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10/03/2026

Dear Sir/Madam,

**PROPOSED CONNAH'S QUAY LOW CARBON POWER**

**PROJECT PLANNING INSPECTORATE REFERENCE: EN010166**

**INTERESTED PARTY REFERENCE NUMBER: [REDACTED]**

**RE: NATURAL RESOURCES WALES' WRITTEN SUBMISSION FOR DEADLINE 3**

This letter comprises the following submission from NRW:

- Responses to the Examining Authority's first round of questions to NRW – see [Annex A](#)
- Comments on any submissions received by Deadline 2 – see [Annex B](#)

The comments provided in this submission comprise NRW's response 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. In addition to being an interested party under the Planning Act 2008, NRW exercises functions under legislation as detailed in the cover letter of NRW's Deadline 1 Written Representations [REP1-073].

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 Environmental Statement (ES) and associated documents, provisions of the draft Development Consent Order ('DCO') and its Requirements, or other evidence and documents provided by the Applicant, the Examining Body or other interested parties.

We note that a formal change application regarding six proposed design changes, including a proposed reduction in stack heights, will be submitted by the Applicant at Deadline 3 and this will include an updated Report to Inform Habitats Regulations Assessment (RIHRA).

Therefore, our comments are based on the current submitted documents and may be subject to change following our review of any updated supporting information.

We also note that the Applicant will be submitting an updated draft Statement of Common Ground (SoCG) at Deadline 3, following further recent engagement with NRW regarding this. We advise that the SoCG is still subject to ongoing discussion with the Applicant during the Examination prior to any final agreement with NRW. However, we remain committed to further engagement with the Applicant regarding this throughout the Examination.

#### Hearings 3 and 4:

We note that Hearings 3 and 4 are scheduled for the week commencing 16 March 2026. Although our remaining key concerns are outlined in our Written Representation and SoCG with the Applicant, NRW would be willing to participate in Hearing 3, by virtual means via Teams, regarding air quality and ecology matters on 17 March 2026, if so directed by the Examining Authority. We would be able to provide details of any participating attendees following confirmation of the agenda.

NRW does not currently plan to participate in Hearing 4 on 18 March 2026 or any of the other hearings scheduled for the week commencing 16 March 2026.

Please do not hesitate to contact me at [northplanning@cyfoethnaturiolcymru.gov.uk](mailto:northplanning@cyfoethnaturiolcymru.gov.uk) should you require further advice or information regarding these representations.

Yours faithfully,

  
**Cynghorydd Arbenigol Arweiniol - Cynllunio Datblygu / Lead Specialist Advisor -  
Development Planning  
Cyfoeth Naturiol Cymru / Natural Resources Wales**

[CONTINUED]

## ANNEX A – RESPONSES TO EXAMINING AUTHORITY’S QUESTIONS (ROUND 1)

Please find below NRW’s responses (right hand column) to the Examining Authority’s first round of questions (ExQ1):

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
<b>6. Air Quality</b>			
ExQ1 6.1	The applicant, NRW	<p><b>Zone of Influence for impacts on human health ([APP-037] Ref: 6.2.1 NTS)</b>            Why was a Zol of 2km adopted for the consideration of the impact of emissions on human health, and given the plume distribution is this reasonable?</p>	<p>NRW does not normally comment on human health matters as part of development planning application consultations. However, NRW will consider human health impacts as part of the Environmental Permitting Regulations (EPR) application process for this proposed development.</p> <p>NRW is yet to complete a detailed review of the submitted air quality modelling. This is being undertaken as part of the Environmental Permit application determination. However, although NRW is not currently able to share any findings we anticipate being able to provide an update on this within a months’ time.</p> <p>NRW refers to the GOV.UK guidance: “<i>Environmental permitting: air dispersion modelling reports - GOV.UK</i>,” which requires applicants to justify the resolution of the model receptor grid applied and give details of any discrete receptor used to assess the impact at sensitive locations.</p> <p>The Application describes the secondary formation of nitrous amine pollutants in the emitted plume after emission. This impact pathway is uncommon outside of carbon capture plant assessments. The Applicant may wish to consider the relevance of this specific point to the</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			selection of appropriate Zol and point(s) of maximum impact as n-amine concentrations may, unusually, increase further from the emission point.
ExQ1 6.2	The applicant, NRW	<p><b>Background levels of pollutants</b> Background levels of pollutants in the vicinity of the proposed development are already noted to be high. How, with it acknowledged that the proposed development will contribute to this by as small amount as practical, will this affect the overall pollution levels, and could more be done with pollution control from the proposed development to reduce this further and help address and ameliorate the existing high background levels.</p>	<p>NRW defers to the Applicant to comment on the scope of pollution control from their proposed development and demonstration of Best Available Techniques.</p> <p>NRW will consider appropriate pollution controls as part of its detailed review of the submitted air quality modelling for the EPR application.</p> <p>NRW also notes that a formal change application will be submitted at Deadline 3, including proposed reductions in stack heights. NRW will therefore provide further comments following review of this information.</p>
ExQ1 6.3	The applicant, NRW	<p><b>Plume distribution of emitted particles and wind direction</b></p> <p>Particle distribution from the emissions appears to be predicated on dominant wind direction. How might this particle distribution change in the future with shifting wind patterns or as a result of climate change?</p>	NRW refers to the GOV.UK guidance: “ <i>Environmental permitting: air dispersion modelling reports - GOV.UK,</i> ” which requires applicants to use a minimum of three years of meteorological data, preferably five years. This helps to account for inter-annual variability of meteorological conditions.
ExQ1 6.4	The applicant, NRW	<p><b>Localised topography and wind effects</b> What effects does the local topography and adjacent structures have on wind patterns at the site and what is the potential for these effects to</p>	Advanced atmospheric dispersion models, such as the one used by the Applicant, are capable of incorporating terrain and building features, along with their associated effects on pollutant dispersion.

