Connah's Quay Low Carbon Power

Environmental Statement Volume IV
Appendix 2-B: Scoping Opinion Responses

Planning Inspectorate Reference: EN010166
Document Reference: EN010166/APP/6.4
Planning Act 2008 (as amended)
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(a)
Revision 00

August 2025

Prepared for:
Uniper UK Limited

Prepared by:
AECOM Limited

Table of Contents

1. Scoping Opinion Responses 1
1.1 Overview 1

Tables

Table 1: Scoping Opinion Responses 2

1. Scoping Opinion Responses

1.1 Overview

1.1.1 This technical appendix of the Environmental Statement (ES) summarises the issues raised in the Secretary of State's Scoping Opinion on the Proposed Development (**Appendix 1-B: Scoping Opinion** (**EN010166/APP/6.4**) and describes how the issues raised by the Planning Inspectorate and other interested consultation bodies have been taken into account during the environmental assessment and design development of the Project.

1.1.2 **Table 1** lists the issues raised by the Planning Inspectorate and other consultation bodies, with subsequent columns stating how this has been addressed in the ES.

Table 1: Scoping Opinion Responses

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Figure 1-2 - Indicative DCO Site	2.1.1	The Inspectorate (PINS)	It would assist the reader if a thinner red line boundary could be used to show the exact land required and assessed for the Proposed Development.	Thickness of the red line boundary (the Order limits or respective named element of the Order limits) used in figures has been reduced where possible.
General	2.2.2	PINS	The ES should include sensitivity testing of any survey data collated from previous developments, most notably Hynet Carbon Dioxide Pipeline DCO with which it has an overlapping boundary, to ensure applicability and reliability.	Sensitivity testing of survey data collated from previous developments (including the Hynet Carbon Dioxide Pipeline DCO) and held by third parties has been undertaken. This is detailed where relevant in **ES Volume II** (**EN010166/APP/6.2**) and supporting technical appendices in **ES Volume IV** (**EN010166/APP/6.4**).
General	2.2.3	PINS	The ES should consider the potential for mitigation measures to impact on other environmental aspects. Consideration should be given to when in the assessment period the mitigation measure will be in place. For example, it is noted that paragraph 9.6.2 of the Scoping Report that screening might be used as mitigation for visual disturbance to birds. Any likely significant effects arising from the presence of screening should also be assessed as relevant, eg. for landscape and visual receptors.	The assessments presented in the ES consider the potential impacts of mitigation measures that may arise on other environmental aspects.
General	2.2.4	PINS	Several of the aspect chapters of the Scoping Report state that additional mitigation for likely significant adverse effects would be provided where "it is reasonably practicable". The ES should describe how significant adverse effects are proposed to be mitigated. Any mitigation proposed should be identified in the ES; the description should be sufficiently detailed to demonstrate how significant effects will be avoided or minimised. Where further detail is proposed within management plans, outline versions should be submitted and the ES should clearly demonstrate how implementation will be secured through the DCO. Where significant adverse effects remain after any proposed additional mitigation, or if additional mitigation is not available, the ES should identify and describe any proposed compensatory measures and confirm how these would be secured (where appropriate). Any measures identified should be consulted on with relevant consultation bodies.	Details of proposed mitigation measures are provided in the preliminary technical assessments presented in **ES Volume II** (**EN010166/APP/6.2**). The **Commitments Register** (**EN010166/APP/6.10**) details all relevant mitigation and explain how each measure (or action) is proposed to be secured through the Draft DCO. Within **ES Volume II** (**EN010166/APP/6.2**), reference is made to management plans that will be prepared and secured through requirements in the **Draft DCO** (**EN010166/APP/3.1**). Technical assessments presented within the ES include details of consultation and engagement with relevant consultation bodies which cover the adequacy of mitigation (where relevant).
General	N/A	Cadent Gas	No comment. Following a review of our records, it is confirmed that this project falls outside of Cadent's operational area and therefore has nothing to add.	It is acknowledged that Cadent Gas have no comments.
General	N/A	Natural Resources Wales (NRW)	We note that the Harbour Master has been consulted separately and has responded directly on maritime/navigation issues. In NRW's capacity as the Statutory Harbour Authority for the Dee Estuary Conservancy, we also own land (riverbed and foreshore of the river Dee) associated with the Water Connection Corridor outlined in the Scoping Report. We therefore advise that the applicant contacts NRW's estates team ([redacted]) to discuss any relevant land ownership matters associated with this project.	The Applicant has prepared a **Navigational Risk Assessment** (**EN010166/APP/6.15**) in consultation with the Dee Conservancy. It has also agreed Protective Provisions for the benefit of the Dee Conservancy with the Harbour Master and these provisions are included in Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**).
General	N/A	NRW	Paragraph 1.7.1 of the Scoping Report refers to the applicant's proposed provisions for a 'deemed' Marine Licence within the Development Consent Order (DCO)	A Marine Licence will be sought separately and will not be deemed as part of the DCO. Engagement has been held with

