

Date: 22 May 2026
Our ref: 546746, Case 32959
Your ref: EN010166

The logo for Natural England, featuring the words "NATURAL ENGLAND" in white capital letters on a green rectangular background.

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Dear ██████████

Connah's Quay Low Carbon Power Project; EN010166

Interested Party Ref: ██████████

Natural England's submission for Deadline 6 in respect of the Connah's Quay Low Carbon Power Project, promoted by Uniper

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We have provided comment on the documents submitted for Deadline 5 which are relevant to our remit. These are provided at Annex 1.

In Annex 2 we have provided answers to the Examiner's questions posed in the Report on Impacts to European Sites (RIES).

Annex 3 sets out the Tables from Annex A of the RIES, with the final column updated to show where Natural England agrees or disagrees with the Applicants' conclusion of no Adverse Effect on the Integrity of European Sites. As requested, amendments to these Tables are shown as Track Changes for ease of reference. These are restricted to the English part of cross-border sites where appropriate; where the site lies entirely within Wales we defer to NRW's advice. We are also aware that further information will be provided at Deadline 6, and so there are elements where we are currently unable to provide a definitive answer.

At Annex 4 we have set out the bird survey data we feel is needed to resolve the remaining issues regarding impacts to the Dee Estuary SPA and Ramsar site at the development site.

Annex 5 sets out the information and clarification we consider necessary to resolve the remaining air quality issues.

Throughout the Examination we have continued to work with the applicant and their consultants, to progress towards resolution of the issues raised in our Relevant Representations. The latest version of the Statement of Common Ground will be submitted by Uniper at Deadline 6.

For any further advice on this consultation please contact the case officer Andrew Whitehead and copy to consultations@naturalengland.org.uk.

Yours sincerely

██████████
Principal Officer
Major Planning Casework Team

Annex 1 – Comment on documents submitted at Deadline 5

Report to Inform Habitats Regulations Assessment (Rev03)

We note that an update to the Report to Inform Habitats Regulations Assessment has been provided.

The updates provided in this iteration do not alter our position, which remain as set out previously – the measures proposed to address the direct loss of Dee Estuary SAC saltmarsh and to offset the loss of land functionally linked to the Dee Estuary SPA and Ramsar site are compensation, not mitigation. We do however, acknowledge that the decision as to how this should be treated lies with the Examining Authority and Secretary of State as Competent Authority.

Our position regarding the impacts resulting from aerial nitrogen deposition on the saltmarsh of the Dee Estuary SAC remains as previously set out. We maintain that measures proposed to address this impact are insufficient but continue to discuss how this can be progressed towards a mutually satisfactory conclusion with the applicant and Natural Resources Wales. We have provided at Annex 5 of this letter detail on the further information we consider necessary to address these outstanding concerns.

Curlew Mitigation Strategy (Rev02)

1. NE welcomes (1) the developer's Steering Group proposal to direct adaptive management for Gronant Fields, (2) the ground investigations proposed in para 5.6.3 CMS and (3) the 10 [not 5] years of monthly monitoring of Gronant Fields (which should be for Curlew and all qualifying SPA species as well as monitoring the grassland and water-level management on site). NE highlights the following points:
 - a. If 10 years of monitoring is to take place, then Gronant Fields should be managed long-term based on the results of the 10 years of monitoring instead of the proposed 5 years of monitoring (para 5.5.3 CMS). A suggestion could be, alongside annual adaptive management, to have a 5-year and 10-year review of longer-term management, based on the results of the ongoing monitoring;
 - b. Para 5.5.3 CMS has deleted the words 'water-depth management' from the adaptive management works. This should be included to ensure that the Gronant Fields site provides appropriate habitat in terms of both grassland and hydrological features;
 - c. The carrying capacity of Gronant Fields in terms of invertebrate prey resource still needs to be clarified to cater for both the existing wader (and other SPA waterbird) populations and the additional population assumed to use the site as a result of displacement from the development location. However, it is our view as set out in 1) above that this mitigation doesn't fulfil the same function as the area lost to the development.

Otherwise, the points raised by NE in the original written opinion on the Curlew Mitigation Strategy remain.

