP [Carbon Capture Plant], has CNP status when it comes to SoS [the Secretary of State for Energy Security and Net Zero] decision making and specifically in reference to any residual impacts that remain following application of the</i>

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		<i>mitigation hierarchy. EN-1 is clear that for projects which qualify as CNP infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases."</i> Paragraph 7.2.1 (first bullet point) of the Planning Statement [APP-262] reiterates that the urgent need that exists for low carbon infrastructure is not open to debate or interpretation and the contribution that would be made by projects such as the Proposed Development to meeting that need should be afforded very substantial weight in the SoS's decision-making (EN-1, paragraphs 3.2.6 and 3.2.7). Paragraph 7.2.1 (second and third bullet points) of the Planning Statement [APP-262] highlights that the majority of the Site is within the ownership or control of the Applicant, and that the Proposed Development thus would make use of brownfield land within the operational boundary of the existing Connah's Quay Power Station. Furthermore, the Proposed Development has excellent proximity to and would connect with one of the Government's selected CCS / Carbon Capture, Usage and Storage (CCUS) clusters, i.e. the HyNet Cluster. The CO₂ captured from the CCGT Generating Station would be transported via the HyNet CO₂ Pipeline Project to permanent offshore storage facilities in repurposed depleted gas fields in Liverpool Bay. The Proposed Development would therefore act as an important enabler in the development of the HyNet Cluster in line with the

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		Government's objectives of decarbonising the UK's industrial and power generation sectors. Finally, Section 6 and the Policy Assessment Tables in Appendix 2 of the Planning Statement [APP-262] demonstrate how the Proposed Development meets the requirements of the relevant NPSs.
P2	Alternative sites • There is insufficient information provided to demonstrate that the site is necessary for the proposed development. • There are other areas in Wales where it would not affect anyone – and query why those other areas cannot be used to construct the plant.	The need that exists for new low carbon energy infrastructure like the Proposed Development is confirmed by the overarching National Policy Statement (NPS) for Energy (EN-1) and summarised within the Planning Statement [APP-262] at paragraphs 3.3.2 to 3.3.25. Notably, paragraph 3.3.8 of the Planning Statement highlights how NPS EN-1 paragraph 2.5.2 underlines the role that gas-fired electricity generation with Carbon Capture and Storage (CCS) will have as part of the flexible and diverse energy mix needed to complement the renewables and nuclear power generation. The role of the NPS's for energy (with the exception of EN-6 for nuclear power generation) is not to identify locations and sites for new energy infrastructure. That is a matter for the industry. Furthermore, paragraph 3.2.3 of NPS EN-1 is clear in stating that the role of the planning system is not to deliver specific amounts or to limit any form of energy infrastructure covered by EN-1 and that it is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by the government. Paragraph 3.2.3 of EN-1 goes on to state (that with the exception of coal or large-scale oil-fired electricity

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		generation), the Government does not consider it appropriate for planning policy to set limits on different technologies and paragraph 3.2.4 of EN-1 notes a large number of consented projects can help deliver an affordable electricity system, by driving competition and reducing costs within and amongst different technology and infrastructure types. Paragraphs 6.2.52 to 6.2.62 in the Planning Statement [APP-262] summarises how it is considered that the Applicant has taken a proportionate approach to the consideration of alternatives and this is set out in further detail in Chapter 6: Project Alternatives [APP-044]. Paragraph 6.2.62 of the Planning Statement notes that the Proposed Development does not trigger any policy requirement to consider alternatives, for example, it is not located within a National Park or statutorily designated landscape and as confirmed by the Report to Inform Habitats Regulations Assessment (RIHRA) [APP-253] submitted with the Application would not result in adverse effects on the integrity of any habitats sites, alone or in combination with other plans or projects, resulting in the need to consider alternative solutions. <u>Proposed Development Objectives:</u> In terms of the Proposed Development's objectives, Section 6.4 of Chapter 6: Project Alternatives [APP-044] sets out the Applicant's intention to support the energy transition by developing new, flexible low-carbon generation capability in line with government policy.

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		In selecting the site for the Proposed Development, the Applicant has had regard to a range of objectives, including: land available for the power plant to be built on; connections for the power plant (including grid connections, natural gas, water connection, proximity to Carbon Dioxide (CO₂) transport and storage infrastructure for a power station utilising carbon capture technology); staffing; speed of development; and flexible generation capacity in terms of contributing to a secure and reliable power system to support the UK's transition to a decarbonised economy. Overall, the Proposed Development would allow evolution of the Connah's Quay site as an example of how the energy industry is adapting to the challenge provided by climate change, whilst maintaining security of supply throughout the transition to net zero and maintaining opportunities for the Applicant's workforce and the wider community. The Proposed Development therefore fulfils the objectives, and alternatives that do not fulfil these objectives were ruled out. <u>'Do Nothing' and 'Do Minimum Scenario':</u> Section 6.6 of Chapter 6: Project Alternatives [APP-044] sets out the 'Do Nothing' scenario where the Proposed Development is not undertaken, and a 'Do Minimum' scenario which would involve installing the CCS infrastructure to the existing Connah's Quay Power Station, instead of delivering the Proposed Development. Both scenarios do not present as reasonable alternatives to the Proposed Development for the reasons set out in

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		paragraphs 6.2.57 to 6.2.62 of the Planning Statement [APP-262], and Section 6.6 of Chapter 6: Project Alternatives [APP-044]: • A 'Do Nothing' scenario is not a reasonable alternative given the established national need for new low carbon energy infrastructure and the status of the Proposed Development as a Critical National Priority (CNP) infrastructure (as confirmed by NPS EN-1); and • The 'Do Minimum' scenario was discounted on the basis that it did not align with the Connah's Quay Low Carbon Power (CQLCP) Project's objectives (as summarised above). The analysis of the two scenarios is detailed in Chapter 6: Project Alternatives [APP-044] and took account of factors such as land availability, technical viability, financial viability and environmental constraints. <u>Site selection:</u> Having discounted the 'Do Nothing' and 'Do Minimum' scenarios, Section 6.7 of Chapter 6: Project Alternatives [APP-044] explains how the site selection criteria were further assessed in terms of the following three key areas: • Land ownership (the Main Development Area and Construction and Indicative Enhancement Area (C&IEA) is wholly owned by the Applicant, and where compulsory acquisition powers are still required, these are minimised);

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		• Point of Grid Connection (the Main Development Area has the advantage of connections to the high voltage electricity transmission network in close proximity, and has grid connection agreements, a Network Exit Agreement for natural gas supply to an existing Above Ground Installation (AGI); and • Connection to the HyNet CO₂ Pipeline Project (the Main Development Area is located in close proximity to the HyNet CO₂ Pipeline Project; limited additional works are required outside the Main Development Area to connect the Carbon Capture Plant (CCP) as part of the Proposed Development to the HyNet CO₂ Pipeline Project – which would enable the CO₂ captured from existing and new industries in North Wales and North-West England, to be permanently stored in depleted offshore gas reservoirs in Liverpool Bay). Therefore, the 'North site' was selected as the preferred site for the Combined Cycle Gas Turbine (CCGT) Generating Station, with the main reasons for this summarised in Section 6.8 of Chapter 6: Project Alternatives [APP-044]. It was subsequently determined that the 'South site' would be required to facilitate construction. Chapter 6: Project Alternatives [APP-044] also set out the alternatives considered in terms of design and the evolution of the design of the Proposed Development, including its potential layout and connections. The design changes made during the pre-application process, including

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		after different stages of consultation are summarised in Chapter 6: Project Alternatives [APP-044] .
P3	Impacts of construction - Concerns regarding noise levels, which should be kept low, since existing noise is already heard given the proximity of residents. - Ability to visit the site whilst work is ongoing. - Concerns regarding impacts on residents of (Redacted) during construction and when in operation. - Impacts of dust on home, windows, vehicles and domestic activities (including hanging out washing) – and consider window cleaning of houses should be undertaken as the source would be from the site. - Inability to open one's windows owing to dust and noise during summertime. - Unable to sit outside and enjoy the summer months for mental well-being without hearing the noise and experiencing dust from site.	With regards to noise during the construction phase, no likely significant residual effects have been identified within Chapter 9: Noise Vibration [APP-047] following the implementation of appropriately designed mitigation, with the exception of temporary construction traffic noise impacts at two properties which are both located on Kelsterston Road in proximity to the access to the Main Development Area (Noise Sensitive Receptor (NSR) 21 and 22). However, this is based on the peak construction period and therefore the effects may be less for the majority of the construction period. This effect is also temporary and short term for the duration of construction and will be managed through measures set out in a final Construction Traffic Management Plan (CTMP) in general accordance with the Framework CTMP [APP-247] secured through Requirement 5 'Construction traffic management plan' of the Draft Development Consent Order (DCO) [APP-019]. The Framework CTMP [APP-247] includes the following text: <i>'To support the assessment of road traffic noise, the final CTMP(s) will provide updated forecast trip generation and an updated assessment of road traffic noise for the relevant stage of the Proposed Development. Should the updated assessment identify that significant effects would arise at residential properties on Kelsterston Lane, additional mitigation would be implemented. This would include:</i> <i>Provision of noise monitoring at selected locations; or</i> <i>Consideration of provision of additional glazing and sound insulation.'</i>

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		Construction works will be undertaken during approved hours, which will detailed in the final CTMPs, which are to be approved by the relevant planning authority, in consultation with the relevant highway authority. Furthermore, it should be noted that this is a short term and temporary effect that is limited to the construction phase (and possible future decommissioning) and is unavoidable. With regards to access to the Site, the Applicant continues to work with the Deeside Naturalist's Society (DNS) to ensure suitable access is provided to the nature reserve throughout construction and once the proposed new power station is operational. The Draft DCO [APP-019] provides that during construction, access to the nature reserve will continue from the existing Connah's Quay Power Station site entrance, with a designated access road to minimise health and safety risks associated with the construction works. Further details of the proposed access routes can be found in Chapter 5: Construction Management and Programme [APP-043]. The Applicant is proud to host and maintain a designated Site of Special Scientific Interest (SSSI) on its land at Connah's Quay and is keen to ensure that the Applicant continues to have a positive environmental impact, helping to protect and enhance biodiversity. With regards to impacts on local amenity Chapter 19: Socio Economics Recreation and Tourism [APP-057]

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		considers the potential for noise, air quality, visual, and traffic effects arising from the construction and operation of the Proposed Development to impact on the amenity of residents, businesses, users of community facilities and visitor attractions. It concludes that there would be no significant effects on amenity. Furthermore, the Framework Construction Environmental Management Plan (CEMP) [APP-246] includes measures to limit disruption to local amenity during the construction phase such that significant effects are unlikely. A final CEMP would be secured by Requirement 4 'Construction environmental management plan' of the Draft DCO [APP-019]. Chapter 8: Air Quality [APP-046] considers dust impacts from the construction phase on health and amenity and concludes that there would be no significant effects.
P4	Impacts on air quality - Concerns regarding air pollution (referencing the Scoping Report, paragraph 6.7.1 – the potential effects on air quality from the operation and construction / decommissioning phases of the Proposed Development that could occur). - Query whether monitoring of air pollutants / quality would be regularly reported in a timely fashion on (Redacted). - Query measures in place to mitigate these potential health hazards for those living on (Redacted).	During construction, there will be a Construction Environmental Management Plan (CEMP), secured in general accordance with the Framework CEMP [APP-246], as per Requirement 4 of the Draft DCO [APP-019]. The CEMP would identify appropriate working practices to control dust at source, such as those set out in Section 8.5 of Chapter 8: Air Quality [APP-046] and Annex A of Appendix 8-B: Air Quality Construction Dust Risk Assessment [APP-181]. The CEMP would also include procedures for reporting concerns and the actions that contractors should take to record and address the concerns.

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	Query in the event of health issues experienced owing to increased risk to air quality, what reporting mechanisms are in place during the works, and if there is an easy method to report along with an active, timely response to address the issue.	The Proposed Development will require an environmental permit before it comes into operation. The permit will be issued by Natural Resources Wales (NRW) if they are confident that once operational, the Proposed Development will not adversely impact air quality and that the emissions produced and discharged into the air by the plant, comply with emissions limits set and regulated by NRW. Members of the public would be able to report concerns about the impact from the Proposed Development to NRW throughout the operational lifetime of the Proposed Development. The latest assessment of air quality impacts is presented in Chapter 8: Air Quality [APP-046] and human health impacts are assessed in Chapter 21: Human Health [APP-059]. The assessment concluded that there would be no significant effects on human health associated with the Proposed Development during construction, operation and decommissioning. No project-specific ambient (outdoor) air quality monitoring is required or proposed as part of the Environmental Impact Assessment (EIA).
P5	Impacts of noise and / or vibration - Impacts on disruption and noise during operational phase. - Impacts on / around ground vibration impact on (Redacted) properties. - Reference to non-technical PIER summary, consultation brochure and the relevant chapters of the Scoping report and concerns raised regarding the working hours proposed by Uniper:	The noise and vibration assessment is presented in Chapter 9: Noise and Vibration [APP-047]. Table 9-2 of Chapter 9: Noise and Vibration [APP-047] states that operational vibration assessment has been scoped out, and there are no significant vibration effects from the operation of the Proposed Development. The construction vibration impacts and effects are presented in paragraphs 9.6.31 to 9.6.35 of Chapter 9: Noise and Vibration [APP-047]. The minimum distance

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	- Brochure (page 20) proposes working hours of Monday – Friday 7am – 7pm with 7am -1 pm on Saturday. • Chapter 7.3 chapter 2 states “There are a number of NSR’s that are expected to experience significant effects associated with construction of the main site. There is potential for significant effects on -3 NSR on (Redacted)” & “on one NSR on (Redacted) at the closest approach to the construction laydown area due to construction vibration effect from vibratory rollers”. • Query if potential adverse structural effects will be due to ground vibration that could cause distress to properties on (Redacted). • Query whether properties to be surveyed before commencement of construction. • Query how any distress of these properties are to be monitored and assessed in the event this ground vibration would cause damage. • Query procedure to address issue and potential reparations to make good defects that have occurred. • Note fourth paragraph of 7.3 PIER it states, “if the decommissioning works are undertaken during evening, night or weekend periods, there is potential for significant adverse effects”. • With the above proposed working times being 7am-7pm and work on weekend, query why these working hours been proposed if they are going to make adverse and significant effects more likely. • Concerns that situation will be worse for potential ground movement and further noise impacts.	between residential properties and the Main Development Area is 150 m. The plant that would be likely to generate higher levels of vibration (e.g. piling rigs and vibratory rollers) will be situated within the Main Development Area. Vibration effects on both humans and buildings are likely to be Negligible (Not Significant). It may not be necessary to use vibratory rollers (equipment used to compact soil, gravel, and other material) at the closest parts of the laydown areas to residential properties. However, these shortest distances have been assessed as a worst-case. On this worst-case basis, up to Moderate Adverse (Significant) vibration effects are predicted at the closest residential property during the use of a vibratory roller. This relates to effects on humans, not to effects on buildings, which would need to be exposed to much higher levels of vibration for Moderate Adverse effects to be expected. However, the guidance in British Standard (BS) 5228-2 states for vibration levels between 1.0 and <10 mm / s (moderate adverse effects) that <i>‘it is likely that vibration of this level in residential environments will cause complaint but can be tolerated if prior warning and explanation has been given to residents’</i>. Potentially significant vibration effects would be controlled by requirements set out in the final Construction Environmental Management Plan (CEMP), to prevent significant adverse effects at the nearest residential properties. The final CEMP would be prepared in general accordance with the Framework CEMP [APP-246]. Noise

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		and Vibration is considered within Table 3 of the Framework CEMP [APP-246]. The vibration levels predicted in Chapter 9: Noise and Vibration [APP-047] are considerably below the thresholds for damage to buildings as presented in Table 7 in Appendix 9-A: Noise and Vibration Methodology [APP-184]. As stated in the Framework CEMP [APP-246] a further noise and vibration assessment would be undertaken as required once the Principal Contractor(s) is appointed, to confirm the construction plant and methods, and also identify if any additional specific mitigation measures are required to minimise construction noise and vibration. The Applicant can offer pre-condition surveys to the residential properties closest to noise generating activities, following the findings of the further noise and vibration assessment. The core construction hours will be 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday. Where construction works are proposed outside the core hours, additional assessments would be undertaken to ensure the construction noise and vibration thresholds are not exceeded. The time periods and thresholds for different day, evening, night and weekend periods are defined in BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on open sites. Part 1: Noise and are detailed in Table 3 in Appendix 9-A: Noise and Vibration Methodology [APP-184].

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P6	Impacts of traffic; impacts on highways; and road safety <u>P6.1:</u> - It has not been demonstrated that the development would not result in an unacceptable impact on the highway network. <u>P6.2:</u> - Query if vehicle tracking assessment(s) have been carried out with regards to the movement of Abnormal Indivisible Load (AIL) vehicles through the level crossing at Mostyn Docks and onto the A548. - Query if the size, weight and vibration of these vehicles cause damage to the properties (and their foundations) that are opposite the level crossing. - The A548 alongside and beyond the level crossing (in both directions) is already quite damaged, uneven and cracked. Query how this will be addressed before and during the movement of these vehicles. - Query why points 5.7.22 and 5.7.23 and others relating to these appear to have been removed from the available documentation. Due to the size of the proposed vehicles, query what changes will need to be made to the level crossing surroundings to allow safe access.	<u>P6.1:</u> Section 10.6 of Chapter 10: Traffic and Transport [APP-048] has concluded that no significant transport effects would occur during the construction and operational phases of the Proposed Development. The assessment of impacts has been conducted in accordance with the Institute of Sustainability and Environmental Professionals (ISEP) (formerly the Institute for Environmental Management and Assessment (IEMA)) Guidelines. <u>P6.2:</u> The exact number and size / weight of Abnormal Indivisible Loads (AILs) would be determined at detailed design stage and would be based on specific construction methodologies and timetables that will be confirmed during this stage. Technical assessments (in the form of a detailed AIL study) by specialist AIL transport contractors would be conducted at this stage. The specialist AIL transport contractors would undertake a swept path assessment⁵ along the identified AIL delivery routes prior to physical vehicle movements to establish the extent of any Accommodation Works, required to facilitate the delivery of AILs during the construction period of the Proposed Development (e.g., tree works, temporary removal and reinstatement of street furniture, carriageway, etc.) or Traffic Regulation Measures (e.g., speed limit and speed restriction zones or one-way streets and traffic flow restrictions). The assessment presented in Chapter 9: Noise and Vibration [APP-047] considered the

⁵ A swept path assessment is an appraisal of how a vehicle manoeuvres within a site or along an access route. It demonstrates the space required for vehicles to turn, enter, exit, and circulate safely, taking account of wheel tracks, vehicle overhangs, and steering angles, to confirm that the proposed layout can accommodate the intended vehicle types without conflict with kerbs, buildings, pedestrians, or other vehicles.

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	- It is stated that works may need to be undertaken to widen access across the level crossing – query how this would be achieved. During any widening activities, query how many vehicles will be involved per day and at what times. - Concern raised regarding the vibration caused by large, heavy vehicles, and also the noise, light pollution and general disturbance to nearby properties caused by the proposed widening activities. - Note speed limit in area is 40mph, and blind bend very close to the crossing (in the Flint direction). The public footpath (narrow in some areas) is only on one side of road, and the other side has a high wall and no verge. Query how road safety reassurance can be given to other road users, home owners and pedestrians. - During construction of the plant, query how many times the level crossing will be used per day (including weekends), at what time of day / night and for how long. - Concerns raised about disturbance due to noise, light pollution and vibration. - Concerns raised about possibility of vehicle impact damage to property. If the road is closed / blocked due to the movement of these large vehicles, query how potential access issues and parking for private vehicles will be resolved. <u>P6.3:</u> - Raise concerns of speeding along (Redacted), noting that staff vehicles entering / exiting the site accelerate along the highway, alleging the 20 mph speed limit is	potential noise and vibration effects of the AIL movements described in Chapter 5: Construction Management and Programme [APP-043]. Details relating to points 5.7.22 and 5.7.23 are provided at points 5.3.61 and 6.5.32 of Chapter 5: Construction Management and Programme [APP-043]. Further technical engagement with Network Rail will be undertaken in relation to arrangements at the level crossing as the design and application progresses. Details in relation to vibration have been provided in response to P5. Control measures to mitigate potential impacts of the Proposed Development are presented in the Framework Construction Environmental Management Plan (CEMP) [APP-246] (to be finalised prior to construction). An assessment of the environmental effects associated with the Accommodation Works is provided in Appendix 5-A: Environmental Screening of Accommodation Works [APP-178]. The detailed AIL study to be undertaken by the appointed specialist AIL transport contractor will identify locations where the AIL could impact on exiting footways and cycleways. These would need to be clear of any obstructions during AIL transfer, and banks people may need to be on hand to prevent pedestrian access during the passage of the AIL delivery vehicle. Any mitigation measures would be included within the detailed Construction Traffic Management Plan (CTMP) to be

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	exceeded. Concern that traffic increase from construction and additional commuting will result in regular speeding, and increase the likelihood of accidents occurring, particularly for pedestrians and cyclists that use (Redacted) for leisure. Query whether this is raised in health and safety briefings for staff and contractors. <u>P6.4:</u> • Concern over staff member vehicles being parked near residential properties, as it results in difficulties for residents getting out, as residential driveways have been previously blocked. Maintain staff parking should be on site as nearby residences would therefore not be disturbed. • Allegations that 20 mile per hour road limit is exceeded, noting near collision between drivers and pedestrian on multiple occasions. Awareness needed that both pedestrians and animals are in the locality. Suggest the installation of speed camera. As vehicle noises are heard, there is a need to work considerately and at reasonable times. Work should only take place during weekdays, and not on weekends. • Concerns of pollution emitted from vehicles as they frequent the site multiple times a day, resulting in damage to the roads over the years. Raise the need that in the event of damage (e.g. potholes), these are to be repaired quickly and encouraged daily checks to ensure any road damage is identified and any mud is cleaned up.	prepared pursuant to Requirements 5 of the Draft Development Consent Order (DCO) [APP-019]. During an AIL movement along the A548, it is anticipated that temporary rolling closures of relevant sections of public highway would be undertaken with loads moving under escort and road sections being progressively closed / opened once the AIL movement passes. It may be necessary to implement temporary parking restrictions along the carriageway to provide the required carriageway width for the AIL transport vehicles during AIL movements. <u>P6.3:</u> Issues regarding excessive vehicle speeds in the vicinity of the Main Development Area are noted and will be communicated to construction staff as part of site safety briefings and through the final Construction Workers Travel Plan (CWTP), to be prepared at each stage of construction in general accordance with the Framework CWTP [APP-248] and will accompany the final CTMP (secured by Requirement 5 of the Draft DCO [APP-019]). No stage of the authorised development may commence until the final CTMP for that stage is submitted and approved by the relevant local planning authority following consultation with the relevant highway authorities. <u>P6.4:</u> Concerns regarding off-site parking are noted. Sufficient parking will be provided for construction workers, within the confines of the Main Development Area, to ensure parking does not overspill onto the local highway network.

