Date: 23 October 2026
Our ref: Case 32959, Consultation 561230
Your ref: EN010166

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Dear [redacted]

NSIP Reference Name / Code: EN010166 Connah's Quay Low Carbon Power Project

Natural England's response to the Secretary of State's Questions, dated 8 October 2026, 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.

Following receipt of these questions Natural England was provided with a number of new documents including an updated air quality in-combination assessment, which relates to nitrogen deposition impact on the Dee Estuary SAC. Where relevant our responses take account of the information provided in this update. We understand that the developer will be submitting this updated assessment as part of their response to the Secretary of State's questions.

We note within these documents that there have been significant changes to the data and assessment information we have received following completion of the Examination. These changes have a material impact on our understanding of the potential effects and the advice we can provide regarding the impacts on the Dee Estuary Special Area of Conservation.

Natural England's responses to the various questions posed in your letter of 8th October 2026 are set out on the following pages.

Please note that these responses do not take account of any additional information the applicant may provide in their responses to the questions posed by the Secretary of State, with the exception of the updated in-combination air quality assessment.

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

Yours sincerely

[redacted]
Principal Officer, Major Planning Casework Team
Natural England

Question No	Secretary of State's Question	Natural England response
Habitats Regulations		
Conclusions on Likely Significant Effects		
3	The Secretary of State requests that **Natural England** ("NE") provides its final views on the potential impacts of atmospheric pollution from construction activities on English units of affected European sites, raised in RR-026, REP3-051, REP4-072 and unresolved in REP7-028.	Natural England agree that there will be no adverse effect on the integrity of European Sites resulting from atmospheric impacts from construction traffic on the English units of affected European sites (or harm to SSSIs in England). Other construction impacts such as dust would not be of concern beyond the immediate vicinity of the construction site, so are entirely within Wales, and NE has no comment on these.
4	The Secretary of State requests that **NE** provides its views on the further information on operational stack ammonia emissions submitted by the Applicant [REP6-088] at deadline 6.	Natural England do not consider that sufficient information has been provided to exclude ammonia impacts from the proposed development **in-combination** with other plans and projects, and it is therefore not possible to exclude adverse effect on integrity arising from ammonia impact on the identified SPAs, SACs and Ramsar sites (or harm to the SSSIs) within England. The consideration of ammonia concentrations (RQ7) refers to discussion of receptor point OE2 (construction traffic impacts are considered resolved, as addressed under SoSQ 3 above). Although this point of maximum impact is located in Wales, operational impacts – especially in-combination operational impacts could impact the entire **Dee Estuary SAC/SPA/Ramsar** – and no assessment was made of ammonia concentrations in England. It is therefore not considered that operational ammonia emissions have been adequately addressed in REP6-088 purely by consideration of impacts at OE2. Appendix A of REP06-088 (and RQ27) assesses the impact of ammonia on the **Mersey Estuary SPA and Ramsar site (and SSSI) (OE6)** during operation. This concludes that <0.01ug/m^3 would be generated from the project alone. NE considers that the relevant critical level of the Mersey Estuary would be 3ug/m^3 – so the project alone impact would be <0.33% of the critical level. NE does not agree that in combination there could be no LSE (i.e. in combination contributions could add up to >1% of the critical level) based on the information provided. However, overall, the ammonia concentration is unlikely to exceed the critical level (the current APIS background across the entire Mersey ranges between