We note that Natural England are included in the proposed Steering Group for the Curlew Mitigation Strategy. While we would be happy to provide technical advice as requested, given the site lies within Wales, and in line with the position set out previously, we defer to NRW, and do not wish to participate as a formal member of the Steering Group.

Saltmarsh Creation Strategy (Rev01)

We note that an updated Saltmarsh Creation Strategy has been submitted. As the saltmarsh to be directly lost from the cooling water outfall works, and the proposed saltmarsh creation areas, lie entirely within Wales we defer to NRW's advice on this strategy and have no detailed comment to make.

Applicant's Legal Submissions on Mitigation vs Compensation (From D4)

We have previously stated that because Gronant Fields lies within the Dee Estuary Special Protection Area (SPA) the proposal to use it to offset the loss of functionally linked land at the development site must be considered compensation – this is incorrect.

We do, however, remain of the view that the proposals constitute compensation under the Habitat Regulations. Our rationale for this view is set out below:

The key question is whether the proposal prevents or cancels out the loss of FLL *in that SPA locality*. If redistribution of curlew is acceptable from an ornithological perspective, it may be acceptable. Curlew are known for their site loyalty, meaning it is unlikely that the SPA affected birds would fly 21 km to adopt a new site at Gronant Fields. That means that the development would result in the loss of suitable curlew habitat and therefore the loss of curlew population.

Annex 2 – Questions from the Report on Impacts to European Sites

Question No.	Question	NE response
RQ.1	[To NE] Other than the sites listed above, the ExA is not aware of any representations from IPs identifying any additional UK European sites for inclusion in the applicant's RIHRA. NE are requested to advise if they consider that additional sites or qualifying features could be affected by the proposed development.	Natural England does not consider there to be any other sites or qualifying features that could be affected by the development beyond those already identified in the RIHRA.
RQ.5	[To NE and NRW] provide its views on the applicant's explanation [REP4-081] in relation to the study area used for identifying projects for the in-combination assessment.	We are satisfied that the applicant's explanation regarding the study area used for identifying projects to include in an In-combination assessment is acceptable.
RQ.6	[To NE, NRW and FCC] respond to the applicant's response to ExQ1.22.7 [REP4-081] as to whether following the applicant's updates, it is now content with the projects included in the in-combination assessment. If not, provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve outstanding concerns on this matter.	Annex 24 of the Environmental Statement sets out the list of projects considered in the in-combination assessment. We understand this list is not up-to-date and the applicants are updating this list and isopleth maps to reflect suggestions from NRW. The final list of projects considered in-combination should be clearly set out within the RIHRA. We have provided detail of the information we consider necessary to fully address remaining concerns at Annex 5 of this letter.
RQ.9	[To NE and NRW] in relation to loss of FLL, are you in agreement with the applicant that as a result of an AEOI being concluded from the project alone, that an in-combination assessment is not required.	We concur that where an adverse effect on site integrity has been concluded from the project alone that an in-combination assessment is not required for those impacts
RQ.10	[To NRW and NE] the applicant's conclusion of no LSE with respect to the sites above were not disputed by ANCB during the examination. Can NRW and NE confirm it agrees with this conclusion?	As per the updated SoCG we agree that the proposed development will have no likely significant effect on the Mersey Estuary SPA and Ramsar site, and the River Dee and Bala Lake SAC. Given Halkyn Mountain SAC and Alyn Valley Woods SAC lie entirely within Wales, Natural England defers to NRW's advice on these sites, as per the position set out in our Deadline 2 response.
RQ.13	[To NRW and NE] review Annex 1 of this RIES and appendix G of the RIHRA [REP4-054] and confirm its position in relation to each impact pathway on each designated site within the relevant column of annex 1 of this RIES. Where NRW and NE do not agree with the applicant's conclusions or any discrepancies are noted between Appendix G and what is assessed in the RIHRA, please clearly set out your concerns and what amendments NRW/ NE would propose or specific information that would still be required.	Please refer to Annex C of this letter