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	Concerns raised regarding spoils on road alleged from staff drivers and their vehicles, which should be cleaned up before and after leaving, and the general apparent lack of consideration for surrounding residential properties.	With regard to vehicle speeds, issues regarding excessive vehicle speeds in the vicinity of the Main Development Area are noted and will be communicated to construction staff as part of site safety briefings and through the Framework CWTP [APP-248]. The Framework CTMP [APP-247] includes specific measures relating to the condition of local highway routes during construction. Prior to the commencement of construction activities, a condition survey will be undertaken of the proposed routes for construction within the vicinity of the Proposed Development. The Contractor will regularly inspect these routes including carriageways, kerbs and any footways and maintain a log of any damage caused by construction activities. This log would contain suitable information to identify the scale and location of the damage so that it can be reported to the relevant highway authority. Where damage to the roadway is attributed to traffic related to the Proposed Development, the Contractor will arrange for the repairs to be carried out to the appropriate standards and within an agreed time frame, where damage to the roadway is attributed to traffic related to the Proposed Development. Construction vehicle movements will be monitored daily to make sure no spoils are transferred onto any adjacent public highway areas. If any spoils do make it onto the highway, then this would be immediately cleaned up. The noise and vibration assessment, which covers potential construction and operational traffic noise impacts is presented in Chapter 9: Noise and Vibration [APP-047].

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		During construction, there will be a CEMP, secured in general accordance with the Framework CEMP [APP-246], as per Requirement 4 of the Draft DCO [APP-019]. The CEMP would identify appropriate working practices to control construction phase emissions, such as those set out in Section 8.5 of Chapter 8: Air Quality [APP-046] and Annex A of Appendix 8B: Air Quality Construction Dust Risk Assessment [APP-181]. As stated in the response to P5, the core construction hours will be 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday. The time periods for different day, evening, night and weekend periods are defined in British Standard (BS) 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on open sites. Part 1: Noise and are detailed in Table 3 (note (d)) in Appendix 9-A: Noise and Vibration Methodology [APP-184]. The Framework CEMP [APP-246] recommends that the Considerate Constructors Scheme is considered when the Principal Contractor adopts Best Practice Measures. This initiative provides resources to help organisations meet the Code of Considerate Practice, which emphasises social value and environmental responsibility.
P7	Impacts on agricultural land - Insufficient information provided to determine the grade of the agricultural land. - Insufficient information to demonstrate alternative sites of lower quality agricultural land have been sufficiently explored.	An Agricultural Land Classification survey was undertaken of the Main Development Area and is reported in Appendix 14-E: Agricultural Land Classification Survey Report [APP-220]. Land was identified as Subgrade 3b, with topsoil overlying artificial deposits. Subgrade 3b land is not classed as best and most versatile (BMV) land and therefore represents lower quality agricultural land.

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		Planning policy does not prevent the development of agricultural land but encourages developers to prioritise the use of lower quality agricultural land where feasible. The Proposed Development would not result in the loss of BMV land.
P8	Flood risk (sequential test) It has not been demonstrated that the development passes the sequential test for flood risk.	Paragraphs 6.2.158 to 6.2.163 of the section of the Planning Statement [APP-262] titled 'Climate Change Adaptation and Resilience (EN-1, Section 4.10; EN-4, Section 2.3; and EN-5, Section 2.3)' as well as the response to EN-1, Section 5.8 within Table 2.1 of the Policy Assessment Tables, demonstrate how the sequential test as well as the exception test have been met with regards to the Proposed Development in accordance with National Policy Statement (NPS) for Energy (EN-1). The Planning Statement [APP-262] recognises that NPS EN-1 seeks a sequential, risk-based approach to steer new development to areas with the lowest risk of flooding. It details how Chapter 6: Project Alternatives [APP-044] sets out the need for the Proposed Development to be in this location for a range of reasons, including to be located in proximity to the existing Connah's Quay Power Station where it can take advantage of existing connections, including the opportunity to connect to the HyNet CO₂ Pipeline Project. Flood risk is considered at paragraphs 6.2.153 to 6.2.163 of the Planning Statement [APP-262] including the Sequential and Exception Tests. The Sequential Test has been undertaken, which is required for essential infrastructure projects like the

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		Proposed Development. The Sequential Test has not identified any other reasonably available alternative sites that would be appropriate for the Proposed Development where it is located outside Flood Zone 3. It is therefore considered the Sequential Test to the location of development in terms of flood risk has been satisfied. NPS EN-1, paragraph 5.8.10 explains that it is only appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the project. As noted, there are no reasonably available, lower risk sites that are considered to be appropriate for the Proposed Development. Nevertheless, in terms of the Exception Test, the Proposed Development would provide low carbon Critical National Priority (CNP) infrastructure supporting the transition to Clean Power 2030 and net zero. It would also provide security and resilience in electricity supply that all communities benefit from. These are clear sustainability benefits.
P9	Impacts of surface water / flooding • Flooding / large areas of standing water often observed on the docks across the road, and is a known flood risk area. If changes are made to the dock side, query how this will affect where the water goes. • It has not been demonstrated that the development would allow the Internal Drainage Board to access the ditches on the site.	There are no changes envisaged to the Port of Mostyn. The Existing Layout Drawings, submitted as Annex D to Appendix 13-D: Outline Surface Water Drainage Strategy [APP-213], show no existing ditches cross the existing Connah's Quay Power Station site. There are however two culverted ordinary watercourses: • the Old Rockcliffe Brook culvert crosses the existing power station development at the eastern end of the existing Connah's Quay Power Station; and

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		the Oakenholt Brook culvert crosses a field at the western end of the existing Connah's Quay Power Station. It is noted that Appendix 13-D: Outline Surface Water Drainage Strategy [APP-213] is currently missing Sheet 2 of the Existing Drainage layout (Annex D). This shows the Oakenholt Brook culvert and outfall. An updated version has been provided at Deadline 1 which includes the missing information. As ordinary watercourses, these culverts are the responsibility of the riparian owner, i.e. the Applicant. Appropriate access to them will be provided / retained such that they can continue to be maintained by the Applicant. It is noted that there is no Internal Drainage Board serving Flintshire. As Lead Local Flood Authority, Flintshire County Council (FCC) is responsible for managing local flood risk (i.e. from surface water, ground water and ordinary watercourses).
P10	Impacts on archaeology Potential for archaeological remains on site but insufficient information has been submitted to properly assess their interest.	The archaeological potential of the Proposed Development Site has been set out within Appendix 17-A Terrestrial Heritage Desk-based Assessment [APP-229] and Appendix 18-A Marine Heritage Desk-based Assessment [APP-232]. A geophysical survey has been undertaken within relevant areas of the Proposed Development Site, the scope of which has been agreed with Heneb (the archaeological advisors to FCC) and the report is provided in Appendix 17-C Geophysical Survey

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		Report [APP-231]. Mitigation measures have also been agreed with Heneb and the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW), and these are set out within the Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation [APP-249].
P11	Impacts on ground conditions / structural damage • Query if there would be any damage to house and grounds. Does not want any structural damage caused by the works. • Train line running under the grounds of one property that needs to be looked at with the railway. • Wish for property survey before and after works to show there is no structural damage.	Matters regarding vibration are set out in P5 above. The initial vibration levels predicted in Chapter 9: Noise and Vibration [APP-047] are considerably below the thresholds for damage to buildings as presented in Table 7 in Appendix 9-A: Noise and Vibration Methodology [APP-184]. As stated in the Framework Construction Management Plan [APP-246] a further noise and vibration assessment would be undertaken as required once the Principal Contractor(s) is appointed, to confirm the construction plant and methods, and also identify if any additional specific mitigation measures are required to minimise construction noise and vibration. The Applicant can offer pre-condition surveys to the residential properties closest to noise generating activities, following the findings of the further noise and vibration assessment. As reported in Chapter 14: Geology and Ground Conditions [APP-052], <i>'the assessment of structural and engineering geology will be undertaken as part of a GIR [Ground Investigation Report] and GDR [Geotechnical Design Report] (during detailed design) which will include further details regarding geotechnical considerations / ground stability, and how the Proposed Development design would mitigate any effects. Whilst it is acknowledged that the ground investigation and subsequent risk</i>

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		<i>assessments would be undertaken, it is important to indicate that the outcome of these investigations would define whether additional assessment or mitigation may be required.'</i>
P12	Impacts on landscape / visual amenity & ecology <u>P12.1:</u> • The proposed carbon capture plant would have a massive visual impact directly from residential property(s). • Would significantly degrade the quality of the local landscape and have a significant adverse impact on local landscape character. • Would not contribute positively to the maintenance and enhancement of local character, identity and distinctiveness. • Would not protect or enhance a valued landscape. • The introduction of new industries would bring further change to the visual characteristics of the area, and this is considered to result in harm to its character. <u>P12.2</u> • Insufficient information has been provided to assess the potential impact of the development on the unique saltmarsh ecosystem that provide vital habitats for site-specific wildlife.	<u>P12.1:</u> Chapter 15 Landscape and Visual Amenity [APP-053] considers landscape and visual impacts of the Proposed Development, and where Minor Adverse and Major Adverse Significant effects are anticipated, no additional mitigation or enhancement measures are able to be implemented. No additional landscape mitigation or enhancement measures are feasible to reduce the effects further. <u>P12.2</u> Appendix 11-B: Terrestrial and Aquatic Ecology Baseline Surveys [APP-190] provides an overview of the ecological surveys that have been undertaken by the Applicant. The results of these surveys are reported in Appendices 11-C [APP-191] to 11-L [APP-203] and have been considered within the assessments presented in Chapter 11: Terrestrial and Aquatic Ecology [APP-049]. Chapter 11: Terrestrial and Aquatic Ecology [APP-049] demonstrates that no significant effects would arise from the Proposed Development, regarding benthic habitats, and the Report to Inform Habitats Regulations Assessment (RIHRA) [APP-253] demonstrates no Adverse Effect on Integrity (AEOI) of any Habitats sites. The RIHRA [APP-253] has assessed air quality impacts and loss of saltmarsh habitat and describes the mitigation measures that will be

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		put in place to ensure no AEOL. For further clarifications on the impacts on saltmarsh habitat, the Applicant refers the member of public to their responses to Natural Resources Wales's (NRW) Representations on saltmarsh (NRW4, NRW7, NRW8, and NRW9). The Applicant will prepare a Detailed Saltmarsh Creation Strategy which will be supported by a new requirement within the Draft Development Consent Order (DCO) [APP-019], to be prepared prior to construction in general accordance with a new Framework Saltmarsh Creation Strategy that will be submitted at Deadline 3. This new requirement will include appropriate wording in connection to Work No. 5 (Construction of a surface water discharge). This Strategy will include details of any proposed monitoring (to be implemented during construction and used through operation) following its creation and provide details of a contingency plan should the saltmarsh fail to establish.
P13	Climate change <u>P13.1</u> - It has not been demonstrated that the carbon capture would permanently stay inside the undersea bed of the North Sea where the gas is pumped. <u>P13.2:</u> - Climate change raised as a concern. Considering an all revenue electricity grid in the near future is an inevitability, the question is whether the proposed development is suitable for that.	<u>P13.1:</u> The Applicant refers to the HyNet CO₂ Pipeline Project proposal. <u>P13.2:</u> With regards to the suitability of the Proposed Development in the energy transition, the Planning Statement [APP-262] highlights that CCUS projects, such as the Proposed Development, will play a crucial role in the energy system as they can contribute to the provision of energy when it is needed most, and when renewable sources cannot meet demand, strengthening energy security. The Proposed Development would support the delivery of flexible capacity

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	<u>P13.3:</u> - Also concerning in that context is that decision makers and industry leaders are often unaware of the severity of the threat, and instead of creating strong solutions by finding opportunities to adapt they may habitually push against regulations and concerns, and carefully manage appearances instead. - Climate Change in the UK – please get advice on the effects of climate change. It is sad to see that suffering inflicted on people elsewhere on planet due to our actions may legally not be relevant. But even in the UK we will encounter increasingly often things like -extreme heat, often combined with droughts, that can lead to wild fires and crop failures, driving up food prices, reducing the potential for bio fuel production, and also emitting extra carbon floods, that make properties on whole areas uninsurable sea level rise, that already cost us one billion a year in sea defences, but will also lead to increased flood risk. There will be increasingly international conflict around resources and migration. Climate refugees cannot be sent back. The economics damage due to climate change is huge. I don't know the exact figures for the UK, something to investigate. It is however said to be considerably cheaper to mitigate than to deal with the consequences. <u>P13.4:</u> - Query if proposed development is suitable for a climate changed, and would actually be capable of delivering on the legal and technical / climate requirements.	to ensure the provision of clean power during extended periods of low renewables output. Further to the above, as outlined in Chapter 4: The Proposed Development [APP-042], the Proposed Development is designed to operate in both dispatchable and load-following modes throughout its lifetime. This flexibility enables it to supply power to the grid in response to the anticipated intermittency of renewable generation within the future energy market. The role of Combined Cycle Generating Turbine (CCGT) plants with Carbon Capture and Storage (CCS) capabilities, such as the Proposed Development, is consistently included within all National Energy System Operator (NESO) UK Future Energy Scenarios (FES) 2025. The NESOFESs are long-term projections that outline possible pathways for the UK energy system to meet net zero targets, considering factors like demand, generation mix, flexibility, and decarbonisation strategies. These scenarios have informed the modelling of greenhouse gas (GHG) emissions associated with the Proposed Development's operation under multiple future operating cases (see paragraph 20.6.32 of Chapter 20: Climate Change [APP-058]). <u>P13.3:</u> The Applicant is fully aware of the severity of climate change threats and the UK's legally binding commitment for GHG emissions to reach Net Zero by 2050. As noted within paragraph 20.6.39 of Chapter 20: Climate Change [APP-058], the net benefit of the Proposed

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	• Shortfalls: -The grid needs to be carbon neutral by 2035. The proposed development however will never be carbon neutral, unless biogas is supplemented in combination with CCS. Query if this is feasible and if it can be a condition for the development. It becomes more problematic if the upstream emissions of methane at source and in transport are considered. Methane is a significant more potent climate gas than CO² (16x?), and if the gas comes from LNG, and possibly fracking these emissions could have doubled or tripled. It should be calculated. Even if there was potential to supplement biogas, the supply is likely to be limited and price probably high. • There's also the concern around the economic aspect of things. Power stations like these used to be built to provide base load over most of their 25 years of life. Nowadays and in future they will only be in use intermittently, only when there isn't enough renewable supply. The more renewables come online, the shorter the periods will be during which these power stations will actually generate, which will make the price per MWh rise astronomically. The numbers should be researched. It raises the question if big and centralised, and in consequence expensive power stations are actually the right choice. Maybe decentralised peaking plants running on bio fuels where those are available, and the waste heat can also be used might be the better choice. It is concerning that this development could soon become a stranded asset in need of public funds to be bailed out.	Development, relative to the baseline, is centered on the anticipated capture and subsequent long-term storage of approximately 95% of the direct emissions from the on-site combustion of natural gas (i.e. CCGT exhaust emissions). The use of dispatchable gas-fired generation with carbon capture and storage is a key technology that will enable the UK, and more specifically Wales, to transition towards net-zero emissions by 2050; this includes the development of resilient electricity networks powered by low-carbon renewable generation technologies. Chapter 20: Climate Change [APP-058] also considered the vulnerability of the Proposed Development to the impacts of future climate change and the combined impacts of climate change and the Proposed Development on receptors in the surrounding environment. Whilst these studies are limited to the Zones of Influences (ZoI(s)) of the other related assessments included within Chapters 8 to 23 of the Environmental Statement they demonstrate the Applicant has considered the impacts of climate change. <u>P13.4:</u> As referred to throughout Section 20.9 of Chapter 20: Climate Change [APP-058], including a summary as seen in Section 20.14.19, the Climate Change Risk Assessment (CCRA) concludes that climate change presents “no significant risk to the Proposed Development” when considering the identified adaptation measures for the construction and operation phases. Risks associated with the decommissioning phase will be reviewed and considered as part of the eventual

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	<u>P13.5:</u> The grid is also in need of ancillary services, however it is assumed these can only be provided if the power station is on, grid connected and burning fuel, which is extremely expensive and wasteful just for that purpose. It should be explored if the power station can be designed to be able to run their synchronous machines powered by the grid on renewables, without the need of firing up a gas turbine (clutch / flywheel, turbine in vacuum etc.)	Decommissioning Environmental Management Plan (DEMP), <i>“recognising that the DEMP would be developed before the commencement of decommissioning, a number of decades from now when climate conditions for the time period will be better understood and technologies and techniques best to mitigate any risks will have evolved.”</i> As described in Chapter 4: The Proposed Development [APP-042], the primary operating mode is anticipated to be with CO₂ emissions from the CCGT units abated (i.e. with Carbon Capture Plant (CCP) operational). This is because the Dispatchable Power Agreement (DPA) that the Applicant is seeking, incentivises electricity generation with carbon capture. However, it is anticipated that there would also be a number of limited scenarios in which the CCGT may need to operate without the CCP including: - Unabated Scenario 1: on commissioning, in the event that the downstream Transport and Storage (T&S) network is unavailable; - Unabated Scenario 2: during operation, to meet electricity demand when the CCP is offline (e.g. due to outages of the T&S network); and - Unabated Scenario 3: During a National Transmission System (electrical) total or partial shutdown event, in which the plant is called upon to support system restoration. As noted within Section 20.6.64 of Chapter 20: Climate Change [APP-058], the Proposed Development is entirely

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		consistent with UK energy policy and planning requirements including: • Overarching National Policy Statement (NPS) for Energy (EN-1), referencing the importance for carbon capture ready dispatchable combustion plant to be available to support and complement the generation of power from renewable sources; • NPS for Natural Gas Electricity Generating Infrastructure (EN-2), with reference to the classification of natural gas fired generation that is carbon capture ready as Critical National Priority Infrastructure; • Planning Policy Wales, referencing how local authorities should facilitate all forms of renewable and low carbon energy development; and • FCC Local Development Plan 2025-2030, with reference to Policy EN12 (new development and renewable and low carbon energy technology) and Policy EN13 (renewable and low carbon energy development). In addition, Section 14 of Appendix 7-A: Legislation, Policy and Guidance Framework for Technical Chapters [APP-179] for a more detailed overview of UK energy policy and planning requirements underpinning this GHG assessment. <u>P13.5:</u> As outlined in paragraph 20.6.23 of Chapter 20: Climate Change [APP-058], the GHG assessment explicitly includes emissions from the upstream natural gas supply chain (primarily methane). This includes sources such as

