



Connah's Quay Low Carbon Power

Draft Statement of Common Ground between Uniper UK Limited and Flintshire County Council (Tracked)

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1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Draft Statement of Common Ground (SoCG) has been commissioned by Uniper UK Limited (hereafter referred to as the 'Applicant') to support an application (the Application) made to the Secretary of State (SoS) for Energy Security and Net Zero (DESNZ). The Application was submitted to the Secretary of State for a Development Consent Order (DCO) (the Order) under section 37 of the Planning Act 2008 in July 2025. The Application was accepted for examination on 28 August 2025, and the Examination commenced on 13 January 2026.
- 1.1.2 The Applicant is seeking a Development Consent Order (DCO) under section 37 of the Planning Act 2008 for the construction, operation (including maintenance) and decommissioning of a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Plant fitted with Carbon Capture Plant (CCP) (the 'Connah's Quay Low Carbon Power (CQLCP) Abated Generating Station;') and supporting infrastructure (collectively 'the Proposed Development') on land at, and in the vicinity of, the existing Connah's Quay Power Station (Kelsterton Road, Connah's Quay, Flintshire, CH6 5SJ), North Wales (the 'Proposed Development Site').
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate's website at: [Connah's Quay Low Carbon Power Project | National Infrastructure Planning](#)
- 1.1.4 SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where matters are under discussion or where agreement has not been reached. The SoCG will be progressed during the pre-examination and examination periods to reach a final position between the Parties and to clarify if any issues remain unresolved. This draft SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between (1) the Applicant and (2) Flintshire County Council (FCC) (jointly referred to as the Parties).

The Applicant

- 1.2.2 The Applicant is a UK-based company, wholly owned by Uniper SE (Uniper) through Uniper Holding GmbH. Uniper is a European energy company with global reach and activities in more than 40 countries. With approximately 7,500 employees, the company makes an important contribution to security of supply in Europe, particularly in its core markets of Germany, the UK, Sweden and the Netherlands. In the UK, Uniper owns and operates a flexible generation portfolio of power stations, a fast-cycle gas storage facility

and two high-pressure gas pipelines, from Theddlethorpe to Killingholme and from Blyborough to Cottam.

- 1.2.3 Uniper is committed to investing around €8 billion (~£6.9 billion) in growth and transformation projects by the early 2030s and aims to be carbon-neutral by 2040. To achieve this, the company is transforming its power plants and facilities and investing in flexible, dispatchable power generation units. Uniper is one of Europe's largest operators of hydropower plants and is helping further expand solar and wind power, which are essential for a more sustainable and secure future. Uniper is gradually adding renewable and low-carbon gases such as biomethane to its gas portfolio and is developing a hydrogen portfolio with the aim of a long-term transition. The company plans to offset any remaining CO₂ emissions by high-quality CO₂-offsets.

Flintshire County Council

- 1.2.4 FCC is the host local authority, and the Proposed Development is located wholly within its administrative area. FCC is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref 1) and has been consulted during the preparation of the Application.

1.3 The Proposed Development

- 1.3.1 The CQLCP Abated Generating Station would comprise up to two CCGT with CCP units (and supporting infrastructure) achieving a net electrical output capacity of more than 350 megawatts (MW; referred to as MWe for electrical output) and up to a likely maximum of 1,380 MWe (with CCP operational) onto the national electricity transmission network.
- 1.3.2 Through a carbon dioxide (CO₂) pipeline, comprising existing and new elements the Proposed Development would make use of CO₂ transport and storage networks owned and operated by Liverpool Bay CCS Limited, currently under development as part of the HyNet Carbon Dioxide Pipeline project (referred to as the 'HyNet CO₂ Pipeline Project'), that will transport CO₂ captured from existing and new industries in North Wales and North-West England, for offshore storage. The captured CO₂ will be permanently stored in depleted offshore gas reservoirs in Liverpool Bay.
- 1.3.3 For the purposes of the electrical connection, National Grid Electricity Transmission plc (NGET), which builds and maintains the electricity transmission network in England and Wales, is responsible for the operation and maintenance of the existing 400 kV NGET Substation.
- 1.3.4 A description of the Proposed Development, including details of maximum parameters, is set out in **Chapter 4: The Proposed Development of the Environmental Statement (ES) [APP-042]**. At this stage in the development, the design of the Proposed Development incorporates a necessary degree of flexibility to allow for ongoing design development.

1.4 Status of the Statement of Common Ground

- 1.4.1 This version of the SoCG has been prepared for Deadline ~~43~~ of the Examination. - The SoCG will be updated throughout the Examination as

discussions progress between the Parties and agreement is reached on matter. ~~FCC provided feedback on this draft on 27 January 2026 and this has been reflected in Sections 9.0 and 10.0 of Table 2.~~ FCC have not yet had the opportunity to review the Applicant's responses in detail and provide a response and as such an updated FCC position is not recorded in this version of SoCG. The Applicant has instead provided a status update based on the position as the Applicant understands it at Deadline 3. The format of the SoCG may be updated at Deadline 4 following discussions with FCC.

1.5 Terminology

1.5.1 Section 3 summarises the issues that are 'agreed', 'not agreed' or are 'under discussion'.

1.5.2 These terms are used as follows:

- a. "Agreed" indicates where the issue has been resolved;
- b. "Under discussion" indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties; and
- c. "Not Agreed" indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

2.1.1 In addition to the consultation and engagement undertaken during the pre-application process, there have been a number of meetings and also correspondence relating to the Proposed Development between the Parties. Details of these meetings and key correspondence are set out in **Table 1** below.

Table 1: Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
Air Quality		
06/02/2022	Email (to the Head of Planning at FCC)	Email from the Applicant to agree the scope and approach of baseline air quality work and requesting that it is shared with the Environmental Health Officer at FCC for comment.
Noise and Vibration		
25/03/2024	Letter sent via email (to the Environmental Health Department at FCC)	Letter sent via email from the Applicant to introduce the noise and vibration assessment and details of the baseline sound monitoring surveys, providing the opportunity for FCC to comment on the scope of the proposed monitoring.
25/03/2024	Email (to Pollution Control at FCC)	Email sent from the Applicant containing details of the baseline sound monitoring surveys planned, providing the opportunity for FCC to comment on the scope of the proposed monitoring.
14/01/2025	Meeting (Microsoft Teams with Pollution Control Officers at FCC, the Applicant, and the Applicant's noise specialists)	Meeting to provide an overview of the Proposed Development to discuss the operational sound impact assessment criteria for human Noise Sensitive Receptors (NSRs) and discuss potential mitigation options. The focus of this meeting was on the proposed BS 4142 rating levels and Residual effects, explain the aim is to avoid significant adverse effects at human NSRs for planning (and subsequent permitting) and to target a rating level over the background LA90 sound level of no greater than +8 dB (lower where practicable) ("+8dB"). with the +8 dB rating level.