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		concentrate particle emissions onto nearby communities or habitats?	NRW will consider this as part of its detailed review of the EPR application and defers to the Applicant for site-specific advice regarding this question in relation to their assessment. Please also see our response to ExQ1 6.1.
ExQ1 6.5	The applicant, NRW	<b>Stack heights ([APP-183] Ref: App 8D 1.5.3)</b> What is the consequence of a nominal reduction or increase in stack heights on the localised depositions and distribution of emissions? In light of the proposed change request, explain how any stack height reduction will not result in increased concentrations of pollutants.	NRW notes that a formal change application will be submitted at Deadline 3, including proposed reductions in stack heights. NRW will therefore provide further comments on this matter following review of this information.
ExQ1 6.6	The applicant, NRW	<b>Amine dispersal ([APP-099] Ref: Fig 8.8)</b> What is the reason for the indicated distribution of amines, south west to north east, approximately perpendicular to the dominant wind direction at the site?	NRW defers to the Applicant regarding their reasoning for the indicated distribution of amines, but please note our comment on secondary pollutant formation in response to ExQ1 6.1, which may be relevant to N-amines.  NRW will undertake a detailed review of this information as part of its EPR application determination.
ExQ1 6.7	The applicant, NRW	<b>Nitrogen deposition ([APP-104] Ref: Fig 8.13)</b> Why does there appear to be no dispersal of the particles in the south westerly direction and also why is the plume distribution more dominant to the north west as opposed to the south easterly plume flow?	NRW defers to the Applicant regarding clarification of their nitrogen deposition assessment, but please also see our response to ExQ1 6.1.  NRW will undertake a detailed review of this information as part of its EPR application determination, which includes checking if appropriate meteorological data have been used in the modelling assessment.