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		venting, flaring, and fugitive emissions. There is inevitably a degree of uncertainty in the future carbon intensity of the natural gas supply chain, but there are currently no reliable projections that would enable these future emissions to be modelled. Therefore, the calculations use the latest (2025) emissions factors published by the Department for Energy Security and Net Zero extrapolated over the operational lifetime of the Proposed Development. This approach is consistent with the requirements of the Environmental Impact Assessment (EIA) process.
P14	Impacts on property values & matters relating to compensation • The Proposed Development will affect future saleability and value of house(s). • During the planning and construction phases, could result in devaluation of the land / property and even prevent residents from selling, resulting in blighting. • The alteration to views and the introduction of large-scale infrastructure may create an increased risk of blight to properties. • With the further diminishing the aesthetic appeal and attractiveness of the area, this visual disruption could reduce property values and discourage potential buyers, directly impacting the financial security of local homeowners. • Factors such as increased traffic and impact to visual amenity could significantly affect property's desirability as well as living experience during the construction phases.	Impacts on and issues associated with property value are not a material consideration for decision making in Development Consent Orders (DCO(s)). Planning decisions are based in the public interest, not private financial loss. As such, impacts on property values are not assessed and should not be considered by the Secretary of State in making a decision as to whether to grant development consent for the Proposed Development. Notwithstanding this, it should be acknowledged that there has been a power station on the Site for over 70 years (paragraph 1.4.12 of the Planning Statement [APP-262]) and thus energy infrastructure and generation in varying forms has been part of the site, its surroundings and local community for many years. Therefore, there should be an expectation that there would be inevitable impacts. In any event, the impacts of the Proposed Development have been carefully considered, assessed in the Environmental Statement (ES) [APP-037 to APP-256],

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
	• The four houses situated near should be compensated money for the noise level and for the inconvenience caused over the years. • Consider house should be given purifiers to get rid of the dust and pollution. • Query if there any plans for compensation or financial support for affected homeowners whose properties suffer a decline in value due to this development to which would be highly appropriate considering the impacts. • Query if there is a route for the purchase of our properties at market value. • Raises the concern regarding compensation for disruption along (Redacted). In view of the likelihood of adverse disruption from the plant proposal over many years, query whether there will be financial compensation to the residence.	and where appropriate, mitigation measures are proposed, and secured in the Draft DCO [APP-019]. For example, Schedule 2 of the Draft DCO [APP-019] sets out a number of requirements such as a Construction Environmental Management Plan must be submitted and approved before development commences. The Applicant has responded to a number of issues in terms of the impacts throughout this document, and the following bullet points sign-post the Applicant's responses accordingly: • Impacts of increased traffic (see P6 in this table); • Impacts of Noise (see P5 in this table); • Impact to visual amenity (see P12 in this table); and • Impacts of Construction (see P3 in this table). As it relates to air quality, Chapter 21: Human Health [APP-059] demonstrates that no residual (with applied mitigation) significant air quality impacts on any population (general or vulnerable). The mitigation used in the assessment are provided in the Framework Construction Environmental Management Plan (CEMP) [APP-246], which is secured through Requirement 4 of the Draft DCO [APP-019]. In relation to operational noise and potential compensation, commitment reference NV-2 within the Commitments Register [APP-251] states "<i>Provision of a package of sound insulation to nearby NSRs [noise sensitive receptors]</i>

Ref. No.	Relevant Representation(s) – Broad Issue(s) / Theme(s)	Applicant's Response(s)
		<i>may also be considered, as a last resort, where other measures are unlikely to be adequate”.</i>
P15	Consultation • The consultation has been wholly inadequate and unjust. It is discriminatory to charge £590 for paper Application documents, meaning residents who do not have access to a computer and are unable to understand the impact of the Plan and make comments. • During both the consultation periods in November 2024 and May 2025 my concerns were sent in via emails which have gone disappointingly unanswered. [RR-022] • We live very close to your sight one of the houses. We wanted to email written feedback with some issues and details for you to take into consideration as we were told to email so you our concerns and give / have written feedback. We spoke to (Redacted) in a 1-1 meeting, and he couldn't tell us much at all (which isn't his fault). He didn't have an answer for things, but it doesn't put anyone's mind at rest [RR-037]	Throughout the pre-application phase of the Proposed Development, the Applicant has made hard copy consultation materials available at Public Information Points and in-person events. During Statutory Consultation, hard copies of the Statutory Consultation Newsletter, Statutory Consultation Brochure, feedback form and USB sticks containing all consultation materials including the Preliminary Environmental Information Report (PEIR) were available to take home from a number of the Public Information Points within the Primary Consultation Zone. These were: • Flint Library, Church St, Flint CH6 5AP; • Connah's Quay Library, Wepre Drive, Connah's Quay CH5 4HA; • Buckley Library, The Precinct, Brunswick Road, Buckley CH7 2EF; • Ellesmere Port Library, Civic Way, Ellesmere Port CH65 0BG; and • Holywell Library, Holywell Leisure Centre, North Road, Holywell CH8 7UZ. Copies of the Statement of Community Consultation (SoCC) and the Non-Technical Summary of the PEIR were also available at all Public Information Points, and a full hard copy of the PEIR was available for reference at the

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		two information points located closest to the Proposed Development. These were: • Flint Library, Church Street, Flint CH6 5AP; and • Connah's Quay Library, Wepre Drive, Connah's Quay CH5 4HA. The Applicant offered to provide a full set of consultation documents on a USB memory stick upon request, free of charge, and hard copies could be obtained upon request (with the exception of a hard copy of the PEIR, which was charged at a maximum of £250). The Applicant issued two USBs and no hard copies. Further information on the accessibility of materials can be found in the Consultation Report [APP-028]. The reference made to the £590 charge for application documents relates to the Notice of Acceptance of an Application for a Development Consent Order for Connah's Quay Low Carbon Power Project [OD-001] ('Section 56 Notice') and not the public consultation on the Proposed Development. Within this Section 56 Notice, the Applicant outlined that "the complete set of Application documents can be made available in hard copy format, subject to a fee of £590. Copies of individual documents are also available on request, and a reasonable printing charge may apply." In addition to this, the Applicant offered an electronic copy of the Application documents free of charge on a USB memory stick, which was limited to one USB memory stick

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		per household or business. The Applicant's contact details to request the USB memory stick were provided at the end of the notice. In response to the representation made by RR-022 and RR-037, the Applicant can confirm that it had regard to all feedback received throughout each consultation period, as demonstrated within the Consultation Report [APP-028].

5. Local Authorities

5.1 RR-004 Bagillt Community Council

5.1.1 Bagillt Community Council's RR and the Applicant's response are set out in **Table 18** below.

Table 18: Bagillt Community Council's RR and the Applicant's response

Ref. No.	Bagillt Community Council Relevant Representation Issue / Text	Applicant's Response(s)
BCC1	Bagillt Community Council wishes to register an interest in the Connah's Quay Low Carbon Power (CQLCP) project in order to remain informed throughout the examination process and to have the opportunity to comment further as more information becomes available.	This is noted by the Applicant.

5.2 RR-012 Flint Town Council

5.2.1 Flint Town Council's (FTC) RR and the Applicant's response are set out in **Table 19** below.

Table 19: Flint Town Council's RR and the Applicant's response

Ref. No.	Flint Town Council Relevant Representation Issue / Text	Applicant's Response(s)
FTC1	'Flint Town Council wishes to register as an Interested Party in respect of the Connah's Quay Low Carbon Power Project DCO application. The Council's primary areas of concern are: 1. Health impacts – potential effects on the health of the town's residents, including consideration of emissions from the newly scaled-up chimneys. The Council requests clarification on whether the increased chimney size represents the safest option for people's health or simply a cost-saving measure.	Air quality assessments have been undertaken and demonstrate that no significant effects on human health would arise as a result of the construction, operation or decommissioning of the Proposed Development, as demonstrated in Chapter 8: Air Quality [APP-046]. The results of the air quality assessment have been considered in further detail within Chapter 21: Human Health [APP-059] in the context of the demographic and health profile of the local population. Chapter 21: Human Health [APP-059] also concludes that there would be no significant adverse effects on health during the construction and operation of the Proposed Development. Due to Proposed Change 4, Reduction in Heat Recovery Steam Generator (HRSG) Stack and CCP Absorber Heights, as described in the Change Notification [AS-006], an updated assessment of air quality impacts on human health, including the residents of Connah's Quay, will be presented in the Change Report and Chapter 8: Air Quality Addendum at Deadline 3.
FTC2	2. Environmental impacts – potential effects on local wildlife and biodiversity.	Effects of the construction, operation and decommissioning of the Proposed Development on local wildlife and biodiversity are presented in Chapter 11: Terrestrial and Aquatic Ecology [APP-049],

Ref. No.	Flint Town Council Relevant Representation Issue / Text	Applicant's Response(s)
		Chapter 12: Marine Ecology [APP-050] and the RIHRA [APP-253]. These assessments are supported by ecological survey evidence provided within technical appendices to the ES [APP-037 to APP-256]. Through surveys and assessment, suitable mitigation measures have been developed and are either secured through design or within the Framework CEMP [APP-246].
FCT3	3. Transport and highways – the number of heavy construction lorries that will travel through the town to access the site, and the potential impact on traffic, road safety, and congestion. The Council requests clear plans for highways management during construction to minimise disruption.	Section 10.6 of Chapter 10: Traffic and Transport [APP-048] sets out the anticipated routing of heavy duty vehicle construction traffic, which is forecast to arrive and depart the Main Development Area via the A548 (east of Main Development Area Access). Therefore, no heavy duty vehicle construction traffic is anticipated to be routed through Flint as part of typical daily construction activities. During construction, there is the potential for AIL movements to pass through Flint if the Port of Mostyn is utilised for ship-borne deliveries. At this stage, it is anticipated that up to 30 two-way (60 in total) AIL movements would be required during the whole construction period for each train of the Proposed Development. This is considered to be a low quantity of traffic over the length of the construction period and would be managed through detailed CEMP(s) prepared in general accordance with the Framework CTMP [APP-247], in consultation with the relevant highway

Ref. No.	Flint Town Council Relevant Representation Issue / Text	Applicant's Response(s)
		authorities. This is secured by Requirement 5 of the Draft DCO [APP-019] .
FCT4	4. Visual impacts – the impact of the newly scaled-up towers on the town's landscape and public areas.	Chapter 15: Landscape and Visual Amenity [APP-053] considers landscape and visual impacts of the Proposed Development and, where significant effects are anticipated, there are no feasible additional mitigation or enhancement measures that could be implemented to reduce effects further. Due to Proposed Change 4, Reduction in HRSG Stack and CCP Absorber Heights, as described in the Change Notification [AS-006], an updated assessment of landscape and visual effects will be presented in the Change Report and Chapter 15: Landscape and Visual Amenity Addendum at Deadline 3.
FTC5	5. Emissions – the recent inclusion of ammonia in the proposals represents a significant change from the original plans, which did not indicate ammonia emissions. The Council requests further details on the potential impacts of ammonia release. The Council requests that these issues be taken into account during the examination of the application.'	Air quality assessments have been undertaken to demonstrate that no significant effects arise as a result of the Proposed Development, as demonstrated in Chapter 8: Air Quality [APP-046], which includes an assessment of ammonia emissions. An updated air quality assessment to consider Proposed Change 4, associated with the stack height reduction, will be presented in the Change Report at Deadline 3. Further information on Proposed Change 4 can be found in the Change Notification [AS-006].

5.3 RR-013 Flintshire County Council

5.3.1 Flintshire County Council's (FCC) RR and the Applicant's response are set out in **Table 20** below.

Table 20: FCC's RR and the Applicant's response

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
FCC1	Introduction This Relevant Representation of Flintshire County Council provides an initial comment and issues relating to the content and scope of the application including the Local Development Plan Policy context, and the proposed requirements and provisions of the Draft Development Consent Order (DCO). Further to this representation, as a Host Authority, the Council will be providing a Local Impact Report (LIR) and, if necessary, a Written Representation (WR) at the forthcoming examination. As a Host Authority, it is assumed therefore that this representation does not need to include all areas that will be discussed during the Examination. Further representations in the form of the LIR, and/or WR, if necessary, may include the following matters: the proposed effects of the project in relation to; air quality, dust, climate change and climate resilience, cultural heritage, ecology and biodiversity, greenhouse gases and decarbonisation, land and soils, restoration and decommissioning, land contamination, landscape and visual impact, materials, mineral safeguarding and waste, noise and vibration, population and human health, traffic and transport, water resources and flood risk and any cumulative effects with other projects.	This is noted by the Applicant.

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
FCC2	The Environmental Statement The Council has previously provided comment and recommendations on the scope and content of the Preliminary Environmental Impact Report (PEIR). There are ongoing discussions between the Council's internal services and the applicant in respect of the content of the submission stage Environmental Statement. A detailed response in respect of the Local Impacts of the project will be provided as part of the examination within the Council's LIR.	This is noted and the Applicant will respond to points raised within the Local Impact Report (LIR) at the appropriate deadline.
FCC3	Policy Context and Land use designations 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 Wellbeing of Future Generations Act 2015 puts in place seven well-being goals guiding sustainable development. One of which endeavours to achieve 'A prosperous Wales' in which "An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work."	The Applicant has had regard to Planning Policy Wales (PPW) (edition 12, 2024), the relevant Technical Advice Notes (TANs), the Flintshire Local Development Plan (2023), and Wellbeing of Future Generations Act 2015 in preparing the Application, as demonstrated in Chapter 7: Planning Policy [APP-045] and Appendix 7-A Legislative Policy and Guidance Framework for Technical Topics [APP-177].

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
FCC4	Chapter 4 - The Proposed Development From a purely carbon reduction perspective Flintshire County Council are supportive of the proposal due to the anticipated carbon emissions savings that will be prevented from entering the atmosphere. The decarbonisation of power within the UK's housing stock will largely be met by the installation of heat pumps, with 600,000 per year installed by 2028, combined with the introduction of electric vehicles and their associated charging infrastructure. This represents a significant increase in demand on the country's electricity network, the reinforcement of which, to cope with the aforementioned increased demand, will no doubt come at a significant cost. Connah's Quay is a supported location to establish a low carbon power station, connecting into nearby carbon dioxide transport and storage infrastructure as part of the HyNet Cluster. There has also been a power station on site for over seventy years, meaning essential energy infrastructure is already in place, including an existing pipeline, which can be repurposed for the transport of captured carbon dioxide to the existing depleted offshore gas fields where it will be permanently stored. However, from a 'green' perspective it is considered that there are a number of constraints and drawbacks associated with the proposal. The proposal supports the production and the continued use of natural gas (a fossil fuel) in order to accelerate the move to a zero carbon energy network which appears to be somewhat counter-	To ensure the UK continues to have a secure and reliable power system as we become more reliant on electricity, more generation capacity will be needed. According to the UK's independent advisor on climate change, the CCC, demand for electricity is forecast to increase by 50% by 2035⁶. To meet the increasing demand and achieve the UK's decarbonisation goals, the CCC has also advised that a range of different technologies with both renewables and decarbonised generation, such as gas with CCS, will be needed to maintain a secure and stable supply of electricity⁷. In its report in March 2023, the CCC recommended that the Government give equal focus to low-carbon flexible solutions as to the full delivery of its existing renewables and nuclear commitments. 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.

⁶ In its Balanced Pathway for the Sixth Carbon Budget (Dec 2020), the UK's Climate Change Committee (CCC) forecast a 50% increase in electricity demand by 2035 and a doubling in electricity demand by 2050 (Sixth Carbon Budget - Climate Change Committee (theccc.org.uk))

⁷ CCC Sixth Carbon Budget electricity generation sector summary Sector-summary-Electricity-generation.pdf (theccc.org.uk)

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	productive as it does not represent an avoidance of emissions and it may further encourage investment into natural gas industries and potentially away from the renewable energy sector.	Both the UK's CCC ⁸ and the International Energy Agency ⁹ have stated that carbon capture and storage (CCS / CCUS) is an essential component of a transition to net zero*. And, to support this, under the previous government, the 2023 budget included a commitment of up to £20 billion to establish a CCUS sector in the UK, to help unlock economic opportunities and support investment in the sector. The current government, in its manifesto, committed a further £1bn ¹⁰ and is legislating to create GB Energy, ¹¹ which would include in its remit co-investment in power CCS.
FCC5	Chapter 5 - Construction Programme and Management The applicant has proposed construction hours starting at 0700hrs. The specific Flintshire guidance to note is that Flintshire requires that general construction work (including demolition) should be undertaken between 0800 – 1800 hrs Monday – Friday, 0800 – 1300hrs Saturday, with no working Sundays/bank holidays. Any work outside of these hours would need to be applied for via a Control of Pollution Act 1974 Section 61 Prior Consent application. Any consent could be subject to requirements to manage noise and vibration.	As identified in Section 2.4 of the Framework CEMP [APP-246] , core construction working hours would be 08:00 to 18:00 Monday to Friday (except Bank Holidays) and 08:00 to 13:00 on Saturdays. The Applicant is not proposing that core working hours start at 07:00 as indicated in this response. With regards to Section 61 consent, where on-site works are to be conducted outside the core hours, they would comply with any restrictions agreed with the local planning authority following further assessment of specific planning activities.
FCC6	Chapter 9 - Noise and Vibration	The Proposed Development will minimise noise disturbance and nuisance to nearby local residents and the wider community through incorporating embedded mitigation into the project design, as set out in the

⁸ Delivering a reliable decarbonised power system - Climate Change Committee (theccc.org.uk)

⁹ NetZeroRoadmap_AGlobalPathwaytoKeepthe1.5CGoalinReach-2023Update.pdf (iea.blob.core.windows.net) (P132)

¹⁰ Kickstart economic growth – The Labour Party

¹¹ Make Britain a clean energy superpower – The Labour Party

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	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 receptors; and • use of additional acoustic barriers/screens or earth bunds to reduce transmission of sound from the Site to noise sensitive receptors.	Design Approach Document [APP-263]. Design principle reference 4 and 5 in the Design Principles Document [APP-262] commit to not exceeding 8 dB higher than the background sound levels during the operational phase, unless otherwise approved by the relevant planning authority.
FCC7	Chapter 10 - Traffic and Transport 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. There are several Public Rights of Way (PROW) affected by the proposal: • Flint – Public Footpath No. 66	Further technical assessments by specialist AIL transport contractors would be required at the detailed design stage, this is inclusive of options for AIL routing as well as associated highway accommodation works. The Framework CTMP [APP-247] includes a commitment to ongoing liaison between all relevant parties, including the provision of advance communication of traffic management work and details regarding AIL deliveries, with updates to be made during the work as appropriate. The Applicant has submitted an indicative design for the access from the A548 as part of the application (Indicative Access Design [APP-276]). This indicative design is described in Section 6.7 of the Design Approach Document [APP-264] which states:

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	• Flint – Public Footpath No. 67 • Connah's Quay – Public Footpath No. 28 In Flint, two PROW (66 & 67) form part of the network around Little Leadbrook Farm linking Leadbrook Drive to Allt Goch Lane which are affected by the proposed Repurposed carbon dioxide Connection Corridor. The initial assessment suggests that these two PROW would be temporarily affected while the pipeline is repurposed. It is anticipated that one formal legal temporary closure (comprising both footpaths) would be required. There is no requirement to provide an alternative route while a route is temporarily closed but for routes of higher importance we would likely request alternatives so as to not detrimentally affect users. On-site management to minimise risks to users and potentially safeguard safe passage for pedestrians while keeping PROW open would be welcome if it is achievable but this would depend on each site. Risk Assessments are required and methodology of working for each specific PROW affected if temporary closures were not to be pursued and on-site management sought. With regard to Public Footpath 28 in Connah's Quay, this route has been partially obstructed by vegetation for many years. The route connects to Public Footpath No. 27 in Connah's Quay, which is shown crossing the Chester - Holyhead railway line. The status of both Public Footpath 27	<i>"The indicative temporary access road design indicates the following:</i> • <i>20 m in length (between the A548 and Kelsterton Road);</i> • <i>8 m wide at the narrowest point;</i> • <i>30 m wide at the A548 bellmouth;</i> • <i>exit radius from the A548 is 15 m and the entry radius onto the A548 is 20 m; and</i> • <i>forward visibility and visibility splays at the junction would be designed in accordance with Design Manual for Roads and Bridges (DMRB) based on road types, design speeds and traffic volumes, but also taking account of the Traffic Regulation Measures in place for the AIL deliveries."</i> Regarding the PROW, as discussed in RC1, there are no works proposed to Public Footpath 28, in its current form. The section of the path managed by the Applicant is being maintained and is currently undergoing work to improve access and security. Chapter 10: Traffic and Transport [APP-048] also discusses Public Footpath No. 66 and Public Footpath No. 67, and confirms that a temporary diversion for Public Footpath No. 66 would be required for up to nine months to facilitate the construction of the Proposed CO₂ Connection Corridor. The Applicant considers this matter closed, whilst acknowledging the Representation.