Date	Form of Correspondence	Key topics discussed and key outcomes
28/11/2025	Meeting (Microsoft Teams with Arup on behalf of FCC, the Applicant, and the Applicant's noise specialists)	Discussion on the FCC local impact report around the 8dB above background sound level and other matters including construction vibration impacts and low frequency operational sound from operation of the plant
Traffic and Transport		
13/01/2025	Meeting (Microsoft Teams with Transport Officers at FCC, the Applicant, and the Applicant's transport specialists)	Meeting to provide an overview of the Proposed Development and issues related to transport. The methodology of the transport assessment was presented, which was agreed through the Scoping Opinion.
14/07/2025	Meeting (Microsoft Teams with Transport Officers and Senior Planning Officer at FCC, the Applicant, and the Applicant's transport specialists)	Meeting to provide an update on the construction routing strategy for abnormal indivisible loads (AILs), the AIL movement strategy and the Streets, Rights of Way and Access Plans.
Terrestrial and Aquatic Ecology		
04/03/2024	Email (to Conservation Officer for FCC)	An email was sent to the Conservation Officer for FCC requesting feedback on the study areas proposed to be used in the assessment and information on any assets that will be scoped in and out of the assessment. No response was received.
01/05/2024	Meeting (Microsoft Teams with FCC's Ecology Advisor's, the Applicant, and the Applicant's Ecology Advisors)	Meeting to discuss the approach for ecology surveys and Net Benefit for Biodiversity (NBB).
22/01/2025	Meeting (Microsoft Teams with FCC's Ecology Advisor's, the Applicant, and the Applicant's Ecology Advisors)	A meeting was held to provide an update on the ecology survey scope and findings to date. A discussion was had about the options to mitigate the loss of the Functionally Linked Land and its impacts on curlew. FCC advised that the reptile population in Construction and

Date	Form of Correspondence	Key topics discussed and key outcomes
		Indicative Enhancement Area (C&IEA) may be larger than surveys to date suggested as other sites in the region connected to the railway corridor had found that when the time came to undertake mitigation that many more individuals than expected were caught.
22/01/2025	Meeting (Microsoft Teams with FCC's Ecology Advisor's, the Applicant, and the Applicant's Ecology Advisors)	Meeting to provide an update on the ecology baseline survey work and Abnormal Indivisible Load (AIL) proposals.
12/03/2025	Meeting (Microsoft Teams with FCC's Ecology Advisor's, the Applicant, and the Applicant's Ecology Advisors)	Meeting to discuss FCC available land for ecological mitigation.
18/11/2025	Meeting (Microsoft Teams with FCC's Planning Officer and Access and Natural Environment Manager, the Applicant, and the Applicant's EIA lead)	Meeting to discuss the financial contributions that the Applicant could make to the ongoing management of the Deeside and Buckley Newts Special Area of Conservation.
19/12/2025	Email from the FCC Access and Natural Environment Manager to the Applicant	A proposal for the potential financial contribution to the management of the Deeside and Buckley Newts Special Area of Conservation.
<u>25/02/2026</u>	<u>Meeting (Microsoft Teams with FCC's Ecologist, FCC's Ecology Consultant, The Applicant, the Applicant's EIA/ Ecology/ NBB leads)</u>	<u>Meeting to provide FCC with an update on responses to the Local Impact Report regarding ecology and NBB topics.</u>

Water Environment and Flood Risk

12/04/2024, 8/05/2024, 17/07/2024	Emails to FCC	A data request was sent by the Applicant for water resources (private water supplies (PWS)) and flood risk data. FCC responded on 8 May 2024 to confirm that they hold no flood risk data.
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Date	Form of Correspondence	Key topics discussed and key outcomes
		FCC provided details of PWS within the Study Area on 22 July 2024.
16/05/2024	Email to SuDS Approval Board (SAB)	Email from the Applicant to introduce project and agree the principles for the surface water drainage design.
28/05/2024	Email (to Flood and Coastal Erosion Risk Manager)	Email from the Applicant to introduce the Proposed Development and agree the principles for the surface water drainage design.
06/06/2024	Meeting (Microsoft Teams with Flood and Coastal Erosion Manager at FCC, the Applicant, and the Applicant's Flood Risk advisors)	Meeting to discuss the existing surface water drainage and flood risk, proposed surface water drainage strategy and SuDS requirement. It was also noted that the Applicant would submit a SuDS SAB Pre-Application form.
07/08/2024	Emails to FCC	Request for hydraulic models of Ordinary Watercourses within the area for the hydraulic assessment.
14/04/2025	Meeting (Microsoft Teams with FCC's Flood Advisors, the Applicant, and the Applicant's Flood Risk Advisors)	The proposed surface water drainage strategy was presented and the associated hydraulic modelling explained. Firewater runoff and diversion of the Oakenholt Brook culvert were also discussed. The drainage strategy principles were agreed in principle, and it was confirmed that the pollution hazard level classification for the Proposed Development would be 'high'.
Geology and Ground Conditions		
15/02/2024	Letter sent via email (to FCC)	Letter from the Applicant to request ground conditions data.
16/04/2024	Email (to Pollution Control at FCC)	An email from the Applicant requesting various baseline information such as information on: landfills – up to 250 m from the Order limits and ground investigation reports (including any reports of information on remediation / validation (if available)) – up to 50 m from the Order limits.

Date	Form of Correspondence	Key topics discussed and key outcomes
13/01/2025	Meeting (Microsoft Teams with FCC's Minerals and Waste Team and the Applicant's geology and ground conditions advisors)	Meeting to provide an update on the Preliminary Ground Investigation and groundwater monitoring.
Landscape and Visual		
14/06/2024	Email (to Planning Officers)	Engagement with FCC on the proposed viewpoint locations for the landscape and visual assessment. FCC confirmed that they agreed that the proposed viewpoint locations will provide a good representative sample for potential viewpoints. FCC requested that the Flintshire Leisure Tour route is also taken into consideration for potential viewpoints.
<u>28/02/2026</u>	<u>Meeting (Microsoft Teams with FCC's Planning Officer, FCC's LVIA Consultants and the Applicant)</u>	<u>Meeting to discuss FCC's comments on the landscape and visual impact assessment as part of the LIR.</u>
Terrestrial Heritage		
29/01/2025	Email (to Conservation Officer for FCC)	An email was sent by the Applicant to the Conservation Officer for FCC requesting feedback on the assessment undertaken to date, as set out within the Desk Based Assessment (DBA.)
Cumulative and Combined Effects		
31/01/2025	Meeting (Microsoft Teams with Planning Officers at FCC, the Applicant, and the Applicant's EIA Advisors)	Meeting to provide an update on the Cumulative Effect Assessment, the methodology used, and to seek agreement on the Short List of developments to be assessed as part of the Cumulative Effect Assessment.
22/04/2025	Email (to Senior Planning Officer at FCC)	An email was sent with the long and short lists of other developments produced for the Cumulative Impacts Assessment, updated at the end of March 2025 for FCC's review and approval. No response has yet been received.

Date	Form of Correspondence	Key topics discussed and key outcomes
Section 106 Agreement		
25/11/2025	Email from the Applicant's solicitors to FCC's legal team	Initiating engagement on a potential section 106 agreement.
03/12/2025	Email from the Applicant's solicitors to FCC's legal team	Follow-up email regarding a potential section 106 agreement.
17/12/2025	Email from the Applicant's solicitors to FCC's legal team	Follow-up email regarding a potential section 106 agreement.
17/12/2025	Email from FCC's legal team to the Applicant's solicitors	Confirming no instructions from FCC yet to progress a section 106 agreement.
<u>20/02/2026</u>	<u>Email from the Applicant's solicitors to FCC's legal team</u>	<u>The draft section 106 agreement that will secure the payment of the SAC Management Contribution in connection with the Connah's Quay Low Carbon Power project DCO application was sent to FCC for review.</u>
Consultation		
16/02/2024	Meeting (Microsoft Teams with Planning Officers at FCC and the Applicant)	To provide an overview of the Connah's Quay Low carbon Power project, with community benefits and working framework with FCC discussed.
13/06/2024	Email and letter from the Applicant to FCC	To consult on the draft Statement of Community Consultation.
18/06/2024	Email from FCC to the Applicant	To confirm FCC had no comments on the draft Statement of Community Consultation.
01/10/2024	Email from the applicant to FCC	Request to provide an update on the CQLCP project to FCC.
17/10/2024	Meeting (Microsoft Teams with Planning Officers at FCC and the Applicant)	Meeting to provide FCC with an project update, including overview of statutory consultation process.
26/03/2025	Meeting (Microsoft Teams with Planning Officers at FCC, the Applicant, and the Applicant's EIA Advisors)	Meeting to discuss the approach to targeted consultation to introduce changes to emission stack heights following Statutory Consultation.