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
ExQ1 6.8	The applicant, NRW	<p><b>Variation in dispersal for abated and unabated conditions (Ref: Figs 8)</b>            What is the reason for the variation in the south westerly direction of plumes for the abated versus unabated conditions?</p>	<p>NRW defers to the Applicant for clarification regarding the reason for the variation in the south westerly direction of plumes for their assessment of abated versus unabated conditions.</p>
ExQ1 6.9	The applicant, NRW	<p><b>Nitrogen and ammonia deposition</b>            The documents note increase in deposition of nitrogen and ammonia compounds within the designated sites and local habitats. What are the consequences of this, the mitigation measures for all sites and the likely consequences for any residual increases in these levels at the sites?</p>	<p>NRW has provided advice regarding the consequences of this and the proposed mitigation measures in its Written Representation (Key Concern 1). NRW will comment on this further following review of the change application to be submitted by the Applicant at Deadline 3.</p>
ExQ1 6.10	NRW, NE	<p><b>HRA: Air quality modelling</b>            Are NE and NRW satisfied with the air quality modelling that has been undertaken (ES appendix 8-D [APP-183]) to inform the assessment of atmospheric pollution on European sites?</p>	<p>For the DCO application, NRW have undertaken a high-level review of the air quality modelling assessment. This high-level review was limited to determining whether the applicant had followed appropriate guidance, used appropriate modelling software, and checked whether the assessment methodology was generally sound. No significant issues were identified during the high-level review.</p> <p>NRW is yet to complete a detailed review of the submitted air quality modelling. This is being undertaken as part of the Environmental Permit application determination. We are therefore currently unable to provide commentary on the validity of the predicted pollutant concentrations. However, we anticipate being able to provide an update from our detailed review within around a months' time.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			<p>Pending the EPR assessment, NRW's comments on the ecological impacts of the DCO application are therefore based on the potentially significant assumption that the emissions profile and dispersion information are fully accurate.</p> <p>NRW notes that further details, including an updated air quality assessment, will be submitted by the Applicant at Deadline 3 and will therefore comment on this further following review of the additional information.</p>
ExQ1 6.11	NRW, NE	<p><b>HRA: Dust emissions mitigation</b>  The applicant has clarified in their Response to Relevant Representations [REP1-062] that the mitigation measures proposed to control dust emissions during construction are standard embedded measures and would be included in the project proposals irrespective of the presence of European sites.  Are NE and NRW satisfied that the mitigation measures proposed to control dust emissions are embedded into the proposed development and in line with the People Over Wind ruling by the Court of Justice of the European Union and can therefore be considered during the HRA screening stage?</p>	<p>NRW notes that this question relates to a comment raised by NE in their Relevant Representation (NE49) and therefore defers to NE for further advice on that. However, NRW considers that dust emissions have the potential to adversely affect the adjacent European sites, as identified in the RIHRA. NRW is also satisfied with the dust management measures, proposed for a range of receptors, which would be embedded as good practice and secured as part of a Dust Management Plan and included in the final Construction Environmental Management Plan. When implemented effectively, dust suppression techniques should protect sensitive habitat features from the short-term impacts of smothering / pH change from dust deposition from construction.</p>
ExQ1 6.18	NRW, NE	<p><b>Atmospheric pollution at the Dee Estuary/ Aber Dyfrdwy SAC, SPA and Ramsar site – Derogations</b>  The RIHRA [APP-253] proposes that the measures relied on for the loss of Atlantic salt</p>	<p>NRW notes this statement and has discussed this matter in its Written Representation (Key Concern 1) and response to the Applicant's Change Notification consultation. NRW would welcome the provision of further details regarding this matter in an updated 'without prejudice HRA</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>meadow (extending the duration of management of the Atlantic salt meadow within the existing Connah's Quay conservation areas that are managed by the applicant; and allowing natural coastal processes to resume south of the existing power station to substantially delay the rate of coastal squeeze) would also offset the ecological effect of nitrogen deposition during operation on the Dee Estuary/ Aber Dyfrdwy SAC/ SPA/ Ramsar site. The ExA and NE [RR-026] consider these measures to constitute compensation in relation to the direct loss of habitat impact pathway. Therefore, the applicant is requested to provide, on a without prejudice basis, a derogations case, without prejudice DCO schedules, and without prejudice compensation Implementation and Monitoring Plan(s) regarding the atmospheric pollution impact pathway on the Dee Estuary SAC, SPA and Ramsar site.</p>	<p>derogation' document and will provide further comment following review of the additional information.</p>
ExQ1 6.23	NRW	<p><b>Atmospheric pollution at the Deeside and Buckley Newt Sites SAC</b>  Are NRW satisfied that the financial contribution proposed by the applicant to mitigate effects from nitrogen deposition and ammonia (if the financial contribution is also intended to mitigate for ammonia - this matter is still outstanding with the applicant) on the Deeside and Buckley Newt Sites SAC constitutes mitigation rather than compensation? If not, please provide your reasoning and what further evidence would be</p>	<p>Following further clarification from the Applicant NRW is satisfied that the proposed financial contribution measures to avoid/reduce the impact of increased nitrogen deposition on the oak woodland feature would constitute mitigation.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		required for the applicant to justify their conclusion?	
ExQ1 6.25	NRW	<p><b>Atmospheric pollution at the Deeside and Buckley Newt Sites SAC</b></p> <p>The applicant proposes to secure the financial contribution towards nitrogen deposition and ammonia (if the financial contribution is also intended to mitigate for ammonia - this matter is still outstanding with the applicant) impacts on the Deeside and Buckley Newt Sites SAC through a Section 106 Agreement. Are NRW satisfied that this is an appropriate method of securing the relevant mitigation?</p>	<p>NRW is satisfied that a Section 106 Agreement is an appropriate method of securing the relevant mitigation.</p> <p>NRW has received a draft copy of the additional site management proposals to be secured by a Section 106 Agreement and provided feedback to the Applicant about this on 27/02/26.</p>
<b>7. Noise and vibration</b>			
ExQ1 7.5	NRW	<p><b>HRA: noise and visual disturbance at the Dee Estuary/ Aber Dyfrdwy SPA and Ramsar site</b></p> <p>Are NRW satisfied with the applicant's approach and conclusions in regard to the assessment of noise disturbance to the qualifying features of the Dee Estuary/ Aber Dyfrdwy SPA and Ramsar site during operation of the proposed development?</p>	<p>NRW is satisfied with the applicant's approach and conclusion for noise disturbance on the qualifying features of the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site during operation.</p> <p>NRW has advised the use of the TIDE (Tidal River Development) Waterbird Disturbance Mitigation Toolkit to assess the impact of noise disturbance on the qualifying features of the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site. This toolkit states that a high level of noise disturbance constitutes a sudden noise event of over 60dB (decibels) or prolonged noise of over 72dB. Moderate noise disturbance is typified as high level noise that has occurred over long periods so that the birds have become habituated or lower-level noise that causes some disturbance which</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			<p>encompasses occasional noise events above 55dB, regular noise of 60-72 dB and long-term regular noise above 72dB. With low noise level effects being defined as noise which is unlikely to cause a response in birds, noises less than 55dB are included in this category along with noise between 55-72dB in some highly disturbed areas e.g. industrial or urban, may feature a low level of disturbance provided noise was regular to allow habituation.</p> <p>Noise modelling produced by the Applicant states that at no point within any Habitats site are noise levels forecast to exceed 60dB LAeq, even in the absence of acoustic fencing or any other form of mitigation. The noise contour figure titled “Operational Noise Level Contours or Ecology” shows that noise levels within the SPA / Ramsar site during operation reach a maximum of 55 to 60dB within a limited area, without use of mitigation.</p> <p>Therefore, NRW agree with the conclusion that no likely significant noise disturbance effects would arise alone or in-combination with other plans or projects during operation.</p>
ExQ1 7.6	NRW	<p><b>HRA: noise and visual disturbance - otter</b>  Are NRW satisfied with the applicant’s approach and conclusions in regard to the assessment of noise and visual disturbance to foraging and commuting otter (qualifying feature of the River Dee and Bala Lake/ Afon Dyfrdwy a Llyn Tegid SAC) during construction, demolition and operation of the proposed development?</p>	<p>NRW notes the previous concerns raised by NE regarding this matter and acknowledges the Applicant’s subsequent response (REP1-062, Table 8, ref. NE52).</p> <p>NRW also notes the proposed embedded noise and lighting mitigation measures to be secured and implemented via the DCO, and is satisfied with the Applicant’s conclusions in regard to the assessment of</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			noise and visual disturbance to foraging and commuting otter (as a qualifying feature of the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC) during construction, demolition and operation of the proposed development.
<b>9. Terrestrial and aquatic ecology</b>			
