



Connah's Quay Low Carbon Power

Final Statement of Common Ground between Uniper UK Limited and the Deeside Naturalist Society (Tracked)

Planning Inspectorate Reference: EN010166
Document Reference: EN010166/APP/8.5
Regulation 5(2)(q)
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009
Revision 04

May 2026

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1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Draft Statement of Common Ground (SoCG) has been prepared 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 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: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010166>~~https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010166~~.
- 1.1.3 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 the final position 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 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) the Deeside Naturalists Society (DNS) (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 more than €8 billion (~£6.9 billion) in growth and transformation projects by the early 2030s. This includes developing new renewables projects, investing in clean gases such as hydrogen, and new low or zero carbon power plants and by progressively transforming Uniper's existing fleet into Europe's leading source of zero-carbon power.

Uniper intends to be completely carbon-neutral by 2040 and aims for its installed power generating capacity to be more than 80% zero-carbon by the early 2030s.

Deeside Naturalists Society

- 1.2.4 The DNS is a registered charity, formed in 1973 to '*stimulate interest in natural history and to play a part in the conservation of flora and fauna on Deeside and in the surrounding area*'.

The DNS has over 400 members who receive regular newsletters and an annual programme card of events and field meetings which are organised throughout the year to places of special ecological interest and importance. Members are provided with a key to access the Connah's Quay Nature Reserve adjacent to the Order limits and may visit in line with the strict rules in place with Uniper. DNS manage the wildlife hides within the reserve and carry out scientific monitoring of birds and other wildlife on a daily basis, both on the nature reserve and adjoining areas including the area proposed for development of the new power station.

1.3 The Proposed Development

- 1.3.1 The Applicant is seeking a DCO for the construction, operation (including maintenance) and decommissioning of a proposed low carbon Combined Cycle Gas Turbine (CCGT) Generating Station fitted with Carbon Capture Plant (CCP) (the 'Connah's Quay Low Carbon Power (CQLCP) Abated Generating Station') and supporting infrastructure (collectively 'the Proposed Development').
- 1.3.2 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.
- 1.3.3 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.
- 1.3.4 For the purposes of the electrical connection, National Grid Electricity Transmission plc (NGET), which builds and maintains the electricity transmission networks, is responsible for the operation and maintenance of the existing 400 kV NGET Substation.
- 1.3.5 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 final version of the SoCG has been prepared for Deadline 56 of the Examination. ~~The SoCG will be updated throughout the Examination as discussions progress between the and has been signed by both Parties and agreement is reached on matter.~~

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:

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

2. Record of Engagement

2.1.1 A summary of all meetings and correspondence that has taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and where appropriate to comment on draft documentation. Details of these meetings and key correspondence are set out in **Table 1** below.

Table 1: Record of Engagement

| Date | Form of Correspondence and Attendees | Key Topics Discussed and Key Outcomes |
|------------------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13 February 2024 | Meeting – in person between both Parties | A meeting to introduce the Proposed Development and to provide a non-statutory consultation briefing by the Applicant to the DNS. |
| 29 May 2024 | Meeting – in person between both Parties | A meeting as part of the working group for both Parties to discuss the Proposed Development. Discussions were around temporary access being provided through construction, and permanent access routes following construction. Discussions were also in relation to ornithological interest of the Main Development Area. |
| 24 October 2024 | Meeting – in person between both Parties | A meeting to provide DNS with further updates on the Proposed Development. Also discussed were the proposed works for the Field study centre and bunded pools, as well as the National Grid re-cabling project. |
| 9 October 2025 | Meeting – in person between both Parties | A meeting to provide DNS with a project update including further information on the habitats regulations assessment, ornithology baseline, proposed mitigation plans and DNS access to the Connah's Quay Power Station nature reserve. |
| 12 November 2025 | Email from the Applicant to DNS | Follow up email to provide signposting to relevant DCO document for review and confirmation the Applicant will consider DNS comments on land enhancements and secure site access. |
| 28 November 2025 | Relevant Representation | DNS Relevant Representation was published on the Planning Inspectorate's Connah's Quay Low Carbon Power website. |