		approximately 1.4-2.5ug/m^3) but without an in-combination consideration this cannot be confirmed. At **Heswall Dales SSSI** the qualifying features include heath, oak/ birch woodland and *Molinia* mire – all of which would be anticipated to have bryophytes and lichens as integral features in the habitats so with an ammonia critical level of 1ug/m^3. The applicant states the project alone would generate "<0.01ug/m^3" ammonia, which is <1% of the critical level, but this does not in itself exclude the potential for an effect in-combination. Further consideration of the modelling data to identify how much <1% is anticipated to be produced. A similar argument would apply to **Thurstaston Common SSSI** with qualifying features of wet heath and oak/birch woodland. An ammonia concentration of <0.01ug/m^3 from the project alone does not confirm there could be no adverse effect in-combination. The same applies to **Dibbinsdale SSSI** (also a critical level of 1ug/m^3) **New Ferry SSSI** (critical level of 3ug/m^3), **Hallwood Farm Marl Pit SSSI** (critical level of 3ug/m^3) and **Inner Marsh Farm SSSI** (critical level of 1ug/m^3). The applicant has also provided document EN010166/APP/9.43 (Sep 2026) DRAFT Topic Paper: Consideration of Additional Emerging Schemes Identified by Natural Resources Wales. This considers four additional in-combination sites. However, consideration of ammonia is still based on the project alone. For example section 3.3.5 states "*For all internationally designated receptors the predicted annual average ammonia concentrations **from the Proposed Development** do not exceed 1% of the AQAL. They are therefore considered insignificant*." Nevertheless, Table 13 and 17 of the new document does provide an in-combination assessment of ammonia concentration from the project alone and in-combination (with all 14 previously identified and emerging in-combination projects). However, the PEC does not identify any difference from the background concentrations so it is unclear how modelled contributions have impacted on the PEC. Although the Dee Estuary would not exceed the ammonia critical level of 3µg/m^3, this would not be the case for other protected sites – and therefore detailed assessment of any protected sites where the in-combination PC is >1% should be made.
5	The Secretary of State requests that **NE** provides its final views on the potential for the Proposed	This is the first time Natural England has been asked to consider this question. We have no information on (a) the exact location of the

	Development to affect features of the Dee Estuary Special Protection Area ("SPA") and Ramsar site through impacts to bird flight lines from barriers to movement, as discussed in the Applicant's submission REP3-059.	proposed stack(s) relevant to the existing bird features and habitats (b) the height or width of the stacks and (c) any vantage point or other flightline surveys undertaken to inform the levels of risk or potential impact pathways. We have, however, had sight of NRW's response to this question: *Based on known roost and feeding locations of wintering waders and wildfowl and breeding terns, flight paths between roost sites and feeding sites would not include the proposed development area. Flighting from low tide feeding due to disturbance is referenced in The Dee Estuary European Site Regulation 33 document and does not include a flightpath over the proposed development area. NRW therefore does not foresee any risk to flight paths of marine/intertidal birds using the designated sites, based on currently available information. Regarding evidence of conflict with the existing stacks, NRW defers to the Applicant for comment regarding this matter.* As NRW have set out their understanding of the risk based on their local knowledge of the site, and, in the absence of sight of any details of local bird movements and flight paths, NE defers to NRW's opinion on this matter.
9	The Secretary of State requests that **NE** provides its final views on the area of Atlantic salt meadow affected by nitrogen deposition in the Applicant's in-combination assessment of LSE, as discussed in REP6-088 and marked as unresolved in REP7-029.	We are not able to provide an adequate response to this question. Based on the most recent information we have received from the applicant following the closure of Examination and publication of the SoS questions, the areas of saltmarsh to be impacted, alone and in-combination with other plans and projects have changed again, and so we do not have a clear picture of the level of impacts, or the area of saltmarsh impacted. In REP6-088 in RQ23, the applicant provides a figure, adapting that in Appendix E, Figure E1: Nitrogen Deposition within Saltmarsh of the RIHRA (EN010166/APP/6.12 – REP6-048). This shows the area of saltmarsh in the Dee Estuary within the "in combination" contour that exceeds 1% of the minimum critical load for saltmarsh (10 kgN/ha/yr) – some on the Welsh portion of the Estuary and some in the English – though in ecological terms, this distinction is irrelevant, as an effect on the site integrity would apply to the whole ecosystem. It is understood that this area was 445ha (Para 10.3.16 of the RIHRA). The ten in-combination projects considered are mapped on Appendix B of REP6-088 (which is a replicate of Figure E1 of the RIHRA). Mitigation was proposed on the basis of the identified 445ha which would be adversely