Date	Form of Correspondence	Key topics discussed and key outcomes
01/08/2025	Email from FCC Planning Officer to the Applicant	Email to provide feedback on this Statement of Common Ground.
12/09/2025	Email from the Applicant to the FCC Engagement Officer	To initiate engagement with the Traveler's Site on Kelsterton Road
12/09/2025	Email from the FCC Engagement Officer to the Applicant	To inform the Applicant that the Travellers Site had been notified of the Applicant's intended visit scheduled for 18/09/2025.
28/11/ 2025	Relevant Representation	FCC Relevant Representation was published on the Planning Inspectorate's Connah's Quay Low Carbon Power website.
11/12/2025	Meeting (Microsoft Teams with Planning Officers at FCC, the Applicant, and the Applicant's Consultation Agency)	Meeting to discuss the approach to targeted consultation as part of the proposed Change Notification.
23/12/2026	Email from the Applicant to the FCC Engagement Officer	Email to provide the latest draft of this Statement of Common ground for FCC comment.
22/01/2026	Meeting (Microsoft Teams with Planning Officer at FCC and the Applicant)	Meeting to discuss timeframes for the Local Impact Report and SoCG.
27/01/2026	Email from FCC Planning Officer to the Applicant	Email to provide feedback on this Statement of Common Ground.
Change		
23/12/2025	Email	SoCG will be submitted after the Change Notification is submitted.
<u>General</u>		
<u>10/02/2026</u>	<u>FCC emailed the Local Impact Report (LIR) to the Applicant</u>	<u>The LIR was published on the Planning Inspectorate Project website.</u>

3. Areas of Discussion between the Parties

3.1.1 **Table 2** below details the areas of discussion and the current status of discussions between the parties, outlining whether matters are agreed, under discussion or not agreed.

Table 2: Areas of Discussion with FCC

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
1.0 Description of the Proposed Development						
1.1	Description of the Proposed Development	ES Volume II Chapter 4: The Proposed Development [APP-042]	The Proposed Development description set out in Chapter 4: The Proposed Development [APP-042] of the ES is accurate.	<u>This matter is agreed between the parties.</u>	Agreed Under discussion	High Resolved
2.0 General Planning Matters and Consultation/Engagement						
2.1	Consultation and Engagement Process	Consultation Report [APP-028]	The pre-application consultation and engagement undertaken by the applicant has been proactive and professional and accords with the Statement of Community Consultation (SoCC).	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
2.2	Traveller Liaison	Planning Statement [APP-262]	The Applicant has paid careful regard to the informal traveller site during the pre-application stage to seek to avoid any discrimination or unfair prejudice of the travellers. The engagement undertaken by the Applicant in relation to the travellers located on Kelsterton Road has been appropriate.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
2.3	Change Notification	Change Notification [AS-006; AS-007]	The changes proposed by the Applicant are appropriate and the approach the Applicant is progressing to consult on the proposed changes is proportionate and accords with relevant guidance.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
2.4	Community Benefit Fund	N/A	<p>The development of a new low carbon power station at Connah's Quay could help to maintain economic prosperity in Deeside and across the region, by providing approximately</p> <p>60 highly skilled jobs, as well as creating new opportunities during construction and through the wider supply chain.</p> <p>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.</p> <p>Effects of the Proposed Development are appropriately mitigated and with the local benefits already being brought forward as a result of the Proposed Development, the Applicant does not consider a community benefit fund to be necessary.</p>	<u>The Applicant awaits further commentary from FCC on the response provided at Deadline 1.</u>	Under discussion	Medium