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			application, depending on the works required in the marine environment. Please advise the applicant that there is no provision in legislation for a 'deemed' marine licence as part of the DCO process in the Welsh Inshore area. Therefore, a development that lies in the Welsh Inshore area and requires a Marine Licence from NRW cannot be deemed. We therefore advise that the applicant contacts NRW's Marine Licensing team ([redacted]) directly regarding any queries about this matter.	NRW Marine Licencing Team regarding the Marine Licence. Further information is provided in Section 4.6 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**).
General	N/A	NRW	Uniper UK Ltd. hold an Environmental Permit for the existing operation of four Combined Cycle Gas Turbines (CCGTs) and the now decommissioned gas treatment plant at the Connah's Quay Power station. The permit implements the requirements of Chapter III of the EU Directive on Industrial Emissions for large combustion plant (LCP). In accordance with the Environmental Permitting (England and Wales) Regulations 2016, the proposed development would require a substantial variation to the existing Environmental Permit. The new combustion plant will also be subject to Chapter III of the Industrial Emissions Directive. The operation of a carbon capture plant would require the introduction of a new listed activity to the Environmental Permit (Schedule 1, Chapter 6, Section 6.10, Part A(1)(a)).	The Applicant has engaged with NRW through the pre-application advice service and an application for the variation of the Environmental Permit will be submitted in summer 2025.
General	N/A	NRW	Where a European Protected Species is identified and the development proposal is predicted to likely contravene the legal protection they are afforded, a licence should be sought from NRW. The ES should include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended). One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' These requirements are translated into planning policy through Planning Policy Wales (PPW), edition 12, dated February 2024, sections 6.4.35 and 6.4.36 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The relevant decision maker should take them into account when considering development proposals where a European Protected Species is present.	Further information on the requirement for protected species licences is provided in **Section 11.5** of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). At this point in time no protected species licences are deemed necessary. The **Framework Construction Environmental Management Plan** (**CEMP**) (**EN010166/APP/6.5**) required further surveys to be undertaken in advance of construction and makes provisions for protected species licences which may be required in the future.
General	N/A	NRW	The site is located close to the River Dee, which is a main river. We advise that a Flood Risk Activity Permit (FRAP) (Environmental Permitting (England & Wales) Regulations 2016) may be required for any permanent or temporary works in, over, under or within 16 metres of a tidal main river, or within 16 metres of any flood defence structure on that river, or within a flood plain. See our website for further information: Natural Resources Wales / Flood risk activity permits. We note that some works will be in the marine environment and will be subject to a Marine Licence, including the possible new abstraction and discharge infrastructure and new eel screens. Any works covered by a Marine Licence will be excluded from requiring a FRAP. However, any works that do not require or are exempt from a Marine Licence may still need a FRAP, if they meet the definition of a flood risk activity.	It is acknowledged that a FRAP would be required. Further details on this matter are provided in Section 13.5 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and the **Consents and Agreements Position Statement** (**EN010166/APP/3.3**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
General	N/A	Halkyn Community Council	No observations to the scoping consultation.	It is acknowledged that Halkyn Community Council have no comments.
General	N/A	NATS Safeguarding	NATS operates no infrastructure within 10km of the development site. Accordingly it anticipates no impact from the proposal and has no comments to make on the Scoping Report.	It is acknowledged that NATS has no comments.
General	N/A	Defence Infrastructure Organisation	In this case the development falls within Low Flying Area 7 (LFA 07), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above ground level to conduct low level flight training. The addition of structure(s) in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area. To address this impact, and given the location and scale of the development, the MOD require conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A. As a minimum the MOD would require that the tallest structure on the site be fitted with 25cd visible or infra-red beacons, and for any of the structures at the site over 50m to be charted.	The **Draft DCO** (**EN010166/APP/3.1**) includes requirements related to Aviation Warning Lighting and Aviation safety that require engagement with the Civil Aviation Authority and Airbus.
General	N/A	Shotton Town Council (N.B. late response so not included in main Scoping Opinion report)	Although members were very interested in the Proposed Development, the overall response was that the documents needed to be more concise and simplified for clarity. We look forward to hearing of any further developments.	This response is acknowledged. A **Non-Technical Summary** of the **ES** (**EN010166/APP/6.1**) has been prepared to provide a summary of the ES in a concise manner.
Design	N/A	National Gas Transmission (NGT)	NGT has two feeder mains located within or in proximity to the Order limits. Details of this infrastructure is as follows: ▪ Feeder Mains (Mickle-Trafford to Deeside PS & Burton Point Spur) ▪ Freehold Land – CYM342149 ▪ Ancillary apparatus Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip. You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.	This point raised by NGT on the presence of existing easements is acknowledged as is the guidance for working in proximity to NGT assets. Engagement with NGT is detailed within the **NGT Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.9**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGT. It should be acknowledged that, through ongoing design and with respect to the incoming natural gas supply pipeline, the Proposed Development will be limited to a new 600 mm pipe diameter spur would be provided to tie-in to the existing Connah's Quay AGI and supply the proposed CQLCP Abated Generating Station, wholly within the Main Development Area.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.	The inclusion of additional land parcels and assets under NGT ownership or easement is for purposes other than the construction and operation of natural gas supply infrastructure, such as the Accommodation Works Areas to facilitate transport of abnormal indivisible loads (AIL).
Design	N/A	SP Energy Networks (N.B. late response so not included in main Scoping Opinion report)	SP Energy Networks must ensure the avoidance of any adverse impact on its assets as we all drive to maintain a network that is capable of meeting the increase in demand from an all-electric economy. The next decade will be crucial in preparing the grid for these changes and this is why we are very interested in being able to comment on the proposals which may undermine maintaining and operating and developing a suitable future grid network.	This point raised by SP Energy Networks is acknowledged. Engagement with SP Energy Networks is detailed within the **SP Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.8**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP.
Design	N/A	SP Energy Networks	SP Energy Networks requires that there be measures in place to protect SP Manweb network assets and ensure safe working around the affected SPM network. At this stage, it is suggested the application plans and required environmental impact assessment include a plan showing all of the SPM network and an assessment of the impact of the proposals on this network. This is critical 132kV national infrastructure that must not be impacted on. There should also be a draft construction management plan which has a section on utilities and explains how impacts on the existing network is to be managed and mitigated. SPM requires there to be adequate space to maintain and operate its network in accordance with statutory obligations.	The Applicant has collected information on the location of utilities within the Order limits. Utilities will continue to be mapped and avoided where reasonably practicable. Where unavoidable, construction methods should ensure that impacts on assets are avoided. The Applicant will engage with SP Energy Network to discuss any crossing locations and construction methods and are open to negotiating and agreeing protective provisions to be included in the DCO. **Chapter 5: Construction Programme and Management** (**EN010166/APP/6.2.5**) provides details of the **Framework CEMP** (**EN010166/APP/6.5**) which includes the **Framework Site Waste Management Plan** (**SWMP**) that has been submitted as part of the Application. Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP Manweb.
Design	N/A	SP Energy Networks	SP Energy Networks is seeking to obtain from the applicant detailed plans of their proposals showing SPM assets and the proposed DCO limits. Until a plan showing the proposed development in relation to SPM network is provided and agreed, and protective provisions are drafted and discussed and agreed with SP Energy Networks, then objection is raised to there being no provision in the application to such measures. The applicant's assistance with this would help progress this matter. SP Energy Networks would like to resolve matters as much as possible and would like to see clarification on the crossover points/SPM assets as soon as further details can be provided.	SPM assets are not currently included on mapping provided within the ES, but have been considered within the indicative design. Utilities will continue to be mapped and avoided where reasonably practicable. Where unavoidable, construction methods should ensure that impacts on assets are avoided. Engagement with SP Energy Networks is detailed within the **SP Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.8**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Design	N/A	SP Energy Networks	Mitigation proposals will also need to take account of SPM assets and the operational requirements. In addition, SPM benefits from numerous land rights interested across the application site and these must be maintained for SPM to manage and operate a safe and reliable network.	This point is acknowledged. Engagement with SP Energy Networks is detailed within the **SP Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.8**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP.
Design	N/A	SP Energy Networks	There are a number of key areas to resolve in relation to SPM network, which is critical to protect as it is this network that will be relied upon to distribute the generation into local homes and businesses. Any adverse impacts on the SPM network that need to be resolved by SPM would impact on the benefits of delivering this Proposed Development. The applicant should discuss the above with SP Energy Networks as soon as possible. Given the extent of the information prepared and submitted, it is a reasonable expectation for there to be a plan produced showing the SPM asset as likely to be most affected and how, and an SPM network diversions worksheet that outlines how this network will be managed within the proposed development. This should be included in an infrastructure section in the EIA assessment.	SPM assets are not currently included on mapping provided within the ES, but have been considered within the indicative design. Utilities will continue to be mapped and avoided where reasonably practicable. Where unavoidable, construction methods should ensure that impacts on assets are avoided. Engagement with SP Energy Networks is detailed within the **SP Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.8**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP.
Design	N/A	SP Energy Networks	SP Energy Networks will continue to review the application and may wish to raise further matters in due course and welcomes further engagement with the applicant.	This point is acknowledged. Engagement with SP Energy Networks is detailed within the **SP Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.8**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of SP.
Design	N/A	National Grid Electricity Transmission (N.B. late response so not included in main Scoping Opinion report)	NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within the scoping area. The overhead lines and substation forms an essential part of the electricity transmission network in England and Wales.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	Please refer to the Holistic Network Design (HND) and the National Grid ESO website to view the strategic vision for the UK's ever growing electricity transmission network. https://www.nationalgrideso.com/future-energy/the-pathway-2030-holistic-network-design/hnd'	This point is acknowledged. The resource provided has been reviewed.
Design	N/A	National Grid Electricity Transmission	NGET requests that all existing and future assets are given due consideration given their criticality to distribution of energy across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that	Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.	have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. https://www.nationalgrid.com/electricity- transmission/network-and-infrastructure/infrastructure-projects. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.	This point is acknowledged. The resource provided has been reviewed.
Design	N/A	National Grid Electricity Transmission	These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed. I enclose a plan showing the location of NGET's apparatus in the scoping area.	This point is acknowledged. The resource provided has been reviewed.
Design	N/A	National Grid Electricity Transmission	NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)".	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO (EN010166/APP/3.1)** for the protection of NGET
Design	N/A	National Grid Electricity Transmission	If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO (EN010166/APP/3.1)** for the protection of NGET
Design	N/A	National Grid Electricity Transmission	The relevant guidance in relation to working safely near to existing overhead lines is ontained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO (EN010166/APP/3.1)** for the protection of NGET

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Design	N/A	National Grid Electricity Transmission	Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO (EN010166/APP/3.1)** for the protection of NGET
Design	N/A	National Grid Electricity Transmission	Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	We would request that the potential impact of the Proposed Development on NGET's existing and future assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			consultations should be sent to the following email address: [redacted]	of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET.
Design	N/A	National Grid Electricity Transmission	Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.	This point is acknowledged. Engagement with NGET is detailed within the **NGET Draft Statement of Common Ground** (**SoCG**) (**EN010166/APP/8.7**). Furthermore, protective provisions have been included within Schedule 13 of the **Draft DCO** (**EN010166/APP/3.1**) for the protection of NGET. Engagement remains ongoing as to the form of these provisions.
Chapter 1 - Introduction	2.2.1	PINS	The Scoping Report notes that the Proposed Development 'expects to make use of transport and storage networks owned and operated by Liverpool Bay CCS Limited, currently under development as part of the HyNet Carbon Dioxide Pipeline project'. This is one example, shared works and overlap with other projects are discussed elsewhere in the Scoping Report. The ES should clearly describe the relationship between the Proposed Development and connected projects. This should include the extent to which the Proposed Development is dependent on their delivery and the development timelines and anticipated consenting routes of the other projects, with an explanation of how these will be coordinated. The assessment should address the potential for the connected projects to result in a LSE. The Inspectorate advises that the ES sets out clearly and in detail, how the assessment addresses impacts resulting from consequential development and activity where significant effects are likely to result. The ES should clearly explain and justify the boundaries and limitations of the assessment and, noting uncertainty may persist, any reasonable assumptions that have been applied. The assessment should address the worst case (which may differ for different aspects).	As detailed in **Chapter 1: Introduction** (**EN010166/APP/6.2.1**), it is expected that "*would make use of the CO_2 transport and storage network that will be owned and operated by Liverpool Bay CCS Limited, the onshore pipeline for which is currently under development as part of the HyNet Carbon Dioxide Pipeline project (referred to as the 'HyNet CO_2 Pipeline Project'). The CO_2 transport and storage network will transport CO_2 captured from existing and new industries in North Wales and North-West England to be permanently stored in depleted offshore gas reservoirs in Liverpool Bay*." Further information relating to the interface between the Proposed Development and the Hynet CO_2 Pipeline Project is provided in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). An assessment of potential cumulative effects with the Hynet CO_2 Pipeline Project is included within the ES. **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) sets out the methodology for the cumulative effects assessment and contains a long list and short list of projects which have been scoped into the assessment.
Chapter 3 - Description of the Existing Environment	2.1.2	PINS	Scoping Report paragraph 2.1.21 notes that 'minor upgrade works adjacent to the Main Site may be required at the existing Access to Wildlife Hides immediately north-east (SJ279712) and immediately north-west (SJ267719) of the Main Site and at the\ Existing Surface Water Outfall immediately north (SJ278712) of the Main Site.' The ES should ensure that all works that have the potential of being required are described and assessed and therefore, these should be detailed in the Project Description.	It is currently anticipated that access will continue from the existing Connah's Quay Power Station site entrance, with a designated access road following the southern and western boundary fence of the ecological safeguard zone shown on **Figure 5-3: Construction Areas** (**EN010166/APP/6.3**), which will minimise health and safety risks associated with the construction works. The additional maintenance or minor upgrade works at the existing Access to Wildlife Hides are no longer within the scope of the Proposed Development.
Chapter 3 - Description of the Existing	2.1.3	PINS	The Scoping Report does not provide a width for all of the corridor works. The descriptions applied to the works are inconsistent and full parameters should be described in the ES.	Details of parameters considered within the ES are included in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). **Table 4-1** identifies the indicative dimensions of components of the Proposed Development.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Environment				Further details of the assumed corridor works are also presented in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**)**.**
Chapter 3 - Description of the Existing Environment	N/A	NRW	There appears to be an error in Annex B, Preliminary Ecology Appraisal, Table 2-2 as the Dee Estuary SSSI is listed twice but with different proximities to the development site. We therefore advise that this is reviewed and corrected.	This point is acknowledged. This has been corrected in the Preliminary Ecological Appraisal (Annex F of **Appendix 11-C: Botanical Technical Appendix** (**EN010166/APP/6.4**)).
Chapter 4 - The Proposed Development	2.1.4	PINS	The ES should clearly set out the parameters of the assessment, phrases such as 'limited period' should be explained.	Details of parameters considered within the ES are included in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). Table 4-1 identifies the indicative dimensions of components of the Proposed Development. Further details of the assumed corridor works are also presented in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). **Chapter 2: Assessment Methodology** (**EN010166/APP/6.2.2**) provides a description of the assessment scenarios that have been considered within the ES.
Chapter 4 - The Proposed Development	2.1.5	PINS	The ES should set out whether the electrical connection is proposed to be underground or overground, ensuring all potential impacts are assessed, noting also whether any works are outside that being applied for in the draft Development Consent Order (dDCO). The Inspectorate advises that the ES sets out clearly how the assessment addresses impacts resulting from consequential development and activity where significant effects are likely to result.	The Applicant has confirmed that no works are expected within the Electrical Connection Corridor (though it has been included to maintain flexibility) and an appropriate description of this has been included in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). Paragraph 4.2.36 states "*In order to export electricity from the Proposed Development, engagement is proposed with NGET to identify any upgrades to existing apparatus that may be required. A new connection would be required from the Train(s) within the Proposed Development to the Applicant's existing 400 kV banking compound, which would be used to connect the Proposed Development to the existing 400 kV NGET substation located south-east of the Main Development Area. The area covered by the Electrical Connection Corridor is shown on sheet 7 of* ***Figure 3-3: Areas Described in the ES*** *(****EN010166/APP/6.3****) and the* ***Indicative Electrical Connection Plans*** *(****EN010166/APP/7.16****).*"
Chapter 4 - The Proposed Development	2.1.6	PINS	The Scoping Report states that this area [the Indicative Enhancement Area referred to in paragraph 3.2.26 of the Scoping Report] may be required for a temporary construction compound prior to the enhancement area being created. The ES should be clear on likely timescales required and apply these to the assessment to ensure	The assessments presented in the ES consider the use of these areas, as detailed in **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) where construction laydown and contractors' compounds are

