

Date: 08 June 2026
Our ref: 549811, Case 32959
Your ref: EN010166



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Examining Authority
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BY EMAIL ONLY

Dear ██████████

Connah's Quay Low Carbon Power Project; EN010166
Interested Party Ref: ██████████

Natural England's submission for Deadline 7 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 6 which are relevant to our remit. These are provided at Annex 1.

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 6

Without Prejudice Habitats Regulations Derogations Report (Rev02)

We note that references to impacts from aerial deposition have been removed from the latest iteration of the Without Prejudice Derogations Report. Please see our comments in the section below regarding the measures proposed to address operational nitrogen deposition impacts.

As per our previous submissions Natural England does not have a statutory role in the derogations provisions of the Habitat Regulations. The onus is on the applicant to satisfy the Competent Authority (Secretary of State/ PINS in this case) that there are no alternative solutions and that there are imperative reasons of over-riding public interest.

We have not repeated the remainder of our Deadline 2 submission regarding the Without Prejudice Report for brevity. However, these points remain valid.

Report to Inform Habitats Regulations Assessment (Rev04)

We note that a further update to the Report to Inform Habitats Regulations Assessment has been provided, and that measures to mitigate water quality impacts have now been progressed and considered at the Appropriate Assessment stage, which we welcome. This has addressed our outstanding concern regarding this issue – this is reflected in the updated Statement of Common Ground between Uniper and Natural England

We note the additional detail regarding the proposed financial contribution to Flintshire Council to address the impacts from operational nitrogen deposition and welcome the progress that has been made.

We note the Applicant's further clarification that the assessment has applied the most precautionary 10 kgN/ha/yr critical load across the full affected saltmarsh area and has not sought to discount areas on the basis of tidal inundation, saltmarsh zonation or reduced sensitivity. Natural England also notes the clarification that any management interventions funded through the Flintshire Council contribution would be supplementary to existing management obligations and secured through legal agreement. We advise the Examining Authority they should have sufficient certainty that these measures will fully address the increased nitrogen loading across the designated saltmarsh. We advise the Examining Authority ensures the Nitrogen Management Plan and associated secured measures are sufficiently defined, targeted to the predicted nitrogen deposition effect, deliverable, and agreed with NRW/FCC.

While the applicant has confirmed these funds will not be used for ongoing management activities, it is Natural England's view that detail is lacking regarding how these funds will be used to provide the necessary certainty to be able to conclude there will be no adverse effect on the integrity of the Dee Estuary SAC.

As per our comments in the previous section, we note that all reference to air quality impact has been removed from the 'Without Prejudice' derogations report - presumably because the applicants now view these measures as mitigation rather than compensation. As we advise above, we consider detail on the actual measures to be delivered through this financial contribution to be lacking at this stage. We, therefore, do not consider there to be sufficient certainty in the effectiveness of these measures to be able to definitively conclude that all adverse effects have been suitably addressed.

We also note and highlight the concerns raised by Natural Resources Wales in their D7 response regarding the in-combination assessment submitted for the Knauf Rock Mineral Wool facility. We support these comments and advise the Examining Authority they should be confident that any in-combination impacts have been adequately addressed to ensure no adverse effect on the integrity of the Dee Estuary Special Area of Conservation (SAC).

Additional Operational Air Quality Considerations

We note the comments made by NRW regarding the discrepancies between the data presented in the updated Plate 2 of the Additional Operational Air Quality Considerations document [REP6-091] which

includes a “FEED 2 Abated Scenario, Nitrogen Deposition Process Contribution” isopleth contour map that contradicts the reported maximum figures in Appendix 8-D: Air Quality Operational Assessment report. We support the advice given by NRW that clarification should be sought as to why the isopleth contour plot does not show equivalent values as those presented in the Air Quality Operational Assessment tables.