RQ.16	[To NE] do NE consider the FLL lost to be FLL for redshank, wigeon and teal in addition to curlew? Can NE confirm the qualifying features of the Dee Estuary SPA and Ramsar site it considers should be assessed in relation to loss of FLL.	To date insufficient survey data has been submitted to be able to answer this question with certainty. The non-breeding waterbird assemblage feature of the Dee Estuary SPA/ Ramsar site consists of over 20,000 individuals from numerous different species. Many of them use the proposed development site as supporting habitat as well as surrounding areas. We advise impact should be measured through consideration of the assemblage as a whole, not just those species which qualify as interest features individually. We have set out at Annex D to this letter the bird data we feel is necessary to resolve the outstanding bird concerns relating to this issue. We note the applicant has been asked to provide this information
RQ.17	[To NE] Are NE satisfied with the applicant's response to this matter? If not, please provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve outstanding concerns on this matter.	We are satisfied with the applicant's response, and this point will be marked as agreed in the next iteration of the Statement of Common Ground. Provided all impacts from the development are mitigated/ compensated for, impact on birds associated with the Mersey Estuary SPA are likely to be minimal.
RQ.19	[To NRW and NE] the ExA requests an update on progress on this matter.	In line with the position set out in the Statement of Common Ground between Uniper and Natural England, as this is an issue that affects protected species in Wales we defer to NRW on this matter, and have no further comment.
RQ.20	[To NE] can NE clearly set out specific actions that, in your view, the applicant should take to fully resolve outstanding concerns on this matter.	Following discussions with Uniper we have received further information providing clarifications regarding the operational air quality assessment framework. Many of the previous concerns have been addressed or clarified through the updated documentation. Subject to the final agreed assessment documents clearly setting out the source assumptions, traffic methodology and in-combination approach that is applied, this point can be resolved. We have set out at Annex 5 to this letter the information we feel is required to fully resolve outstanding air quality concerns.
RQ.25	[To NE] what further evidence is required for the applicant to justify their conclusion that the critical levels of ammonia and nitrogen would not be exceeded at River Dee and Bala Lake SAC from exhaust emissions during construction?	Following discussions with Uniper we have received an updated construction traffic assessment and clarification regarding Welsh and English designated units. Subject to the final HRA documents clearly reflecting these conclusions consistently, we are satisfied that no further evidence is required and the point can be resolved.
RQ.29	[To the applicant and NE] the ExA requests an update on progress on this matter.	Through discussions with Uniper we understand that an updated RIHRA will be submitted at D6, where this impact will be carried forwards to appropriate assessment.

		We welcome this, and will await sight of the updated RIHRA before confirming our position
RQ.30	[To NE] confirm your position on this matter? If this matter is not resolved, provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve outstanding concerns on this matter.	This point has been agreed and resolved as set out at point 5.1 of the SoCG. Given this point is primarily about fish species in close proximity to the development site being protected from abstraction, meaning any impacts will be in Wales, we defer to NRW on this matter.
RQ.33	[To NRW and NE] confirm the conservation status for all European sites taken to stage 2 of the HRA appropriate assessment.	Conservation status of the sites taken forwards to appropriate assessment is based on the condition assessment of the underlying Site of Special Scientific Interest (SSSI). The condition assessment for the River Dee and Bala Lake SSSI can be found here: Site feature condition. The most recent condition assessment of the Dee Estuary is from 2010 – we understand that NRW have undertaken a more recent condition assessment, so we advise the information in that is used.
RQ.35	[To NRW and NE] clarify if your concerns are resolved. If not provide reasoning and clearly set out specific actions that, in your view, the applicant should take to fully resolve outstanding concerns on this matter.	As per Section 2.2 of the Statement of Common Ground between Uniper and Natural England – as the saltmarsh to be lost lies within Wales we defer to NRW's advice on this matter and have no further comment.
RQ.40	[To NE] can NE confirm if it is requesting 2 years of ornithological surveys for the whole of the proposed development site or certain areas of concern?	We acknowledge that 2 years of survey data have been presented, but as the data presented in these surveys is spatially different it cannot be easily compared. We would like to see a minimum of 2 years survey data for the development site, along with data for Components 1 and 2 of the Dee Estuary SPA. Please see Annex D of this letter for a clear description of the data required to address our remaining concerns. We are also aware that further bird survey data will be submitted by Uniper at Deadline 6 which may cover these points.
RQ.42	[To NE] are NE satisfied with the applicant's response on this matter [REP1-062]? If not, please provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve outstanding concerns on this matter.	We are satisfied this issue has been resolved.
RQ.43	[To NE] Can NE confirm if this matter is resolved? If not, provide reasoning and clearly set out specific actions that, in your view, the applicant should take to resolve outstanding concerns on this matter.	As per Section 1.10 of the SoCG we are satisfied this issue is resolved. As Gronant Fields lie within Wales we defer to NRW regarding the further detailed design required to ensure Gronant Fields functions to address the identified impacts at the development site.