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	& 28 have been subject to scrutiny in recent years and there is doubt over their physical existence (more so Public Footpath 27). The alignment of Public Footpath 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 Public Footpath 28 is necessary which Uniper have some control over, but Public Footpath 27 is outside of their site and a possible enhancement between Public Footpath 28 and Kelserton Road is also on third-party land.	
FCC8	Chapter 11 - Terrestrial and Aquatic Ecology 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. Dee Estuary Site of Special Scientific Interest (SSSI)/ Special Area of Conservation (SAC)/ Special Protection Area (SPA) /Ramsar is immediately adjacent which includes Deeside Naturalist Society (DNS) Nature Reserve; River Dee SSSI/SAC is within 100m. Wildlife Sites/Priority habitats 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. A Framework Construction Environmental Management Plan (CEMP) will be provided as part of the Environment Statement 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	With regard to the REAC (included within the HyNet CO₂ Pipeline Project DCO), the equivalent document has been included within the CQLCP DCO application in the form of a Commitments Register [APP-251]. An Outline LEMP [APP-250] has been provided. The Outline LEMP [APP-250] excludes the areas covered by the existing Conservation Areas Management Plan (i.e. the SSSI). The Applicant is committed to, upon the end of management arrangements detailed within the Conservation Areas Management Plan for the existing Connah's Quay Power Station, preparing an updated Conservation Areas Management Plan for FCC and NRW 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

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	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 (Net Benefit for Biodiversity) can be achieved following the stepwise approach as required by PPW12. This can be summarised 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 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.	decommissioning of the CQLCP Abated Generating Station, unless otherwise agreed with FCC and NRW. The Outline LEMP [APP-250] provides high level details of habitat creation, management and monitoring for on-site habitats. Through surveys and assessment, suitable mitigation measures have been developed and are either secured through design or within the Framework CEMP [APP-246] and Outline LEMP [APP-250], which includes measures for habitat protection. Separate from the Outline LEMP [APP-250], the Offsite Net Benefit for Biodiversity and Green Infrastructure Strategy [APP-255] details the on-site NBB provisions have been submitted as part of the DCO application. The NBB and Green Infrastructure Strategy covers all points raised by FCC in this response. It has not been possible to deliver an NBB on-site in line with the PPW12. As such, following the step-wise approach, off-site NBB delivery options were explored. Off-site NBB delivery has progressed since the submission of the DCO Application, and a suitable site has been secured, which will deliver the NBB requirement. The habitat creation and enhancement measures at this off-site location are still being assessed and are presented within the Offsite Net

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
		Benefit for Biodiversity and Green Infrastructure Strategy [APP-255] at a high level. The Proposed Project aims to deliver NBB prior to the completion of construction. Further consultation with FCC, NRW and Denbighshire County Council will be undertaken to come to an agreement on the habitat and species mitigation to be delivered at the off-site location. Any further Green Infrastructure Strategies will take into account the requirements for reporting set out in the RR by FCC.
FCC9	Chapter 12 - Marine Ecology 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.	This is noted and the Applicant understands that no further action is required at this stage.
FCC10	Chapter 17 - Terrestrial Heritage A geophysical survey of the western spur area of the development site has been completed and mitigation proposals for the pipeline in this area are being worked on. The main development site 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, 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.	The results of the geophysical survey are provided in Appendix 17-C: Geophysical Survey Report [APP-231] , and the mitigation proposals agreed with Heneb (the archaeological advisors to Flintshire County Council) are set out within the Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation [APP-249] .
FCC11	Community Benefit Fund	The development of a new low carbon power station at Connah's Quay could help to maintain economic

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	The project may cause significant disruption to the local community in Flintshire for the duration of construction. As such, it is considered reasonable for the developers to consider providing a community benefit fund for those affected communities.	prosperity in Deeside and across the region, by providing approximately Once CQLCP becomes operational, the project could provide around 60 permanent jobs as well as creating new opportunities during construction along with potential opportunities through the wider supply chain. The planned development has the potential to contribute up to £1,500m to the UK economy, of which up to £811m could benefit the local area, and £1181m could benefit the wider North East Wales region and North West England.¹² Effects of the Proposed Development are appropriately mitigated and the local benefits already being brought forward as a result of the Proposed Development are considered suitable.
FCC12	The Draft Development Consent Order The DCO Proposed Development would comprise the following elements: Demolition works at the existing Power Station Site, including demolition of the existing Gas Treatment Plant (GTP), Above Ground Installation (AGI), store buildings and contractors' facilities.	The Applicant notes FCC's summary of what the Draft DCO [APP-019] provides consent for. The Applicant has engaged with FCC at the pre-application stage on the drafting of the DCO and has sought to reflect comments received within the submission version of the Draft DCO [APP-019]. The Applicant notes that FCC provided comments on the

¹² Based on socio-economic analysis carried out by Mace on behalf of Uniper during 2023-2024. Figures shown based on the 'target' model, which seeks to leverage UK content

'Local Area' – Flintshire, Wrexham, CWAC, Wirral

'North West England and North East Wales region' – Connwy, Denbighshire, Flintshire, Wrexham, CWAC, Wirral, Cheshire East, Stockport, Manchester, Trafford, Salford, Warrington, Liverpool, St Helens, Sefto

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	• A CCGT electricity generating station of around 1,100 MW and up to 1,380 MW net electrical output with carbon capture plant (CCP) and ancillary buildings and structures within the Main Site. The combined cycle gas turbine (CCGT) with CCP plant will comprise up to two new 'Trains'. • Associated Development, including: - Proposed carbon dioxide ('CO₂') AGI – which will be located within the Main Site. - Repurposed CO₂ Connection Corridor – the export of CO₂ will utilise approximately 3 km of an existing natural gas pipeline. It includes a buffer zone of up to 100 m width. Some physical works may be required to the Repurposed CO₂ Connection within the Main Site to connect to the Proposed CO₂ AGI and within the Proposed CO₂ Connection Corridor to connect to the Proposed CO₂ Connection. Studies are ongoing to determine the need for and nature of any physical works within the Repurposed CO₂ Connection Corridor. - Proposed CO₂ Connection Corridor – captured CO₂ emissions from the Proposed Development would be discharged from the Repurposed CO₂ Connection Corridor, via a new circa 350 metre pipeline spur (the Proposed CO₂ Connection) into the proposed Flint AGI (which is part of the proposed HyNet CO₂ Pipeline Project) and then into the HyNet CO₂ Pipeline. - Water Connection Corridor – cooling water for the Proposed Development would be abstracted from and discharged to the River Dee, in line with the current process for the existing Power Station. This may require new infrastructure or use of existing infrastructure. - Electrical Connection Corridor – a new connection will be required from the CCGT plant to the Applicant's existing	draft DCO in June 2025 and considers the submission version of the Draft DCO [APP-019] is reflective of such comments. The Applicant will continue to engage with FCC on any specific further points raised through future discussions between the parties or submissions into the examination.

Ref. No.	FCC Relevant Representation Issue / Text	Applicant's Response(s)
	banking compound. The existing electrical connection from the Applicant's banking compound is expected to be used to connect the Proposed Development to the existing Connah's Quay Substation located south-east of the Main Site. - A Construction Laydown and Indicative Enhancement Area. - Accesses and access works. - Further associated development comprising such other works or operations as may be necessary or expedient. Following review of the draft Development Consent Order (DCO) the Council provided several comments in June 2025. Discussions with the applicant remain ongoing regarding the draft DCO it is expected that issues raised can be appropriately addressed without matters for significant concern.	

5.4 RR-039 Shropshire Council

5.4.1 Shropshire's RR and the Applicant's response are set out in **Table 21** below.

Table 21: Shropshire Council's RR and the Applicant's response

Ref. No.	Shropshire Council Relevant Representation Issue / Text	Applicant's Response(s)
SC1	Thank you for consulting Shropshire Council on the application for a DCO of the above project. Having inspected the submitted documents I confirm that Shropshire Council does not have any comments to make on the application.	This is noted and the Applicant understands that no further action is required at this stage.

6. Landowners

6.1 RR-024 National Grid Electricity Transmission PLC

6.1.1 National Grid Electricity Transmission PLC's (NGET) RR and the Applicant's response are set out in **Table 22** below.

Table 22: NGET's RR and the Applicant's response

Ref. No.	NGET Relevant Representation Issue / Text	Applicant's Response(s)
NGET1	Relevant Representation of National Grid Electricity Transmission Plc in respect of the Connah's Quay Low Carbon Power Project Development Consent Order (the "Order") This relevant representation is submitted on behalf of National Grid Electricity Transmission Plc ("NGET") in respect of Uniper UK Limited (Applicant) application for the Order to enable the construction of the Connah's Quay Low Carbon Power Project (Project), and in particular NGET's existing infrastructure and land interests which will be located within and in close proximity to the proposed limits of the Order boundaries (Order Limits). The Project proposes to construct a low-carbon combined cycle gas turbine electricity generating station of up to 1,380 megawatts net electrical output with post-combustion carbon capture; natural gas, cooling water and electricity connections; carbon dioxide connection to the HyNet CO₂ Pipeline Project; above ground installations; utilities; construction laydown areas; access; and other associated and ancillary development.	The Applicant has been engaging with National Grid on an ongoing basis throughout the pre-application and pre-examination stages in relation to land acquisition, electricity connection works and protections for National Grid's apparatus. Protective provisions for National Grid's benefit are included within Part 5 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not yet agreed with National Grid and is working to reach an agreed form as soon as possible.

Ref. No.	NGET Relevant Representation Issue / Text	Applicant's Response(s)
	The Applicant is seeking temporary and permanent rights over several plots containing NGET existing infrastructure, including parcels 6/4, 6/7, 6/8, 8/2, 8/10, 8/15, 8/16, 8/17, 8/18, 9/1, 9/2, 9/3, 9/4, 9/5, 9/6, 9/7, 9/8, 9/9, 9/10, 9/12, 9/13, 9/14, 9/15, 9/16, 9/17, 9/18, 9/19, 9/20, 9/21, 9/22, 9/23, 9/24, 9/26, 9/28, 9/29 and 9/30 of the Land Plans and referenced in the draft Order as Work Areas 1, 2, 3, 4, 6, 10, 12 and 13. NGET's rights of access to inspect, maintain, renew and repair such apparatus must be maintained at all times and access to inspect and maintain such apparatus must not be restricted. Further, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land or NGET's apparatus, NGET will require appropriate protection. Further discussion and agreement with the Applicant is required in relation to the impact on its apparatus and rights. As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and to ensure that any development does not adversely affect those statutory obligations. NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits. NGET will therefore require appropriate protection for retained apparatus, including compliance with relevant standards for works proposed within close proximity of its apparatus. Existing NGET infrastructure within/in close proximity to the Order Limits	

Ref. No.	NGET Relevant Representation Issue / Text	Applicant's Response(s)
	NGET owns and operates substations and multiple 400 kV overhead lines that are located within and in close proximity to the Order Limits for the Project. These assets form an essential part of the electricity transmission network in England and Wales. The details of the electricity assets are as follows: Substation • DEESIDE 400 kV Substation • CONNAHS QUAY 400 kV Substation • CONNAHS QUAY 132 kV Substation • Associated overhead and underground apparatus including cables Overhead Lines 4ZB 400 kV OHL BODELWYDDAN - DEESIDE - PENTIR 1 BODELWYDDAN - DEESIDE - PENTIR 2 ZK 400 kV OHL DEESIDE - LEGACY - TRAWSFYNYDD 1 DEESIDE - LEGACY - TRAWSFYNYDD 2 ZO 400 kV OHL DAINES - DEESIDE 1 DAINES - DEESIDE 2 4ZD 400 kV OHL CAPENHURST - DEESIDE 1 CAPENHURST - DEESIDE 2 Cable Apparatus • 400 kV cable: CONNAHS QUAY - FLINTSHIRE BRIDGE 1: CONQ4 FLIB4 1 K1 01 • 400 kV cable: CONNAHS QUAY - FLINTSHIRE BRIDGE 2. CONQ4 FLIB4 2 K1 01 Protection of NGET Assets	

Ref. No.	NGET Relevant Representation Issue / Text	Applicant's Response(s)
	In light of the above, NGET require protective provisions to be included within the DCO to ensure that its existing assets and interests are adequately protected, as well as to ensure compliance with relevant safety standards. NGET is liaising with the Applicant in relation to such protective provisions. Accordingly, NGET has not appended the version of the protective provisions it requires to be included in the Order to this Relevant Representation. However, NGET will submit these at Written Representation Stage, if not agreed between the parties by that point, with an explanation of any outstanding issues. NGET requests that the Applicant continues to engage with it in relation to how the Applicant's works pursuant to the Order (if made) will ensure protection for NGET's assets, along with facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations. NGET will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions and Compulsory Acquisition Powers in respect of the Project. Where the Applicant seeks powers of compulsory acquisition over NGET land or rights, the Protective Provisions must provide that the Applicant may only exercise such powers with NGET's consent. The Secretary of State for Energy Security and Net Zero's decision on the Rampion 2 Offshore Wind Farm Extension Project Development Consent Order (R2DCO) provides a recent precedent for this approach. A restriction on the use of powers of compulsory acquisition was included at	

Ref. No.	NGET Relevant Representation Issue / Text	Applicant's Response(s)
	paragraph 5 of Part 3 of Schedule 10 of the R2DCO. Similar provisions have also previously been included by the Secretary of State in the Sheringham and Dudgeon DCO. NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with its assets but in the meantime will continue to liaise with the Applicant with a view to reaching an agreed position.	

6.2 RR-023 National Gas Transmission PLC

6.2.1 National Gas Transmission PLC's RR and the Applicant's response are set out in **Table 23** below.

Table 23: National Gas Transmission PLC's RR and the Applicant's response

Ref. No.	National Gas Transmission PLC Relevant Representation Issue / Text	Applicant's Response(s)
NGT1	Representation by National Gas Transmission Plc to the Connah's Quay Low Carbon Power Project ("the Project") Introduction We are instructed by National Gas Transmission Plc (NGT) in relation to the application made by Uniper UK Limited ('the Applicant') for a Development Consent Order ('the draft Order') for the proposed Connah's Quay Low Carbon Power Project ('the Project'). This section 56 Representation is made on behalf of NGT. The Project comprises the construction, operation (including maintenance) and decommissioning of a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Station fitted with Carbon Capture Plant (CCP) (the CQLCP Abated Generating Station) and supporting infrastructure on land at, and in the vicinity of, the Connah's Quay Power Station Site, Kelsterton Road, Connah's Quay, Deeside. NGT does not object in principle to the Project, however given the strategic importance of the gas network and apparatus in relation to the Project, NGT wishes to make a relevant representation to the Applicant in order to protect its position with regard to NGT's existing and any proposed infrastructure	The Applicant has been engaging with National Gas on an ongoing basis throughout the pre-application and pre-examination stages in relation to protections for National Gas's apparatus. Protective provisions for National Gas's benefit are included within Part 10 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not yet agreed with National Gas and is working to reach an agreed form as soon as possible.

Ref. No.	National Gas Transmission PLC Relevant Representation Issue / Text	Applicant's Response(s)
	and associated land interests within or in close proximity to the proposed limits of the draft Order boundaries ("Order Limits"). NGT's rights to retain its infrastructure in situ, to protect it from interference/damage, and rights of access to inspect, maintain, renew and repair it, should be maintained at all times and must not be restricted. NGT Statutory Obligations National Gas owns and operates the national gas network and provides gas transmission and metering services in the UK. The gas network comprises a complex matrix of pipelines which transports gas from its points of entry to power stations, industrial plants, storage facilities and to local Gas Distribution Networks. NGT has a licence to participate in gas transmission activities established under the Gas Act 1986, as amended (the Act). This requires NGT to develop, maintain and operate economic and efficient networks and to facilitate competition in the supply of gas in Britain. The licence also gives NGT statutory powers. NGT is under a statutory duty (under section 9 of the Gas Act 1986) to develop and maintain an efficient and economical network for the conveyance of gas. The NGT Assets form an essential part of the gas transmission network. As a responsible statutory undertaker, NGT's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGT has a duty to protect its	

Ref. No.	National Gas Transmission PLC Relevant Representation Issue / Text	Applicant's Response(s)
	position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits. NGT Land Interests and Infrastructure Impacted The documentation and plans submitted for the Project have been reviewed in relation to impacts on NGT's existing apparatus and land interests located within this area. The following assets, which form an essential part of the gas transmission networks in England and Wales are within, or in close proximity to, the Order limits: NGT has a high pressure gas transmission pipeline and feeder main apparatus are located within or in close proximity to the proposed Order Limits including Feeder Main 21 – Burton Point Spur Feeder Main 21 – Mickle Trafford to Deeside PS The Applicant is seeking temporary possession powers over plots 4/3 and 10/1 in which NGT have a Category 2 interest. Importantly, plot 10/1 contains two feeder mains which are high-pressure pipelines that transport large volumes of gas from import terminals and processing plants to major parts of gas network. The Book of Reference indicates that powers for the temporary possession of land are included over land in which NGT has an interest. NGT's rights of access to inspect, maintain, renew and	

Ref. No.	National Gas Transmission PLC Relevant Representation Issue / Text	Applicant's Response(s)
	repair such apparatus must be maintained at all times and access to inspect and maintain such apparatus must not be restricted, any such powers would cause serious detriment to NGT's ability to comply with its statutory duties. Further, where the Applicant intends to extinguish or otherwise interfere with any of NGT's rights over its land and NGT apparatus, the relevant protections must be secured in the Protective Provisions. Protective Provisions In respect of the NGT Assets (and any other NGT infrastructure located within the current Order limits, or in close proximity to the Authorised Development and associated works), NGT require protective provisions to be put in place to ensure: that all NGT interests and rights, including rights of access to its apparatus including Feeder Mains and any other Above-Ground Installations (AGI) are unaffected by the powers of compulsory acquisition, temporary possession, and the grant and/or extinguishment of rights as set out in the Draft Order; and that appropriate protection for apparatus including Feeder Mains, AGI's and any other retained apparatus is maintained during and after construction of the Authorised Development in accordance with both the protective provisions and the relevant safety standards. NGT recognises and welcomes the form of protective provisions for the protection of NGT's land interests and apparatus which are included on the face of the draft Order	

Ref. No.	National Gas Transmission PLC Relevant Representation Issue / Text	Applicant's Response(s)
	(Part 10 of Schedule 13). However, the current protective provisions are inadequate insofar as they do not contain the robust protections that NGT requires and accordingly the current form of protective provisions require amending in order for NGT to be able to withdraw its objection. NGT is liaising with the Applicant in relation to the protective provisions for inclusion within the DCO along with any supplementary agreements which may be required. NGT will keep the Examining Authority updated in relation to these discussions. Summary NGT will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions. NGT reserves the right to make further representations as part of the examination process but in the meantime will negotiate with the Promoter with a view to reaching a satisfactory agreement.	

6.3 RR-028 Network Rail Infrastructure Limited

6.3.1 Network Rail Infrastructure Limited's RR and the Applicant's response are set out in **Table 24** below.

Table 24: Network Rail Infrastructure Limited's RR and the Applicant's response

Ref. No.	Network Rail Infrastructure Limited Relevant Representation Issue / Text	Applicant's Response(s)
NR1	Relevant Representation on behalf of Network Rail 1. Introduction 1.1 We are instructed by Network Rail Infrastructure Limited ("Network Rail") in relation to the Development Consent Order ("DCO") application made by Uniper UK Limited ("the Applicant") to construct, operate and maintain, and decommission a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Station fitted with Carbon Capture Plant (CCP) (the CQLCP Abated Generating Station) and supporting infrastructure on land at, and in the vicinity of, the Connah's Quay Power Station Site, Kelsterton Road, Connah's Quay, Deeside ("the Project"). 1.2 Network Rail's role in relation to the DCO process derives from the PA 2008 and secondary legislation made under the same. Network Rail is a consultee under sections 42 and 56 of the Planning Act 2008 ("PA 2008"), meaning that applicants must consult with Network Rail before submitting a DCO application and once an application has been accepted for examination. 2. Role of Network Rail 2.1 Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure	The Applicant has been engaging with Network Rail on an ongoing basis throughout the pre-application and pre-examination stages in relation to protections for Network Rail's network. Protective provisions for Network Rail's benefit are included within Part 3 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not yet agreed with Network Rail and is working to reach an agreed form as soon as possible. The Applicant is also engaging with Network Rail, and has logged an asset protection request, in respect of agreements addressing both the acquisition of rights over and temporary use of Network Rail's existing operational land.

Ref. No.	Network Rail Infrastructure Limited Relevant Representation Issue / Text	Applicant's Response(s)
	and associated estate. Network Rail owns and operates Great Britain's railway network and has statutory and regulatory obligations in respect of it. 2.2 Network Rail aims to protect and enhance the railway infrastructure and therefore any proposed development on, over or under the railway network or which is adjacent to and interfaces with the railway network or potentially affects Network Rail's land interest will be carefully considered. 3. Powers sought in the DCO 3.1 Network Rail is an affected landowner and has Category 1 and Category 2 interests. There are references in the DCO Book of Reference to land for which Network Rail is the owner and occupier. 3.2 Network Rail does not object in principle to the Project, however Network Rail does object to the powers contained in the draft Order ("the draft Order") including article 24 (private rights), article 25 (compulsory acquisition of land), article 27 (compulsory acquisition of rights and restrictive covenants), article 31 (temporary use of land for carrying out the authorised development) and article 37 (temporary use of land for maintaining the authorised development) authorising the Applicant to compulsorily acquire land, acquire rights in or over land and take temporary possession of land which forms part of Network Rail's operational railway land.	