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			that the proposed enhancement area, like any mitigation, is not relied upon in the assessment prior to its establishment. Furthermore, it is noted that this indicative enhancement area is located on an historic landfill site, as identified in consultee responses, the Applicant should consider any likely significant effects (LSE) arising from this historic land use.	discussed in further detail in Section 5.4. Section 4.4 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) identifies that the Construction and Indicative Enhancement Area Laydown Area, following use for construction laydown, together with reinstated areas of the Main Development Area that have been used for construction, may be used for ecological mitigation and to secure an overall net biodiversity benefit. An **Outline LEMP** (**EN010166/APP/6.9**) and a **Green Infrastructure Statement** (**EN010166/APP/6.11**) accompany the Application and set out the implementation plan for these measures, including timelines for establishment.
Chapter 4 - The Proposed Development	2.1.7	PINS	The Inspectorate notes that there is potential for operational maintenance dredging, including around the cooling water intake. The ES should include a description of any maintenance dredging proposed, including its location, the likely type and volume of sediment to be dredged and the proposed deposit location. This should include any effects associated with release of sediment-bound contaminants, turbidity and habitat loss/ disturbance. Impacts on other aspects should be considered, such as marine ecology and physical processes. Any LSE arising from such activity should be described in the ES. Paragraph 3.3.22 of the Scoping Report states that there would be no capital dredging required as part of the construction works. If this changes, the Inspectorate advises that the ES should provide a description of any construction phase dredging proposed, including frequency, location, type and volume of sediment and deposit location, together with an assessment of any significant effects likely to occur as a result.	It is confirmed in Section 4.4 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) that no maintenance dredging is planned to be carried out for the Water Connection, in line with existing operation.
Chapter 4 - The Proposed Development	2.1.8	PINS	Paragraph 3.3.5 of the Scoping Report discusses the existing Combined Cycle Gas Turbine (CCGT) plant. The Inspectorate considers that the ES should clearly consider the processes and emissions attributed to the existing CCGT plant and ensure maximum parameters are assessed, noting that the dDCO for the Proposed Development cannot control these. In addition, whilst it is stated that demolition of the existing CCGT plant is not required for the Proposed Development, the assessment should consider if demolition of the existing plant could take place during construction and operation of the Proposed Development and assess this to set out how this will be managed to mitigate effects.	Section 2.2 of **Chapter 2: Assessment Methodology and Consultation** (**EN010166/APP/6.2.2**) describes the interface with the existing Connah's Quay Power Station. It is expected that emissions from baseline (of the existing CCGT plant) would not be increased by the Proposed Development as they would not operate to their respective maximum capacity simultaneously or exceed the known maximum parameters of the site. Emissions from the existing CCGT plant are considered as part of the baseline for the relevant topics. It is expected that these baseline figures would be replaced by emissions that are expected to be of no greater amount during operation of the Proposed Development. Demolition of the existing CCGT plant during construction would not be possible during a simultaneous construction approach and is considered to be highly unlikely during a phased construction approach due to the constraints of the

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				Main Development Area. There is potential for demolition of the existing CCGT plant to occur during the operation of the Proposed Development. This has been considered in the Environmental Statement for those relevant topics as a scenario.
Chapter 4 - The Proposed Development	2.1.9	PINS	The ES should clarify what is meant by 'suitable platform level', how this will be determined and what it has been determined to be. The assessments will need to ensure that an accurate ground level has been assessed.	As described in Section 4.3 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**), according to available light detection and ranging (LiDAR) data, typical ground levels of approximately 6 m to 8 m above ordnance datum are present within the Main Development Area where the CCGT and CCP are proposed and within the Electrical Connection Corridor. The anticipated ground raising would be to 7.4 m AOD and minimum finished floor design level of 7.7 m AOD across the Operational Footprint, which includes the critical operational infrastructure associated with the CQLCP Abated Generating Station
Chapter 4 - The Proposed Development	2.1.10	PINS	The ES should clearly set out whether the dDCO would permit the generation station to operate independently of the carbon capture elements. The ES should set out when the carbon capture element would be operational in relation to that of the generating station. The ES should set out a carbon capture rate and this should be considered in the relevant assessments.	Section 4.4 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) outlines three scenarios where the CCGT may need to operate without the CCP. This includes in the events that the downstream T&S network is unavailable or during a National Transmission System (electrical) blackout event. Outside of the defined circumstances, it is expected that the CCGT will not operate unabated. Section 4.2 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) also states that the Applicant expects to capture around 1.2 million tonnes per year for each Train installed (i.e. around 2.4 million tonnes CO_2 per year when both Trains are installed).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 4 - The Proposed Development	2.1.11	PINS	The Scoping Report is inconsistent between aspect chapters in the way in which decommissioning effects are being proposed to be assessed. Paragraph 3.10.3 sets out that 'It is generally assumed that the environmental effects associated with the decommissioning phase would be no worse than those experienced during construction and these will be assessed on this basis'. Whereas in some aspects, eg air quality; decommissioning is set out to be assessed (paragraph 6.5.1 of the Scoping Report). The Inspectorate advises that the ES should cover the life span of the Proposed Development, including decommissioning. The ES should provide a description of the activities and works (including the anticipated duration) which are likely to be required during decommissioning. Where the construction phase has been scoped in on the basis that LSE could occur, this suggests that there is potential for LSE to occur during the decommissioning phase. Difficulty of assessment is not an adequate justification to scope matters out. The ES should be clear as to how decommissioning will be assessed overall for the Proposed Development as well as on an aspect-by aspect basis. Furthermore, considering decommissioning is proposed to take place up to 30 years in the future, it should be clear how gaps in knowledge would be addressed for example through commitment to a decommissioning environmental management plan, which is demonstrably secured through the dDCO. Should the approach be taken that effects would be similar to those expected during construction, the ES should set out how a change in baseline could affect this and how this would be taken into account.	Section 4.5 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2**) provides the current understanding of the decommissioning of the Proposed Development. It identifies that a Decommissioning Plan (including a Decommissioning Environmental Management Plan (DEMP)) will be produced at the time of decommissioning, pursuant to a Requirement of the **Draft DCO** (**EN010166/APP/3.1**). The DEMP will include an outline programme of works, will consider all potential environmental risks and contain guidance on how risks can be removed, mitigated or managed, accounting for potential future changes to baseline conditions. This will include procedure on how surface water drainage should be managed during decommissioning and removal. In the light of the control measures set out above that would form part of the proposed DEMP, unless otherwise stated, decommissioning is not anticipated to present any significant environmental effects beyond those that will be assessed for the construction phase of the Proposed Development. Therefore, unless otherwise stated within **Chapters 8 to 23** (**EN010166/APP/6.2**), decommissioning is not anticipated to present any significant environmental effects beyond those assessed for the construction phase of the Proposed Development and are not assessed separately in the ES.
Chapter 4 - The Proposed Development	2.1.12	PINS	The Inspectorate notes the Applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the Proposed Development. The Inspectorate expects that at the point an application is made, the description of the Proposed Development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the Proposed Development. This should include the footprint and heights of the structures (relevant to existing and proposed ground levels), as well as land-use requirements for all elements and phases of the Proposed Development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the EIA and most notable the worst case for each aspect.	The setting of design parameters using the Rochdale Envelope approach is described in **Chapter 2: Assessment Methodology** (**EN010166/APP/6.2.2**). The maximum parameters for the principal components of the Proposed Development are set out in the **Design Principles Document** (**EN010166/APP/7.8**) and are illustrated on the **Works Plans** (**EN010166/APP/2.4**) and the **Parameter Plans** (**EN010166/APP/2.5**). These parameters, together with assumptions regarding the future plans for the existing Connah's Quay Power Station set out in **Chapter 2: Assessment Methodology** (**EN010166/APP/6.2.2**) have been used to inform the representative worst-case scenario that has been assessed in this chapter, in order to provide a robust assessment of the impacts and likely significance of environmental effects of the Proposed Development at its current stage of design.
Chapter 4 - The Proposed Development	2.1.13	PINS	The Scoping Report states that the Proposed Development could be delivered in a single phase or two phases, comprising two identical CCGT and carbon capture plant (CCP) trains. An indicative construction timeline for a two-phase delivery is described, with Phase 1 potentially commencing 2026 and lasting approximately four years, and	It is recognised that the worst-case parameter for one technical assessment may differ from another and therefore each technical assessment in **ES Volume II** (**EN010166/APP/6.2**), provides a description of the