| Date | Form of Correspondence and Attendees | Key Topics Discussed and Key Outcomes |
|--------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 26 February 2025 | In-person meeting between both parties to discuss items in the SoCG | Topics including the existing management plan, site access during construction were discussed. |
| 04 March 2026 | Teams meeting between both parties to discuss items in the SoCG | Topics including site access during construction, the existing management plan and mitigation measures during construction were discussed. |
| 09 April 2026 | Email from the DNS to the Applicant | Request for more information on a new article relating to the Proposed Development. |
| 15 April 2026 | Email to the DNS from the Applicant | An outline of potential updates of the SoCG and a request for an in-person meeting, |
| <u>05 May 2026</u> | <u>Teams meeting between both parties to discuss items in the SoCG</u> | <u>Topics including site access during construction, and mitigation measures during construction were discussed.</u> |
| <u>19/05/2026</u> | <u>Email from the DNS to the Applicant</u> | <u>DNS confirmed happy with approach to leave the remaining item relating to Woodland planting as unresolved.</u> |

3. Areas of Discussion between the Parties

- 3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2: Areas of discussion between the Parties

| Ref. | Subject | Relevant Application Document | Summary of DNS Comment within their Relevant Representation | Applicant Position | Deeside Naturalists Society Position | Status | Likelihood of resolution |
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| 1 | Access to wildlife hides | <p>Chapter 5: Construction Management and Programme <u>(EN01066/APP-043/6.2.5)</u></p> <p>Framework CEMP (EN01066/APP/6.5)</p> | <p>DNS would like to ensure safe access is retained to the wildlife hides within the Connah's Quay Nature Reserve during the construction and operation of the Proposed development.</p> | <p>The Applicant will continue to engage on this matter through the SoCG process.</p> <p>Paragraphs 5.6.17, 5.6.18, and 5.6.19 of Chapter 5: Construction Management and Programme <u>(EN01066/APP-043/6.2.5)</u> explain how an alternative temporary access to the Connah's Quay Power Station Nature Reserve would be provided to DNS members during the construction phase of the Proposed Development, as well as how a permanent access road would be provided to access the bird hides during operation.</p> <p>The anticipated access during construction would continue from the Access to the Main Development Area, with a designated access road following the southern and western boundary of the ecological safeguard zone shown on Figure 5-3: Construction Areas [APP-0843083]. This would minimise health and safety risks associated with the construction phase.</p> <p>The detailed design of the temporary access road will be developed and agreed during the early EPC phase. The Principal Contractor has statutory duties to ensure the safety of all site users, including contractors, employees and visitors. Construction traffic management measures secured in the Framework <u>CTMP Construction Traffic Management Plan (CTMP)</u> (EN01066/APP/6.5) include speed restrictions and the requirement to set up a Local Liaison Committee prior to the commencement of construction.</p> <p>Article 15(5) of the Draft DCO (EN01066/APP/3.1) confirms that no street identified within Parts 1 and 3 of Schedule 5 as being temporarily or permanently stopped up (which includes the DNS access) may be stopped up until "a temporary alternative route for the passage of such traffic as could have used the street, public right of way or right of navigation has been provided and subsequently maintained by the undertaker until either the existing route has been reinstated or a permanent alternative has been provided and open to public use". Deadline 5 comment: The Applicant understands that the DNS would like detailed specifications for the temporary</p> | <p>DNS agree in principle with the proposed access arrangements during construction and operation of the Proposed Development. We await more detail especially over the separation of DNS visitors from construction traffic and the specifications for the temporary access.</p> | <p><u>Under discussion</u> <u>Agreed</u></p> | <p><u>High</u><u>Resolv</u> <u>ed</u></p> |