Compulsory Acquisition

3.3 Network Rail has statutory obligations to ensure the safe operation of the railway, therefore Network Rail cannot agree to the Applicant being granted the unfettered ability to exercise compulsory acquisition powers over the operational railway as it would create a serious detriment to the continued safe, economic and efficient operation of the railway. As such the protection from compulsory acquisition of Network Rail's land and interests must explicitly be included in the Protective Provisions.

Acquisition of Rights

3.4 In addition, any acquisition of rights over the operational railway must be subject to Network Rail's land clearance process, which is imposed on Network Rail by its Network Licence. This process includes internal consultation with railway stakeholders and the ORR (Network Rail's regulator). Any existing rights which Network Rail have over the land would need to be retained and cannot be subject to extinguishment under the Order.

Temporary Possession

3.5 Any temporary possession of, or acquisition of permanent rights over Network Rail operational land can only be granted with Network Rail's consent. Any such use of the operational railway must only be permitted in accordance with the statutory requirements imposed on Network Rail as the operator of the railway network and subject to all necessary requirements to ensure the safe, economic and efficient operation of the railway.

Ref. No.	Network Rail Infrastructure Limited Relevant Representation Issue / Text	Applicant's Response(s)
	3.6 Due to the draft Order seeking to authorise work either above or adjacent to Network Rail's operational railway and works which may impede Network Rail's ability to ensure the safe, efficient and economical operation of the railway network, Network Rail requires certain standard protections for the benefit of the operational railway and to manage this interface. Network Rail's requirements for the protection of its operational railway and associated railway infrastructure are set out in further detail in this representation. 4. Protective Provisions and associated agreements 4.1 Network Rail recognises and welcomes the form of protective provisions for the protection of Network Rail's operations which are included on the face of the draft Order (Part 3 of Schedule 13). However, the current protective provisions are inadequate insofar as they do not contain the robust protections that Network Rail requires and accordingly the current form of protective provisions require amending in order for Network Rail to be able to withdraw its objection. 4.2 In addition to the Protective Provisions for the benefit of Network Rail being included in the draft Order, Network Rail requires the Applicant to enter into a Framework Agreement and will require the Applicant to enter into an Asset Protection/Structures Agreement if deemed necessary by Network Rail whose decision is to be final and conclusive on this point.	

Ref. No.	Network Rail Infrastructure Limited Relevant Representation Issue / Text	Applicant's Response(s)
	4.3 Network Rail requires a Framework Agreement to be entered into to manage the direct interface that the Project has with the operational railway. 4.4 Network Rail will require an Asset Protection and possibly a Structures Agreement where works are significantly close in location and disruptive in nature to the operational railway network. Such agreements are well preceded to ensure the appropriate and necessary technical, engineering and safety requirements for working on, over or near Network Rail's operational railway are applied to the Project. Due to the location of the Applicant's proposed works, Network Rail requires an Asset Protection Agreement in order to carry out its statutory duty. 5. Removal of objection 5.1 If the following criteria are met, then it is anticipated that Network Rail would be in a position to withdraw the objections made above: 5.1.1 Network Rail's required amendments to the Protective Provisions are to be included in the Order for the Project; 5.1.2 the Applicant enters into any required easement, licences and asset protection agreements or any other required agreements are entered into in respect of addressing both the acquisition of rights over and/or temporary use of Network Rail's existing operational land; and	

Ref. No.	Network Rail Infrastructure Limited Relevant Representation Issue / Text	Applicant's Response(s)
	5.1.3 Network Rail is granted with clearance and any necessary regulatory consents to enter into any of the agreements referred to above following internal consultation with affected stakeholders across the business. Network Rail reserves its position both in representation and in submissions at hearings to seek the amendments to the draft Order to ensure protective provisions are interest for the benefit of Network Rail's operational infrastructure which is affected by the Project.	

6.4 RR-040 SP Energy Networks

6.4.1 SP Energy Network's RR and the Applicant's response are set out in **Table 25** below.

Table 25: SP Energy Network's RR and the Applicant's response

Ref. No.	SP Energy Network Relevant Representation Issue / Text	Applicant's Response(s)
SPEN1	SP Energy Networks commented on the s42 consultation and is engaging with the applicant regarding matters relating to the proposed development's impact on existing electricity networks owned by the licence holder SP Manweb (SPM) which must be avoided. SP Energy Networks is engaging on matters namely: SPEN requires there are measures in place to protect network assets and ensure safe working around the affected SPM network and requires a plan to be included in the DCO documents showing all of the SPM network and an assessment of the impact of the proposals on this network.	The Applicant has been actively engaging with SP Energy Network (SPEN) throughout the pre-application and pre-examination phases and had understood from this direct correspondence that a number of matters had been resolved between the parties. The Applicant has previously provided SPEN with a copy of a plan showing where SPEN assets interface with the Proposed Development. For completeness, a copy is included in Appendix A.
SPEN2	There also need to be included in the draft DCO reference to draft protective provisions which protect SPMs statutory undertakers' rights.	Protective Provisions for the benefit of SP Manweb (which covers the SPEN network) have been included within Part 7 of Schedule 13 of the Draft DCO [APP-019]. The Applicant had understood through email correspondence from SPEN that the form of these provisions was agreed prior to submission of the application.
SPEN3	There should also be a draft construction management plan which has a section on utilities and explains how impacts on the existing network is to be managed and mitigated. SPEN requires there to be adequate space to maintain and operate its network in accordance with statutory obligations.	The Applicant has submitted a Framework CEMP [APP-246] with its application, which is secured through Requirement 4 of the Draft DCO [APP-019]. Whilst this does include some reference to mitigations related to utilities, the Applicant notes that further detail is not required in this respect because detailed protections for

Ref. No.	SP Energy Network Relevant Representation Issue / Text	Applicant's Response(s)
		SPEN's apparatus are already contained within the bespoke protective provisions within Part 7 of Schedule 13 of the Draft DCO [APP-019] .
SPEN4	It is suggested that a crossing schedule showing SPM assets in relation to the proposed development is prepared and shared with SPEN so it is possible to see which assets are affected.	As noted above, the Applicant has previously provided SPEN with a copy of a plan showing where SPEN assets interface with the Proposed Development. For completeness, a copy is included in Appendix A .
SPEN5	Mitigation proposals will also need to take account of SPM assets and the operational requirements. It is noted the proposed habitat area is in an area where SPEN has overhead line assets comprising 132kV steel tower and 11kV wood pole assets which SPEN does not want to see impacted on by these proposals.	The Applicant is willing to review the habitat proposals through further consultation with SPEN to ensure the mitigation remains practical, proportionate, and consistent with SPEN's operational requirements.
SPEN6	SPEN requires detailed plans of the proposals showing SPM assets and the proposed DCO limits. Until (i) a plan showing the proposed development in relation to SPM network is included in the DCO documents and (ii) a draft construction management plan is prepared which includes reference to SPM network assets on terms agreed with SPEN, then objection is raised to the proposals on the grounds of there being insufficient provision in the application to mitigate impacts on the existing critical network. The applicant's assistance with this would help progress this matter. SPEN are amenable to resolving matters as far as possible and to that end, would like to see clarification on the crossover/proximity points as soon as further details can be provided.	As noted above, the Applicant has previously provided SPEN with a copy of a plan showing where SPEN assets interface with the Proposed Development. For completeness, a copy is included in Appendix A .

Ref. No.	SP Energy Network Relevant Representation Issue / Text	Applicant's Response(s)
	In addition, SPM assets benefit from numerous land rights interests across the application site and these must be maintained for SPEN to manage and operate a safe and reliable network.	
SPEN7	There are a number of key areas to resolve in relation to SPM network, which is critical to protect as it is this network that will be relied upon to distribute electricity into local homes and businesses. Any adverse impacts on the SPM network that need to be resolved by SPEN would impact on the benefits of delivering this proposed scheme. It is kindly requested the applicant discusses the above with SPEN as soon as possible. Given the extent of the information prepared and submitted, it is a reasonable expectation for a plan produced showing the SPM assets likely to be most affected and how alongside a SPM network diversions worksheet that outlines how this network will be managed within the proposed development. SPEN will continue to review the application and may wish to raise further matters in due course and welcomes further engagement with the applicant.	The Applicant will continue to engage with SPEN to provide clarification in relation to the matters raised.

6.5 RR-047 Wales & West Utilities Limited

6.5.1 Wales & West Utilities Limited's RR and the Applicant's response are set out in **Table 26** below.

Table 26: Wales & West Utilities Limited's RR and the Applicant's response

Ref. No.	Wales & West Utilities Limited Relevant Representation Issue / Text	Applicant's Response(s)
WWU1	Wales & West Utilities Limited have apparatus within the proposed order limits. We are assessing the impact of the proposed development on the relevant apparatus but this requires clarification. Once the impacts are understood protective provisions will be required to ensure that these impacts are mitigated and that there will be no risk to Wales & West's ongoing operations in this area.	The Applicant emailed Wales & West Utilities with the proposed form of protective provisions for its benefit in January 2025. The Applicant followed-up with Wales & West Utilities a number of times but did not receive any correspondence to indicate that the provisions, included in Part 1 of Schedule 13 of the Draft DCO [APP-019], were insufficient. The Applicant notes Wales & West Utilities' representation and will continue to seek engagement to reach agreement on the form of protective provisions which Wales & West Utilities require.

6.6 RR-011 Eni UK Limited

6.6.1 Eni UK Limited's RR and the Applicant's response are set out in **Table 27** below.

Table 27: Eni UK Limited's RR and the Applicant's response

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
ENI1	Eni UK Limited ("Eni"), a member of the Eni SpA group, welcomes the opportunity to provide this relevant representation on the Connah's Quay Low Carbon Power Project Development Consent Order (hereafter referred to as "CQLCP Project" or "CQLCP DCO") application. Eni considers that it is an Interested Party by virtue of section 102(1)(aa) and in addition by submission of this representation in accordance with section 102 (1) (e) of the Planning Act 2008. Eni is an energy company operating in the UK. It owns and operates a number of existing pipelines across England and Wales. Eni has existing natural gas apparatus within and adjacent to the Order limits for the CQLCP DCO. Eni will be carrying out work to decommission the existing Eni gas reception facility ("GRF") within the Connah's Quay site under Work No.1(h), defined as 'Eni Works' in the CQLCP draft DCO ("dDCO") (Examination Library Reference: APP-019). Eni also intends to remove redundant pipe work within that facility, which is not being repurposed. Some of Eni's existing pipeline sections will be re-purposed for use for carbon dioxide. Those pipelines will be transferred by Eni to Liverpool Bay CCS Limited ("LBCCS"), who received an economic licence from the Secretary of State ("SoS") for the Department of	The Applicant has been engaging with Eni throughout the pre-application and pre-examination period on key matters related to the delivery of the Proposed Development and protection of Eni's existing assets. Discussions have been progressing positively and this is reflected within the updated SoCG submitted at Deadline 1 (EN010166/APP8.10). Regarding compulsory acquisition powers sought for the delivery of the Proposed Development, the Applicant has been engaging with Eni to agree a proposed change to the powers sought within the Proposed CO₂ Connection Corridor. This is reflected in the Change Notification [AS-006] submitted by the Applicant and will be progressed as part of the formal change application to be submitted at Deadline 3. The Applicant understands that, once made, this change (alongside appropriate protective provisions) will resolve Eni's concerns regarding compulsory acquisition. The Applicant has included protective provisions for the benefit of Eni within Part 9 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	Energy Security and Net Zero ("DESNZ") on 22 April 2025 under the Energy Act 2023 to construct and operate a CO₂ transportation and storage system to transport captured CO₂ to safe, long-term storage in depleted oil and gas reservoirs offshore Liverpool Bay. Eni's intent in making this representation is to safeguard its position with respect to the interface between the CQLCP DCO and Eni's existing apparatus, as well as the Eni Works under the CQLCP DCO that will be undertaken by Eni. The Applicant and Eni have been working productively and collaboratively together to develop the Eni Works and related powers sought in this application. While Eni has some points of detail on which it considers minor drafting amendments are required to the application, Eni is supportive of the application overall and considers that the points raised in this representation are likely to be resolvable during the Examination period. Overview Eni will be the 'undertaker' for the following Work No 1(h) listed under Schedule 1 of the CQLCP dDCO (Examination Library Reference: APP-019). As such, Eni will be responsible for the decommissioning of the existing Eni GRF. The existing natural gas pipeline from the Proposed CO₂ AGI to a point south of Pentre Ffwrndan, east of Allt Goch Lane within the CQLCP Project Order Limits will be cleaned, altered and made safe by Eni before being transferred from Eni to LBCCS. The	yet in agreed form and is continuing to engage with Eni to reach agreement on these protections. The Applicant is working with Eni to clarify the position regarding the requirement discharge process and notes that the vast majority of requirements are specified as being discharged 'in part' or 'stage' meaning that, where Eni is carrying out works under the DCO as 'undertaker' they would only need to discharge the relevant requirements for the 'part' or 'stage' of the works being carried out. The Applicant notes Eni's position in respect of third party protective provisions currently under discussion and will seek to ensure that Eni is aligned with the approach, whilst also ensuring that each relevant statutory undertaker's apparatus is adequately protected.

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	pipeline will then be repurposed, operated, maintained and decommissioned by LBCCS. Due to Eni being an undertaker under the CQLCP DCO and the potential impacts the CQLCP Project may have on Eni's existing apparatus, Eni considers that the CQLCP DCO must: • provide adequate protection for Eni's existing gas apparatus within or adjacent to the Order limits until either Eni has safely decommissioned it or it is transferred to LBCCS (when the protection LBCCS is seeking will apply); • provide adequate rights and powers for the proposed Eni Works; • be drafted so that the obligations and requirements which apply to Eni can be clearly identified, are proportionate to the substance of the Eni Works and can be separably complied with by Eni. Ongoing discussions and agreements Eni welcomes the Applicant's commitment to collaborate and engage on matters including compulsory acquisition powers, landowner agreements and engagement, dDCO and, protective provisions. Having regard to the application documents as submitted, Eni raises the following key points: 1. Compulsory Acquisition Powers Eni requires protection for its existing assets and the rights needed to safely decommission those. It is expected that land and rights	

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	for the Eni GRF will be dealt with through voluntary agreements and Eni does not agree to any power of compulsory acquisition which would remove such rights before they are surrendered or which would allow Uniper to carry out any works to Eni assets. Eni considers that it is likely that such protection can be adequately provided for in suitable protective provisions, however the proposed provisions as set out in the CQLCP dDCO (Examination Library Reference: APP-019) are not yet agreed to be suitable. Existing pipeline The stretches of existing pipeline to be repurposed for CO₂ are currently owned and operated by Eni but will be transferred to LBCCS as part of a wider transfer of these pipeline assets. Eni, in conjunction with LBCCS, has discussed the powers sought over plots 6/4, 6/5, 6/21, 7/19 and 7/20 with the Applicant. Eni, LBCCS and the Applicant are working together to seek voluntary agreement over these plots with the affected landowners. Eni notes that the approach on the existing pipeline of seeking compulsory powers where there is a 'gap' in the records from the time of installation of the pipeline, and of seeking sub-surface acquisition, is entirely consistent with the approach taken (and powers granted) in the HyNet Carbon Dioxide Pipeline DCO. Eni is entirely supportive of the approach taken by the Applicant on these plots.	

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	Eni has had constructive discussions with the Applicant about the acquisition powers sought, which will continue throughout the Examination period. 2. DCO Requirements The Applicant's approach to Schedule 2 requirements in the CQLCP dDCO (Examination Library Reference: APP-019) is not agreed. It is appreciated that the Applicant has accepted the principle of Eni requiring flexibility to discharge requirements in relation to Eni Works, however Eni considers that the draft wording requires amendment to support that approach. Amendment is also necessary to ensure that the requirements are divisible and proportionate to each party. 3. Protective Provisions Eni has and will continue to liaise with the Applicant to agree protective provisions in the CQLCP dDCO (Examination Library Reference: APP-019) for the Eni Works and the existing pipeline. Discussions on protective provisions include temporary possession and compulsory acquisition powers, and a restriction on the Applicant's ability to carry out Eni Works or operate and interfere with Eni's assets and associated infrastructure. It is noted that and Draft Eni UK Limited Statement of Common Ground (SoCG) (Examination Library Reference: APP-289) includes the status of the discussion on protective provisions as agreed. As stated, negotiations with the Applicant regarding the protective provisions are ongoing and it is Eni's position that these are not agreed at this stage. In addition, the Applicant's Potential Main Issues for Examination Report (PMIE) (Examination Library	

Ref. No.	Eni UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	Reference: APP-279) does not list protective provisions as a main issue for Eni. Eni however anticipates that progress can be made during the pre-examination period. 4. Other Protective Provisions Eni requests that any other protective provisions and associated terms in the CQLCP DCO that could affect its interests are discussed and agreed with Eni prior to inclusion in the CQLCP dDCO (Examination Library Reference: APP-019). Eni objects to any provisions which will apply to it being held to be agreed, unless and until it has also agreed these. This is because, as the undertaker for the Eni Works, Eni will be bound by these provisions. Accordingly, Eni has a legitimate interest in ensuring that these are deliverable, appropriate, and where necessary are separable or can be adapted to reflect the limited scale of works Eni will carry out (for example, no security reflecting the value of the whole works is required from Eni). Conclusion Eni supports the Applicant's CQLCP Project and its DCO application. Eni is engaging with the Applicant and will continue to work on the above matters to resolve the issues noted above. Eni reserves the right to raise further points or issues during Examination and looks forward to engaging further on the application.	

6.7 RR-042 Tata Steel UK Limited

6.7.1 Tata Steel UK Limited's RR and the Applicant's response are set out in **Table 28** below.

Table 28: Tata Steel UK Limited's RR and the Applicant's response

Ref. No.	Tata Steel UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
TS1	We write on behalf of our client, Tata Steel UK Limited (Tata Steel), to provide comments in relation to the application by Uniper UK Limited (Uniper) for an order granting development consent for the proposed Connah's Quay Low Carbon Power project (reference: EN010166). The application documents confirm that Uniper is considering the use of the Connah's Quay North Jetty for transporting materials/equipment to the main construction site. This would involve Abnormal Indivisible Loads (AIL) arriving at the Port of Mostyn before being transferred from ship to barge for onward transport to the jetty. Material would then be unloaded before transporting it by road. As recognised in the application documents, the jetty is located within Tata Steel's landownership. The onward transport route would also involve routing vehicles through operational land (Shotton Works) in Tata Steel's ownership. To date, no agreement has been reached between the developer and Tata Steel regarding the proposed use of the jetty or routing onward vehicles through the operational Shotton Works. It is essential that Uniper proactively engages with Tata Steel at an early stage to seek agreement for the potential use of its land for the movement of AILs. Given that the Tata Steel site is operational, careful consideration would need to be given to any potential use	The Applicant notes Tata's comments and is in active engagement with Tata regarding the use of the Connah's Quay North Jetty. The Applicant will continue to engage with Tata to seek the required agreement.

Ref. No.	Tata Steel UK Limited Relevant Representation Issue / Text	Applicant's Response(s)
	of Tata Steel's jetty/land to avoid adverse impacts on its operations. Any use of, or works to, the jetty would also need to be assessed and agreed with the Tata Steel works engineers. In conclusion, whilst Tata Steel is not currently raising objections to the proposed development itself (based on the information known to-date), no agreement has been reached regarding the acceptability of using the Tata Steel jetty or onward routing of 3rd party vehicles through Tata Steel's operational site. Continued discussions on these matters will be essential if use of the Tata Steel jetty and its operational site are to be considered further. Tata Steel requests to be kept formally updated on the Examination and Tata Steel will retain its right to comment further at the Examination's future consultation stages.	

6.8 RR-019 Liverpool Bay CCS Limited

6.8.1 Liverpool Bay CCS Limited's RR and the Applicant's response are set out in **Table 29** below.

Table 29: Liverpool Bay CCS Limited's RR and the Applicant's response

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
LBCCS1	Liverpool Bay CCS Limited (LBCCS), a member of the Eni SpA group, welcomes the opportunity to provide this relevant representation on the Connah's Quay Low Carbon Power Project Development Consent Order (hereafter referred to as 'CQLCP Project' or 'CQLCP DCO') application. LBCCS considers that it is an Interested Party by virtue of section 102(1)(aa) and in addition by submission of this representation in accordance with section 102 (1) (e) of the Planning Act 2008. LBCCS will be the owner and operator of the Liverpool Bay Carbon Dioxide (CO₂) Transportation and Storage (T&S) infrastructure that will serve the HyNet Industrial Decarbonisation Cluster. LBCCS received an economic licence from the Secretary of State (SoS) for the Department of Energy Security and Net Zero (DESNZ) on 22 April 2025 under the Energy Act 2023 to construct and operate a CO₂ transportation and storage system to transport captured CO₂ to safe, long-term storage under Liverpool Bay. LBCCS's main onshore pipeline forming part of the T&S system was granted DCO consent in March 2024 (PINS Reference EN070007, the HyNet Carbon Dioxide Pipeline DCO). The T&S system will include the above ground infrastructure and pipelines defined in the CQLCP draft DCO (dDCO) (Examination Library Reference: APP-019) as the 'Liverpool Bay CCS Works'. The Liverpool Bay CCS Works (LBCCS Works) will provide the means by which captured CO₂ produced by the proposed power station is	The Applicant has been engaging with Liverpool Bay CCS Limited (LBCCS) throughout the pre-application and pre-examination period on key matters related to the delivery of the Proposed Development and protection of LBCCS's HyNet CO₂ Pipeline Project. Discussions have been progressing positively and this is reflected within the updated SoCG submitted at Deadline 1 (EN010166/APP/8.13).