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			Phase 2 (if progressed) potentially commencing 2031 and lasting four years. It is stated that the ES will provide further information. The ES should clearly set out for each of the aspects, the worst-case scenario of the two build out options for each assessment. It should include an assessment of any LSE arising from the phased nature of the Proposed Development, including risks of major accidents from the proximity of construction activity to the operational CCGT. Measures required to mitigate any LSE should be clearly described in drafts of the construction environmental management plan (CEMP) and/ or operational environmental management plan (OEMP) submitted with the application.	assessment parameters utilised within the preliminary assessments. A preliminary assessment of risk of major accidents is presented in Section 22.6 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**). A **Framework CEMP** (**EN010166/APP/6.5**) is included with the ES to capture the mitigation measures detailed within the technical assessments presented in **ES Volume III** (**EN010166/APP/6.2**). As noted in Section 22.5 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**), the Proposed Development will be operated in line with appropriate standards, whilst the Applicant will implement and maintain an Environment Management System (EMS) which will be certified to International Standards Organization (ISO) 14001:2015+A1:2024. The EMS will outline the requirements and procedures needed to ensure that the Proposed Development is operating to the appropriate standard.
Chapter 4 - The Proposed Development	2.1.14	PINS	The Scoping Report states that natural gas and water will be required for the operational phase of the Proposed Development. Paragraph 3.2.32 of the Scoping Report indicates that natural gas will continue to be imported from the existing connection and paragraph 3.2.29 indicates that water will be abstracted from the River Dee. However, it is unclear what volume of resource would be required and whether this would be available from the identified sources. In addition, it is unclear how any continued operation of the existing CCGT would affect the availability of the resource. The ES should include an estimate of the likely volume of the different natural resources, including those identified above and any other resources required for example as part of the carbon capture process, that will be required in the operation of the Proposed Development, how these will be transported to the site, and an assessment of any LSE arising from the use of such resources. The Applicant should consider whether new or existing consents or licences require requesting/renewing and the ES should provide commentary on these.	Natural gas would be supplied to the proposed CCGT unit(s) from the National Transmission System (NatTS) from the existing Burton Point AGI, via an existing Applicant owned and operated pipeline and new assets to be installed at the existing Applicant owned and operated Connah's Quay AGI. At the Connah's Quay AGI, the natural gas would be conditioned to the required temperature and pressure for combustion in the CCGT. Further details of the gas connection are provided in the **Gas Connection Statement** (**EN010166/APP/7.3**). Section 4.2 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) also states that cooling water for the Proposed Development will be abstracted from and discharged to the River Dee, in line with the current process for the existing Connah's Quay Power Station CCGT. Cooling water abstraction is anticipated to be intermittent and limited to no more than three hours per tide around high water (one hour before and two hours after), and it is assumed that this is likely to be in line with the current abstraction permit. Subject to minor modification and alteration, the Proposed