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| | | | | <p>access route, however this information will not be available until much later on in the design process (and outside of the examination stage), and the precise arrangements will be subject to detailed design. Due to the Applicant's health and safety legal obligations the DNS can be assured, however, that the Applicant will ensure safe and secure access to the nature reserve with the temporary designated access road. When the detailed plans become available, the Applicant will share these plans with the DNS.</p> <p><u>Deadline 6: It was discussed and confirmed with DNS that the Applicant will share detailed access plans when they become available.</u></p> | | | |
| 2 | Mitigation for impacts on Curlew | <p>Chapter 11: Terrestrial and Aquatic Ecology [(EN010166/APP-049]/6.2.11)</p> <p>Outline Curlew Mitigation Strategy Implementation and Monitoring Plan [(EN010166/APP-254]/6.13)</p> <p>Outline LEMP (EN010166/APP/6.9)</p> <p>Off-site Net Benefit for Biodiversity and Green Infrastructure Statement [REP4-058]-Strategy</p> | <p>DNS would like to ensure that adequate mitigation is included for the proposed mitigation for loss of functionally linked land¹ associated with foraging Curlew during both construction and operation. The DNS support the provision of offsite and onsite habitat creation measures.</p> | <p>The Applicant will continue to engage with the DNS (as well as NRW, the RSPB, and Natural England) on the Outline Curlew Mitigation Strategy Implementation and Monitoring Plan (EN010166/APP-254]/6.13) and opportunities to enhance existing habitat features within the Order limits for Curlew on completion of the construction of the Proposed Development detailed in the Outline LEMP (EN010166/APP/6.9). The Outline Curlew Mitigation Strategy Implementation and Monitoring Plan (EN010166/APP-254]/6.13) will be updated and submitted at an appropriate point during the examination. The Outline LEMP (EN010166/APP/6.9) identifies that temporary laydown areas in the west of the Main Development Area outside of the operational footprint would be reinstated as grassland with shallow scrapes. Areas of tree and hedgerow planting are also shown in this area for Net Benefit for Biodiversity (NBB) purposes.</p> <p>The Applicant will continue to work with DNS to implement management within Compartment 1. Management of this area is detailed within the Conservation Areas Management Plan for the existing Connah's Quay Power Station. As detailed in Chapter 11: Terrestrial and Aquatic Ecology [(EN010166/APP-049]/6.2.11) upon the end of management arrangements detailed within the Conservation Areas Management Plan existing Connah's Quay Power Station, an updated Conservation Areas Management Plan would be prepared and submitted to Flintshire County Council</p> | <p>We wish to continue discussions with Uniper and NRW over plans for the on-site mitigation measures for Curlew in Compartment 1 and for key wader species using Compartment 2.</p> <p>We remain concerned that some of the measures currently proposed may not be suitable or feasible and wish to explore all options fully in a collaborative way.</p> <p>We have suggested improvements to the management of C1 to make it more suitable for foraging Curlews for the duration of the development and operation of the new power station. This would require enhanced grazing of the C1 grassland and removal of the current fence around one of the pools.</p> <p>This should be included in the revised version of the Conservation Areas Management Plan for the existing Connah's Quay Nature Reserve, to be agreed with NRW and FCC.</p> <p>We continue to be concerned about plans for tree planting in areas used by Curlews.</p> | <u>Under discussion</u> <u>Not agreed</u> | Medium |

¹ Functionally Linked Land (FLL) is a term often used to describe areas of land or sea occurring outside a designated site which is critical to, or necessary for, the ecological or behavioural functions in a relevant season of a qualifying feature for which a Special Areas of Conservation (SAC), Special Protection Area (SPA) or Ramsar site has been designated. These habitats are frequently used by qualifying species and support the functionality and integrity of the designated sites for these features.