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	transported and stored, preventing release to the atmosphere. LBCCS's intent in making this representation is to safeguard its position with respect to the interface between the CQLCP DCO and LBCCS's HyNet Carbon Dioxide Pipeline DCO as well as the LBCCS Works under the CQLCP DCO that will be undertaken and operated by LBCCS. Uniper and LBCCS have been working productively and collaboratively together to develop the LBCCS Works and related powers sought in this application. While LBCCS has some points of detail on which it considers minor drafting amendments are required to the application, LBCCS is supportive of the application overall and considers that the points raised in this representation are likely to be resolvable during the Examination period. Overview In August 2025, DESNZ identified the Applicant's CQLCP Project as a priority project for the Track-1 expansion (T1x) of the HyNet Carbon Capture, Usage and Storage (CCUS) cluster. The CQLCP Project will connect into the LBCCS's CO2 T&S infrastructure. The CQLCP Project Order Limits (as shown on Site Location Plan – Examination Library Reference: APP-008) is adjacent to and overlaps with the HyNet Carbon Dioxide Pipeline DCO Order Limits i.e. CQLCP DCO Work Numbers 7, 8, 9 and 10 (as shown on Work Plans – Examination Library Reference: APP-011). These Work Numbers are located within the Flintshire County Council local planning authority area on land east of AlltGoch Lane. LBCCS will be the undertaker for	

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	the following Work Numbers listed under Schedule 1 of the CQLCP dDCO (Examination Library Reference: APP-019): • Work Number 1 (e) – a carbon dioxide interface facility ('Proposed CO2 AGI'); • Work Number 7 – Construction of an underground carbon dioxide pipeline 422 metres in length and with an external diameter of 24 inches between Work Number 8 and the existing pipeline ('Proposed CO2 Connection'); • Work Number 8 – Modification of an AGI at Flint ('Flint AGI'); • Work Number 9 – The creation and use of a temporary logistics and construction compound for use during the construction of the authorised development ('Temporary Logistics and Construction Compound'); • Work Number 10 (e) – Works to provide site access including modification of access from the highway to facilitate Work Numbers 7, 8 and 9 ('Works to provide site access'); and • Site wide works required in connection with Work Numbers 1(e), 7 to 9 and 10(e). LBCCS will be responsible for the construction, operation, maintenance, and decommissioning of Work Numbers 1 (e), 7 and 8. Ownership of the existing natural gas pipeline (existing pipeline) from the Proposed CO2AGI to a point south of Pentre Ffwrndan, east of Allt Goch Lane within the CQLCP Project Order Limits will be transferred to LBCCS from Eni UK and repurposed, operated, maintained and decommissioned by LBCCS under the CQLCP Project. Due to the interconnected nature of the two Nationally Significant Infrastructure Projects, LBCCS considers the following to be essential to ensure	

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	coordinated development and seamless integration of both projects: • The CQLCP DCO must not be in conflict and must be consistent with the rights and powers granted under the HyNet Carbon Dioxide Pipeline DCO and protection of those assets; • Provision of adequate rights and powers for the proposed LBCCS Works and the repurposing of the existing pipeline under the CQLCP DCO, which will be owned and operated by LBCCS; and • The CQLCP DCO must be drafted so that the obligations and requirements which apply to LBCCS can be clearly identified, are proportionate to the substance of the LBCCS Works and can be separately complied with by LBCCS. Ongoing discussions and agreements LBCCS welcomes the Applicant's commitment to collaborate and engage on matters including compulsory acquisition powers, landowner agreements and engagement, dDCO and voluntary land arrangements. Having regard to the application documents as submitted, LBCCS raises the following key points:	
LBCCS2	1. Compulsory Acquisition Powers Land within the existing Connah's Quay Power Station site LBCCS requires protection for its existing and future assets and the rights needed to operate those where they are within the existing power station site, primarily plot 8/10. It is expected that land and rights for the Proposed CO2 AGI (Work Number 1(e)) will be agreed	The Applicant has submitted the Change Notification [AS-006] and is consulting on a change which includes updates to the compulsory acquisition powers sought over the Proposed CO₂ Corridor. This change only downgrades or removes the compulsory acquisition powers sought in this area and reflects LBCCS's

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	voluntarily between the parties once the detailed design is progressed and secured in accordance with the requirements of necessary agreements to be put in place. However, until that detailed design is available the point at which the new infrastructure will connect to the existing pipeline cannot be specified. LBCCS therefore requires protection for all of the existing pipeline from the use of compulsory powers. It also requires protection for future assets from powers, such as temporary use of land for maintenance (article 37). LBCCS considers that it is likely that such protection can be adequately provided for in suitable protective provisions, however the proposed provisions as set out in the CQLCP dDCO (Examination Library Reference: APP-019) are not yet agreed to be suitable. Land at Flint AGI and the connection between Flint AGI and the existing pipeline Works Plans (Examination Library Reference: APP-011) and Schedule 1 of the CQLCP dDCO (Examination Library Reference: APP-019) describe and show land for Flint AGI (Work Number 8) and Proposed CO2 Connection (Work Number 7), together with access (Work Number 10(e)) and a temporary construction compound (Work Number 9). These works are shown in the Land Plans (Examination Library Reference: APP-009) as plots 7/1, 7/2, 7/3, 7/4 and 7/5. LBCCS is in active negotiation with the landowner of the site of the Flint AGI (the southern section of plot 7/2) and already has powers of compulsory acquisition over the site through the HyNet Carbon Dioxide Pipeline DCO. LBCCS therefore considers that a further power of compulsory acquisition over the land to be occupied by the Flint AGI within plot 7/2 is	requested updates. The formal change will be submitted at Deadline 3. The Applicant understands that, once made, this change (alongside appropriate protective provisions) will resolve LBCCS's concerns regarding compulsory acquisition.

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	unnecessary. In addition, LBCCS would require protection from any such right in the CQLCP DCO to protect any interest acquired and its asset once constructed, which is not currently provided for in a form acceptable to LBCCS. LBCCS understands that the Applicant proposes to submit updated versions of the Land Plans (Examination Library Reference: APP-009), Crown Land Plans (Examination Library Reference: APP-010) and Book of Reference (Examination Library Reference: APP-024) into the Examination to address this point. LBCCS has no objection in principle to powers of compulsory acquisition and temporary possession being sought in plots 7/1, 7/3 7/4 and 7/5 subject to its rights, works and assets being protected. That protection can be adequately provided for in suitable protective provisions, however the proposed provisions as set out in the CQLCP dDCO (Examination Library Reference: APP-019) are not yet agreed to be suitable. Existing pipeline The stretches of existing pipeline to be repurposed for CO2 currently owned and operated by Eni UK will be transferred to LBCCS as part of a wider transfer of these pipeline assets. LBCCS therefore has discussed the powers sought over plots 6/4, 6/5, 6/21, 7/19 and 7/20 with the Applicant. LBCCS and the Applicant are working together to seek voluntary agreement over these plots with the affected landowners. LBCCS notes that the approach on the existing pipeline of seeking compulsory powers where there is a 'gap' in the records from the time of installation of the pipeline, and of seeking sub-surface acquisition, is entirely consistent with the approach	

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	taken (and powers granted) in the HyNet Carbon Dioxide Pipeline DCO. LBCCS is entirely supportive of the approach taken by the Applicant on these plots. LBCCS has had constructive discussions with the Applicant about the acquisition powers sought over all of the above plots and understand that the Applicant intends to propose some changes to address the points raised by LBCCS.	
LBCCS3	2. Land agreement and landowner engagement LBCCS is named as benefiting from the provisions of the CQLCP DCO Order for the LBCCS Works and the existing pipeline within the Applicant's DCO Order Limits. LBCCS would seek to secure land rights through agreement in the first instance. As a part of this approach to land assembly, LBCCS and the Applicant are discussing the form of voluntary land agreements needed between them, and the terms in which such agreements would be reached. Both LBCCS and the Applicant agree that this agreement can be reached at a later stage (most likely post consent of the CQLCP DCO) when the detailed design is suitably progressed.	The Applicant is aligned with LBCCS's view that voluntary land acquisition is preferred and that the use of compulsory acquisition powers should only be a matter of last resort. The Applicant is working with LBCCS in the negotiations with relevant landowners for the areas of land required for the LBCCS Works.
LBCCS4	3. Extent of Work Number 1 and Maximum Design Parameters of the Proposed CO₂ AGI LBCCS notes that the extent of the permanent works area for Work Number 1 does not extend to the current alignment of the existing pipeline to be repurposed in the northwest and west of the site. LBCCS is unclear at this time that the plans suitably allow for a connection from the Proposed CO₂ AGI (Work Number 1(e)) to the existing pipeline with appropriate flexibility. LBCCS further notes that proposed maximum design	The existing pipeline within the Order limits is located in Work Area No. 1. As a result, the proposed CO₂ AGI (Work No. 1e) would be situated within the same work area and can be directly connected to the existing pipeline without the need for additional off-site works or third-party connections. This provides a clear and deliverable route for integration of the new CO₂ AGI with the existing pipeline infrastructure.

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	parameters of the CO2 AGI (Work Number 1(e)) have been set out in the Design Principles Document (Examination Library Reference: APP-264) and the Parameters Plans (Examination Library Reference: APP012), with the work area shown as Zone 1G. The submitted parameters including the maximum footprint and heights are not yet agreed with LBCCS and are subject to further design review based on the scope of the Proposed CO2 AGI. LBCCS and the Applicant are working together to seek technical agreement on the design parameters set out in the CQLCP DCO application.	
LBCCS5	4. Overlapping pipeline works, access to works, Temporary Logistics and Construction Compound and Construction Programme Proposed CO2 Connection (Work Number 7) and the Temporary Logistics and Construction Compound near Flint AGI (Work Number 9) are located partially over the area within which LBCCS will be constructing a pipeline under the HyNet Carbon Dioxide Pipeline DCO. Work Number 8 requires direct interaction with Flint AGI, and Work Number 10(e) uses the same highway access point as will be used for the construction of Flint AGI. While it is intended that LBCCS will carry out all of these works and can therefore sequence them to allow for one another and to protect any existing assets from later works, as the CQLCP DCO would in principle allow the Applicant to carry out these works, LBCCS requires suitable protection for other works and assets. The protection can be adequately provided in suitable protective provisions, however the proposed provisions as set out in the CQLCP dDCO (Examination Library Reference: APP-019) are not yet agreed to be suitable.	The Applicant has included protective provisions for the benefit of LBCCS within Part 8 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not yet in agreed form and is continuing to engage with LBCCS to reach agreement on these protections.

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
LBCCS6	5. Ecological Safeguarding Zone LBCCS notes an ecological safeguarding zone is to be established along the western and northern edge of the Main Development Area (Work Number 13). This is to provide a buffer zone to reduce impacts from construction to the wider environment (including the Dee Estuary SAC). While the Vegetation Clearance Plan (Figure 5.5 of the Environment Statement, Examination Library Reference: APP-085) are presumed indicative, it appears the safeguarding zone is situated partially above, and within the easement of, the existing pipeline, which will be re-purposed and utilised to transport CO₂ from Proposed CO₂ AGI (Work Number 1(e)) to Flint AGI (Work Number 8). Clarity is required as to the flexibility of the ecological safeguarding zone, and the accuracy of its location shown in the Environment Statement submitted with the CQLCP DCO application, as construction works, such as connecting into the existing pipeline or removal of redundant sections will be required. LBCCS also requires to be able in future to access the existing pipeline for maintenance.	Habitats in the ecological safeguard zones will be retained during construction and protected from any damage during the construction phase as recorded in the Commitments Register [APP-251]. These areas will include 3 m acoustic fencing to the north of the Main Development Area and C&IEA and 3 m acoustic fencing to the western side of the Main Development Area. It may be possible to undertake temporary works to the pipeline outside of the acoustic fence. Undertaking of these works would need to be restricted to outside of the over-wintering months, for the protection of bird species.
LBCCS7	6. Green Infrastructure Statement and Vegetation Clearance LBCCS notes that the Green Infrastructure Statement (Examination Library Reference: APP-252) excludes the Flint AGI (Work Number 8) footprint from the Net Biodiversity Benefit assessment, as it is already consented under the HyNet Carbon Dioxide Pipeline DCO. Habitats within this area are therefore marked as retained. In contrast, the Proposed CO₂ Connection (Work Number 7) is assessed as temporary habitat loss with reinstatement assumed post-construction. The Hedgerow	The Proposed CO₂ Connection is considered as a working corridor within the wider parcel of land identified within the Order limits. This is new infrastructure required for the CQLCP Abated Generating Station and is not required or consented under the HyNet CO₂ Pipeline Project DCO. As such the assessment has appropriately considered this as temporary loss during its installation. This is different to the Flint AGI footprint as this is consented under the HyNet CO₂ Pipeline Project DCO and is therefore not considered again in

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	Removal Plan (Examination Library Reference: APP-015) and Permanent and Temporary Habitat Loss Plan (Appendix B of the Green Infrastructure Statement, Examination Library Reference: APP-252) indicate 32m loss of hedgerow to facilitate construction of the Proposed CO₂ Connection (Work Number 7). Further to this, the plan does not include losses associated with access to Flint AGI (Work Number 10 (e)) as this is captured within the HyNet Carbon Dioxide Pipeline DCO. The Indicative Landscape Plan (Appendix B of the Green Infrastructure Statement, Examination Library Reference: APP-252) indicates both the Proposed CO₂ Connection (Work Number 7) and Flint AGI (Work Number 8) will revert to existing land use with grassland planting proposed in these locations. The HyNet Carbon Dioxide Pipeline DCO includes an attenuation pond and open drainage channel with species-rich grassland in this location. LBCCS seeks clarification on construction phasing and reinstatement responsibilities across both projects, to avoid potential conflicts in vegetation/hedgerow removal, reinstatement planting, and surface water management. Confirmation of sequencing is requested to ensure mitigation measures are properly coordinated and biodiversity impacts are minimised and accurately accounted for. LBCCS considers that required mitigation measures for this location should be added to the outline landscape and ecological management plan.	the assessment (the Applicant is not seeking consent to build, only to modify). Regarding hedgerow removal, the above is also true. As the pipeline at the Proposed CO₂ Connection Corridor is new infrastructure with flexibility in the land parcel identified within the Order limits, the hedgerow removal plan considers the worst-case loss of a 32 m section of hedgerow. The location is indicative, showing the maximum loss associated with Hedgerow 19. Regarding the consistency of post-development habitats, the current Indicative Landscape Plan would not prejudice the HyNet CO₂ Pipeline Project works to come along after the proposed CO₂ Connection, but the Applicant notes there could be some confusion around the interface between both developments, particularly if HyNet CO₂ Pipeline Project is built prior to the Proposed Development. The Applicant has obtained plans from LBCCS and will be updating the Indicative Landscape Plan within the Green Infrastructure Statement [APP-252]. This will be included as a change in the Change Application to be submitted at Deadline 3.
LBCCS8	7. Framework Construction Environmental Management Plan (CEMP)	Requirement 4 of the Draft DCO [APP-019] requires a CEMP to be submitted and approved prior to the commencement of each stage of works. It is considered

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	It is noted that LBCCS will be the undertaker for several work packages as identified above. LBCCS considers that a section should be added to the Framework CEMP (Examination Library Reference: APP-246) dealing with the LBCCS Works only and allowing them to be discharged as a standalone phase by LBCCS.	that works within the Proposed CO₂ Connection Corridor would be subject to a bespoke CEMP. Requirement 4 requires the CEMP to be in general accordance with the Framework CEMP [APP-246]. Where LBCCS are undertaking works within the Main Development Area these would be subject to the control stipulated in the Framework CEMP [APP-246] owing to the sensitivities of the site. These works would also be subject to their own CEMP, to be approved by FCC.
LBCCS9	8. DCO Requirements The Applicant's approach to Schedule 2 requirements in the CQLCP dDCO (Examination Library Reference: APP-019) is not agreed. It is appreciated that the Applicant has accepted the principle of LBCCS requiring flexibility to discharge requirements in relation to LBCCS Works, however LBCCS considers that the CQLCP dDCO (Examination Library Reference: APP-019) wording requires amendment to support that approach. Amendment is also necessary to ensure that the requirements are divisible and proportionate to each party and operational requirements under the CQLCP DCO will not constrain the operation of LBCCS assets inappropriately. LBCCS objects to any requirement of the CQLCP dDCO (Examination Library Reference: APP-019) controlling or constraining the operation of Flint AGI which will be controlled under the HyNet Carbon Dioxide Pipeline DCO. The works for which consent is sought in this application are minor modifications to the AGI only. It is therefore appropriate that the consent for the construction and operation of this AGI is the	The Applicant is working with LBCCS to clarify the position regarding the requirement discharge process and notes that the vast majority of requirements are specified as being discharged 'in part' or 'stage' meaning that, where LBCCS is carrying out works under the DCO as 'undertaker' they would only need to discharge the relevant requirements for the 'part' or 'stage' of the works being carried out. The Applicant has included protective provisions for the benefit of LBCCS within Part 8 of Schedule 13 to the Draft DCO [APP-019]. The Applicant notes that these are not yet in agreed form and is continuing to engage with LBCCS to reach agreement on these protections. The Applicant notes LBCCS's position in respect of third party protective provisions currently under discussion and will seek to ensure that LBCCS is aligned with the approach, whilst also ensuring that each relevant

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	control. The public interest is already protected by the HyNet Carbon Dioxide Pipeline DCO which includes (as examples) the need for approval of the landscaping design under requirement 12, operational noise limits in requirement 16 and an operational and maintenance environmental management plan (which includes the maintenance of landscape planting) in requirement 19. Having two sets of requirements applying to a single site is unnecessary, and could result in divergence between the requirements through inconsistency. Given that non-compliance with a DCO is a criminal offence, LBCCS should not be put in a position where it has to try and address inconsistent requirements. 9. Protective Provisions LBCCS has and will continue to liaise with the Applicant to agree protective provisions in the CQLCP dDCO (Examination Library Reference: APP-019) for the LBCCS Works and the existing pipeline. Discussions on protective provisions include survey access, temporary possession and compulsory acquisition powers, Applicant's restriction to carry out LBCCS Works or operate and interfere with LBCCS's assets and associated infrastructure. It is noted that the Applicant's Potential Main Issues for Examination Report (PMIE) (Examination Library Reference: APP-279) records the principle for the need of protective provisions as agreed, whereas the Draft Liverpool Bay CCS Limited Statement of Common Ground (SoCG) (Examination Library Reference: APP-292) identifies the wording of protective	statutory undertaker's apparatus is adequately protected

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	provisions is yet to be agreed and remains to be under discussion. As stated, negotiations with the Applicant regarding the protective provisions are ongoing and it is LBCCS's position that these are not agreed at this stage. LBCCS however anticipates that progress can be made during the pre-examination period. 10. Other Protective Provisions LBCCS requests any other protective provisions and associated terms in the CQLCP DCO that could affect its interests are discussed and agreed with LBCCS prior to inclusion in the CQLCP dDCO (Examination Library Reference: APP-019). LBCCS objects to any provisions which will apply to it being held to be agreed, unless and until it has also agreed these. This is because, as the undertaker for the LBCCS Works, LBCCS will be bound by these provisions. Accordingly, LBCCS has a legitimate interest in ensuring that these are deliverable, appropriate, and where necessary are separable or can be adapted to reflect the limited scale of works LBCCS will carry out (for example no security reflecting the value of the whole works is required from LBCCS).	
LBCCS10	Conclusion LBCCS supports the Applicant's CQLCP Project and its DCO application and welcomes the project's selection by DESNZ as a priority project for connection to the Liverpool Bay CO2 T&S infrastructure system. LBCCS is engaging with the Applicant and will continue to work on the above matters to resolve the issues noted above, and safeguard LBCCS's delivery	The Applicant welcome's LBCCS's support for the Proposed Development and will continue engagement with LBCCS to agree the remaining points raised.

Ref. No.	Liverpool Bay CCS Limited Relevant Representation Issue / Text	Applicant's Response(s)
	obligations. LBCCS reserves the right to raise further points or issues during Examination and looks forward to engaging further on the application.	