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				Development would utilise the existing Connah's Quay Power Station cooling water abstraction and discharge infrastructure. The ES includes further commentary on the requirement for any new consents or licence requirements, with further details provided in the **Consents and Agreements Position Statement** (**EN010166/APP/3.3**).
Chapter 8 - Air Quality	3.1.1	PINS	The Inspectorate is content that the number of vehicle trips predicted for the 66 staff required at the site during operation and 14 Heavy Goods Vehicle (HGV) trips a day is unlikely to result in a significant effect on air quality. It is noted however that this is to increase to 230 Annual Average Daily Traffic (AADT) during years of maintenance. The Inspectorate, noting the response by Natural Resource Wales (NRW) and recognising that there is the potential for in-combination/ cumulative effects and impacts on future baseline as a result of other Proposed Developments within the vicinity of the site, deem that further information is required on the likely effects before this matter can be scoped out for air quality. The Applicant is encouraged to discuss this and seek agreement from relevant consultation bodies.	Cumulative traffic flow data has been used to inform detailed modelling assessments of the future baselines (construction and operation). Further information can be found in **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) and **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**).
Chapter 8 - Air Quality	3.1.2	PINS	The ES should provide justification for not following the suggested distance of 350m from the boundary of the site and up to 500m from the site entrance for human receptors and 500m from the site entrance for ecological receptors. These distances are set out in the Institute of Air Quality Management (IAQM) Guidance on the assessment of dust from demolition and construction 2014. The ES should ensure that any distances used have been informed by potential for significant effects on sensitive receptors and not an arbitrary figure assigned to the assessment.	The Institute of Air Quality Management (IAQM) Guidance on the assessment of dust from demolition and construction 2014 has been replaced with a 2024 update (v2.2) (Ref 8-42), which includes a different study area with a 250 m suggested distance for potential significant effects.
Chapter 8 - Air Quality	3.1.3	PINS	Paragraphs 6.4.8 – 6.4.10 of the Scoping Report outline the background data to be used in the assessment. This section also proposes a three-month survey using diffusion tubes to establish the nitrogen dioxide levels in the area immediately surrounding the site. As with all baseline information, the ES should justify how this is representative. It is not clear how this three-month survey period will be used to inform projections. Therefore, this approach should be fully justified in the ES.	An annualisation exercise will be undertaken to correct the period mean results obtained from the 3 months survey for seasonal bias. The annualisation methodology is detailed in **Appendix 8-A: Air Quality Baseline** (**EN010166/APP/6.4**), and includes details of the results used to inform background and/or verify traffic model outputs.
Chapter 8 - Air Quality	3.1.4	PINS	NRW raised in its representation that not all SSSI have been identified within the 15km study area. The Applicant should seek to agree designated sites for inclusion in the assessment with relevant consultation bodies. The Applicant should ensure that all sites and species are included in the ecological assessment and listed in a table such as Scoping Report Table 9-3.	A study area of 15 km has been used to consider potential effects on all of the Sites of Special Scientific Interest (SSSIs) in proximity to the Proposed Development with details provided in the Preliminary Ecological Appraisal (PEA) included as Annex 1 of **Appendix 11-C: Botanical Technical Appendix** (**EN010166/APP/6.4**). SSSIs which have been identified to require further consideration within the ES are discussed within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 8 - Air Quality	3.1.5	PINS	The Applicant should seek agreement with relevant consultation bodies that an assessment of the Proposed Development in unabated mode is not required to inform the worst-case assessment. This should be evidenced in the ES.	In Section 8.6 this assessment has considered the difference between the current baseline and three future scenarios. One of these scenarios assesses Train 1 and Train 2 of the Proposed Development in unabated mode.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 8 - Air Quality	N/A	Flintshire County Council (FCC)	There are no AQMAs designated near the proposed site, and local air quality monitoring indicates that there are no exceedances of the UK air quality objectives near the site. During construction there is the potential for effects on air quality as a result of increased traffic movements and generation of dust from construction activities. The Council have reviewed the Scoping Report Document (Reference 60717119) and the proposed methodologies within in it and can confirm that we have no adverse comments to make in terms of pollution control.	This information on the air quality baseline is acknowledged. Consideration of the potential effects identified is located in Section 8.6 of **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**).
Chapter 8 - Air Quality	N/A	NRW	In general, we are satisfied that the proposed scope of the air quality assessment appears reasonable and appropriate for a development of this type. However, we have the following detailed comments. Paragraphs 6.4.8 – 6.4.10 outline the background data to be used in the assessment, this approach appears appropriate. This section also proposes a three-month survey using diffusion tubes to establish the Nitrogen Dioxide levels in the area immediately surrounding the site. This will give further confidence in the background data used in the assessment. However, it is not clear how this three-month measurement period will be projected to the annual statistical data requirements for background measurements. Therefore, this approach should be fully justified in the ES.	An annualisation exercise has been undertaken to correct the period mean results obtained from the 3 months survey for seasonal bias. This allows the data to representative of the whole year. This is detailed in **Appendix 8-A: Air Quality Baseline** (**EN010166/APP/6.4**).
Chapter 8 - Air Quality	N/A	NRW	Paragraph 6.4.11 does not include all the Sites of Special Scientific Interest (SSSIs) located within 15km of the application site, as identified in Table 9-3 (Chapter 9) of the Scoping Report. We therefore advise that the air quality assessment considers all the SSSIs within 15km, as identified within Table 9-3.	This is acknowledged, a study area of 15 km has been used to consider potential effects on SSSIs in proximity to the Proposed Development with details provided in the PEA included as Annex 1 of **Appendix 11-C: Botanical Technical Appendix** (**EN010166/APP/6.4**). SSSIs which have been identified to require further consideration within the ES are discussed within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 8 - Air Quality	N/A	NRW	Paragraph 6.5.2 states: "The Applicant's existing CCGT units at Connah's Quay Power Station will be on-site and operating during construction and potentially operating during periods coinciding with the operation of the Proposed Development. The existing Connah's Quay Power Station will therefore form part of the future baseline for the construction phase (which could commence in 2026 and last up to four years for Train 1 or combined single phase for Train 1 and Train 2) and potentially during the operational phase of the Proposed Development. Further information on the assumptions will be provided in the PEIR." This appears reasonable; however, we advise that an in-combination (i.e. existing power station plus proposed project) air quality assessment should also be completed.	A future scenario of the Proposed Development operating along with the existing CCGT units as set out in Section 2.2 of **Chapter 2: Assessment Methodology** (**EN010166/APP/6.2.2**) has been assessed within Section 8.6 of **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**).
Chapter 8 - Air Quality	N/A	NRW	We note that paragraph 6.5.13 states: "AECOM has developed a screening model approach, in agreement with the Environment Agency, for assessment of emissions of amine degradation products from amine based CCP that includes consideration of both direct process emissions and indirect emissions generated through atmospheric	Full details of the model approach adopted has been included within **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) and its supporting appendices.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			degradation of amine post-release. This model approach will be utilised for the assessment of N-amines, subject to consultation with NRW, to assist with the establishment of appropriate stack heights and embedded mitigation." However, as full details have not been included in the Scoping Report, we are unable to comment further.	
Chapter 8 - Air Quality	N/A	NRW	We note that the Amines Chemistry module developed by Cambridge Environmental Research Consultants (CERC) for ADMS 6 will be used in the assessment of N-amine impacts, with parameters developed in consultation with the project engineers and technology providers, this information will be presented in the ES. However, as full details have not been included in the Scoping Report, we are unable to comment further.	Full details of the model approach adopted has been included within **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) and its supporting appendices.
Chapter 8 - Air Quality	N/A	NRW	We note that operational traffic emissions have been scoped out of the ES as the increase in operational traffic is less than the recognised screening criteria. Whilst the average predicted vehicle movements during operation outlined in paragraphs 6.7.2 and 6.7.3 fall below the 500 Annual Average Daily Traffic (AADT) threshold for Light Duty Vehicles (LDV), the figure quoted (230 AADT) is close to 50% of this threshold. The Deeside area is currently experiencing elevated development pressure, including other projects associated with the HyNet carbon capture scheme as well as the redevelopment of Shotton Paper Mill. Given this context we advise that it would be precautionary (and in line with the principles outlined in the Wealden judgement, 2017) to scope operational vehicle movements into the ES and to consider these in-combination with other plans and projects to assess whether a cumulative effect would give rise to an exceedance of the screening threshold.	A detailed assessment of operational traffic effects on local air quality, combined with stack emissions, has been included in the assessment presented in Section 8.6 within **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) and **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**).
Chapter 8 - Air Quality	N/A	Flint Town Council	On behalf of Flint Town Council, please find the below proposals to be put forward as a scoping opinion for the Environmental Statement. CO_2/CO/ NOx emissions from the site currently and projected after completion. Particulate emissions from the site currently and projected after completion. Predicted construction emissions in terms of machinery.	The effects of the emissions referred to have been considered within the preliminary assessment presented in Section 8.6 of **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**).
Chapter 8 - Air Quality	N/A	Flint Town Council	Opportunities for innovative technologies zero carbon technologies for alternative fuels in the required vehicles as part of the construction phase to reduce the number of and impact of road haulage vehicles.	As detailed in the Framework **Construction Environmental Management Plan** (**CEMP**) (**EN010166/APP/6.5**) prior to construction of the Proposed Development, the Applicant would consider opportunities for zero/low emission construction/plant vehicles. This would include investigation of potential opportunities for alternative fuels in the required vehicles to reduce the impact of road haulage during the construction phase.
Chapter 9 - Noise and Vibration	3.2.1	PINS	The Inspectorate is content that no works are required to the existing project elements and therefore there would be no construction impacts. This matter therefore can be scoped out of the assessment. Noise and vibration emitted from the existing project elements should however form part of the baseline for the assessment.	Noise and vibration emitted from the existing project elements forms part of the baseline for the assessment as presented in Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 9 - Noise and Vibration	3.2.3	PINS	The Inspectorate is content that the Proposed Development would not change the noise and vibration emissions currently experienced from the existing project elements. Therefore, this matter can be scoped out the assessment. Noise and vibration emitted from the existing project elements should however form part of the baseline for the assessment.	Noise and vibration emitted from the existing project elements forms part of the baseline for the assessment as presented in Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**).
Chapter 9 - Noise and Vibration	3.2.3	PINS	The Inspectorate is content that the level of traffic generated during operation is unlikely to result in a significant effect. However, the Inspectorate, noting the response by NRW and recognising that there is the potential for in-combination/ cumulative effects and impacts as a result of other Proposed Developments within the vicinity of the site, deem that further information is required on the likely cumulative traffic effects before this matter can be scoped out for noise. The Applicant is encouraged to discuss this and seek agreement from relevant consultation bodies.	To present a worst-case assessment, the effects of operational traffic have been assessed in Section 9.6 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**). **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) has considered the cumulative effects of the operational phase of the Proposed Development, with reference to traffic data from surrounding committed developments
Chapter 9 - Noise and Vibration	3.2.4	PINS	The Inspectorate is content that there are to be no vibration creating sources introduced as part of the Proposed Development and therefore this matter can be scoped out of the assessment.	This point is acknowledged. Operational vibration has been scoped out of the assessment.
Chapter 9 - Noise and Vibration	3.2.5	PINS	The Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	An assessment of the decommissioning phase has been included in Section 9.6 of in Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**).
Chapter 9 - Noise and Vibration	3.2.6	PINS	Table 7-1 [of the Scoping Report] sets out sensitive receptor locations within 300m for the construction assessment and within 1km for the operational assessment. The Applicant should clarify why impacts are likely beyond 300m during operation but not during construction. Effort should be made to agree the study area(s) with relevant consultation bodies.	Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**). identifies that the construction noise assessment study area was set at 300 m from the Order limits, based on BS 5228-1 guidance (Ref 9-14) regarding spatial limitations of the prediction method and the higher noise thresholds used for construction noise assessment compared with assessment of operational sound. However, the construction noise study area has been extended up to 1 km from the Main Development Area and a further 300 m from the connection corridors and Construction and Indicative Enhancement Area (C&IEA) that extend beyond the 1 km study area around the Main Development Area as part of sensitivity testing, to identify likely significant effects particularly when working outside core construction hours (when lower noise thresholds are applied).
Chapter 9 - Noise and Vibration	N/A	FCC	Planning/site constraints and opportunities: TAN11 Noise generating Zone around some roads	This information is acknowledged. The assessment has been undertaken based on the methodologies in BS 5228 and BS 4142 as referenced in TAN 11.
Chapter 9 - Noise and Vibration	N/A	FCC	The Council have reviewed the Scoping Report Document (Reference 60717119) and the proposed methodologies within in it and can confirm that we have no adverse comments to make in terms of pollution control.	The assessment methodologies are set out in Section 9.3 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) and **Appendix 9-A: Noise and Vibration Methodology** (**EN010166/APP/6.4**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 9 - Noise and Vibration	N/A	Network Rail	The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.	The existing railway forms part of the baseline for the assessment presented in Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**). If the current use of the railway increases, this could lead to an increase in the baseline sound levels. However the construction and operation thresholds are based on the existing baseline sound levels, which is conservative as it does not take account of future increases in sound levels.
Chapter 9 - Noise and Vibration	N/A	Public Health Wales	We are encouraged that the relevant information has been included in the scoping document, such as the sections on Air Quality, Noise and Vibration and Health. We also welcome reference to the Wales Health Impact Assessment Support Unit Guidance and the Wellbeing of Future Generations Act in relation to formulating the human health impact assessment (HIA) for this project.	Effects on Human Health are assessed in Section 21.6 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**).
Chapter 9 - Noise and Vibration	N/A	FCC	FCC confirmed that the monitoring proposed in the scoping opinion was suitable.	Details of baseline monitoring are provided in Section 9.4 of **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) and **Appendix 9-B: Baseline Sound Survey** Information (**EN010166/APP/6.4**).
Chapter 10 - Traffic and Transport	3.3.1	PINS	The Inspectorate is content that the number of vehicle trips predicted for the 66 staff required at the site during operation and 14 HGV trips a day is unlikely to result in a significant effect. It is noted that this is predicted to increase to 230 AADT during years of maintenance. However, the Inspectorate, noting the response by NRW and recognising that there is the potential for in-combination/ cumulative effects as a result of other Proposed Developments within the vicinity of the site, deem that further information is required on the likely cumulative effects before this matter can be scoped out for traffic movements. The Applicant is encouraged to discuss this and seek agreement from the relevant consultation bodies.	**Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). has considered the cumulative effects of the operational phase of the Proposed Development, with reference to traffic data from surrounding committed developments, as set out at paragraph10.2.4. Details of these committed developments are included in Section 10.4 with the assessment provided in Section 10.6 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). An additional 'sensitivity test' has been undertaken during the construction phase scenario in order to assess the potential impact associated with a maintenance outage. The sensitivity test is presented in paragraphs 10.6.31 to10.6.36. This methodology was shared with FCC during an engagement session, as detailed in **Table 10-5** in **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**).
Chapter 10 - Traffic and Transport	3.3.2	PINS	The Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	It is generally assumed that the environmental effects associated with the decommissioning phase would be no worse than those experienced during construction. Therefore, whilst included within the scope of assessment, decommissioning is not anticipated to present any significant environmental effects beyond those assessed for the construction phase of the Proposed Development.
Chapter 10 - Traffic and Transport	3.3.3	PINS	The Scoping Report notes the use of walkover surveys to inform the baseline, however it is not explained as to the purpose of these. There is no information provided in relation to traffic survey work to be undertaken although it is noted that	Walkover surveys would be undertaken for the purpose of confirming baseline observations made by a desktop study. This is considered to be general practice and can help inform