3.0 Alternatives and Design Evolution

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
3.1	Site Selection	ES Volume II Chapter 6: Project Alternatives [APP-044]	The methodology used in the site selection process as detailed in Chapter 6: Project Alternatives [APP-044] of the ES is appropriate for the Proposed Development.	<p><u>The Applicant notes commentary provided by FCC on site selection within the LIR. The Applicant has responded to this commentary within the Applicant's Response to (REP2-021).</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within the Applicant's Response to LIR (REP2-021).</u></p>	Under discussion	High
4.0 Legislation and Planning Policy						
4.1	Legislation and Planning Policy	<p>Planning Statement [APP-262]</p> <p>ES Volume II Chapter 7: Planning Policy and Need [APP-045]</p> <p>ES Volume IV Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics [APP-179]</p>	<p>The relevant legislation and planning policies have been accurately reported. This includes:</p> <ul style="list-style-type: none"> • The National Policy Statements (NPSs) for energy (January 2024), notably the Overarching NPS for Energy (EN-1), the NPS for Natural Gas Electricity Generating Infrastructure (EN-2), the NPS for Natural Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) and the NPS for Electricity Networks Infrastructure (EN-5). • The UK Marine Policy Statement and Welsh National Marine Plan. • Policy Wales (PPW) (edition 12, 2024) and the relevant legislation and guidance • Relevant Technical Advice Notes that are in force/adopted in Wales; • Wellbeing of Future Generations Act 2015 and • The respective and relevant policies within the Flintshire Local Development Plan (LDP) adopted by the Council on 24 January 2023. <p>It is agreed that the NPSs are the primary policy used by the SoS to examine and determine applications for nationally significant infrastructure projects such as the Proposed Development.</p> <p>It is agreed that other matters that are "important and relevant" to the Secretary of State's decision on the Proposed Development include UK Government energy and climate change policy. This policy sets out important Government objectives for decarbonising the power and industrial sectors in order to achieve net zero greenhouse</p>	<p><u>This matter is agreed between the parties.</u></p>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
			gas emission by 2050 and the Government's Clean Power 2030 mission.			
5.0 Draft Development Consent Order						
5.1	Articles and Schedules	Draft DCO [APP-019]	The wording of the Articles and Schedules in the Draft DCO [APP-019] is appropriate.	<u>The Applicant has responded to the commentary provided by FCC in their LIR within the Applicant's Response to LIR (REP2-021).</u> <u>The Applicant and FCC will continue to discuss this matter following FCC's review of the Applicant's Response the LIR (REP2-021).</u>	Under discussion	High
5.2	Disapplication of legislation	Draft DCO [APP-019]	The disapplication of provisions specified within Article 9 (disapplication, application and modification of legislative provisions and modifications to section 36 consent) is necessary for the delivery of the Proposed Development and proportionate in light of the mitigation secured under the Draft DCO [APP-019] .		Under discussion	High
6.0 Air Quality						
6.1	Scope of the assessment	ES Volume II Chapter 8: Air Quality [APP-046]	The scope of the air quality assessment is appropriate and comprehensive.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
6.2	Study area and baseline	ES Volume II Chapter 8: Air Quality [APP-046]	The study areas adopted by the Applicant reflect current best practice and standards and are therefore appropriate for the Proposed Development. The study area was agreed with the Planning Inspectorate through EIA Scoping Process.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
6.3	Assessment methodology	ES Volume II Chapter 8: Air Quality [APP-046]	The assessment methodology has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies. The adopted methodologies are robust and acceptable. The overarching approach to the assessment is set out in Chapter 2: Assessment Methodology [APP-040] .	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
6.4	Assessment outcomes	ES Volume II Chapter 8: Air Quality [APP-046]	The air quality assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 8: Air Quality Assessment [APP-046] .	<u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u> <u>This issue will be discussed further following FCC's review of the</u>	Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
				<p><u>updated information provided within:</u></p> <ul style="list-style-type: none"> - <u>the Change Application;</u> and - <u>the Applicant's Response to LIR.</u> 		
6.5	Mitigation	ES Volume II Chapter 8: Air Quality [APP-046]	<p>All relevant mitigation measures in Chapter 8: Air Quality [APP-046] are adequately secured through the Framework CEMP [APP-246]. The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development.</p> <p>Appendix 8-B: Air Quality Construction Dust Risk Assessment [APP-181] contains dust control measures which have been incorporated into the Framework CEMP [APP-246]. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development.</p>		Under discussion	High
6.6	Residual effects after mitigation	ES Volume II Chapter 8: Air Quality [APP-046]	The residual effects reported after mitigation are appropriate, and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High
7.0 Noise and Vibration						
7.1	Scope of the assessment	ES Volume II Chapter 9: Noise and Vibration [APP-047]	The scope of the noise and vibration assessment is appropriate and comprehensive.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
7.2	Study area and baseline	ES Volume II Chapter 9: Noise and Vibration [APP-047]	The study areas adopted by the Applicant reflect current best practice and standards and are therefore appropriate for the Proposed Development. The study area was agreed with the Planning Inspectorate through the EIA Scoping Process.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
7.3	Assessment methodology	ES Volume II Chapter 9: Noise and Vibration [APP-047]	The assessment methodology has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies. The adopted methodologies are robust and acceptable. The Overarching approach to the assessment is set out in Chapter 2: Assessment Methodology [APP-040] .	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
7.4	Assessment outcomes	ES Volume II Chapter 9: Noise and Vibration [APP-047]	The noise and vibration assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 9 Noise and Vibration [APP-047] .	<u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u>	Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
				<u>This issue will be discussed further following FCC's review of the updated information provided within the Applicant's Response to LIR.</u>		
7.5	Mitigation	ES Volume II Chapter 9: Noise and Vibration [APP-047] Framework CEMP [APP-246]	<p>All relevant mitigation measures in Chapter 9: Noise and Vibration [APP-047] are adequately secured through the Framework CEMP [APP-246]. The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development.</p> <p>For example, in line with FCC guidance, 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. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development.</p> <p>As noted in Table 1, ameetings were<u>meetings were</u> held in January 2025 and November 2025 to discuss an appropriate operation sound limit for the Proposed Development.</p> <p>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 FCC following further assessment of specific planning activities.</p>		Under discussion	High
7.6	Residual effects after mitigation	ES Volume II Chapter 9: Noise and Vibration [APP-047]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High

8.0 Traffic and Transport

8.1	Scope of the assessment	ES Volume II Chapter 10: Traffic and Transport [APP-048]	The scope of the traffic and transport assessment is appropriate and comprehensive, as agreed with FCC during a meeting in January 2025, as detailed in Table 1 .	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
8.2	Study area and baseline	ES Volume II Chapter 10: Traffic and Transport [APP-048]	The study areas adopted by the Applicant reflect current best practice and standards and are therefore appropriate for the Proposed Development.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
8.3	Assessment methodology	ES Volume II Chapter 10: Traffic and Transport [APP-048]	The assessment methodology was agreed with FCC during a meeting in January 2025, as detailed in Table 1 .	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
8.4	Assessment outcomes	ES Volume II Chapter 10: Traffic and Transport [APP-048]	The traffic and transport assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 10 Traffic and Transport [APP-048] .	<p><u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within the Applicant's Response to LIR.</u></p>	Under discussion	High
8.5	Mitigation	<p>ES Volume II Chapter 10: Traffic and Transport [APP-048]</p> <p>Framework CEMP [APP-246]</p> <p>Framework Construction Traffic Management Plan (CTMP) [APP-247]</p> <p>Framework Construction Worker Travel Plan (CWMTP) [APP-248]</p>	<p>All relevant mitigation measures in Chapter 10: Traffic and Transport [APP-048] are adequately secured through the Framework CEMP [APP-246]. The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development.</p> <p>The Framework CTMP [APP-247] sets out measures to control construction Heavy Goods Vehicles (HGV) traffic, including the following:</p> <ul style="list-style-type: none"> • construction working hours; • detailed construction routes for all HGVs; • restrictions on HGVs during certain times of the day such as at school drop off and pick up times; • application of the waste hierarchy (as illustrated in Chapter 23: Materials and Waste [APP-061] which seeks to reduce the quantity of materials required to be transported off-site onto the local highway network through prioritising reuse and recycling; • measures to reduce impacts on the local community during construction, including communications such as letter and notices to residents and businesses that lie in close proximity to the Construction and Operation Area and surrounding construction routes; and • procedures for AILs and Hazardous Loads. <p>The Framework CWTP [APP-248] is aimed at construction workers and sets out measures to reduce the impact of</p>		Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
			<p>workers travelling to and from Construction and Operation Area, including the following:</p> <ul style="list-style-type: none"> • targets for achieving a minimum level of car sharing amongst workers; • minibuses which would pick up workers from key local accommodation centres; • measures to manage the level of car parking on site; and • measures to encourage workers to travel by more sustainable mode of travel, wherever possible. <p>A requirement in the Draft DCO [APP-019] secures that detailed CTMP(s) must be prepared, approved and implemented prior to construction of the authorised development. The CTMP(s) must include a construction worker travel plan in accordance with the framework construction worker travel plan.</p> <p>It should be noted that no works are currently proposed to any footpaths which the Proposed Development does not directly impact.</p>			
8.6	Residual effects after mitigation	ES Volume II Chapter 10: Traffic and Transport [APP-048]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High
8.7	AIL Routing	Framework Construction Traffic Management Plan (CTMP) [APP-247]	The proposed routes for AILs from the identified ports are appropriate and suitable.		Under discussion	High
8.8	AIL Routing	Access, Streets, Rights of Way, and Rights of Navigation Plan [APP-013]	The proposed approach to the management of the Accommodation work is appropriate.		Under discussion	High
8.9	AIL access	Framework Construction Traffic Management Plan (CTMP) [APP-247] Indicative Access Design [APP-276]	The proposed access for AILs to the Main Development Area from the A548 is appropriate.		Under discussion	High