ExQ1 9.2	The applicant, NRW, NE	<p><b>Deposition of emissions on to the adjacent habitats</b></p> <p>What is the likely quantum and associated impacts and effects of deposition of emissions from the proposed development on adjacent habitats including the designated sites and local nature sites?</p> <p>What are the impacts of additional nitrogen deposition on the Desside and Buckley Newt Sites SAC and can the applicant clarify how this has been mitigated for?</p>	<p>Please refer to NRW's Written Representation (Key Concern 1) for our detailed advice regarding this matter, including the likely effects of additional nitrogen deposition on the Deeside and Buckley Newt Sites SAC.</p> <p>NRW notes that updated air quality assessment information regarding the proposed change application will be submitted by the Applicant at Deadline 3, and in response to ExQ1 6.18. We will therefore provide further comment on this following matter review of the additional information.</p>
ExQ1 9.3	The applicant, NRW, NE	<p><b>Gronant fields site ([APP-254] Ref: 6.13)</b></p> <p>A) What measures are in place to secure the Gronant fields site and what are the alternatives if this fails?</p> <p>B) Are the Gronant fields sites already within a designated site, or already functionally linked land to a designated site?</p> <p>C) Has Gronant fields already been secured as compensatory habitat for other activities such as coastal squeeze identified in the shoreline management plan and is there a risk of additionality with other strategies or plans?</p>	<p>A) NRW understands that the Gronant Fields site has been acquired by the Applicant, so it is now under their ownership. Therefore, NRW defers to the Applicant for further advice regarding this point.</p> <p>B) The Gronant fields are located within the Dee Estuary / Aber Dyfrdwy SPA, Ramsar site and SSSI.</p> <p>C) NRW is not aware of any such proposals at the Gronant Fields site. However, we advise that confirmation is sought from the Applicant and FCC.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>D) What evidence is there of the existing use of the Gronant field sites by other species, in particular scheduled species and what are the likely impacts on these existing species of the planned relocation of additional species to the site?</p> <p>E) Can the Gronant site accommodate an increased population if it is already being used?</p> <p>F) How will existing species using the functionally linked land at Connah’s Quay be encouraged to make use of the newly secured site at Gronant? Should the Gronant fields site be within the proposed order limits?</p> <p>G) What evidence is there that the use of the Gronant site is mitigation and not compensation with regards to the process set out in the Habitats Regulations and UK government guidance?</p>	<p>D) NRW holds raw WeBS data from several years for the Gronant Fields land parcels. Whilst survey has not been continuous, it shows a range of different ‘feature’ bird species using the land. Therefore, accommodation should be made within the Curlew Mitigation Strategy (CMS) not only to enhance the site for curlew, but to provide suitable habitat to maintain and enhance the site for other potentially displaced ‘feature’ bird species that may use it.</p> <p>The Applicant has yet to approach NRW for these records, but we are willing to share them if requested, subject to any data restrictions that may apply.</p> <p>In relation to Schedule 1 species, the Applicant has provided NRW with results of surveys completed in March and April 2025 which showed use of the site by one barn owl, and six Cetti’s warbler. However, NRW defers to the Applicant for full details of the data collected during their surveys.</p> <p>E) A figure entitled “Notable Bird Records Distribution Map” provided in the CMS document, shows curlew using two fields, one within the site boundary and one adjacent. This would appear to show that there is capacity within the Gronant Fields site to accommodate an increased curlew population, with 11 additional field parcels of varying sizes (1ha – 6.5ha) available for use. However, NRW defers to the Applicant for further supporting evidence regarding this matter.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			<p>F) NRW considers that proximity is not, in itself, determinative. Rather, the focus is on ecological equivalence and functional connectivity. Compensation / mitigation must be capable of supporting an equivalent or greater number of overwintering curlew, such that there is no adverse effect on the integrity of the Dee Estuary SPA or its Conservation Objectives.</p> <p>G) NRW notes that this question appears to refer to the Applicant's position on this matter and therefore directs the ExA to the Applicant for their response. However, NRW has provided advice on its position regarding this in its Written Representation (Key Concern 3). Please also see our response to ExQ1 9.27 b.</p>
ExQ1 9.4	The applicant, NRW, NE, DNS	<p><b>Functionally linked land adjacent to the existing Connah's Quay power station</b>            What evidence has been collected and presented to illustrate the extent of use of the functionally linked land adjacent to the existing Connah's Quay power station?</p>	<p>NRW awaits the full survey results from the Applicant.</p> <p>However, NRW is aware that the Deeside Naturalists' Society and Applicant hold historic bird count data of the Functionally Linked Land area, the adjacent compartment one area and the adjacent saltmarsh that cover the years since the site environmental management plan came into effect. To NRW's knowledge, these data have not been presented to date, either to set baseline conditions or to inform the RIHRA. NRW would recommend that these data are used to inform future management baselines.</p>
ExQ1 9.6	The applicant, NRW	<p><b>Existing habitat at the site of the proposed development ([APP-085] Ref: Fig 5.5 Sheet 2 of 2)</b>            Is the site of the existing power station being shown as retained habitat, and if so does this</p>	<p>NRW directs the ExA to the Applicant and Flintshire County Council for advice regarding the habitat provisions within the existing power station and potential net benefits for biodiversity.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		count towards new habitat creation or is it a requirement of conditions related to the existing development and unable to be counted towards any new net increase of biodiversity?	
ExQ1 9.7	The applicant, NRW	<p><b>Flightpath of birds</b>            What risks and effects are there on the flight paths of birds utilising the designated sites and functionally linked land from the new stacks at the proposed development, what evidence is there of conflict with the existing stacks at the site and what can be done to mitigate this risk?</p>	<p>NRW awaits the full bird survey results from the Applicant (please see our response to ExQ1 9.23).</p> <p>However, based on known roost and feeding locations of wintering waders and wildfowl and breeding terns, flight paths between roost sites and feeding sites would not include the proposed development area.</p> <p>Flighting from low tide feeding due to disturbance is referenced in The Dee Estuary European Site Regulation 33 document and does not include a flightpath over the proposed development area.</p> <p>NRW therefore does not foresee any risk to flight paths of marine/intertidal birds using the designated sites, based on currently available information.</p> <p>Regarding evidence of conflict with the existing stacks, NRW defers to the Applicant for comment regarding this matter.</p>
ExQ1 9.10	NRW, NE	<p><b>General comments on the HRA: Methodology and data</b>            Can NRW and NE confirm whether they are in agreement with the methodology and data used in relation to Habitats Regulation Assessment (HRA) matters, and whether the relevant European sites</p>	<p>Please refer to our Written Representation and Statement of Common Ground with the Applicant for details about our remaining concerns regarding HRA matters. NRW remains committed to engaging with the Applicant to discuss these matters further and resolve them where possible during the Examination.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		and qualifying features /criteria in the applicant's HRA Report meet their satisfaction? If not, please explain why not and set out the specific information that would still be required.	
ExQ1 9.12	NRW, NE	<p><b>General comments on the HRA: Features of European sites</b></p> <p>Are NRW and NE satisfied that all relevant European sites and qualifying features have been identified in the applicant's Report to Inform Habitats Regulations Assessment (RIHRA) [APP-253]?</p>	Based on the submitted information NRW is satisfied that all relevant European sites and qualifying features have been identified by the Applicant, as far as this relates to such sites and features located within Wales.
ExQ1 9.13	NRW, NE	<p><b>General comments on the HRA: Impact pathways</b></p> <p>Table B-1 of the applicant's RIHRA [APP-253] provides a summary of the impact pathways and qualifying features considered in stage 1 and 2 of the HRA.</p> <p>Can NRW and NE set out the impact pathways to qualifying features where concerns remain, or where the applicant has not yet provided an assessment? Please also confirm the impact pathways to qualifying features where you are satisfied with the applicant's assessment and conclusions.</p>	<p>Please refer to our Written Representation and SoCG with the Applicant for our remaining key concerns relating to HRA matters. NRW remains committed to engaging with the Applicant to discuss these matters further and resolve them where possible during the Examination.</p> <p>Further to the above, please note that Annex B of this document contains NRW's comments on the Geomorphological Walkover Survey Report submitted at Deadline 2. Adjacent to the existing surface water outfall structure there is evidence of scour from a combination of outfall discharge and tidal ingress resulting in a vortex and an area of erosion.</p> <p>We therefore advise that the Applicant should undertake an assessment of scour for the new permanent surface water outfall. Please refer to Annex B for our full comments on this matter.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
ExQ1 9.16	NRW, NE	<p><b>General comments on the HRA: Stage 1 assessment</b></p> <p>Can NRW and NE confirm if their concerns relating to measures considered at stage 1 of the HRA are in relation to how the applicant has followed the HRA process or if they are concerned that the measures are not sufficient to avoid LSEs. If it is the latter, please clearly set out your concerns and what amendments or other measures NRW/ NE would propose.</p>	<p>Please refer to our Written Representation and SoCG with the Applicant for our advice on the Applicant's interpretation of the HRA process.</p>