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			traffic count data is listed under 'sources of information'. The baseline data collection methodology should be clearly set out in the ES and effort should be made to agree the approach with relevant consultation bodies.	a greater understanding of the existing transport conditions surrounding the Proposed Development. Traffic Survey work was detailed within the 'Planned Surveys' section of the Traffic and Transport section of **Appendix 1-A: EIA Scoping Report** (**EN010166/APP/6.4**). This set out the proposed locations for traffic survey, based on the likely routeing of construction / operational traffic to and from the Proposed Development. A summary of the baseline conditions is provided in Section 10.4 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). This includes the Automatic Traffic Count (ATC) surveys undertaken between Thursday 14th March 2024 and Wednesday 20th March 2024 and a further survey period between Thursday 18th April 2024 to Wednesday 24th April 2024.
Chapter 10 - Traffic and Transport	3.3.4	PINS	When determining an appropriate assessment year and the forecasting method, the Applicant is requested to consider and comment in the ES on any implications of the Transport Analysis Guidance (TAG) "TAG Unit M4 - Forecasting and Uncertainty" (published by the Department for Transport (DfT) in 2023) for and the latest Traffic Modelling Projections 2022.	Reference has been made to this guidance within Section 10.3 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) in defining the assessment methodology.
Chapter 10 - Traffic and Transport	3.3.5	PINS	Whilst the policy and guidance section in the Scoping Report correctly references the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Traffic and Movement published in 2023, the assessment criteria list reflects that of IEMA's now superseded Guidelines for the Environmental Assessment of Road Traffic (1993). The assessment in the ES should use the latest guidance or provide commentary to justify why it has not been followed.	The assessment presented in Section 10.6 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**) is reflective of the latest IEMA Guidance (Ref 13), with reference to the assessment criteria list for each phase of development. Details of the assessment methodology are provided in Section 10.3 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**), with appropriate guidance set out in **Table 10-1** and **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).
Chapter 10 - Traffic and Transport	3.3.6	PINS	The ES should set out whether river transport could potentially be utilised in the construction and operation of the Proposed Development.	This assessment assumes that river transport would be utilised during the construction phase to deliver Abnormal Indivisible Loads (AILs) to Port Mostyn and / or Connah's Quay North.
Chapter 10 - Traffic and Transport	N/A	FCC	Planning/site constraints and opportunities: • Public Rights of Way within and surrounding the site	This is discussed within Section 10.4 and included within assessments within Section 10.6 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**).
Chapter 10 - Traffic and Transport	N/A	FCC	Two PROW (66 & 67) form part of the network around Little Leadbrook Farm linking Leadbrook Drive to Allt Goch Lane which are affected by the proposed Repurposed CO_2 Connection Corridor. The Scoping Report Document (Reference 60717119) suggests that these two PROW would be temporarily affected while the pipeline is repurposed. It is anticipated that one formal legal temporary closure (comprising both footpaths) would be required.	The temporary impact upon PRoWs 66 and 67 during construction is considered in Section 10.6 (paragraphs 10.6.18 and 10.6.19) of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). The temporary disruption would be mitigated by a temporary diversion for the duration of the construction period within the Proposed CO_2 Connection

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			There is no requirement to provide an alternative route while a route is temporarily closed but for routes of higher importance we would likely request alternatives so as to not detrimentally affect users. On-site management to minimise risks to users and potentially safeguard safe passage for pedestrians while keeping PROW open would be welcome if it is achievable but this would depend on each site. Risk Assessments and methodology of working re sought for each specific PROW affected if temporary closures were not to be pursued and on-site management sought.	Corridor, with no permanent changes to the PRoWs occurring. As described in **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**), there would be no works within the Repurposed CO_2 Connection corridor and as such there would be no impact on any PRoWs in this area.
Chapter 10 - Traffic and Transport	N/A	FCC	With regard to Public Footpath 28 in Connah's Quay, this route has been partially obstructed by vegetation for many years. The route connects to Public Footpath No. 27 in Connah's Quay, which is shown crossing the Chester - Holyhead railway line. The status of both Public Footpath 27 & 28 have been subject to scrutiny in recent years and there is doubt over there physical existence (more so Public Footpath 27). The alignment of Public Footpath 28 doesn't appear to be affected necessarily by the Indicative Enhancement Area, however the proposal as a whole project represents an opportunity to improve the network at this location as part of a wider community benefit. We would welcome engagement from the applicant further on in the process to discuss this matter.	This point has been acknowledged and is discussed within Section 10.4 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**). No works are proposed to Public Footpaths 27 and 28, or others which the Proposed Development does not directly impact.
Chapter 10 - Traffic and Transport	N/A	FCC	The Council is satisfied that Scoping Report Document (Reference 60717119) covers the key issues relating to traffic and transport. The Council note the content of the Chapter 8 'Traffic and Transport' scope and consider that the information will provide for a robust assessment of the traffic and transport impacts associated with the construction phase of the proposed development.	The position of FCC on the scope of the Traffic and Transport assessment is acknowledged. The Applicant discussed these matters with FCC in January 2025 as detailed in Table 10-5 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**).
Chapter 10 - Traffic and Transport	N/A	Flint Town Council	Opportunities to improve active travel routes in the area in line with Flintshire County Council definitive map for active travel routes in the area	Walking and cycling route allocations and improvements, as identified by FCC as part of their obligations under the Active Travel (Wales) Act 2013, are presented and discussed, as relevant to the Proposed Development within Section 10.4 of **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**).
Chapter 10 - Traffic and Transport	N/A	Flint Town Council	Opportunities for innovative technologies zero carbon technologies for alternative fuels in the required vehicles as part of the construction phase to reduce the number of and impact of road haulage vehicles.	Prior to construction of the Proposed Development, the Applicant would consider opportunities for zero/low emission construction/plant vehicles. This would include investigation of potential opportunities for alternative fuels in the required vehicles to reduce the impact of road haulage during the construction phase.
Chapter 10 - Traffic and Transport	N/A	Network Rail	During and post construction phase it is not clear whether transport or pedestrian routes will include those that cross a level crossing. Network Rail's position is that there shouldn't be any increase or change in usage to Level Crossings may require appropriate mitigation. The transport assessment should include an assessment of any level crossing used during the construction of the proposed development and future access routes to the site.	Level crossings would not typically be used by vehicular or pedestrian traffic associated with the construction and operational phases of the Proposed Development. However, Abnormal Indivisible Loads (AILs) originating from the Port of Mostyn would be required to cross the level crossing at the

