

Planning Act 2008
FCC Response to RIES
Interested Party Ref: [REDACTED]
ExA Ref: EN010166



**Connah's Quay Low Carbon Power
NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT
FLINTSHIRE COUNTY COUNCIL**

Interested Party Ref: [REDACTED]

**FCC Response to REPORT on the IMPLICATIONS for EUROPEAN SITES
Submitted at Deadline 6 – Friday 29 May 2026**

Proposal:	Application by Uniper UK Limited for a Development Consent Order
Prepared by:	[REDACTED], Senior Planning Officer, Flintshire County Council
Date:	29 May 2026

Application by Uniper UK for an order granting development consent for the Connah’s Quay Low Carbon Power Project (EN010166)

The Interested Party Flintshire County Council’s (FCC) written response to REPORT on the IMPLICATIONS for EUROPEAN SITES: Issued on 5 May 2026

Dated: 29 May 2026 Deadline 6

The following table sets out the Interested Party Flintshire County Council’s (FCC) written response to REPORT on the IMPLICATIONS for EUROPEAN SITES – published by the Examining Authority (ExA) on 5 May 2026.

The Council’s comments for Deadline 6 are entered in the right-hand column.

RQ	Question to:	Question:	FCC’s response
RQ.6	Natural England Natural Resources Wales The Council	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.	FCC still consider that projects on the English side of the Dee Estuary SPA and Ramsar site should be included, alongside any strategic plans such as those within the Local Development Plan (LDP). FCC maintain the position that as a result of the definition of Functional Linked Land (FLL) being outside of the boundary of a designated site but critical to its function, this distance for the in-combination assessment should include the whole of the Dee Estuary, not just 2km from the Proposed Development. Additionally, FCC considers that the Applicant has only provided limited reference to disturbance to FLL in relation to in-combination impacts arising from the Proposed Development and the HyNet CO2 Pipeline Project. As such, FCC considers that the HyNet CO2 Pipeline Project is not fully considered within the Report to inform Habitats Regulation Assessment (RIHRA) [REP5-030].

RQ	Question to:	Question:	FCC's response
			To resolve this matter, FCC request that the Applicant provides an updated assessment which considers the above to provide confidence to FCC that the impacts and any associated mitigation has been adequately considered.
RQ.8	The Council	Confirm if, following the applicant's explanation of its methodology for in-combination air quality effects [REP4-081], it is now content with the 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.	FCC reiterates the position provided in response to ExQ1 Q22.7 [REP3-060], and still consider that as a result of the definition of Functional Linked Land (FLL) being outside of the boundary of a designated site but critical to its function, this distance for the in-combination assessment should include the whole of the Dee Estuary, not just 2km from the proposed development. Air quality in-combination also needs to consider strategic plans. Therefore, the methodology for in-combination air quality effects is still insufficient.
RQ.32	The Council	Confirm whether your concerns relating to INNS are of relevance to the RIHRA and, if so, confirm whether these been addressed through the applicant's response to NRW [REP1-062]. 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.	FCC still have concerns that the potential spread of INNS have not been fully assessed within the Report to inform Habitats Regulation Assessment (RIHRA) [REP5-030]. In the Appendix 11C Botanical Technical Appendix [APP-191], INNS have been stated to have been recorded in the woodland W-22 within the site, although these are not listed or shown location within W-22. Hedgerow H1 is also stated within Table B-2 to have 'Small patch of Japanese knotweed Reynoutria japonica on one side'. The same baseline report states in paragraph 2.1.5.4 'However, some of the Site was assessed with aerial imagery so there is a possibility that invasive species may have been missed.' The Applicant's response to Natural Resources Wales's relevant representation [REP1-062] does not refer to the lack of data to inform

RQ	Question to:	Question:	FCC's response
			<p>the INNS assessment within the RIHRA, and as such, FCC position remains as above.</p> <p>To resolve this outstanding matter, FCC considers that the Applicant should provide clarification with regards to its position in INNS which includes a justification and rationale for its conclusions, acknowledging the absence of data to inform the assessment.</p>
RQ.54	The Council	Are FCC in a position to provide an in-principal letter of support for securing the relevant nitrogen deposition mitigation through a section 106 agreement? If not, please explain what further information FCC require?	FCC reiterates the position provided in response to ExQ1 Q6.26 [REP3-060] and still consider that we have had no formal agreement with the applicant. The project and costs submitted have not been agreed to mitigate for ammonia deposition within the same habitat management interventions. We are therefore unable to provide an in-principal letter of support at this time.

Any queries regarding should be directed to:

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