9.0 Terrestrial and Aquatic Ecology

9.1	Scope of the assessment	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049]	The scope of the terrestrial and aquatic ecology assessment is appropriate and comprehensive, as agreed with FCC at the EIA Scoping stage.	<p><u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u></p> <p><u>This issue will be discussed further following FCC's review of the</u></p>	Under discussion	High
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Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
				<u>updated information provided within:</u> <u>the Change Application; and</u> <u>the Applicant's Response to LIR.</u>		
9.2	Study area and baseline	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049] ES Volume IV Appendix 11-B: Terrestrial and Aquatic Ecology Baseline Surveys and Study Area [APP-190]	The baseline conditions have been collated using desk-based and field-based techniques. The scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in Chapter 11: Terrestrial and Aquatic Ecology [APP-049] .		Under discussion	High
9.3	Scope and methodology of terrestrial and aquatic ecology surveys	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049]	The scope and methodology of the terrestrial and aquatic ecology surveys have been discussed and agreed upon with FCC as stated in FCC feedback received during Statutory Consultation. It should also be noted that this has also been discussed and agreed with Natural Resources Wales (NRW).		Under discussion	High
9.4	Assessment methodology	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049] Survey Reports (ES Volume IV Appendix 11-C to 11-L)	The assessment methodology has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies. The adopted methodologies area robust and acceptable. It should be noted that the terrestrial and aquatic ecology assessment is supported by Survey Reports as technical appendices which include detailed accounts of the baseline surveys undertaken and their results.		Under Discussion	High
9.5	Assessment outcomes	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049]	The terrestrial and aquatic ecology assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 11: Terrestrial and Aquatic Ecology [APP-049]		Under discussion	High
9.6	Mitigation	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049] Outline Landscape and Ecology Management Plan (LEMP) [APP-250] Curlew Mitigation Strategy [APP-254] Off-site Net Benefit for Biodiversity (NBB) and Green Infrastructure (GI) Strategy [APP-255]	All relevant mitigation and monitoring measures are captured within the Outline LEMP [APP-250] , Framework CEMP [APP-246] , Curlew Mitigation Strategy [APP-254] and Off-site NBB and GI Strategy [APP-255] as applicable A Requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) and LEMP(s) must be prepared, approved and implemented prior to construction of the authorised development.		Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
9.7	Residual effects after mitigation	ES Volume II Chapter 11: Terrestrial and Aquatic Ecology [APP-049]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High
10.0 Net Benefit for Biodiversity						
10.1	Assessment methodology	Green Infrastructure Statement [APP-252]	<p>A meeting was held in May 2024 to discuss the approach to NBB as detailed in Table 1.</p> <p>The Applicant has prepared the Green Infrastructure Statement [APP-252] to summarise the NBB and GI assessment.</p> <p>The methodology used for gathering information for baseline conditions relating to the initial NBB assessment is appropriate to the nature of the Proposed Development and its potential effects.</p>	<p><u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within:</u></p> <ul style="list-style-type: none"> - <u>the Change Application;</u> and - <u>Applicant's Response to LIR.</u> 	Under discussion	High
10.2	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	Green Infrastructure Statement [APP-252]	The approach used for the NBB assessment follows standard best practice for projects of this nature. The baseline data used are appropriate and follow standard guidelines.		Under discussion	High
10.3	Assessment findings	Green Infrastructure Statement [APP-252] Off-site Net NBB and GI Strategy [APP-255]	The findings of the NBB assessment are appropriate.		Under discussion	High
11.0 Report to Inform the Habitats Regulations Assessment						
11.1	Assessment methodology	Report to Inform the Habitats Regulations Assessment [APP-253]	The survey baseline used in the Report to Inform Habitat Regulations Assessment is appropriate/acceptable. The methodology used in the Report to Inform Habitat Regulations Assessment [APP-253] is appropriate.	<p><u>The Applicant notes commentary provided by FCC on the HRA within the LIR. The Applicant has responded to this commentary within the Response to LIR.</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within:</u></p>	Under discussion	

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
				- <u>the Change Application;</u> and - <u>the Applicant's Response to LIR.</u>		
11.2	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	Report to Inform the Habitats Regulations Assessment [APP-253]	The approach used for the Report to Inform the Habitats Regulations Assessment [APP-253] follows standard best practice for projects of this nature. The baseline data used are appropriate and follow standard guidelines. The list of sites considered at the screening stage is appropriate.		Under discussion	
11.3	Assessment findings	Report to Inform the Habitats Regulations Assessment [APP-253]	The findings of the assessment in the Report to Inform Habitat Regulations Assessment [APP-253] are appropriate.		Under discussion	
11.4	Securing mitigation	Report to Inform the Habitats Regulations Assessment [APP-253] Framework Construction Environmental Management Plan (CEMP) [APP-246] OLEMP [APP-250] Curlew Mitigation Strategy [APP-254]. Draft DCO [APP-019]	All relevant mitigation measures specified in the Report to inform the Habitats Regulations Assessment [APP-253] are adequately secured through the Framework CEMP [APP-246] , OLEMP [APP-250] and Curlew Mitigation Strategy [APP-254] . The proposed mitigation is appropriate for managing construction impacts from the Proposed Development and is adequately secured via the requirements in the Draft DCO [APP-019] .		Under discussion	

12.0 Marine Ecology

12.1	Scope of the assessment	ES Volume II Chapter 12: Marine Ecology [APP-050]	The scope of the marine ecology assessment is appropriate and comprehensive, as agreed with FCC at the EIA Scoping stage.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
12.2	Study area and baseline	ES Volume II Chapter 12: Marine Ecology [APP-050]	The baseline conditions have been collated using desk-based and field-based techniques. The scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in Chapter 12: Marine Ecology [APP-050] .	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
12.3	Assessment methodology	ES Volume II Chapter 12: Marine Ecology [APP-050]	The assessment methodology has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies. The adopted methodologies are robust and acceptable. Full details can be found in Chapter 12: Marine Ecology [APP-	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
		ES Volume IV Appendix 12-A: Marine Ecology Assessment Methodology [APP-204]	050] and Appendix 12-A: Marine Ecology Assessment Methodology [APP-204].			
12.4	Assessment outcomes	ES Volume II Chapter 12: Marine Ecology [APP-050]	The marine assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 12: Marine Ecology [APP-050].	<u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u> <u>This issue will be discussed further following FCC's review of the updated information provided within the Applicant's Response to LIR.</u>	Under discussion	High
12.5	Mitigation	ES Volume II Chapter 12: Marine Ecology [APP-050] ES Volume IV Appendix 12-F Marine Invasive Non-Native Species Outline Management Plan [APP-209] Framework CEMP [APP-246].	All relevant mitigation and monitoring measures are captured within the Framework CEMP [APP-246]. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development. A Marine Invasive Non-Native Species Outline Management Plan (Appendix 12-F Marine Invasive Non-Native Species Outline Management Plan [APP-209]) has been produced and preparation, approval and implementation of a detailed version is secured through the DCO.		Under discussion	High
12.6	Residual effects after mitigation	ES Volume II Chapter 12: Marine Ecology [APP-050]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High