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| | | (EN010166/APP/6.14) | | <p>(FCC) and Natural Resources Wales (NRW) for approval prior to the commencement of operation. This updated Conservation Areas Management Plan would be reviewed and updated at a frequency to be agreed with FCC and NRW and would remain in place until the point of the completion of the decommissioning of the CQLCP Abated Generating Station.</p> <p>The Applicant is currently undertaking further ornithological surveys of the mitigation area at Gronant Fields, along with investigations and monitoring of groundwater and the sites hydrology. The requirement for further surveys, including for soil invertebrates and other biodiversity will be discussed and agreed with NRW and other statutory consultees.</p> <p>Deadline 5-comment: To deliver meaningful biodiversity enhancement, the Applicant has prioritised creation of grassland on-site with the remaining net benefit requirements for woodland and scrub provided off-site.</p> <p>There is creation of approximately 2.07 ha of woodland on-site. This reflects a necessary design trade-off, whereby woodland planting is prioritised in appropriate areas, with limited encroachment into grassland and small areas of scrub, while avoiding adverse effects on key ornithological receptors.</p> <p><u>Deadline 6: The Applicant reconfirmed its position in terms of woodland planting during a team meeting with the DNS. The habitat creation and enhancement proposals included in Figure 6 of the Off-site Net Benefit for Biodiversity and Green Infrastructure Strategy [REP4-059] demonstrate how planting would be focussed on the perimeter of the site to create screening features with the majority of the remaining part of the site would to be enhanced through management and an appropriate grassland mix.</u></p> <p><u>The Applicant will continue to engage with the DNS on habitat management details during the preparing of the Curlew Implementation and Monitoring Plan and the Gronant Fields Landscape and Ecology Management Plan (LEMP).</u></p> | <p>Curlews are known to avoid woodland and proximity to woodland.</p> <p>DNS has suggested alternative locations for tree planting that would not impact on Curlews and would be happy to discuss this further with Uniper.</p> | | |
| 3 | Existing Conservation | N/A | DNS have provided suggested management | As stated in response to Applicant's Response to Relevant Representations [REP1-062] (DNS2) for | DNS has been concerned that for many months Uniper were unwilling meet us to | Agreed | Resolved |