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				entrance to the port as shown in **Figure 3-1: Order limits** (**EN010166/APP/6.3**).
Chapter 10 - Traffic and Transport	N/A	Maritime & Coastguard Agency	The MCA would expect that the impacts and effects in relation to shipping and navigation to be subject to further consideration by the applicant, including effects of transportation of AIL by vessel to the Port. It is our understanding that the site falls within the jurisdiction of a Statutory Harbour Authority (SHA) – Dee Conservancy. The SHA is responsible for maintaining the safety of navigation within their waters during the construction and the operational phase of the project. Therefore, the applicant should consult and work with the SHA to develop a robust Safety Management System (SMS) for the project in accordance with the Port Marine Safety Code (PMSC) and its associated Guide to Good Practice, to ensure that the risk and impact on other marine users are As Low As Reasonably Practicable (ALARP). Further local stakeholder engagement may also be required to determine the minimum acceptable provision and to determine the necessary risk mitigation measures for construction and operation of the project. From the Guide to Good Practice, section 7 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely. Section 7.8 Regulating harbour works covers this in more detail. The MCA would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the discussion with the SHA and further stakeholder consultation.	Further engagement with the Harbour Master for the Dee Conservancy, the Harbour Master for Ellesmere Port and the Port of Mostyn has been undertaken. **Appendix 5-B**: **Framework Navigational Risk Assessment** (**EN010166/APP/6.15**) has subsequently been prepared and is included as part of the Application.
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.1	PINS	Table 9-7 of the Scoping Report considers this potential impact pathway during construction but does not refer to it in respect of operation. As such, the Inspectorate understands that it is proposed to scope this matter out of the ES. The Inspectorate advises that the ES should assess the significance of any permanent habitat loss from the construction phase that would continue into the operational phase, and any habitat loss or degradation that could arise from operational air quality and water changes. The ES should also describe any maintenance requirements that could affect designated sites and habitats during operation, including any temporary land take that may be required to facilitate these. Where any such activities could give rise to likely significant effects, an assessment should be provided in the ES.	Habitat loss/degradation is assessed for both temporary and permanent loss within the construction assessment presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**)**.** Maintenance requirements that could affect designated sites and habitats during operation have also been considered within Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). The existing Conservation Areas Management Plan has been reviewed and is considered within the **Outline Landscape and Ecological Management Plan** (**LEMP**) (**EN010166/APP/6.9**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.2	PINS	The Scoping Report proposes to scope this matter out based on a lack of suitable habitat for dormouse. Paragraph 9.4.26 of the Scoping Report states that phase 1 habitat surveys completed in August 2021 and November 2023 concluded that	The position on the agreement to scope out hazel dormouse *Muscardinus avellanarius* is acknowledged.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			habitats within the site provide limited opportunities for hazel dormouse and that there is limited connectivity with offsite habitats due to the site being surrounded by the River Dee and other development. The Preliminary Ecological Appraisal (Appendix B to the Scoping Report) states that the "site is close to the limits of the known UK distribution of this species." On that basis, the Inspectorate agrees that significant effects to hazel dormouse are unlikely to occur and this matter can be scoped out of the ES. The results of the phase 1 habitat surveys and any information obtained from local records should be reported in the ES.	The results of the ecology surveys undertaken to date and all information obtained from local records is reported within the ES or supporting appendices. Details of desk study information that support the baseline conditions considered within this assessment is summarised in Table 11-6 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.3	PINS	The Scoping Report proposes a study area of 15km around the Main Development Area to identify European designated sites, SSSI and National Nature Reserves (NNR) based on guidance for air quality impact assessment during operation. For avoidance of doubt, the Inspectorate understands that all European designated sites and SSSIs within 15km are being assessed for the effects listed are in Table 9-7. Based on the information presented, the Inspectorate considers that this is an appropriate study area but notes that Figure 9-1 shows several SSSIs and a Ramsar site outside but close to the 15km buffer. The Inspectorate advises that these sites should be assessed in the ES where there is potential for impacts to extend to them and result in LSE. Please note the comments from NRW regarding potential air quality impacts to SSSI, as noted in ID 3.1.4 of this Scoping Opinion.	A 15 km study area has been considered. This assessment only considers those sites within the 15 km study areas as identified in the Preliminary Ecology Appraisal (PEA) included as Annex F of **Appendix 11-C: Botanical Technical Appendix** (**EN010166/APP/6.4**)). The PEA also provides further information on which designated sites have been scoped out of the assessment. Table 11-9 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) identifies the International and National Statutory Designated Sites that are considered to be of relevance to this assessment.
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.4	PINS	Table 9-5 of the Scoping Report sets out the proposed ecological surveys and data collection, together with suggested scope, timing and survey extents. The Inspectorate considers that that proposed survey scope is acceptable subject to the following comments: Final survey extents should be clearly described and illustrated on figures within the ES; Paragraph 9.4.18 of the Scoping Report states that habitat surveys are proposed at all locations of permanent infrastructure construction, i.e. excluding the repurposed carbon dioxide (CO_2) connection corridor and existing natural gas corridor, and areas of temporary land take/ disturbance, as well as the Indicative Enhancement Area. In finalising the survey extents, the Inspectorate advises that consideration should be given to any vegetation clearance and/ or maintenance activity required at the excluded connection corridors. Where such activity is proposed and could result in impact pathways to likely significant effects, the Inspectorate considers that these locations should also be subject to survey to establish sufficient understanding of the baseline; In several instances, it is stated that survey extents would be within the Site and a buffer "where accessible". Where survey extent is limited due to access issues, the ES should explain what efforts were made to obtain access and how any gaps in survey data are proposed to be addressed; For breeding bird surveys, NRW has, in its response, requested additional visits to be completed to determine the presence of crepuscular/ nocturnal species;	All final survey extents have been clearly described and illustrated within the supporting ecological technical appendices (**EN010166/APP/6.4**). The position that no further hazel dormouse and reptile surveys are required is acknowledged. Whilst it has been confirmed that further reptile surveys are not required for the purposes of this EIA, after further engagement with FCC following scoping, it was agreed that reptile surveys would be repeated in 2025 to provide up to date population information. This information will be provided as supporting environmental information following submission of the Application but the absence of such survey data at the time of writing this ES chapter does not affect the validity of its findings. The supporting ecological appendices (**EN010166/APP/6.4**) explain the efforts made to obtain access and how any gaps in survey data have been. The Applicant has undertaken nocturnal surveys to determine the use of the survey area by wading birds; this includes