13.0 Water Environment and Flood Risk

13.1	Scope of the assessment	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051] ES Volume IV Appendix 13-C: Flood Consequence Assessment (FCA) [APP-212] ES Volume IV Appendix 13-D Outline Surface Water Drainage Strategy [APP-213]	The scope of the water environment and flood risk assessment is appropriate and comprehensive. It should be noted that: <ul style="list-style-type: none"> The Outline Surface Water Drainage Strategy is included as Appendix 13-D [APP-213] and preparation, approval and implementation of a detailed version(s) is secured through the DCO. Its suitability for protecting the water environment is assessed within Chapter 13: Water Environment and Flood Risk [APP-051]. A SuDS approach is included in this strategy; and A FCA is provided as Appendix 13-C: Flood Consequence Assessment [APP-212] and is 	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
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Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
			considered within Chapter 13: Water Environment and Flood Risk [APP-051] in EIA terms. The risk of pollution to surface and groundwater bodies is assessed.			
13.2	Study area and baseline	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051] ES Volume IV Appendix 13-A: Water Environment Baseline Survey and Methodology Report [APP-210]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
13.3	Assessment methodology	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051]	The assessment methodology used in the water environment and flood risk assessment is appropriate/acceptable.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
13.4	Assessment outcomes	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051] ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report [APP-211] ES Volume IV Appendix 13-C: Flood Consequences Assessment [APP-212]	The water environment and flood risk assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 13 Water Environment and Flood Risk [APP-051] .	<u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR.</u> <u>This issue will be discussed further following FCC's review of the updated information provided within:</u> <ul style="list-style-type: none">- <u>the Change Application;</u>and- <u>the Applicant's Response to LIR.</u>	Under discussion	High
13.5	Mitigation	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051] Framework CEMP [APP-246] ES Volume IV Appendix 13-D Outline Surface Water Drainage Strategy [APP-213]	A Framework CEMP [APP-246] is included within the DCO Application which outlines the control measures for mitigating water quality impacts. This would be developed into (a) detailed CEMP(s) post consent as secured through a requirement in the Draft DCO [APP-019] . The detailed CEMP(s) will be supported by a Water Management Plan to be submitted post consent but prior to construction. The Outline Surface Water Drainage Strategy is included as Appendix 13-D [APP-213] , establishes the basis of a surface water drainage network and management system would be provided for the Main Development Area that would provide adequate interception, conveyance and treatment of surface water runoff from proposed impermeable areas. The preparation, approval and		Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
			implementation of a detailed version(s) is secured through the DCO. The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development.			
13.5	Residual effects after mitigation	ES Volume II Chapter 13: Water Environment and Flood Risk [APP-051]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High

14.0 Geology and Ground Conditions

14.1	Scope of the assessment	ES Volume II Chapter 14: Geology and Ground Conditions [APP-052]	<p>The scope of the geology and ground conditions assessment is appropriate and comprehensive. It should be noted that:</p> <ul style="list-style-type: none"> a Geo-environmental Desk Based Assessment (equivalent to a Stage 1, Tier 1 Preliminary Risk Assessment (PRA)) has been undertaken (Appendix 14-A: Geo-Environmental Desk Based Assessment [APP-216]). This defines the need for future ground investigation and risk assessment; the Mining Remediation Authority online mapping has been reviewed to inform the desk study information presented in Appendix 14-A: Geo-Environmental Desk Based Assessment [APP-216]. a Preliminary ground investigation has been undertaken and soil and groundwater baseline quality and a Stage 1, Tier 2 generic risk assessment is summarised in Appendix 14-F: Stage 1, Tier 2 Generic Risk Assessment: Soil and Groundwater [APP-221]; an additional ground investigation will be undertaken as the design of the Proposed Development is progressed; and Flood risks are discussed in more detail in Chapter 13: Water Environment and Flood Risk [APP-051]. 	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
14.2	Study area and baseline	ES Volume II Chapter 14: Geology and Ground Conditions [APP-052] ES Volume IV Appendix 14-E: Agricultural Land Classification Survey [APP-219]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
14.3	Assessment methodology	ES Volume II Chapter 14: Geology and Ground Conditions [APP-052]	The assessment methodology used in the geology and ground conditions assessment is appropriate/acceptable.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
		ES Volume IV Appendix 14-B: Land Contamination Methodology [APP-217]				
14.5	Assessment outcomes	<p>ES Volume II Chapter 14: Geology and Ground Conditions [APP-052]</p> <p>ES Volume IV Appendix 14-A: Geo-Environmental Desk Based Assessment [APP-216]</p> <p>ES Volume IV Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment [APP-218]</p> <p>ES Volume IV Appendix 14-D: Agricultural Land Classification Report [APP-219]</p> <p>ES Volume IV Appendix 14-F: Stage 1, Tier 2 Generic Risk Assessment: Soil and Groundwater [APP-221]</p>	The geology and ground conditions assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 14: Geology and Ground Conditions [APP-052] .	<p>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR (REP2-021).</p> <p>This issue will be discussed further following FCC's review of the updated information provided within:</p> <ul style="list-style-type: none"> - the Change Application; and - the Applicant's Response to LIR (REP2-021). 	Under discussion	High
14.5	Mitigation	<p>Chapter 14: Geology and Ground Conditions [APP-052]</p> <p>Framework CEMP [APP-246]</p>	<p>All relevant mitigation and monitoring measures are captured within the Framework CEMP [APP-246] which outlines the control measures for mitigating water quality impacts. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development.</p> <p>The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development.</p>		Under discussion	High
14.6	Residual effects after mitigation	Chapter 14: Geology and Ground Conditions [APP-052]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		<u>Under discussion</u>	High

15.0 Landscape and Visual Amenity

15.1	Scope of the assessment	ES Volume II Chapter 15: Landscape and Visual [APP-053]	The scope of the landscape and visual assessment is appropriate and comprehensive.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
15.2	Study area and baseline	ES Volume II Chapter 15: Landscape and Visual [APP-053]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
		<p>ES Volume IV Appendix 15-B: Landscape Character [APP-223]</p> <p>ES Volume IV Appendix 15-C: Viewpoints [APP-224]</p>	<p>The Applicant engaged with FCC in regards to proposed viewpoint locations for the assessment. FCC confirmed that they agreed that proposed viewpoint locations provide a good representative sample for potential viewpoints. Refer to Table 1.</p> <p>It should be noted that Flintshire Leisure Tour route was assessed during the summer photography site visit. The impact on the route has been considered from Viewpoint 6 Halkyn Mountain and Viewpoint 9 Chester Road.</p>			
15.3	Assessment methodology	<p>ES Volume II Chapter 15: Landscape and Visual [APP-053]</p> <p>ES Volume IV Appendix 15-A: Landscape and Visual Impact Assessment Methodology [APP-222]</p>	The assessment methodology used in the landscape and visual assessment is appropriate/acceptable.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
15.4	Assessment outcomes	<p>ES Volume II Chapter 15: Landscape and Visual [APP-053]</p> <p>ES Volume IV Appendix 15-D: Landscape Impact Assessment [APP-225]</p> <p>ES Volume IV Appendix 15-E: Visual Impact Assessment [APP-226]</p> <p>ES Volume IV Appendix 15-F: Colour Analysis [APP-227]</p> <p>ES Volume IV Appendix 15-G: Arboriculture Impact Assessment [APP-228]</p>	The landscape and visual assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 15: Landscape and Visual [APP-053] .	<p><u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Response to LIR (REP2-021).</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within:</u></p> <ul style="list-style-type: none"> - <u>the Change Application;</u> and - <u>the Applicant's Response to LIR (REP2-021).</u> 	Under discussion	High
15.5	Mitigation	<p>ES Volume II Chapter 15: Landscape and Visual [APP-053]</p> <p>ES Volume IV Appendix 15-F: Colour Analysis [APP-227]</p> <p>Framework CEMP [APP-246]</p>	<p>The proposed mitigation set out in Chapter 15: Landscape and Visual [APP-053] is appropriate for managing construction and operation impacts from the Proposed Development.</p> <p>This is also presented in the Framework CEMP [APP-246] and OLEMP [APP-250] which are secured through Requirements in the Draft DCO [APP-019] that detailed CEMP(s) and LEMP(s) must be prepared, approved and</p>		Under discussion	High