RQ.44	[To NRW and NE] do NRW or NE have any additional comments in relation to the Hilde Orleans case law?	<p>We have previously stated that because Gronant Fields lies within the Dee Estuary Special Protection Area (SPA) the proposal to use it to offset the loss of functionally linked land at the development site must be considered compensation – this is incorrect. We do, however, remain of the view that the proposals constitute compensation under the Habitat Regulations. Our rationale for this view is set out below:</p> <p>The key question is whether the proposal prevents or cancels out the loss of FLL <i>in that SPA locality</i>. If redistribution of curlew is acceptable from an ornithological perspective, it may be acceptable. Curlew are known for their site loyalty meaning it is unlikely that the SPA affected birds would fly 21 km to adopt a new site at Gronant Fields. That means that the development would result in the loss of suitable curlew habitat and therefore the loss of curlew population.</p>
RQ.48	[To NE and NRW] are you satisfied that acid deposition from increased exhaust emissions during construction of the proposed development would not result in AEol on the Dee Estuary SAC, SPA and Ramsar site?	<p>Following discussions with Uniper we have received an updated construction traffic assessment and clarification regarding Welsh and English designated units. Subject to the final HRA documents clearly reflecting these conclusions consistently, we are satisfied that no further evidence is required and that increased exhaust emissions during construction would not result in an AEol on the Dee Estuary SAC.</p>

Annex 3 – Tables from Annex A of the RIES

Table A1.1: Dee Estuary SAC

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
Dee Estuary SAC	<ul style="list-style-type: none"> Atlantic salt meadows 	Direct loss of/ damage to qualifying habitat	✓	✓	✓	X	X	X	N	N
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Noise and visual disturbance	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Water quality	X	X	X	n/a	n/a	n/a	?	? Awaiting updated RIHRA at D6
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Awaiting updated RIHRA at D6
		Atmospheric pollution – exhaust emissions	✓	n/a	✓	X	n/a	X	?	Y

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic Coasts • Embryonic shifting dunes • Shifting dunes along the shoreline with Ammophila arenaria "white dunes" • Fixed coastal dunes with herbaceous vegetation "grey dunes" • Humid dune slacks 	Water quality	X	X	X	n/a	n/a	n/a	?	Y
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	X	n/a	n/a	n/a	n/a	?	Awaiting additional info at D6
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y
	<ul style="list-style-type: none"> • Sea lamprey • River lamprey 	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	Awaiting additional info at D6
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Noise and visual disturbance	X	n/a	X	n/a	n/a	n/a	?	Y
		Water quality	X	X	X	n/a	n/a	n/a	?	Awaiting additional info at D6

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	X	n/a	n/a	n/a	n/a	?	Awaiting additional info at D6
		Barriers to movement	X	n/a	X	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y
	• Petalwort	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Noise and visual disturbance	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Water quality	X	X	X	n/a	n/a	n/a	?	Y
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Y

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	X	n/a	n/a	n/a	n/a	?	Y
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y

Table A1.2: Dee Estuary SPA

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
Dee Estuary SPA	Wintering bird species: <ul style="list-style-type: none"> • curlew • bar-tailed godwit • pintail • teal • dunlin • knot • oystercatcher • black-tailed godwit • grey plover • shelduck • redshank 	Direct loss of/ damage to qualifying habitat	?	?	?	n/a	n/a	n/a	?	Y
		Loss of FLL	✓	✓	✓	X	X	X	N	N
		Noise and visual disturbance	✓	?	✓	X	n/a	X	?	Y - modelling shows no impact on English part of site
		Water quality	X	X	X	n/a	n/a	n/a	?	Y
	Waterbird assemblage	Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – exhaust emissions	✓	n/a	✓	X	n/a	X	?	Awaiting addition