ExQ1 9.17	NRW, NE	<p><b>Loss of Atlantic salt meadows (Dee Estuary/ Aber Dyfrdwy SAC): Comments on proposed measures</b></p> <p>In the RIHRA and without prejudice HRA derogations case [APP-253] and [PD-006] respectively, the applicant proposes two measures to address AEol on the Atlantic salt meadow qualifying feature of the Dee Estuary/ Aber Dyfrdwy SAC due to direct loss of habitat:</p> <p>a) extend the duration of management of the Atlantic salt meadow within the existing Connah's Quay conservation areas that are managed by the applicant; and</p> <p>b) allow natural coastal processes to resume south of the existing power station by realigning part of the defences inland and allowing the Atlantic salt meadow to naturally retreat to substantially delay the rate of coastal squeeze.</p> <p>NRW and NE:</p>	<p>c) NRW notes that a Saltmarsh Creation Strategy will be submitted at Deadline 3 and will provide further comment on this question following review of that information.</p> <p>In principle, NRW considers that the Applicant's proposed measures, if secured and delivered satisfactorily, could be effective in adequately addressing the temporary loss of Atlantic salt meadow related to the new surface water outfall. The area to be created would be greater than the combined area of predicted permanent and temporary habitat loss. We consider that the temporary loss of Atlantic salt meadow vegetation would be likely to recover as the adjacent saltmarsh will provide a seed source.</p> <p>d) NRW considers that the proposed measures to create the conditions for the development of saltmarsh appear feasible in principle. The new area will be adjacent to the existing saltmarsh, which will be beneficial as a seed source. The Applicant has agreed to monitoring for sediment deposition and vegetation cover to ensure</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>c) Confirm the efficacy of these measures to address the temporary, medium-term loss of Atlantic salt meadow.</p> <p>d) Do NRW and NE consider that the applicant's proposed measures, would be feasible, deliverable and ecologically effective to alleviate the scale of potential harm to the European sites? If not, what amendments or other measures would NRW/ NE propose?</p> <p>e) Are NRW and NE content that the applicant's proposed measures would be secured before the commencement of construction? If not, what would NRW/ NE propose?</p>	<p>saltmarsh development occurs and a contingency plan if the site is unsuccessful. NRW notes that a Saltmarsh Creation Strategy will be submitted at Deadline 3 and will therefore provide further comment following review of that information.</p> <p>e) NRW notes that the Applicant will prepare a Detailed Saltmarsh Creation Strategy which will take into account the advice given in our Written Representation, to be prepared prior to construction in general accordance with a new Framework Saltmarsh Creation Strategy that will be submitted at Deadline 3, and secured by a new requirement within the Draft DCO. We understand that the 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.</p> <p>NRW will therefore provide further comment on this following our review of the additional information to be submitted at Deadline 3.</p>
ExQ1 9.23	NRW, NE	<p><b>Loss of functionally linked land (Dee Estuary/ Aber Dyfrdwy SPA/ Ramsar site): Baseline data for and assessment of qualifying bird species</b></p> <p>Are NRW and NE satisfied with the methodology, data/ surveys and qualifying bird species and assemblages included within the assessment of AEoI for loss of functionally linked land at Dee Estuary/ Aber Dyfrdwy SPA/ Ramsar site? If not,</p>	<p>NRW's standard advice is to collect two years' worth of ornithology survey data to assess potential impacts on a site. The Applicant has completed one years' worth of surveys (November 2023 to October 2024 inclusive) at the development site, which we consider is insufficient to be able to draw conclusions on the species which may be impacted by the development. However, given the large amount of historical data available (Deeside Naturalists' Society: January 2012 to December 2023 – Monthly</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>why not? Please set out the specific information that would still be required.</p>	<p>wetland bird survey data and data held by the Applicant for the current site management), which NRW has asked to be included in the assessment, we would accept the use of one years' worth of surveys for this project if those data were confirmed to be transferrable to the Applicant's survey data and utilised in their assessment. If this were not demonstrated to be the case, we would advise that two years' worth of survey data should be collected.</p> <p>NRW is satisfied with the threshold of determining functionally linked land used by the Applicant (this being 1% of the SPA and Ramsar site populations of named features).</p>
ExQ1 9.27	NRW, NE	<p><b>Loss of functionally linked land (Dee Estuary/ Aber Dyfrdwy SPA/ Ramsar site): Comments on proposed measures</b></p> <p>In the RIHRA and without prejudice HRA derogations case [APP-253] and [PD-006] respectively, the applicant proposes to deliver 25/ 26 ha of functionally linked land at Gronant Fields at Prestatyn which is approximately 21.2 km from the Main Development Area and within the SPA / Ramsar site.</p> <p>a) Do NRW and NE consider that the applicant's proposed measures would be feasible, deliverable and ecologically effective to alleviate the scale of potential harm to the European sites? If not, what amendments or other measures would NRW/ NE propose?</p>	<p>a) Until appropriate baseline data for the Main Development Area is presented by the Applicant NRW is unable to advise if the Applicant's proposed measures will be ecologically effective to alleviate the scale of potential harm to the Dee Estuary / Aber Dyfrdwy SPA.</p> <p>NRW has requested further clarifications and details on the CMS which can be found in its Written Representation (Key Concern 3). NRW is unable to comment on the feasibility and deliverability of the Applicant's proposed measures until an updated CMS has been submitted and agreed.</p> <p>b) NRW acknowledges that the Gronant Fields site is located within the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site. However, the Functionally Linked Land ('FLL') affected sits outside of the SPA and Ramsar site. We have commented on this in relation to the Briels case in our</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>b) Are NRW satisfied that Gronant Fields does not fall within the existing management and condition obligations of the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site, and is therefore suitable for mitigation/ compensation? If yes, are NE satisfied that the functionality of Gronant Fields has been clearly identified and that the applicant has demonstrated that Gronant Fields does not benefit the specific features currently?</p> <p>Are NRW and NE content that measures set out in the Curlew Mitigation Strategy [APP-254] would be effective and secured before the commencement of construction? If not, what amendments or other measures would NRW/ NE propose?</p>	<p>Written Representation (Key Concern 3) and it is noted that, following <i>Briels</i> and subsequent case law, the general rule is that proposed replacement land that sits within a European site boundary may usually be considered compensatory. Each matter, should, however, be considered on its own facts, and there are factual differences between <i>Briels</i> and the present application in that the land to be replaced is FLL rather than land located within the European site boundary. In any event, any proposed measures will be subject to the certainty of their implementation and effectiveness being beyond reasonable scientific doubt such that there is no adverse effect on site integrity.</p> <p>Previously, until being acquired by the Applicant, Gronant Fields has been managed by a third party for agricultural purposes, which has resulted in grassland and arable weeds, notably maize, dominating some field parcels. Such habitat is not effective for the bird features associated with the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site, and this is confirmed by the raw WeBS data NRW hold which show a lack of consistent use of the fields by these species.</p> <p>Therefore, NRW is satisfied that Gronant Fields does not fall within the existing management and condition obligations of the Dee Estuary / Aber Dyfrdwy SPA and Ramsar site and could be suitable for mitigation / compensation.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			NRW notes that the Gronant Fields site has been acquired by the Applicant and we are therefore satisfied that the site has been secured. However, until the remaining information sought by NRW has been submitted and agreed, we are unable to confirm the effectiveness of the measures set out by the Applicant.
<b>10. Marine ecology</b>			
ExQ1 10.1	The applicant, NRW	<b>Increased silt loading ([APP-050] Ref: 6.2.12.2.20)</b> What are the implications of an increase in silt loading from the proposed discharges into the designated site and what are the likely effects and impacts of this increase?	NRW advises that, due to the dynamic nature of the Dee estuary environment, combined with the sensitivity of the Dee Estuary SAC features such as mudflats and sandflats, the likely effects and impacts of any potential increased silt loading due to operational activities are anticipated to be minimal.
ExQ1 10.2	The applicant, NRW	<b>Thermal variation of the designated sites ([APP-042] Ref: 6.2.12.3.15 and Table 12-15)</b> What is the potential for changes and physical disturbance to marine ecology receptors within the designated sites due to fluctuations in the temperature of the water column? Is there a potential for thermal limits to be exceeded during the dual operation of the existing and the proposed development?	NRW defers to the Applicant for clarification regarding the potential for thermal limits to be exceeded during the development. NRW considers that the potential for changes to marine ecology receptors will depend on the abstraction and discharge parameters of the new EPR permit, which will be subject to due process as part of the EPR application.
<b>11. Water environment and flood risk</b>			
ExQ1 11.1	The applicant, NRW	<b>Impact of water abstraction and discharge on designated sites ([APP-051] Ref: 6.2.4.2.40)</b> What is the feasibility of the reuse of the existing abstraction and discharge arrangements at the	NRW defers to the Applicant for details of the feasibility of reuse of the existing abstraction and discharge arrangements at the site.