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
		OLEMP [APP-250]	implemented prior to commencement of construction of the authorised development.			
15.6	Residual effects after mitigation	ES Volume II Chapter 15: Landscape and Visual [APP-053]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.		Under discussion	High
16.0 Terrestrial Heritage						
16.1	Scope of the assessment	ES Volume II Chapter 17 Terrestrial Heritage [APP-055]	The scope of the terrestrial heritage assessment is appropriate and comprehensive.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
16.2	Study area and baseline	<p>ES Volume II Chapter 17 Terrestrial Heritage [APP-055]</p> <p>ES Volume IV Appendix 17-A: Terrestrial Heritage Desk Based Assessment [APP-229]</p> <p>ES Volume IV Appendix 17-B: Gazetteer of Terrestrial Heritage Assets [APP-230]</p> <p>ES Volume IV Appendix 17-C: Geophysical Survey Report [APP-231]</p>	<p>The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects.</p> <p>The Desk Based Assessment (DBA) (ES Volume IV Appendix 17-A: Terrestrial Heritage Desk Based Assessment [APP-229]) has been carried out in accordance with a Written Scheme Investigation (WSI) agreed with Heneb. The DBA's study area has been agreed with Heneb.</p> <p>It should be noted that:</p> <ul style="list-style-type: none"> • Technical engagement has been undertaken with Heneb (the archaeological advisors to FCC) with regard to potential impacts to designated terrestrial heritage assets and non-designated archaeological assets, and engagement has been undertaken with the Conservation Officer for FCC with regards to built heritage assets. refer to Table 1; • Technical engagement has been undertaken with Heneb to agree the scope of any archaeological fieldwork required to inform the baseline; • The DBA and fieldwork reports produced from archaeological fieldwork surveys undertaken for the Proposed Development will be deposited with the Historic Environment Record (HER) in accordance with the requirements of Heneb and in line with their guidance. The full digital archive will be deposited with the HER, the Archaeology Data Service, National Monuments Record and Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) where appropriate and in accordance with their submission guidelines; and • A review of borehole logs undertaken as part of Ground Investigation (GI) works undertaken for the Proposed Development has been completed and the results summarised in the desk-based assessment (Appendix 	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
			17-A: Terrestrial heritage Desk Based Assessment [APP-229]).			
16.3	Assessment methodology	ES Volume II Chapter 17 Terrestrial Heritage [APP-055]	The assessment methodology used in the terrestrial heritage assessment is appropriate/acceptable. It should be noted that WSI for each stage of assessment (including DBA and archaeological fieldwork) have been prepared and agreed with Heneb. All WSIs include a Data Management Plan, Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement where relevant.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
16.4	Assessment outcomes	ES Volume II Chapter 17 Terrestrial Heritage [APP-055] ES Volume IV Appendix 17-A: Terrestrial Heritage Desk Based Assessment [APP-229]	The terrestrial heritage assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 17: Terrestrial Heritage [APP-055].	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
16.5	Mitigation	ES Volume II Chapter 17 Terrestrial Heritage [APP-055] Overarching WSI for Terrestrial and Marine Heritage Mitigation [APP-249] Draft DCO [APP-019]	The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development. It should be noted that an Overarching WSI for Terrestrial and Marine Heritage Mitigation [APP-249] has been prepared and agreed with Heneb which sets out the mitigation strategies agreed for the Proposed Development, including archaeological monitoring and recording and a protocol for unexpected archaeological discoveries. A Requirement in the Draft DCO [APP-019] secures that -a WSI of areas of archaeological interest must be approved by FCC, such detail to be in general accordance with the Overarching WSI for Terrestrial and Marine Heritage Mitigation [APP-249] . No stage of the authorised development with the potential to affect buried archaeological assets may commence until a WSI of areas of archaeological interest relevant to that stage (if any) as identified in the written scheme of investigation has been submitted to and approved by the relevant planning authority following consultation with Cadw and Heneb.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
16.6	Residual effects after mitigation	ES Volume II Chapter 17 Terrestrial Heritage [APP-055]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved

17.0 Marine Heritage

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
17.1	Scope of the assessment	ES Volume II Chapter 18 Marine Heritage [APP-056]	The scope of the marine heritage assessment is appropriate and comprehensive. It should be noted that engagement has been undertaken with Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) in order to confirm the scope and methodology for the assessment of impacts to marine heritage assets.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
17.2	Study area and baseline	ES Volume II Chapter 18 Marine Heritage [APP-056] ES Volume IV Appendix 18-A: Marine Heritage Desk-Based Assessment [APP-232]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
17.3	Assessment methodology	ES Volume II Chapter 18 Marine Heritage [APP-056] ES Volume IV Appendix 18-A: Marine Heritage Desk-Based Assessment [APP-232].	The assessment methodology used in the marine heritage assessment is appropriate/acceptable. It should be noted that the Desk-Based Assessment (Appendix 18-A: Marine Heritage Desk-Based Assessment [APP-232]) will be deposited with the HER when the ES has been submitted in accordance with the requirements of Heneb and in line with their guidance. The full digital archive will be deposited with Archaeology Data Service and submitted to the National Monuments Record and RCAHMW where appropriate.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
17.4	Assessment outcomes	ES Volume II Chapter 18 Marine Heritage [APP-056]	The marine heritage assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 18: Marine Heritage [APP-056] .	<u>This matter is agreed between the parties.</u>	<u>Agreed</u>	<u>Resolved</u>
17.5	Mitigation	ES Volume II Chapter 18 Marine Heritage [APP-056] Overarching WSI for Terrestrial and Marine Heritage Mitigation [APP-249] Draft DCO [APP-019]	The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development. Refer to 16.5 for further details.	<u>This matter is agreed between the parties.</u>	Under discussion <u>Agreed</u>	High <u>Resolved</u>
17.6	Residual effects after mitigation	ES Volume II Chapter 18 Marine Heritage [APP-056]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.	<u>This matter is agreed between the parties.</u>	Under discussion <u>Agreed</u>	High <u>Resolved</u>