		affected as a result of the proposed development in-combination. NE agreed (as outlined in 10.3.15 of the RIHRA) that mitigation should apply to the Dee Estuary Habitats site as a whole, rather than having to be split into English and Welsh parts. The mitigation was described in 10.3.21 of the RIHRA - "…*for the Applicant to provide additional resources to enable the management of saltmarsh (Atlantic salt meadow) within the designated site, commensurate with the modelled impact. This will be undertaken to improve the health and quality of saltmarsh beyond that which would otherwise be achieved by existing required management, thus rendering the saltmarsh within the Dee Estuary more resilient to other pressures such as atmospheric nitrogen deposition… It can reasonably be assumed that the additional management burden would be equivalent i.e. an approximate 1.4% increase in deposition is likely to broadly translate into an approximately 1.4% increase in management cost to counteract that additional nitrogen. The additional burden due to the Proposed Development would therefore equate to a total of £4,210.52 per annum* (based on the Countryside Stewardship payment of £724 per hectare for conservation management of saltmarsh). *Over the 30-year operation of the Proposed Development, this would therefore equate to £135,315."* The applicant has subsequently provided NE with an amended in-combination assessment, (EN010166/APP/9.43 (Sep 2026) DRAFT Topic Paper: Consideration of Additional Emerging Schemes Identified by Natural Resources Wales). This identifies that four further in-combinaton projects would be relevant (as emerging projects) which would increase the area exceeding 1% of the critical load from 445ha to **2,389 ha**. This covers over 90% of saltmarsh within the SAC and SPA on both the English and Welsh sides. Table 1 of Appendix C of the new document indicates that the proposed development would contribute to that impact (spatially overlap) over all this area – albeit by a small amount (the majority being between 0.1% and 0.5% of the critical load). NE considers that the potential for an AEOI to the Dee Estuary SAC, SPA and Ramsar site (still) cannot be excluded based on the revised in-combination area. The applicant proposes to amend the management budget to be paid to Flintshire Council in line with the new in-combination area, but by reducing the financial contribution in line with the contribution of the proposed development to the new in-combination impact

		(Section 4.1 of Appendix C of the new document). NE is uncertain how the proposal to contribute to Flintshire Council's management of saltmarsh within their ownership will mitigate for the in-combination impact of the proposal on saltmarsh outside Flintshire – especially if, on an area basis, there is not 2,389ha of saltmarsh within Flintshire. Although management can, in some circumstances be acceptable as mitigation, it is not considered that the applicant has demonstrated how the proposed activity can be effective over the entire affected area, when this is larger than the area being funded.
10	The Secretary of State requests that **NE** provides its final views on the point sources for ammonia included in the Applicant's in-combination assessment of likely significant effects, as discussed in REP6-088 and marked as unresolved in REP7-029.	Natural England is satisfied there is unlikely to be an adverse effect on the integrity of the Dee Estuary SAC from ammonia as the PEC would remain below the critical level. However, it is not clear this is the case for all protected sites. The in-combination figure presented in Appendix I of the RIHRA (EN010166/APP/6.12 - **REP6-049 May 26**) and Appendix B of REP6-088 identifies 10 in-combination projects. It does not state which emit ammonia specifically, but it is accepted that the applicant's modelling will have incorporated ammonia into the assessment of nitrogen deposition. It is unclear whether non-industrial sources appear to have been identified (e.g. planning or permitting applications for agricultural ammonia sources) as this is not possible to identify from the figure alone (which lists only planning application numbers). The amended in-combination assessment indicates that the PEC even with the new projects added would be less than the saltmarsh critical level of 3µg/m^3 at the Dee Estuary. However, it is not clear this would be the case for all protected sites – so this assessment should be made. Overall, Natural England is satisfied that the in-combination assessment includes relevant ammonia sources from industrial emitters, following the inclusion of additional sites requested by NRW. However, it is unclear whether agricultural sources have also been included in the assessment. Natural England does not agree with the assessment approach, as in-combination process contributions of >1% of the ammonia critical level at each protected site should be subject to further assessment.
Impacts on Atlantic salt meadow		
13	The Secretary of State requests the **Applicant, NRW** and **NE** provide their	Part 2 of Schedule 16 of the draft DCO refers to compensatory habitat for Atlantic saltmarsh that