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
										al info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	✓	n/a	n/a	X	n/a	N	Awaiting additional info at D6
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y
	Breeding bird species: • little tern • common tern	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
	Passage bird species: • sandwich tern	Noise and visual disturbance	✓	?	✓	X	X	X	?	Y - modelling shows no change to noise or light in

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
										English part of site
		Water quality	X	X	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	Awaiting additional info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	X	n/a	n/a	n/a	n/a	?	Awaiting additional info at D6

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y
	<p>Ramsar criterion 1 - extensive intertidal mud and sand flats (20 km by 9 km) with large expanses of saltmarsh towards the head of the estuary:</p> <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Estuaries • Annual vegetation of drift lines • Vegetated sea cliffs of the Atlantic and Baltic Coasts • Embryonic shifting dunes • Shifting dunes along the shoreline with Ammophila 	Direct loss of/ damage to qualifying habitat	X	X	X	n/a	n/a	n/a	?	Y
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Noise and visual disturbance	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Water quality	X	X	X	n/a	n/a	n/a	?	Y
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – exhaust emissions	✓	n/a	✓	X	n/a	X	?	Awaiting additional info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and stack emissions	n/a	✓	n/a	n/a	X	n/a	N	N
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
	arenaria "white dunes" <ul style="list-style-type: none"> Fixed coastal dunes with herbaceous vegetation "grey dunes" Humid dune slacks 									
	Ramsar criterion 2 – supports breeding colonies of the vulnerable natterjack toad.	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	Defer to NRW – any impacts will be in Wales
		Loss of FLL	X	X	X	n/a	n/a	n/a	?	n/a
		Noise and visual disturbance	X	X	X	n/a	n/a	n/a	?	n/a
		Water quality	X	X	X	n/a	n/a	n/a	?	n/a
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	n/a
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	n/a
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	n/a
		Atmospheric pollution –	n/a	X	n/a	n/a	n/a	n/a	?	n/a

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		operational traffic and stack emissions								
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	n/a
	Ramsar criterion 5 – assemblages of international importance	Direct loss of/ damage to qualifying habitat	?	?	?	n/a	n/a	n/a	?	Y
		Loss of FLL	✓	✓	✓	X	X	X	N	N
	Ramsar criterion 6 – species/populations occurring at levels of international importance: <ul style="list-style-type: none"> • redshank • teal • shelduck • oystercatcher • curlew • pintail • grey plover • knot • dunlin • black-tailed godwit • bar-tailed godwit 	Noise and visual disturbance	✓	?	✓	X	X	X	?	Y - modelling shows no change to noise in English part of site
		Water quality	X	X	X	n/a	n/a	n/a	?	Y
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution – exhaust emissions	✓	n/a	✓	X	n/a	X	?	Awaiting additional info at D6
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y
		Atmospheric pollution –	n/a	✓	n/a	n/a	X	n/a	N	N

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
		operational traffic and stack emissions								
		Barriers to movement	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Introduction of INNS	X	n/a	X	n/a	n/a	n/a	?	Y

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEol (alone or in combination)			Agreement with		
			C	O	D	C	O	D	NRW	NE	
River lamprey	Noise and visual disturbance	Noise and visual disturbance	?	?	?	n/a	n/a	n/a	?	Y	
		Water quality	X	X	X	n/a	n/a	n/a	?	Y	
		Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	Y	
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	Y	
		Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	Y	
		Atmospheric pollution – operational traffic and stack emissions	n/a	X	n/a	n/a	n/a	n/a	?	Y	
		Barriers to movement	X	n/a	X	n/a	n/a	n/a	?	Y	
		Introduction of INNS	n/a	n/a	n/a	n/a	n/a	n/a	?	Y	
	Otter	Direct loss of/ damage to qualifying habitat	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a – defer to NRW
			Loss of FLL	?	n/a	?	n/a	n/a	n/a	?	n/a
			Noise and visual disturbance	?	?	?	n/a	n/a	n/a	?	n/a
			Water quality	X	X	X	n/a	n/a	n/a	?	n/a
			Water quantity, level and flow	X	X	X	n/a	n/a	n/a	?	n/a
			Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	n/a
	Atmospheric pollution – dust deposition	X	n/a	X	n/a	n/a	n/a	?	n/a		