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| | Land Management Plan | | improvements for the existing Connah's Quay Nature reserve Compartment 2. | comments relating to the management of Compartment 2, the Applicant will continue to work with DNS to implement management under the Conservation Areas Management Plan for the existing Connah's Quay Power Station. The Applicant can confirm that the existing sluices and culvert will be re-instated as part of ongoing management and maintenance of Compartment 2. Deadline 6: DNS were content that the new sluices and re-instatement of the culvert were being progressed, and that a further meeting was planned in May 2026 to discuss the Conservation Areas Management Plan. | discuss plans for the works needed to enhance Compartment 2. DNS has now had an initial meeting with Uniper and is reassured that the work to replace the two sluices with new sluices and the re-instatement of the culvert has progressed though detailed engineering feasibility to initial discussion with NRW. We are supportive of the proposed works outlined to us and await further discussions on the detail of the designs for these structures. | | |
| 34 | Impact on internationally important Dee Estuary SSSI, SPA and Ramsar site. | <p>Chapter 11: Terrestrial and Aquatic Ecology {(EN010166/APP-049)/6.2.11}</p> <p>Chapter 9: Noise and Vibration (EN010166/APP/6.2.9)</p> <p>Figure 5-3: Construction Areas [APP-083]</p> <p>Report to Inform the Habitats Regulations Assessment {(EN010166/APP-253)/6.12}</p> <p>Framework CEMP (EN01066EN010166/APP/6.5)</p> | <p>DNS raise concerns about the impact of the development on the internationally important bird populations that use the saltmarsh and mudflats immediately adjacent to the proposed development.</p> <p>DNS have provided suggested management improvements for the existing Connah's Quay Nature reserve Compartment 2.</p> <p>DNS note there will be a significant residual impact on Curlews that traditionally use the site as their ability to find alternative foraging area locally is likely to be limited.</p> | <p>As stated in response to DNS2, for comments relating to the management of Compartment 2, the Applicant will continue to work with DNS to implement management under the Conservation Areas Management Plan for the existing Connah's Quay Power Station. The Applicant can confirm that the existing sluices and culvert will be re-instated as part of ongoing management and maintenance of Compartment 2.</p> <p>Regarding comments made on the loss of roosting and foraging habitat being assessed as Moderate or Major Adverse (Significant), Chapter 25: Summary of Significant Likely Effects {(EN010166/APP-063)/6.2.25} also demonstrates that, after the application of additional mitigation / enhancement, the residual effect would become Negligible or Minor Adverse (Not Significant). Specifically regarding Curlew, the Applicant has addressed this concern above in the Applicant's Response to Relevant Representations [REP1-062] (DNS2-).</p> <p>Deadline 5-comment: The Applicant has identified that areas within the Order limits provide important habitats for Curlew. To mitigate the loss of these areas, the Applicant is proposing enhancements within its landholding at Gronant Fields as detailed in the Outline Curlew Mitigation Strategy Implementation and Monitoring Plan (EN010166/APP.6.13).</p> <p>Deadline 6: The DNS has highlighted to the Applicant the benefits of shallow land scrapes for land enhancement at</p> | <p>DNS has been concerned that for many months Uniper were unwilling meet us to discuss plans for the works needed to enhance Compartment 2.</p> <p>DNS has now had an initial meeting with Uniper and is reassured that the work to replace the two sluices with new sluices and the re-instatement of the culvert has progressed though detailed engineering feasibility to initial discussion with NRW.</p> <p>We are supportive of the proposed works outlined to us and await further discussions on the detail of the designs for these structures.</p> <p>We are supportive of the approach being taken to developing a management plan for the Gronant site based on hydrological studies and improved site knowledge. We continue to advocate the creation of shallow scrapes at existing low points, in combination with enhanced grazing to create the best conditions for Curlews to feed.</p> | Under discussion Agreed | Medium Resolved |

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| | | | | <p><u>Gronant Fields. The Applicant confirmed with the DNS that this will be discussed further with the DNS during development of the Curlew Implementation and Monitoring Plan. The Applicant is also considering the provision of wildlife hides at Gronant Fields at the request of the DNS.</u></p> <p><u>The DNS has confirmed that they would welcome a site walkover at Gronant Fields with the Applicant and key stakeholders, including NRW and the RSPB, to support the development of the detailed Curlew Implementation and Monitoring Plan. This site walkover will take place once a date has been agreed between the parties.</u></p> <p><u>The DNS have now been included within the Outline Curlew Implementation and Monitoring Plan (EN010166/APP.6.13) as a participant in the Curlew Steering Group, which will be formed to review the results of monitoring and to agree any management activities on an annual basis.</u></p> <p><u>The Applicant is currently progressing ground investigations with hydrological and ecological assessment to inform the mitigation at Gronant Fields, and bird surveys and invertebrate surveys are currently underway.</u></p> | | | |
| 45 | Mitigation for noise and visual disturbance - Dee Estuary | <p>Chapter 11: Terrestrial and Aquatic Ecology <u>{(EN010166/APP-049)/6.2.11}</u></p> <p>Chapter 9: Noise and Vibration <u>{(EN010166/APP-047)/6.2.9}</u></p> | <p>DNS are unclear if the proposed additional noise mitigation will be sufficient to mitigate the identified impacts.</p> <p>DNS would like to understand the proposed mitigation measures in more detail.</p> <p>DNS suggest that detailed monitoring is carried out in the first two years to assess the disturbance impacts when works commence.</p> <p>DNS also suggest that measures should be put in place to be reactive if</p> | <p>The approach to the noise assessment was discussed and agreed with NRW in May 2025. Section 5 of Chapter 9: Noise and Vibration (EN010166/APP/6.2.9) explains how acoustic fencing would be implemented along the northern and western boundaries of the Main Development Area and along the northern boundary of the (C&IEA), as shown in Figure 5-3: Construction Areas [APP-083]. A height of 3 m is standard for acoustic fences based upon the main source of noise for construction plans which is typically the engines and generators. For other noise sources (e.g. piling) shrouds on the piles would be used as mitigation to address noise in accordance with the controls included in the Framework CEMP (EN01066/APP/6.5)-). Appendix D of the Report to Inform the Habitats Regulations Assessment {(EN010166/APP-253)/6.12} illustrates noise levels after mitigation is applied. Works to install the acoustic fence would be undertaken outside of the wintering period, as presented in the Framework CEMP (EN01066/APP/6.5) and no clearance works or site</p> | <p>We remain concerned about the potential impact of disturbance (from noise and movements) on birds using the estuary habitats in close proximity to the development.</p> <p>We cannot envisage this impact being as small as negligible, but it is not yet possible for us to know if it will be Minor Adverse or Moderate Adverse. This is due to the scale and height of the development and its proximity to the estuary and large numbers wintering and passage waterfowl.</p> <p>DNS conducts monthly WeBS counts as part of the ongoing national scheme co-ordinated by the BTO.</p> <p>We continue to urge the Applicant to focus on monitoring the impact of potential</p> | Under discussion Agreed | High Resolved |