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>site and how much adaptation work will be required?</p> <p>How will this interact with and be balanced with the existing abstraction and discharge for the existing power station?</p> <p>Were the existing intakes and discharge arrangements originally oversized for the existing development?</p> <p>How will the changes to the eel screens affect the intake's ability to abstract water?</p> <p>What do the abstraction and discharge rates for cooling water look like over the range of scenarios including phased construction and the existing power station?</p> <p>What evidence is there that the proposed and existing thermal arrangements will be the same given the same discharge permits requirements?</p>	<p>However, any changes to the current abstraction licence will need to be made through the EPR permitting process. These could include change of purpose or change of licence holder as well as quantity of water abstracted.</p>
ExQ1 11.2	The applicant, NRW	<p><b>Protection of groundwater from site risks</b></p> <p>What measures have been proposed to protect existing groundwater at the site from contamination during the construction and operation phase?</p>	<p>NRW directs the ExA to the Applicant to confirm the measures they have proposed to protect existing groundwater at the site from contamination during the construction and operation phase.</p>
ExQ1 11.4	The applicant, NRW	<p><b>Flood risk ([APP-051] Ref: Table 13-7 &amp; [APP-212] Fig 13C-1)</b></p> <p>Was joint probability considered in the hydraulic analysis?</p> <p>Where in the tidal modelling has the risk of overtopping of defences from wave action and breach of defences been considered?</p>	<p>NRW defers to the Applicant to confirm how they have addressed these matters in their submission. Please also refer to our SoCG with the Applicant (NRW39 – 41).</p> <p>However, regarding consideration of a breach in defences for the tidal modelling, this was subject to previous discussions and agreement between the Applicant and NRW. There are no NRW maintained flood risk</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		<p>The appendices state that the MDA is free from flood risk but the Figure 13C 1 appears to contradict this. Why is the site shown in flood zone 3 if the site is actually free from flood risk including future climate change projections? Have the most recent allowances for climate change been included in the flood risk assessment including the uplifts required for flood modelling of critical national infrastructure, such as H++ sea level rise?</p>	<p>management defences alongside the Main Development Area and therefore it is considered that the modelling approach (undefended scenario) will provide conservative estimates of flood levels/risk.</p> <p>Regarding the site’s susceptibility to flood risk, the Flood Map for Planning at the location of the site is based on broad-scale fluvial and tidal modelling. As part of the submitted Flood Consequences Assessment, the Applicant has taken a copy of NRW’s most up-to-date hydraulic model for this location and updated this to provide a more detailed representation of risk to the site, following pre-application engagement between NRW and the Applicant. This is documented in the Hydraulic Modelling Report. Further advice on the details of the modelling should be sought from the Applicant.</p> <p>For the H++ scenario, Section 7 of the Welsh Government’s current Climate Change Allowance guidance “Flood Consequences Assessments: Climate change” states that “You should contact the Local Planning Authority to establish whether an assessment of the H++ scenario is required as part of a flood consequences assessment.” We therefore direct the ExA to FCC for any further advice regarding this matter.</p>
ExQ1 11.5	The applicant, NRW	<p><b>Foul water services ([APP-042] Ref: 6.2.4.2.50 &amp; [APP-051] 6.2.13.5.7.9)</b>            What are the existing domestic foul drainage services at the site and how will this waste be managed?</p>	<p>NRW defers to the Applicant to confirm the existing domestic foul drainage services at their site and how this waste will be managed, and for details of the containment and storage facilities for operational foul water arising from the plant operation.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		What are the containment and storage facilities for operational foul water arising from the plant operation?	Normally for an installation NRW would consent the process and foul sewer discharge(s) separately, under different conditions. However, in this case owing to the tidal regime and time limits on discharge, a combined discharge has previously been found to be acceptable and will be determined within the new EPR application.
<b>14. Physical processes</b>			
ExQ1 14.1	The applicant, NRW	<p><b>Coastal change</b></p> <p>What are the coastal erosion risks to the site of the proposed development over its lifetime, how are these mitigated and what effects might these mitigations have on shoreline management policies upstream and downstream of the site, and the long term evolution for this section of the coast?</p>	The site is within Shoreline Management Plan Policy Unit 22 11a 5.3: Flint Marsh to Chester Weir to Sealand Rifle Range which has a Hold the Line policy for all epochs. The main development would not alter this erosion risk. Any alteration of the erosion risk or downstream impacts would be associated with the proposed realignment to the south of the proposed development - this is further discussed in ExQ1 14.2.
ExQ1 14.2	The applicant, NRW	<p><b>Shoreline management</b></p> <p>How does the proposed realignment of existing coastal defences to the south of the proposed development align with the preferred policy in the shoreline management plan for the respective management unit and what are the associated effects that might arise from this policy?</p>	<p>The headline SMP policy for the site is Hold the Line. However, the policy detail refers to supporting further studies for localised managed realignment following consideration of the impact on channel morphology, downstream impacts, and changes to defence costs.</p> <p>NRW has provided further comments on this in its Written Representation; paragraph 2.1.42.</p> <p>The information provided should also refer to issues raised in paragraphs 2.1.40 and 2.1.41 of NRW's Written</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			Representation about the suitability of the managed realignment site.
ExQ1 14.3	The applicant, NRW	<p><b>Deposition and disturbance of material and sediment from cooling water</b></p> <p>What are the risks associated with the deposition of any solid matter that collects in the cooling water discharge and also the risks associated with the mobilisation of sediment adjacent to cooling water discharges. What are the consequences for the physical processes adjacent to the proposed development from any change in sedimentation regime?</p>	<p>ES Chapter 16, paragraphs 16.6.9- 16.6.14 provide information about the impact of the cooling water abstraction and discharge.</p> <p>The capacity of the outfall and intake structures and the rate of discharge into the estuary would be the same design as the existing power station. Therefore, there would be no change (associated with scour and erosion) to the riverbed as water is discharged into the estuary. The estuary is also dynamic undergoing natural changes over varying timescales on a local and wider scale.</p> <p>The Proposed Development would use the existing Connah's Quay Power Station cooling water abstraction and discharge infrastructure located within the River Dee. Therefore, the position of the discharge will not be altered.</p> <p>Cooling water abstraction and discharge would be limited to periods around high water in line with the current abstraction permit. This management practice maximises dilution and enhances dispersion.</p> <p>NRW agrees with the conclusion that there would be no effect on estuary bed morphology as a result of cooling water and abstraction discharge.</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
			However, we have concerns about potential impacts of the surface water discharge which are addressed in Annex B.
<b>22. Combined and cumulative effects</b>			
ExQ1 22.1	The applicant, NRW	<p><b>Air quality</b>  How does the general growth trend included in AQ make allowance for the emissions from potential schemes in the vicinity of the proposed development?  What is the justification for the relatively small Zol that has been adopted for the AQ assessment, given the high level of associated heavy industry and emissions in the local area?</p>	<p>NRW defers to the Applicant for clarification of how the general growth trend in their air quality assessment makes allowance for the emissions from potential schemes in the vicinity of the proposed development, and their justification for the Zol that has been adopted for the air quality assessment.</p> <p>We also refer to our response to ExQ1 6.1 regarding the Zol and our ongoing detailed review as part of the EPR application, and ExQ1 22.7 regarding additional in-combination projects.</p>
ExQ1 22.3	The applicant, NRW, NE	<p><b>Terrestrial and aquatic ecology</b>  Impacts on terrestrial and aquatic ecology are a principal issue how can the combined impacts of the other developments not also have a significant bearing on the integrity of the habitats adjacent to the developments and what does the total cumulative effects look like.</p>	<p>NRW defers to the Applicant for details of the cumulative effect of their project with other developments on terrestrial and aquatic ecology.</p> <p>NRW has provided comments on the predicted combined effect of nitrogen deposition on the adjacent saltmarsh in its Written Representation (Key Concern 1). Please also see our response to ExQ1 22.7 regarding additional in-combination projects.</p>
ExQ1 22.4	The applicant, NRW, EA	<p><b>Water resources</b>  Concerns have been raised as to the total water capacity required past 2030 for all Hynet related projects in the area. Given this forecast increased demand what are the risks, likelihood and</p>	<p>NRW is aware that there has been some wider consideration of the impacts of the HyNet-related projects, but currently there are no firm conclusions or actions arising from this and the impact will be dependant on the location of abstraction. Water availability as a vulnerability</p>