	views on proposed drafting for Part 2 to Schedule 16 of the draft Development Consent Order ("DCO") (provided at Annex A below) including in respect of steering group membership, the content and discharge of the oSIMP, the maintenance period of the compensation measure, and the monitoring and reporting process.	will lost from the Welsh section of the Dee Estuary as a result of cooling water outflow from the development. As the saltmarsh to be lost and associated compensatory measures lie entirely within Wales, Natural England has no comment to make on the proposed wording. We defer to NRW's advice on this issue.
Impacts on Functionally Linked Land		
21	Noting NRWs position in REP6-097, **NE** is invited to confirm if those data resolve its concerns regarding FLL and adverse effects on the integrity of the Dee Estuary SPA and Ramsar.	As the FLL to be impacted is located in Wales, we defer to NRW's advice on the suitability of the data presented to enable assessment of whether the proposal will result in an adverse effect on the integrity of the Dee Estuary SPA and Ramsar site.
25	The Secretary of State requests that **NRW**, **NE** and **FCC** provide their final views on the proposed compensation measures at Gronant Fields, including on the potential for the proposed measure to compensate for impacts to curlew from the loss of FLL, whether the proposals conflict with other conservation objectives at the site and whether NRW it is satisfied with the updated definition of 'in perpetuity' in the updated oCIMP [REP7-021].	Natural England welcome the updates that address the concerns we raised previously regarding the management of Gronant Fields. These being: (a) annual monitoring surveys (b) 10 years of monitoring (instead of 5) to inform the adaptive management plan (c) the return of water level and water depth management as part of the adaptive management strategy and (d) monthly ornithological surveys all year instead of just August to April. Beyond this, and in line with the position set out in our Statement of Common Ground with the developer, we defer detailed comments on the appropriateness of the Gronant Fields compensation site to address the impacts resulting from the loss of functionally linked land to NRW, given both sites lie entirely within Wales.
26	The Secretary of State requests the **Applicant**, **NRW** and **NE** provide their views on proposed drafting for Part 1 to Schedule 16 of the draft DCO (provided at Annex B below).	Given that Part 1 of Schedule 16 of the draft DCO refers to compensatory habitat to address the loss of functionally linked land at the development site, which lies within Wales, Natural England has no comment to make on the proposed wording. We defer to NRW's advice on this issue.
Additional Matters		
34	**NRW**, **NE** and **FCC** are invited to provide any additional comments on the Notice of a proposed without prejudice HRA derogation in Wales [REP7-032] and including the proposed compensation measures	We welcome the re-inclusion of air pollution impacts on the Dee Estuary SAC in the latest iteration of this document, following its removal from the version submitted at Deadline 6. As per our previous submissions it is not for Natural England to comment on the case for

	and any related outline plans or draft documents.	over-riding public interest or consideration of alternatives. We note that the latest iteration of the 'Without Prejudice Derogations Report' at section 6.1.8 states that "*It is not possible to precisely identify the type or quantity of management that would need to be delivered to respond to any increase in nitrogen deposition, in advance of the impact arising, as it must be 'adaptive management' reacting to how the additional nitrogen deposition affects aspects such as vegetation growth rate and abundance of less desirable plant species".* The lack of detail provided does not offer sufficient reassurance that the measure being proposed will fully address the potential impacts arsing from the development.
35	The Secretary of State invites **NE** and **NRW** to provide comment on any other outstanding HRA matters related deadline 7 submissions	Natural England maintains the view that the measures being proposed to offset the permanent loss of saltmarsh, functionally linked land and impacts from operational nitrogen deposition should be considered compensatory measures, rather than mitigation. Following the publication of the Secretary of State's questions we have received further information from the developer in the form of an updated air quality in-combination assessment and isopleth contour maps. These maps show the impacts of the development in-combination with other plans and projects will affect over 90% of the designated saltmarsh within the SAC. As per our response to SoS Q9, we are unsure that the proposed mitigation will be adequate or appropriate given no detail has been provided as to what this may include. We also note the area of saltmarsh to be affected by the development alone differs significantly between the documents submitted during Examination (REP6-048 Report to Inform HRA, para 10.3.16) which references an area of 245ha, and the latest version of the in-combination assessment (to be submitted by the applicant in their response to these questions) where the figure has reduced to 53.8ha (para 3.2.1). No explanation is provided for the change in these figures, and given this discrepancy we do not have confidence in the assessment.