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| | | | <p>disturbance issues are found to be significant. DNS members monitoring birds at the reserve may be able to provide evidence</p> <p>DNS are concerned that acoustic fences that are only 3m high will be insufficient for what they have to do (i.e. prevent as much noise disturbance to the riverside as is possible, given that the construction work may last for nine years).</p> | <p>establishment works within the Main Development Area and (C&IEA) would occur between the October and March inclusive in the absence of the 3 m acoustic fencing. The final CEMP is to be prepared in general accordance with the Framework CEMP (EN01066/APP/6.5) and no stage of the authorised development may commence until the final CEMP is approved by the relevant planning authority pursuant to Requirement 4 of the Draft DCO (EN010166/APP/3.1).</p> <p>The noise mitigation identified has been modelled to be effective, in that it would reduce noise levels to below the 60dB disturbance threshold used in the HRA and the 70dB disturbance threshold agreed with NRW. Published guidance exists regarding the benefit to be assumed from different types of mitigation.</p> <p>The Applicant is committed to undertaking monitoring of the abundance of wintering bird species following the methodology for the 2023/ 2024 Wetland Bird Counts detailed in Appendix 11-D: Ornithology Technical Appendix [APP-193]. The frequency of this monitoring during construction is to be discussed and agreed with FCC and NRW. In addition to this, the Framework CEMP (EN01066/APP/6.5) notes Ecological Clerk of Works (ECoW(s)) would be appointed by the undertaker to manage the risks to ecology during construction, advising protecting valued biodiversity features and providing practical solutions. The appointed ECoW(s) would be appropriately qualified and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). The ECoW(s) would be able to monitor during periods of noisy activities to determine if certain activities require additional noise mitigation at source.</p> <p>The Applicant is considering when an appropriate time would be to share bird monitoring data (considering bird data is still being collected) with the North Wales Biological Records Centre, Cofnod, <u>but is committed to providing this data to Cofnod.</u></p> <p>Deadline 5-comment: the Framework CEMP (EN010166/APP/6.5) notes that consideration will also be given to additional noise controls such as jackets on pneumatic drills, acoustic covers on compressors, shrouds on piling rigs and cranes and temporary barrier or screens. These measures would ensure that noise</p> | <p>disturbance events by a suitably experienced ornithologist and has a process in place to take rapid action to mitigate any observed disturbance.</p> <p>We would like a commitment from the Applicant to share all bird monitoring data collected on site (to date and in future) with the North Wales Biological Records Centre, Cofnod. https://www.cofnod.org.uk</p> | | |