Question Reference	Respondent:	Examining Authority Question:	NRW Response:
		consequences of this water demand and what mitigation measures have been proposed?	for the HyNet projects has been assessed to become uncertain past 2050 based on climate change projections.
ExQ1 22.7	NRW, NE, FCC	<p><b>In-combination plans and projects</b></p> <p>The RIHRA [APP-253] sets out in section 10.4 the plans and projects considered in the in-combination assessment at stage 2 appropriate assessment. Can NRW, NE, and Flintshire County Council confirm whether they are satisfied with the projects and plans that have been included within the in-combination assessment in Stage 2: Appropriate Assessment of the RIHRA?</p>	<p>NRW is aware of the following additional projects within Flintshire that do not appear to be identified in the current RIHRA:</p> <ul style="list-style-type: none"> <li>• Knauf Rock Mineral Wool Facility (Statutory Pre-Application Consultation stage)</li> <li>• ICT Paper Mill (Environmental Permit issued)</li> <li>• Padeswood Cement Works (Environmental Permit issued)</li> <li>• Deeside Power Station (Environmental Permit application received)</li> <li>• Arrow AD plant (Environmental Permit application received)</li> </ul> <p>NRW directs the ExA to FCC for advice on the planning application status of the above projects and advises that FCC and other relevant Local Planning Authorities are consulted regarding any other relevant projects and plans that may be within the project's Zol.</p>