Table A1.7: Mersey Estuary Ramsar site

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with		
			C	O	D	C	O	D	NRW	NE	
Mersey Estuary Ramsar site	Ramsar criterion 5 – assemblages of international importance	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	Y	
	Ramsar criterion 6 – species/ populations occurring at levels of international importance:	Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	Y	
	<ul style="list-style-type: none"> • shelduck • black tailed godwit • redshank • teal • pintail • dunlin 	Noise and visual disturbance	n/a	n/a	n/a	n/a	n/a	n/a	?	Y	
		Water quality	n/a	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Water quantity, level and flow	n/a	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Atmospheric pollution – exhaust emissions	n/a	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Atmospheric pollution – dust deposition	n/a	n/a	n/a	n/a	n/a	n/a	n/a	?	Y
		Atmospheric pollution – operational traffic and	n/a	X	n/a	n/a	X	n/a	n/a	?	Y

Table A1.9: Alyn Valley Woods SAC

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Designated site	Qualifying features screened in	Impact Pathway	Potential for LSE			Applicants conclusion on AEoI (alone or in combination)			Agreement with	
			C	O	D	C	O	D	NRW	NE
Alyn Valley Woods SAC	Tilio-Acerion forests of slopes, screes and ravines Calcareous grassland Alluvial alder woodland	Direct loss of/ damage to qualifying habitat	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a - Site lies entirely within Wales, we defer to NRW
		Loss of FLL	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Noise and visual disturbance	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Water quality	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Water quantity, level and flow	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Atmospheric pollution – exhaust emissions	X	n/a	X	n/a	n/a	n/a	?	n/a
		Atmospheric pollution – dust deposition	n/a	n/a	n/a	n/a	n/a	n/a	?	n/a
		Atmospheric pollution – operational traffic	n/a	X	n/a	n/a	n/a	n/a	?	n/a

Annex 4 – Information required to address outstanding ornithology issues

To fully address our outstanding concerns regarding impacts to the Dee Estuary SPA and Ramsar site at the development site we request the following data is provided:

1. Survey data from the Deeside Naturalist Society for the years 2022 to 2025 (Jan to December) covering (1) the 2 development fields and (2) compartments 1 and 2 as identified on the map below. The data shall differentiate spatially between birds observed on the development fields and the compartments.
2. Ornithological survey data from Uniper for the same years and same areas as in question 1 above. It is understood that, as part of the ongoing management plan from previous developments, Uniper employed an ornithologist to survey the development area (or parts of it). Any survey data for birds within the development fields an/or compartments 1 and 2 should be provided.

Annex 5 – Information required to address outstanding air quality issues

To fully address the remaining concerns regarding air quality impacts from the proposed development, we consider the following information should be provided by the applicant:

In-combination assessment

Please provide a concise table identifying:

- all plans/projects included within the operational in-combination assessment;
- the basis for inclusion/exclusion; and
- the relevant search area and approach applied.

Operational ammonia and nitrogen deposition conclusions

Please provide a clear summary of:

- operational effects of the project alone;
- operational effects of the project -combination with other plans and projects;
- the key affected receptors/features; and
- the resulting conclusions for the Dee Estuary SAC/SPA/Ramsar.

Integrity conclusion reasoning

Please provide clear explanations of:

- how the conclusion of no adverse effect on site integrity has been reached considering predicted nitrogen deposition/ammonia contributions above 1% screening thresholds;
- the relevance of existing baseline conditions;
- how the conclusions relate to the conservation objectives of the site.

Mitigation/compensation measures

Please provide clear details of any proposed mitigation, compensation or site management measures relied upon within the HRA conclusions, including:

- the measures proposed;
- how they will be secured;
- delivery mechanism/governance;
- duration
- relationship to the identified effects.

Consistency across final documents

Please ensure:

- consistent figures and terminology;
- aligned conclusions;
- and clear cross-referencing between the AQ assessment, appendices and HRA conclusions.