6.9 RR-049 Motor Fuel Limited

6.9.1 Motor Fuel Limited's RR and the Applicant's response are set out in **Table 30** below.

Table 30: Motor Fuel Limited's RR and the Applicant's response

Ref. No.	Motor Fuel Limited Relevant Representation Issue / Text	Applicant's Response(s)
MFL1	Dear Sir or Madam We are instructed by Motor Fuel Limited, who own the freehold interest in Coleshill Service Station, A538 Holywell Road, Flint CH6 5RR, which is referred to in the 'Compulsory Acquisition Information Volume IV Book of Reference'. Our client has become aware of this scheme but can so far not trace having received any correspondence addressed to it setting out the details. It is possible therefore that the correspondence has gone astray and I would be grateful if you could confirm my client has been formally notified. Our client's property is a petrol filling station which, being a trade related property, relies on the effective operation of its access arrangements to retain its trade. As currently formulated we are very concerned that the proposals will adversely affect the trading performance of the site and we therefore reserve our clients position to submit more detailed representations in relation to the scheme. Without prejudice to our rights to submit further detailed representations, we would welcome an opportunity to discuss the detail of the works proposed to be executed under the scheme	The Applicant notes Motor Fuel Limited's concern that contact has not been made with regards to the Proposed Development. The Applicant's records indicate that correspondence was received, akin to this Representation, first to request a copy of the correspondence regarding the site being referred to in the 'Compulsory Acquisition Information Volume IV Book of Reference', on 11 November 2025. The next correspondence was to inform Motor Fuel Limited how to register as an interested party, following an email sent on 12 November 2025, via the Connahsquay@planninginspectorate.gov.uk email address. Previous correspondence relating to the Proposed Development was shared with Shell rather than Motor Fuel Ltd. The Applicant can confirm that the location in question does not form part of the Main Development Area, rather part of a potential route for AILs (S07) as shown on Sheet 6 of Figure 5-6: Abnormal Load Routing Options [APP-081]. As detailed in Table 5-6 of Chapter

Ref. No.	Motor Fuel Limited Relevant Representation Issue / Text	Applicant's Response(s)
	with the project team. I would be grateful if the appropriate person would contact me in this regard to discuss matters in more detail. Yours sincerely (Redacted)	5: Construction Management and Programme [APP-043] the works in this location would be limited to tree works and would result in minimal disruption. The Applicant would welcome an opportunity to discuss the Proposed Development in further detail.

Abbreviations

Abbreviation	Definition
µg	microgram
µg/m ³	micrograms per cubic metre
AADF	Annual Average Daily Flow
AA	Appropriate Assessment
AEP	Annual Exceedance Probability
AEIOI	Adverse Effect on Integrity
AGI	Above Ground Installation
AIL	Abnormal Indivisible Load
ALAN	Artificial Light At Night
ALARP	As Low As Reasonably Practicable
AOD	Above Ordnance Datum
APIS	Air Pollution Information System
AQA	Air Quality Assessment
BMV	Best and most versatile land
BS	British Standard
BTO	British Trust for Ornithology
BwNSF	Building with Nature Standards Framework
C&IEA	Construction and Indicative Enhancement Area
CA	Compulsory Acquisition
CCC	Climate Change Committee
CCGT	Combined Cycle Gas Turbine
CCP	Carbon Capture Plant
CCR	Carbon Capture Rate
CCRA	Climate Change Risk Assessment
CCUS	Carbon Capture, Usage and Storage
CEMP	Construction Environmental Management Plan
CIEEM	Chartered Institute of Ecology and Environmental Management
CL:AIRE	Contaminated Land: Applications in Real Environments
CLo	Critical Load
CLe	Critical Level
CMRA	Coal Mining Risk Assessment
CMS	Curlew Mitigation Strategy
CNP	Critical National Priority
CO ₂	Carbon Dioxide

Abbreviation	Definition
COMAH	Control of Major Accident Hazards
CQLCP	Connah's Quay Low Carbon Power Project
CRDVNL	Clwydian Range and Dee Valley National Landscape
CTMP	Construction Traffic Management Plan
CWaC	Cheshire West and Chester
CWTP	Construction Workers Travel Plan
dB	decibel
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
DESNZ	Department for Energy Security and Net Zero
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
DNS	Deeside Naturalists' Society
DPA	Dispatchable Power Agreement
EAL	Environmental Assessment Level
ECOW	Ecological Clerk of Works
EIA	Environmental Impact Assessment
EMF	Electromagnetic Fields
EPR	Environmental Permitting (England and Wales) 2016 (as amended)
ES	Environmental Statement
FCA	Flood Consequences Assessment
FCC	Flintshire County Council
FEED	Front-End Engineering Design
FES	Future Energy Scenarios
FLL	Functionally Linked Land
FR	Fish Rescue
FRAP	Flood Risk Activity Permit
GCN	Great Crested Newt
GDR	Geotechnical Design Report
GHG	Greenhouse Gas
GIR	Ground Investigation Report
GPP	Guidance for Pollution Prevention
GTP	Gas Treatment Plant
ha	Hectares
HGV	Heavy Goods Vehicle
HRA	Habitats Regulations Assessment

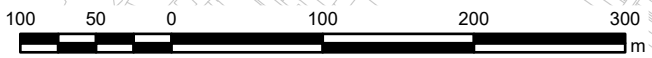
Abbreviation	Definition
HRSG	Heat Recovery Steam Generator
HyNet	HyNet North West CO ₂ Pipeline Project
INNS	Invasive Non-Native Species
IROPI	Imperative Reasons of Public Interest
ISEP	Institute of Sustainability and Environmental Professionals
kgN/ha/yr	kilograms of nitrogen per hectare per year
km ²	square kilometre
km	kilometre
LA _{eq}	A-weighted equivalent continuous sound level
LA _{max}	A-weighted maximum sound level
LCP BREF	Large Combustion Plants Best Available Techniques Reference Document
LBCCS	Liverpool Bay CCS Limited
LEMP	Landscape and Ecological Management Plan
LIR	Local Impact Report
LSE	Likely Significant Effect
m ²	square metre
m ³	cubic metre
m	Meters
mm	millimetre
MACAA	Marine Coastal Access Act 2009
MCA	Maritime and Coastguard Agency
MHWS	Mean High-Water Springs
MMP	Materials Management Plan
MW	Megawatt
NBB	Net Benefit for Biodiversity
NBN	National Biodiversity Network
NESO	National Energy System Operator
NGET	National Grid Electricity Transmission Plc
NGT	National Gas Transmission Plc
NH	National Highways
NMWTRA	North and Mid Wales Trunk Road Agent
NRA	Navigational Risk Assessment
NRW	Natural Resources Wales
NSR	Noise Sensitive Receptor
NVC	National Vegetation Classification
PAG	Procedures and Advice Guidance (Welsh Government)

Abbreviation	Definition
PC	Process Contribution
PEIR	Preliminary Environmental Information Report
PHW	Public Health Wales
PINS	Planning Inspectorate
PMIE	Potential Main Issues for Examination Report
PPW	Planning Policy Wales
PRoW	Public Right of Way
RIHRA	Report to Inform Habitats Regulations Assessment
PMSC	Port Marine and Facilities Safety Code
RCAHWW	Royal Commission on the Ancient and Historical Monuments of Wales
Rol	Radii of Influence
RR	Relevant Representation
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SHA	Statutory Harbour Authority
SMS	Safety Management System
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPEN	SP Energy Networks
sqm	Square meters
SRN	Strategic Road Network
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage Management Systems
TA	Transport Assessment
TLSE	Test For Likely Significant Effects
TAN	Technical Advice Note
TMP	Traffic Management Plan
T&S	Transport and Storage
UKHSA	United Kingdom Health Security Agency
WCA	Wildlife and Countryside Act 1981
WeBS	Wetland Bird Survey
WFD	Water Framework Directive
WR	Written Representation
ZTV	Zone of Theoretical Visibility
Zol	Zone of Influence

Appendix A: Crossing Schedule showing SPM assets in relation to the Proposed Development



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PROJECT

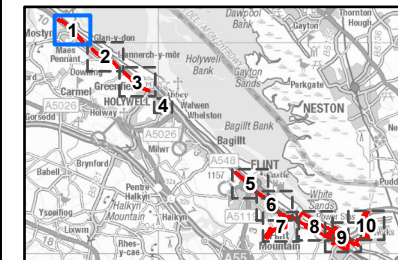
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LEGEND

-  Order limits
-  10m Buffer of the Order limits
-  High Voltage (HV) Pole Mounted Substation
-  Stay
-  Overhead Line - High Voltage (HV)
-  Cable - High Voltage (HV) (In Use)



NOTES

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FIGURE TITLE

SP Energy Networks Asset within the
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Sheet 1 of 10

FIGURE NUMBER

Figure 1



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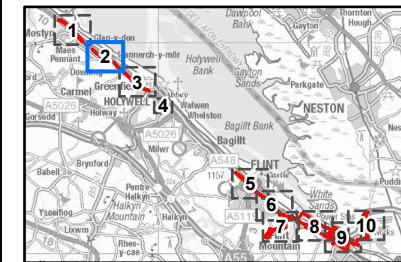
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FIGURE TITLE

SP Energy Networks Asset within the
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FIGURE NUMBER

Figure 1

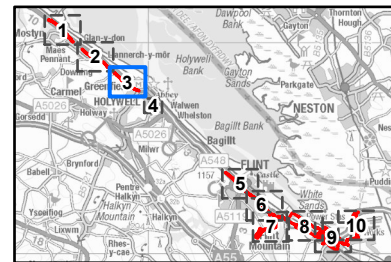


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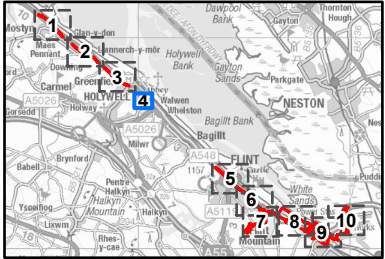
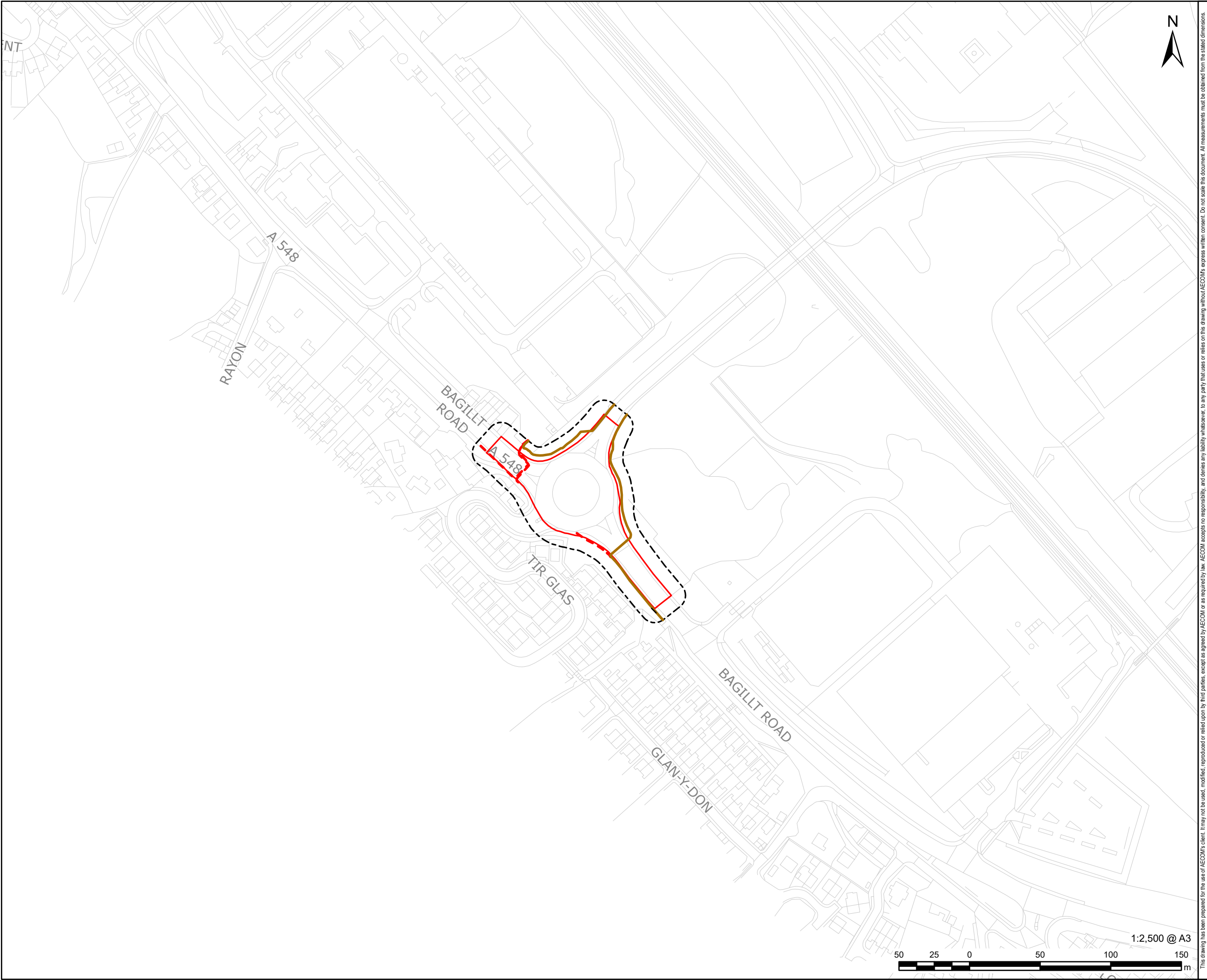
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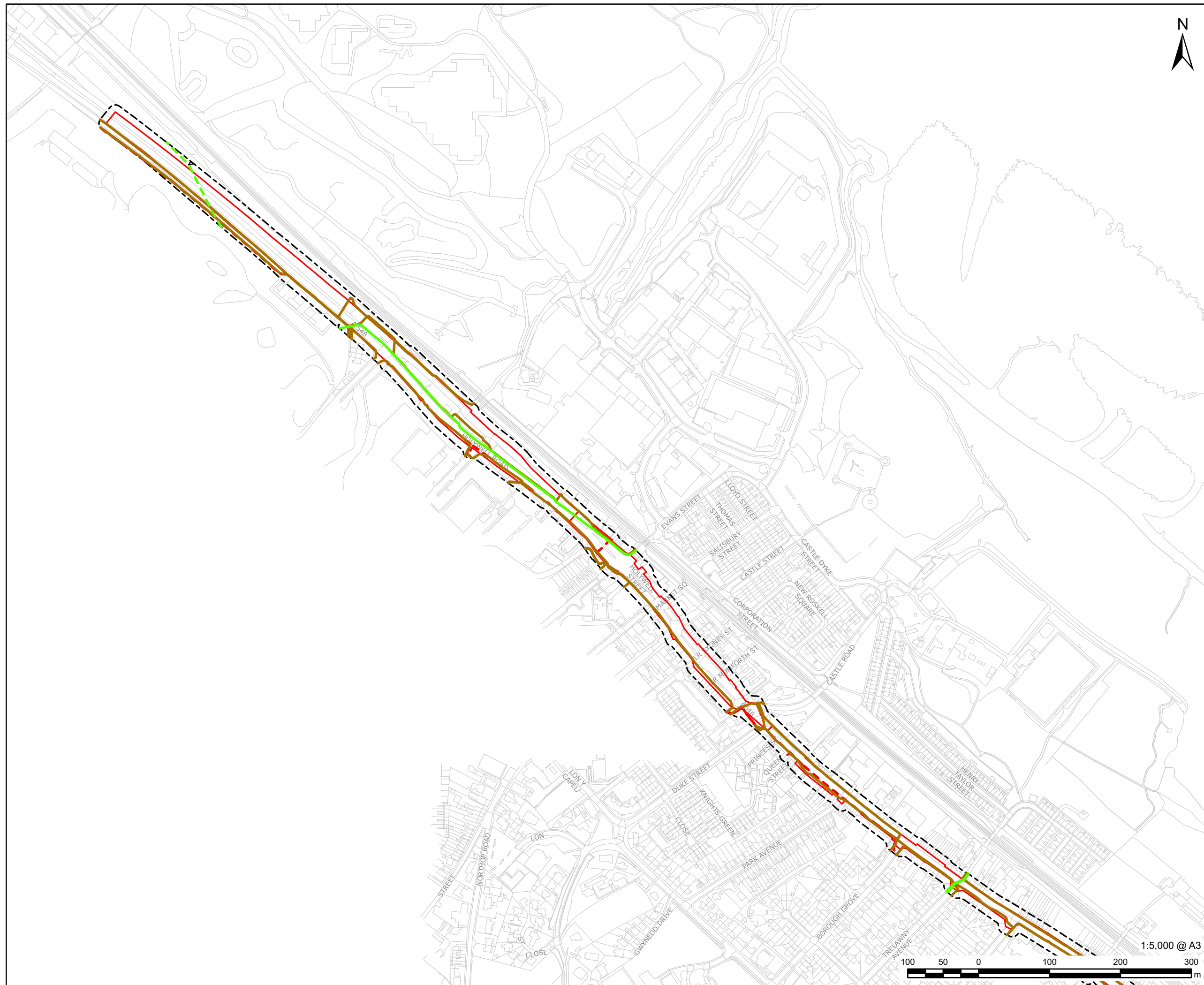
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SP Energy Networks Asset within the
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Sheet 3 of 10

Figure 1





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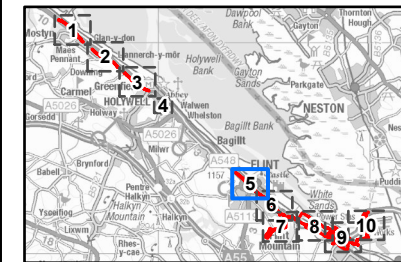
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-  Overhead Line - Extra High Voltage (EHV)
-  Cable - Extra High Voltage (EHV)
-  Cable - High Voltage (HV) (In Use)
-  Cable - High Voltage (HV) (Out of Use)



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ISSUE PURPOSE

Protective Provisions

DATE _____

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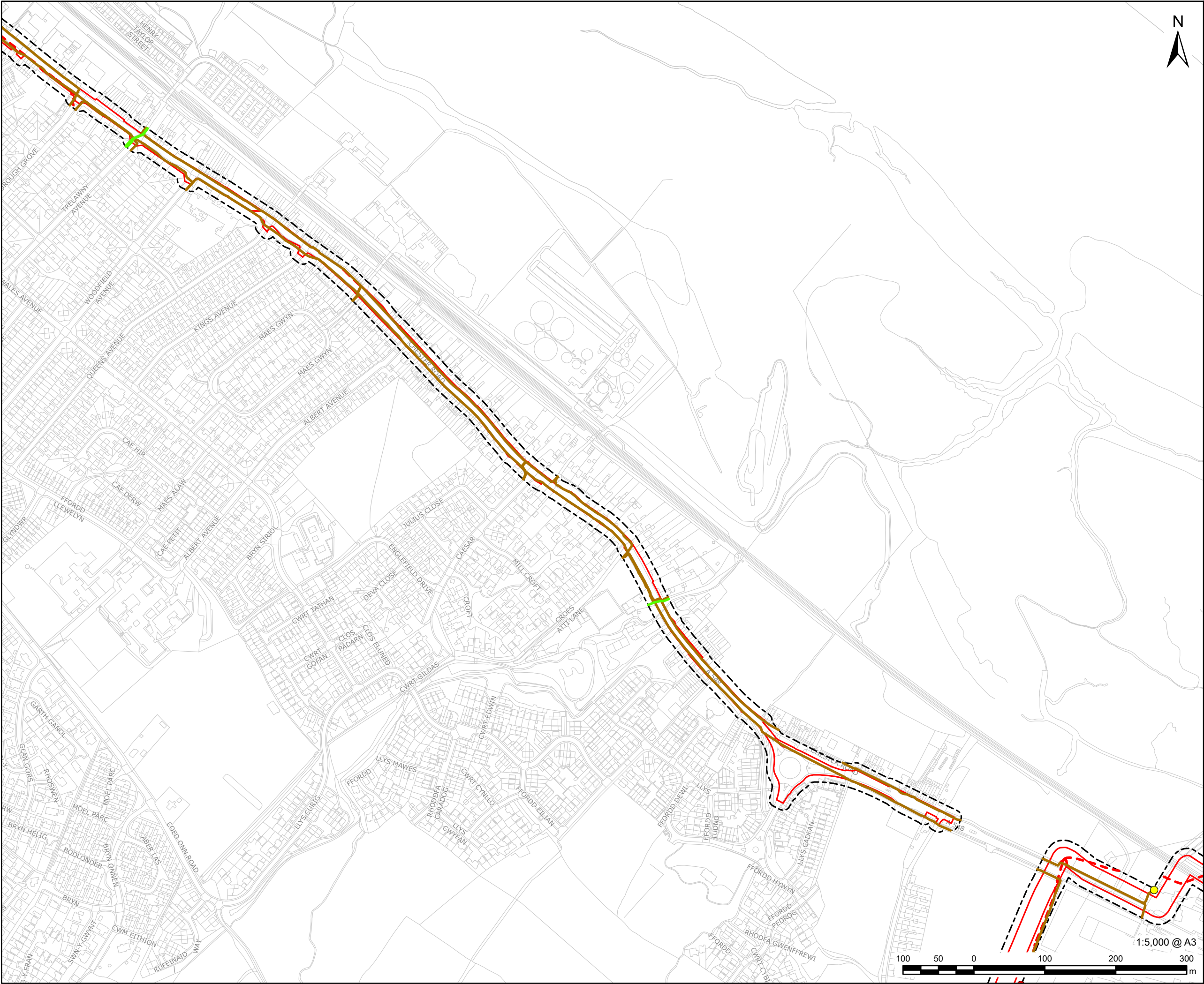
FIGURE TITLE