## ANNEX B – RESPONSES TO THE APPLICANT’S DEADLINE 2 SUBMISSIONS

### B.1: Connah’s Quay Low Carbon Power Geomorphological Walkover Survey Report [REP2-020]

- B.1.1 NRW has reviewed the Applicant’s Geomorphological Walkover Survey Report (REP2-020, February 2026) and our comments are as follows.
- B.1.2 The Geomorphological Walkover Survey Report concludes that additional discharge from the surface water outfall will not result in additional erosion/scour of the channel. The walkover survey shows that the dominant cause of erosion in the drainage basin is tidal ingress.
- B.1.3 However, adjacent to the outfall structure there is evidence of scour from a combination of outfall discharge and tidal ingress resulting in a vortex and an area of erosion; this is supported by plate 3 and paragraph 3.1.3 of the report.
- B.1.4 This does not support the Environmental Statement, Volume II, Chapter 11: Terrestrial and Aquatic Ecology, paragraph 11.6.141, which states that “*The Proposed Surface Water Outfall would not result in an increase in saltmarsh erosion due to the discharge*”, as the existing discharge levels are showing scour impacts.
- B.1.5 We therefore advise that the Applicant should undertake an assessment of scour for the new permanent surface water outfall. The design of the outfall should consider best practice to reduce scour such as the headwall not projecting beyond or above the bank. If scour protection is required, this should include the use of natural materials.
- B.1.6 Plate 3 shows that saltmarsh is extending across the discharge channel which could affect how water discharges from the surface outfall. The Applicant should therefore confirm whether they intend on clearing the channel at this point and, if so, whether this has been accounted for within the RIHRA.