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| | | | | <p>levels will not exceed 60 decibel (dB) within the Dee Estuary Special Protection Area (SPA) /-Ramsar site. The Framework CEMP (EN010166/APP/6.5) (secured by requirement 4 of the Draft DCO (EN010166/APP/3.1)) states in Table 4.3 that "A further noise and vibration assessment would be undertaken as required, once the Principal Contractor(s) is appointed, to identify specific mitigation measures for the Proposed Development". Note that NRW are content for this issue to be 'agreed'.</p> <p><u>Deadline 6: The Applicant confirmed with DNS during a recent meeting that they are committed to providing bird monitoring data to Cofnod.</u></p> | | | |
| 56 | Impact on Deeside Naturalists members visiting the nature reserve | Chapter 5: Construction Management and Programme [APP-043]-Framework CEMP (EN01066/APP/6.5) | <p>DNS note the core working hours and the potential need for working outside these.</p> <p>- DNS reiterate the importance of advance notification to DNS when work that may affect members visiting the reserve is undertaken outside core working hours.-</p> | <p>Regarding communications, as detailed within the Framework CEMP (EN01066/APP/6.5) a Community Liaison Group would be set up prior to construction and would continue until final commissioning of the Proposed Development as a formal forum for local issues to be raised. A Community Liaison Officer would be appointed to lead discussions with local communities and act as the primary point of contact, should there be any queries or complaints. The officer would develop a Stakeholder Communications plan to include measures for community engagements and track queries or complaints. The final CEMP(s) will include this control measure.</p> <p>Deadline 5-comment: The Applicant note's concerns about advance notification to DNS when work may affect members visiting the reserve outside core working hours. In line with current access arrangements the Applicant will commit to informing the DNS in advance if there is likely to be any restriction to access and if work that may affect members visiting the reserve is undertaken outside core working hours.</p> <p><u>Deadline 6: The Applicant notes the DNS concerns regarding potential works that may affect members, including when access to the nature reserve may be restricted. During a recent meeting with the DNS a communication approach was confirmed between both parties, whereby the DNS will receive regular updates on construction via newsletters and regular meetings with the Applicant. The DNS will also provide newsletters for upcoming members events to the Applicant to be considered.</u></p> | <p>We welcome the establishment of a Community Liaison Group but the point we are making about advance notification of works is different.</p> <p>We are asking for a commitment from Uniper to ensure advance notification of works that may affect members. This is currently the normal practice, but with a big construction project happening it is important that all key staff and contractors are aware of the importance of this.</p> | <u>Under discussion Agreed</u> | <u>HighResolved</u> |

| Ref. | Subject | Relevant Application Document | Summary of DNS Comment within their Relevant Representation | Applicant Position | Deeside Naturalists Society Position | Status | Likelihood of resolution |
|-----------|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------|--------------------------|
| <u>67</u> | Mitigation relating to Schedule 1 breeding birds | Chapter 11: Terrestrial and Aquatic Ecology {(EN010166/APP-049)/6.2.11} Framework CEMP {(EN01066/APP-246)/6.5} | DNS request that appropriate provisions will continue to be made for nesting Peregrine and Little Ringed Plover, incorporating these needs within the new development.- | Measures to prevent disturbance to Schedule 1 breeding birds during construction are detailed in the Framework CEMP (EN01066/APP/6.5) secured via of the Draft DCO (EN010166/APP/3.1) . | This matter is agreed between the parties. | Agreed | Resolved |
| <u>78</u> | DCO Articles and Requirements | Draft DCO (EN010166/APP/3.1) | N/A | The Draft DCO includes articles and requirements which are appropriate for the Proposed Development. | DNS is unsure of what this means and currently has no view on this. | Agreed | N/A |

4. Approvals

4.1 The Applicant

Signed: _____

Name: _____

Position: _____

Date: _____

Signed: _____

Name: _____

Position: _____

Date: _____

4.2 Deeside Naturalist Society

Signed: _____

Name: _____

Position: _____

Date: _____