SP Energy Networks Asset within the
Order limits
Sheet 5 of 10

FIGURE NUMBER

Figure 1

1:5,000 @ A3



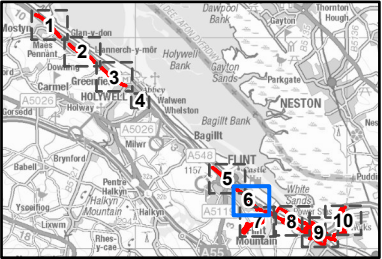
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PROJECT
Connah's Quay Low Carbon Power

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Birmingham, B4 6AT
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- LEGEND**
- Order limits
 - 10m Buffer of the Order limits
 - Pole Mounted Substation
 - High Voltage (HV) Pole Mounted Substation
 - Stay
 - Cable - Extra High Voltage (EHV)
 - Cable - High Voltage (HV) (In Use)
 - Cable - High Voltage (HV) (Out of Use)



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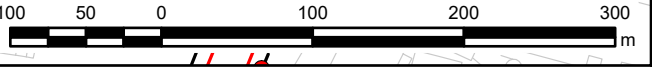
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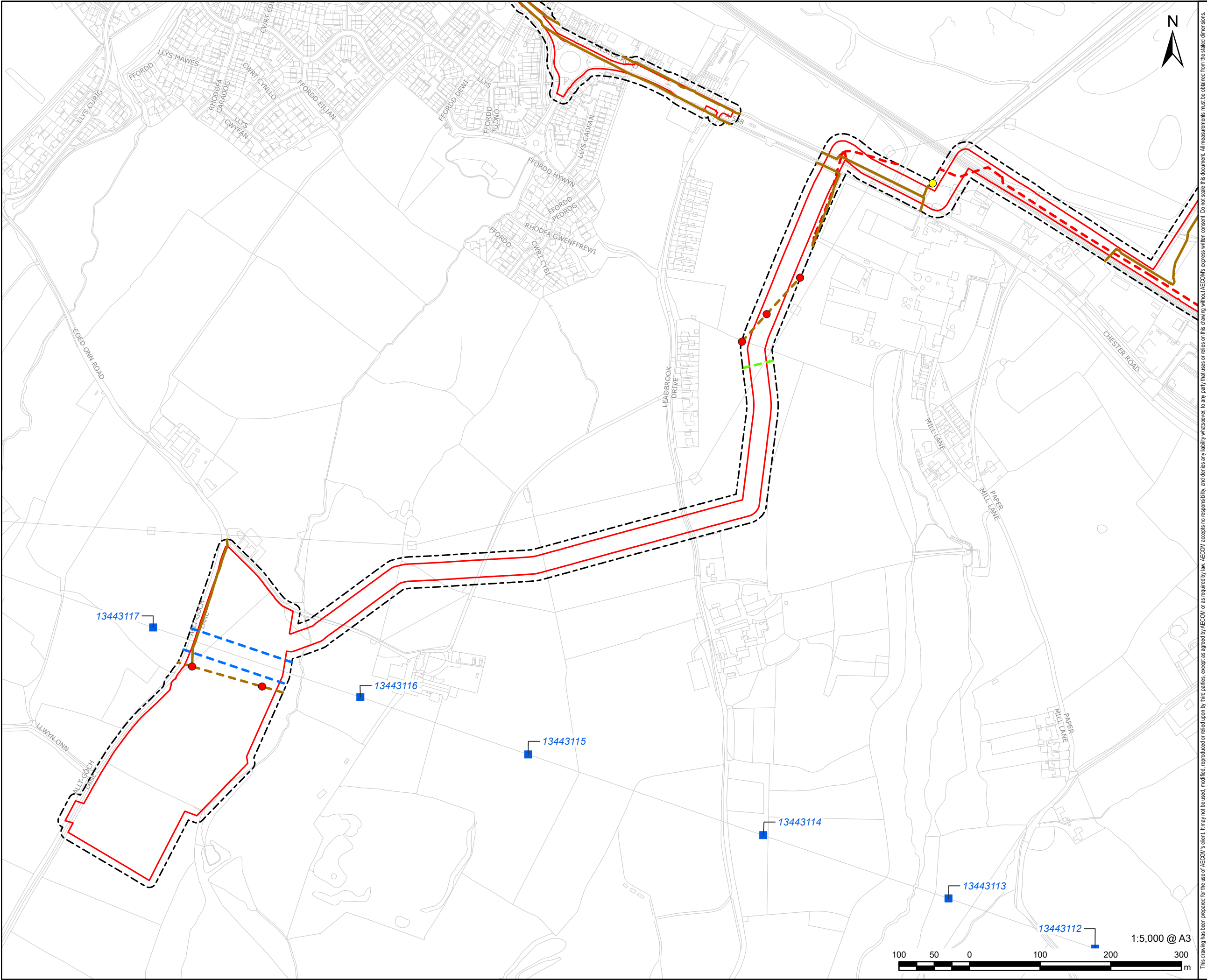
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FIGURE TITLE
SP Energy Networks Asset within the Order limits
Sheet 6 of 10

FIGURE NUMBER
Figure 1

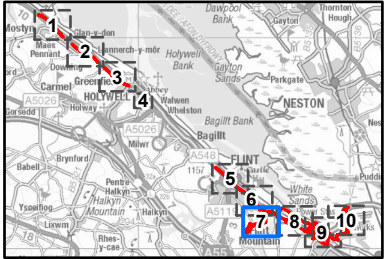




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- LEGEND**
- Order limits
 - 10m Buffer of the Order limits
 - 132kV Tower (Outside of Order limits)
 - Pole Mounted Substation
 - High Voltage (HV) Pole Mounted Substation
 - Stay
 - Overhead Line - Extra High Voltage (EHV)
 - Overhead Line - High Voltage (HV)
 - Overhead Line - 132kV (In Use)
 - Cable - High Voltage (HV) (In Use)
 - Cable - High Voltage (HV) (Out of Use)



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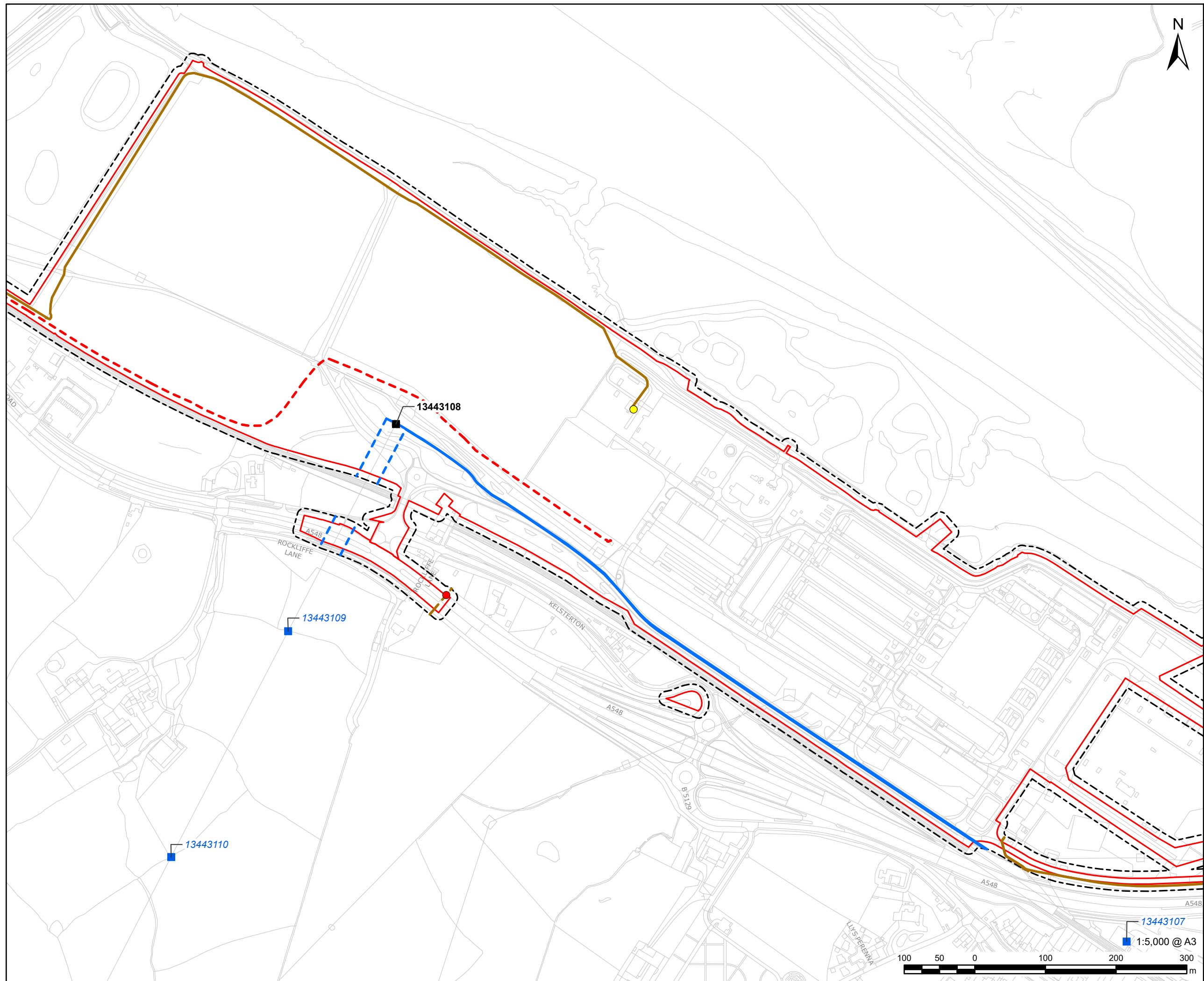
ISSUE PURPOSE
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DATE
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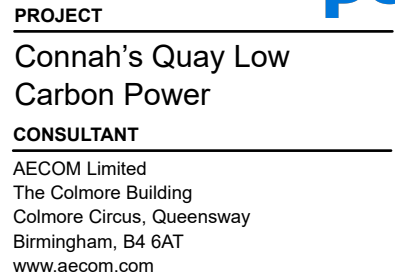
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FIGURE TITLE
SP Energy Networks Asset within the Order limits
Sheet 7 of 10

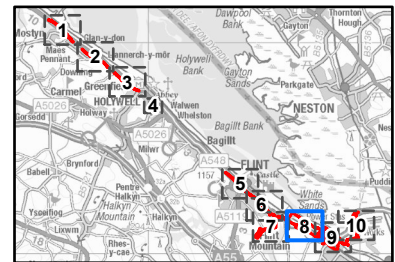
FIGURE NUMBER
Figure 1



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- Order limits
- 10m Buffer of the Order limits
- 132kV Tower
- 132kV Tower (Outside of Order limits)
- Pole Mounted Substation
- High Voltage (HV) Pole Mounted Substation
- Overhead Line - High Voltage (HV)
- Overhead Line - 132kV (In Use)
- Cable - High Voltage (HV) (In Use)
- Cable - High Voltage (HV) (Out of Use)
- Cable - 132kV



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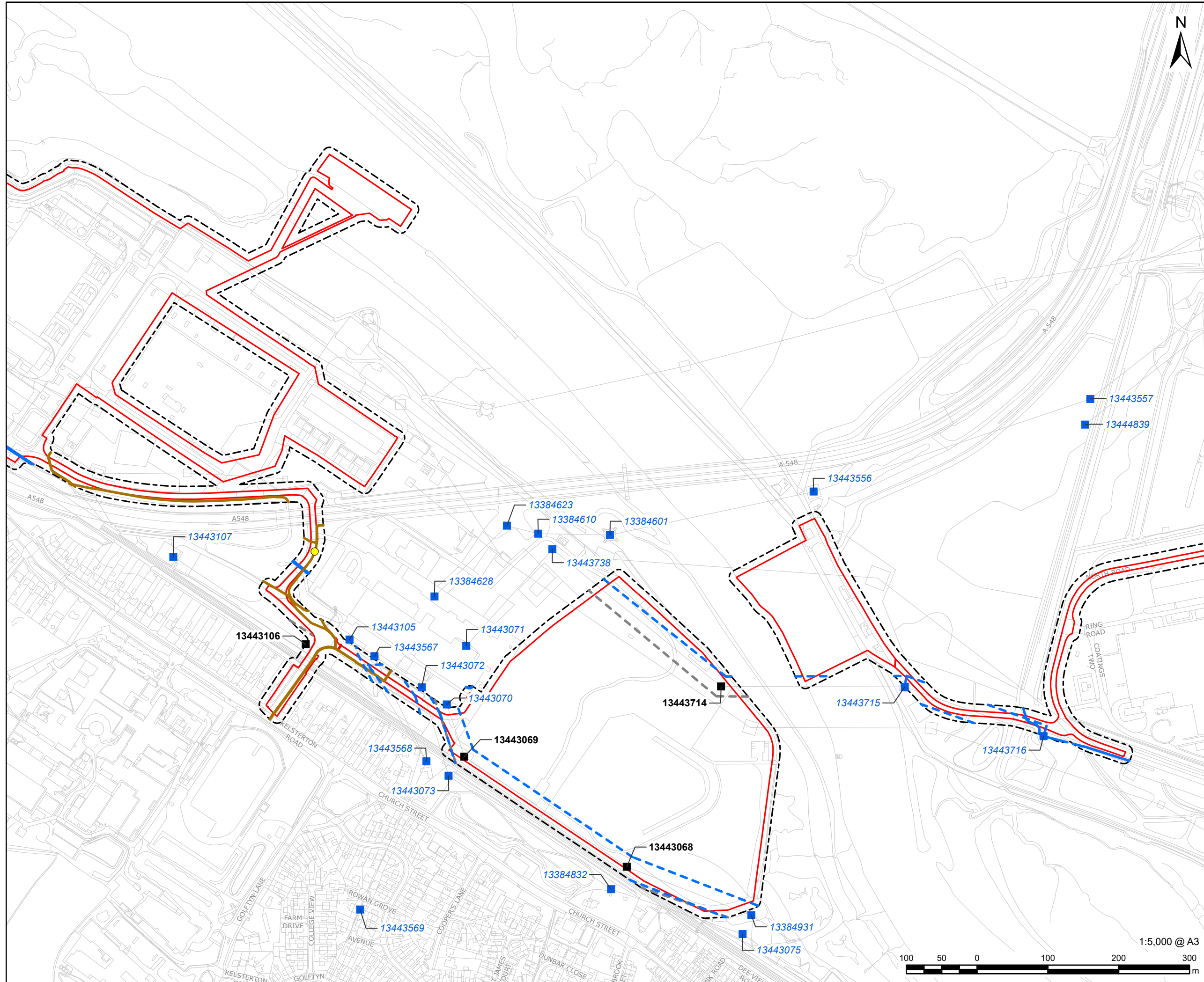
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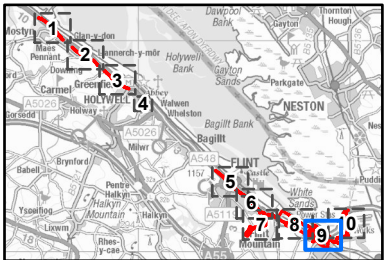
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SP Energy Networks Asset within the
Order limits
Sheet 8 of 10

Figure 1



- Order limits
- 10m Buffer of the Order limits
- 132kV Tower
- 132kV Tower (Outside of Order limits)
- Pole Mounted Substation
- High Voltage (HV) Pole Mounted Substation
- Overhead Line - 132kV (In Use)
- Overhead Line - 132kV (Out of Use)
- Cable - High Voltage (HV) (In Use)
- Cable - High Voltage (HV) (Out of Use)
- Cable - 132kV



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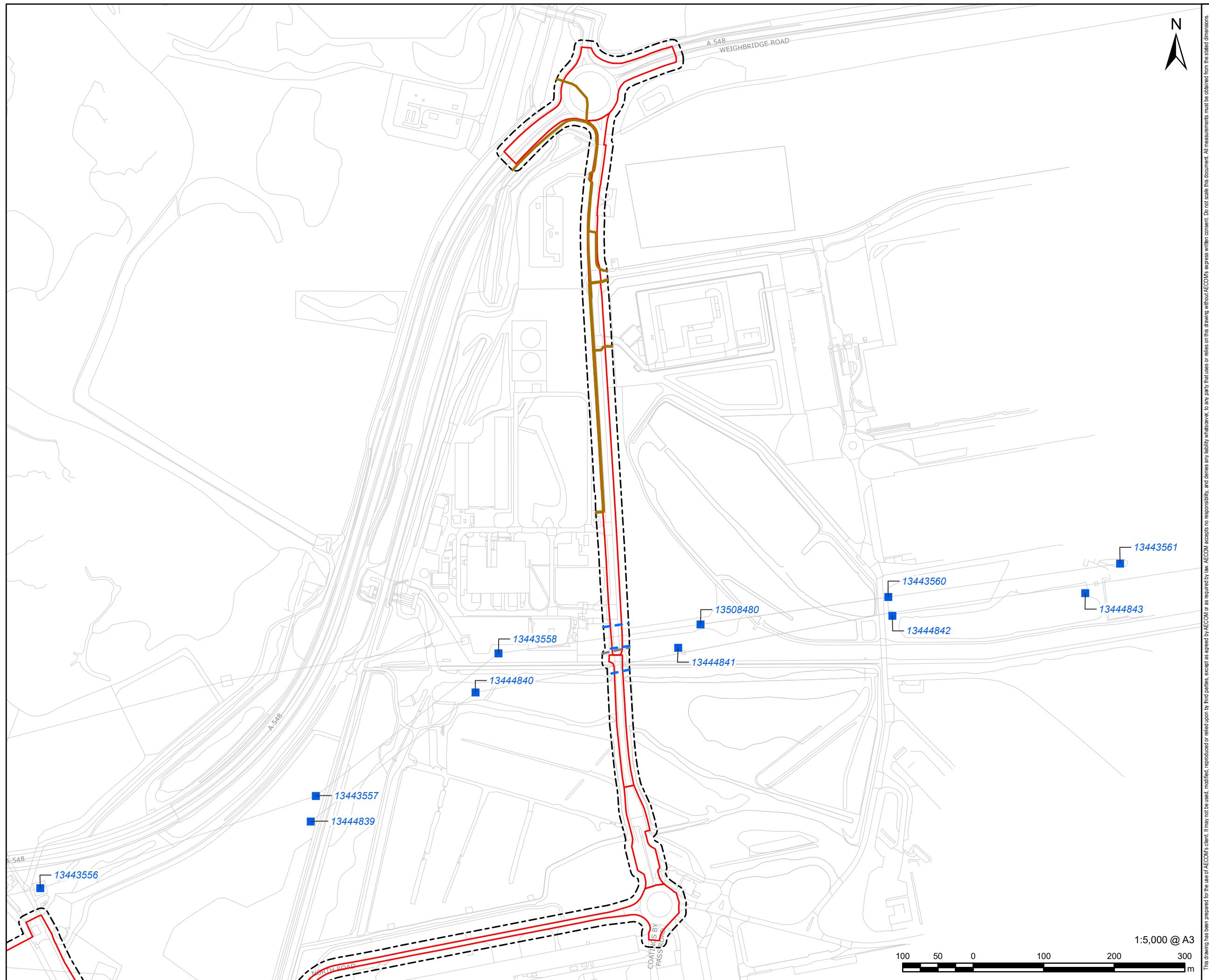
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SP Energy Networks Asset within the
Order limits
Sheet 9 of 10

Figure 1

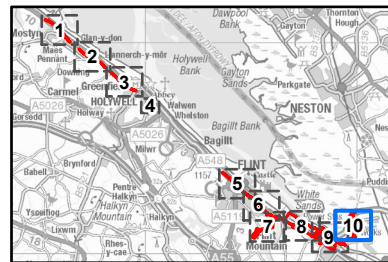


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- Order limits
- 10m Buffer of the Order limits
- 132kV Tower (Outside of Order limits)
- Overhead Line - 132kV (In Use)
- Overhead Line - 132kV (Out of Use)
- Cable - High Voltage (HV) (In Use)



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SP Energy Networks Asset within the
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Sheet 10 of 10

Figure 1