18.0 Materials and Waste

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> Commentary	Status	Likelihood of Resolution
18.1	Scope of the assessment	ES Volume II Chapter 23: Materials and Waste [APP-061]	The scope of the materials and waste assessment is appropriate and comprehensive.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
18.2	Study area and baseline	ES Volume II Chapter 23: Materials and Waste [APP-061] ES Volume IV Appendix 23-A: Materials and Waste Baseline Data Report [APP-243]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential effects. It should be noted that data related to recycled aggregate is included in Table 3 of ES Volume II Appendix 23-A: Materials and Waste Baseline Data Report [APP-243] . The source of data is Minerals and Mineral Products Sales in Great Britain, Mineral Products Association (MPA), Profile of the UK Mineral Products Industry (2023 Edition). This provides more recent data than The Contribution of Recycled and Secondary Materials to Total Aggregates Supply in Great Britain - 2020 Estimates publication. Both publications do not provide recent Wales based data for recycled aggregate, the most recent is 2005 and has not been included since it is more out of date than the Minerals and Mineral Products Sales in Great Britain, MPA, Profile of the UK Mineral Products Industry (2023 Edition).	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
18.3	Assessment methodology	ES Volume II Chapter 23: Materials and Waste [APP-061]	The assessment methodology used in the materials and waste assessment is appropriate/acceptable.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
18.4	Assessment outcomes	ES Volume II Chapter 23: Materials and Waste [APP-061]	The materials and waste assessment has adequately assessed the likely significant effects of the Proposed Development on the receptors identified in Chapter 23: Materials and Waste [APP-061] .	<u>This matter is agreed between the parties.</u>	Under discussion Agreed	High Resolved
18.5	Mitigation	ES Volume II Chapter 23: Materials and Waste [APP-061] Framework Construction Environmental Management Plan (CEMP) [APP-246] , including Framework Site Waste Management Plan (SWMP)	The proposed mitigation set out is appropriate for managing construction and operation impacts from the Proposed Development. Section 23.5 Development Design and Embedded Mitigation of Chapter 23: Materials and Waste [APP-061] and the Framework SWMP within the Framework CEMP [APP-246] provides information on applying the waste hierarchy during construction. A requirement in the Draft DCO [APP-019] secures that detailed CEMP(s) must be prepared, approved and implemented prior to commencement of construction of the authorised development. These detailed CEMP(s) must include detailed site waste management plan(s) in general accordance with the Framework SWMP .	<u>This matter is agreed between the parties.</u>	Under discussion Agreed	High Resolved
18.6	Residual effects after mitigation	ES Volume II Chapter 23: Materials and Waste [APP-061]	The residual effects reported after mitigation are appropriate and reflect the fact that the mitigation hierarchy has been followed in the assessment.	<u>This matter is agreed between the parties.</u>	Under discussion Agreed	High Resolved

Ref	Subject	Relevant Application Document	Application Position <u>provided at Deadline 1</u>	FCC Comment <u>Deadline 3</u> <u>Commentary</u>	Status	Likelihood of Resolution
19.0 Cumulative and Combined Effects						
19.1	Scope of the assessment	<p>ES Volume II Chapter 24 Cumulative and Combined Effects [APP-062]</p> <p>ES Volume IV Appendix 24-A: Long List of Other Developments [APP-244]</p> <p>ES Volume IV Appendix 24-B: Short List of Other Developments [APP-245]</p>	<p>The scope of the cumulative and combined effects assessment is appropriate and comprehensive.</p> <p>It should be noted that:</p> <ul style="list-style-type: none"> The Proposed Development is proposed to connect to the HyNet project (consented by the HyNet Carbon Dioxide Pipeline Order 2024) and therefore the HyNet project has been considered as part of the cumulative assessment presented in this chapter; and Port of Mostyn is included in the cumulative long list as proposed scheme ID 16 (The Mostyn Energy Park Extension Project). <p>The Short List of cumulative developments was provided to FCC for review – refer to Table 1.</p>	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
19.2	Study area and baseline	ES Volume II Chapter 24 Cumulative and Combined Effects [APP-062]	The study area for gathering baseline information is appropriate to the nature of the Proposed Development and its potential for cumulative effects to arise in combination with other developments.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
19.3	Assessment methodology	ES Volume II Chapter 24 Cumulative and Combined Effects [APP-062]	The assessment methodology used in the cumulative and combined effects assessment is appropriate/acceptable.	<u>This matter is agreed between the parties.</u>	Agreed	Resolved
19.4	Assessment outcomes	ES Volume II Chapter 24 Cumulative and Combined Effects [APP-062]	The cumulative and combined effects assessment outcomes are appropriate.	<p><u>The Applicant notes commentary provided by FCC on this chapter of the ES and its associated appendices within the LIR. The Applicant has responded to this commentary within the Applicant's Response to LIR (REP2-021).</u></p> <p><u>This issue will be discussed further following FCC's review of the updated information provided within:</u></p> <ul style="list-style-type: none"> <u>- the Change Application;</u> <u>and</u> <u>- the Applicant's Response to LIR (REP2-021).</u> 	Under discussion	High

References

- Ref 1. Stationary Office (2009). The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Accessed 16/10/2024 at [The Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)
- Ref 2. The Stationary Office (2008). Planning Act 2008. Accessed on 18/10/2024 at <https://www.legislation.gov.uk/ukpga/2008/29/contents>
- Ref 3. Department for Energy Security & Net Zero. (2023). Overarching National Policy Statement for Energy (EN-1). Accessed on 16/01/2026 at https://assets.publishing.service.gov.uk/media/65bbfbd709fe1000f637052/o_verarching-nps-for-energy-en1.pdf
- Ref 4. Department for Energy Security & Net Zero. (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Accessed on 16/01/2026 at <https://assets.publishing.service.gov.uk/media/695e4abce83db7562d67192a/nps-renewable-energy-infrastructure-en3-withdrawn.pdf>
- Ref 5. Ref. 5 Department for Energy Security and Net Zero. (2023). National Policy Statement for Electricity Networks Infrastructure (EN-5). Accessed on 16/01/2026 at <https://assets.publishing.service.gov.uk/media/695e4a307ad4bff6f7afdfc5/nps-electricity-networks-infrastructure-en5-withdrawn.pdf>
- IsFCC, 2023; Flintshire Local Development Plan 2015 – 2030. Adopted Plan 24th January 2023. [online] Available at: <https://flintshire.gov.uk/en/PDFFiles/Planning/Examination-Library-Documents/FINAL-LDP-Written-Statement-English.pdf> (Accessed 26/02/25)

Abbreviations

Abbreviation	Term
AIL	Abnormal Indivisible Loads
BAT	Best Available Technique
BESS	Battery Energy Storage System
CCGT	Combined Cycle Gas Turbine
CCP	Carbon Capture Plant
CEMP	Construction Environmental Management Plan
CO ₂	Carbon Dioxide
COMAH	Control of Major Accident Hazards
CPAT	Clwyd-Powys Archaeological Trust
CNP	Critical National Priority
CQLCP	Connah's Quay Low Carbon Power
CTMP	Construction Traffic Management Plan
CWMP	Construction Worker Management Plan
DAS	Discretionary Advice Service
DBA	Desk Based Assessment
DESNZ	Department for Energy Security and Net Zero
DCO	Development Consent Order
EA	Environment Agency
ECoW	Ecological Clerk of Works
ES	Environmental Statement
ExA	Examining Authority
FCA	Flood Consequence Assessment
FCC	Flintshire County Council
FEED	Front-End Engineering Design
GHG	Greenhouse Gas
HER	Historic Environment Record
HGV	Heavy Goods Vehicles
HRA	Habitats Regulations Assessment
MA&Ds	Major Accidents and Disasters
MPA	Mineral Products Association
MW	Megawatts
MWe	Megawatts for electrical output
NBB	Net Benefits for Biodiversity

Abbreviation	Term
NGET	National Grid Electricity Transmission
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxide
NPS	National Policy Statement
NRW	National Resources Wales
NSR	Noise Sensitive Receptor
oBSMP	outline Battery Safety Management Plan
PA	Planning Act
PEA	Preliminary Ecological Appraisal
PRA	Preliminary Risk Assessment
PWS	Private Water Supplies
RCAHMW	Royal Commission on the Ancient and Historical Monuments of Wales
SAC	Special Area of Conservation
SAB	SuDS Approval Board
SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Sites of Special Scientific Interest
SuDS	Sustainable Urban Drainage Systems
SWMP	Outline Site Waste Management Plan
WSI	Written Scheme of Investigation
ZTV	Zone of Theoretical Visibility