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			Consideration should be given to bird species records from local records and whether these indicate potential presence of additional ornithological receptors within the study area, e.g. breeding barn owl, which would require survey (and assessment in the ES); Effort should be made to agree the scope, timing and extent of survey effort with relevant consultation bodies prior to survey work commencing. Evidence of any agreement or otherwise should be presented in the ES; and Where it is ultimately determined to scope further survey effort out, for example it is stated that this could be the case for natterjack toad, bat roost presence/ absence, fish eDNA and terrestrial invertebrate the ES should provide an explanation of why this approach is appropriate together with evidence of any agreement with relevant consultation bodies; and The ES should confirm the overall length of hedgerow likely to be affected by the Proposed Development across the DCO Order limits, and categorise the amount likely to be subject to temporary and/ or permanent effects. Based on information presented in the Scoping Report and Appendix B Preliminary Ecological Appraisal, the Inspectorate agrees that: no further hazel dormouse survey is required, noting there is limited habitat and/ or connection to suitable offsite habitat for hazel dormouse; and no further reptile survey is required, noting the surveys completed in April 2022 concluded potential for small numbers of common reptiles to be present within the Indicative Enhancement Area only and the habitat is largely unchanged since the survey. The Inspectorate advises that survey work should be summarised in the ES and survey reports should be provided as technical appendices to the ES.	recording the presence of foraging barn owl *Tyto alba* which is readily detected by the use of a thermal imaging monocular. Further information is provided in Section 11.4 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) and **Appendix 11-D: Ornithology Baseline Survey Information Report** (**EN010166/APP/6.4**). A habitat suitability assessment of all trees and buildings within the Site (the Site includes the Main Development Area, Construction and Indicative Enhancement Area, Repurposed CO_2 Connection Corridor and Proposed CO_2 Connection Corridor) for suitability and occupancy of barn owl has also been carried out as detailed in Section 11.4 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). The findings of these surveys are reported in **Appendix 11-G: Bat Technical Appendix** (**EN010166/APP/6.4**) and **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**). Ten years' worth of data from 2013-2023 in relation to bird species have been obtained from Deeside Naturalists Society (DNS) and has been used to inform this assessment. A summary of this data is provided in **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) It has been agreed with FCC that natterjack toad *Epidalea calamita* can be scoped out of further assessment. The Proposed Development would result in the temporary loss of 32 m of hedgerow and 22 m of permanent loss. This is considered further in Section 11.6 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). The Applicant has engaged with NRW through their discretionary advice service and FCC via Planning Performance Agreement on survey scope, timing and extent as detailed in Table 11-5 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.5	PINS	The Scoping Report summarises the findings of bird surveys completed to date. The Inspectorate notes that there appears to be a discrepancy between information presented in the Scoping Report main text, and that in the preliminary ecological appraisal (and annexes) at Appendix B of the Scoping Report. For example, the Scoping Report main text does not refer to the presence of curlew, a qualifying feature of the Dee Estuary Special Protection Area (SPA) but paragraph 2.10.5 of the	**Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) presents a summary of the information collated and reviewed to date. This includes details of curlews (and other SPA/Ramsar site qualifying species) which are assessed within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			preliminary ecological appraisal states that there are "large numbers of foraging curlew… present within these habitats at the time of the field surveys." The assessment in the ES should be based on a robust baseline, which should be described consistently with survey and other data gathered.	
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.6	PINS	The Scoping Report states that a HRA is proposed and would be prepared in accordance with the Inspectorate's Advice Note Ten: Habitats Regulations Assessment (AN10) The Inspectorate advises that the findings of the HRA should be used to inform the assessment in the ES. Whilst not of direct relevance to the ES, the Inspectorate notes that AN10 no longer requires provision of matrices as part of the HRA report(s).	This information is acknowledged. The findings of the HRA process contained in **Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**) have informed the assessment of effects on terrestrial and aquatic ecology.
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.7	PINS	For several potential embedded mitigation measures, the Scoping Report states that these would be implemented "as far as reasonably practicable". This includes avoidance of nesting bird season for habitat clearance works and routing of connection corridors to avoid sensitive habitats/ use of non-intrusive construction techniques at the Pentre Brook/ Lead Brook tributary. Where it is unclear if such mitigation can be achieved and/ or secured, the assessment should consider the worst case without the measures and identify any additional mitigation that would be required to address LSE arising.	This position is acknowledged and has been used to inform the assessment presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.8	PINS	For the avoidance of doubt, the Inspectorate understands that the assessment of habitat loss/ temporary land take and disturbance and degradation of ecological features, particularly from dust/ air quality change will include consideration of hedgerow and ancient woodland.	Air quality impacts on hedgerows have only been considered in relation to construction. A discussion on the potential effects of changes in air quality on ecological features (including Ancient Woodland and hedgerows) is presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). Further information is also included in **Appendix 8-D: Air Quality Operational Assessment** (**EN010166/APP/6.4**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.9	PINS	Paragraphs 9.4.27 and 9.4.37 of the Scoping Report refer to survey work considering potential for presence of terrestrial and aquatic INNS but the effects section does not include potential for spread of INNS as an impact pathway. Section 4.1 of the Phase 1 Habitat and Fauna Survey (Appendix B of the Scoping Report) states that there are records of Japanese Knotweed, Himalayan Balsam and Cherry Laurel, although the site survey did not identify their presence. The Inspectorate advises that the ES should identify and describe any INNS present in the baseline and include an assessment where significant effects are likely to occur, or otherwise explain why significant effects are not likely with evidence of agreement with relevant consultation bodies.	**Appendix 11-C: Botanical Technical Appendix** (**EN010166/APP/6.4**)) and **Appendix 11-L: Aquatic Ecology Technical Appendix** (**EN010166/APP/6.4**) and **Appendix 12-D: Intertidal Survey Report** (**EN010166/APP/6.4**) provide a discussion on invasive non-native species (INNS) as relevant.
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.10	PINS	It is noted that vibration is included at Table 9-7 of the Scoping Report but not listed in the separate paragraphs describing potential effects. For the avoidance of doubt, the Inspectorate understands that in addition construction noise, the assessment would assess the construction vibration where significant effects are likely to occur.	All relevant ecological receptors have been assessed in relation to any potential impacts as a result of construction vibration. This assessment is included in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.11	PINS	Paragraph 9.7.6 of the Scoping Report states that entrainment, impingement and disruption to migration routes will be assessed in the marine ecology ES chapter but Table 9-7 states it is scoped in for terrestrial and aquatic ecology. This matter is also scoped in with reference to "marine ecology" in Table 10-2 of the Scoping Report. For the avoidance of doubt, potential effects to fish (including eels and lamprey) from entrainment, impingement or other disruption to migration routes during operation should be assessed in the ES, together with any other impact pathways during construction and operation that could give rise to likely significant effects. The Inspectorate is content for this to be presented in either the terrestrial and aquatic ecology or marine ecology ES chapter with cross-referencing as necessary, provided that all potentially affected watercourses, e.g. rivers, intertidal and marine areas are assessed. Paragraph 10.4.4 of the Scoping Report states that the requirement for upgraded or replacement eel screens is assessed as part of Chapter 9.0 Terrestrial and Aquatic Ecology but there is no reference to eel screens in section 9 of the Scoping Report. The need for upgraded or replacement eel screens, and any intake screens as mitigation for other impacts to other migratory Annex II fish species, should be identified in the ES; if required, they should be demonstrably secured through the DCO. The Applicant's attention is drawn to the comments of NRW (see Appendix 2).	The requirement of screening for Eels and the risks to protected fish species populations in the River Dee and related watercourses from entrainment is considered in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.12	PINS	The Applicant's attention is drawn to the comments of NRW (see Appendix 2), which state that there is a conservation management plan in place at the Proposed Development site providing mitigation for previous developments. The description of the baseline in the ES should include consideration of the plan and targets it is required to meet. The ES should confirm how any mitigation for the Proposed Development would relate to this plan.	The existing Conservation Area Management Plan has been taken into account when determining the future baseline in Section 11.4 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). In addition the existing Conservation Area Management Plan is considered within the **Outline LEMP** (**EN010166/APP/6.9**).
Chapter 11 - Terrestrial and Aquatic Ecology	3.4.13	PINS	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.	Confidential information has been included in confidential appendices of the ES (**EN010166/APP/6.4**) as required. These are expressly marked 'CONFIDENTIAL' and will not be available to the public.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	Planning/site constraints and opportunities: • Areas of Ancient Woodland Mixed woodland to the south of the site.	Areas of Ancient Woodland have been mapped and are shown on **Figure 11-3: Ancient Woodland and Priority Habitats within 2 km** (**EN010166/APP/6.3**). These areas are considered within Section 11.6 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	Planning/site constraints and opportunities: • Dee Estuary / Aber Dyfrdwy Special Area Conservation (SAC) and Site of Special Scientific [Scientific] Interest (SSSI), and Wildlife Sites to the south of the site	These sites have been considered within Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	The Council is satisfied that Scoping Report Document (Reference 60717119) covers the key ecological issues associated with the site and its locality and that the Assessment will also be informed by other specialist assessments relating to Air Quality, Noise and Vibration, Marine Ecology and the Water Environment. The proposed Ecological Surveys and data collection table 9-5 based on the Preliminary Ecological Appraisal Report is acceptable.	The position of FCC on the scope of the assessment is acknowledged.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	In addition we note that the Deeside Naturalist's Society Reserve is referenced as an ecological sensitive habitat and we would recommend discussions with this organisation in regards to specific local features - plants and insects etc. as well as birds.	Engagement with the DNS is summarised in Table 11-4 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	Chapter 6 'Air Quality' makes reference to the sensitive ecological receptors namely designated sites plus ancient woodland and local wildlife sites within the locality. 'Noise and Vibration' (Chapter 7) also has the potential to impact the designated sites/features during construction and operation and ecological sensitive receptors for noise/vibration do not appear to be specifically referenced. The Council believes they should be considered.	Where relevant the assessment in Section 11.6 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) draws on the conclusions of the air quality and noise and vibration assessments presented in **Chapter 8: Air Quality** (**EN010166/APP/6.2.8**) and **Chapter 9: Noise and Vibration** (**EN010166/APP/6.2.9**) (and their supporting appendices (**EN010166/APP/6.4**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	Technical appendices will include Habitat regulations assessment, which is welcomed, as is a Net Benefit for Biodiversity assessment. The biodiversity metric proposed to be used is acceptable providing that habitat and species proposals are considered together with biodiversity benefit and ecosystem resilience.	These points are acknowledged. Further discussion with FCC and NRW agreed that the Net Benefit for Biodiversity (NBB) assessment would follow the stepwise approach (see Table 11-4 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**)).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	FCC	We would we welcome further discussion in Net Benefit for Biodiversity and potential mitigation options.	Further details of engagement on NBB matters undertaken with FCC are provided in Table 11-5 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	Deeside Naturalists Society	Curlew are one of the qualifying migratory species for the SPA/Ramsar designation, therefore we suggest there is more focus within the Scoping Report on fully researching the importance of the migratory Curlew population using the site, and assessing this in the context of the SPA/Ramsar site Curlew population to enable an effective mitigation and compensation strategy to be designed and implemented.	**Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) presents a summary of the baseline data collated and reviewed to date. This includes details of curlews (and other SPA/Ramsar site qualifying species).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	Deeside Naturalists Society	Deeside Naturalists Society has a wealth of bird data, and Uniper has much other data gathered by various bird watchers for at least 20 years (not all of which is in the public domain) and other biodiversity data from the development area that should be used in helping assess both the impact of the development at the EIA stage, and in supporting the design of mitigation and compensation for Curlews and other wading birds using the area proposed for development.	This point is acknowledged and further engagement undertaken with the DNS is summarised in Table 11-5 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	Deeside Naturalists Society	We note that one of the purposes of the PEA is 'to begin to identify requirements for mitigation, including mitigation measures that will be required and those that may be required (depending on results of further surveys or final Proposed Development design).	Sections 11.5 and 11.8 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) provide an overview of the mitigation and compensation (on and off- site) measures (including for curlew as agreed NRW) relevant of the Proposed Development.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			We cannot find any mitigation/compensation measures suggested so far for the impact on wintering Curlews. We wish to comment that this will be difficult to do as Curlews are known to have a high level of site fidelity to wintering areas.	
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	Deeside Naturalists Society	We note that the Scoping Report main text does not mention the importance of the development site for foraging Curlews within Section 9.4.32. We consider that this is a major omission. We suggest adding the text from the PEA: 2.10.5 Large numbers of foraging curlew (Numenius arquata) were present within these habitats at the time of the field surveys. And adding that this is one of the qualifying migratory species for the SPA/Ramsar designation.	The Applicant notes the importance of the site to foraging curlew. **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) presents a summary of the baseline data collected for all SPA/Ramsar site species including curlew.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The ES should include sufficient information to enable the decision makers to determine the extent of any environmental impacts arising from the Proposed Development on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals. Evaluation of the impacts of the Proposed Development should include: direct and indirect; secondary; cumulative; short, medium and long-term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase and long-term site security impacts on the nature conservation resource, landscape, and public access.	**Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) is supported by Survey Reports as technical appendices (**Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) which include a detailed account of the baseline surveys undertaken and their results. Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) presents an assessment of the effects of the Proposed Development and considers the potential impacts noted by NRW.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Within the ES, the Proposed Development should be described in detail in its entirety. This description should cover construction, operation, and decommissioning phases as appropriate and include detailed, scaled maps and drawings as appropriate. Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the ES, such as biodiversity.	The Proposed Development is described in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). **Figure 5-3: Construction Areas** (**EN010166/APP/6.3**) illustrate the anticipated construction working area and **Figure 5-5: Vegetation Clearance Plan** (**EN010166/APP/6.3**) illustrates retained habitats.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The ES should include a description of all the existing natural resources and wildlife interests within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts.	Section 11.4 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) provides a summary of the baseline conditions within the study area and identifies which ecological features are taken forward for consideration within the assessment presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We advise that the ES considers significance (both alone and in-combination) and where applicable, conservation status. In respect of conservation status, we advise consideration is given to current conservation status (CCS), and demonstration of no likely detriment to the maintenance of favourable conservation status (FCS) during construction, operation, and decommissioning phases of the Proposed Development.	The assessment methodology for the Terrestrial and Aquatic Ecology Assessment is presented in **Appendix 11-A: Ecological Impact Assessment Methodology Report** (**EN010166/APP/6.4**) which identifies that effects are

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			In respect of paragraph 9.5.4 (scales of importance), we advise that consideration is also given to the FCS of each species assessed.	considered in the context of conservation status (where applicable). In addition, the assessment presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) has considered whether the Proposed Development would have any effect on the ability of the species considered to maintain FCS.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present. We also advise that Habitats Directive Annex 1 habitats are identified as part of this assessment.	This position is acknowledged. However, as noted in paragraph 9.4.21 of the Scoping Report (**Appendix 1-A: Connah's Quay Scoping Report** (**EN010166/APP/6.4**)), the Applicant has proposed UKHab Survey Methodology which is a CIEEM (Chartered Institute of Ecology and Environmental Management) approved method. UKHab is designed to identify Annex 1 habitats. The best practice optimal period for survey is generally April to September (JNCC, 2010), which aligns with the Applicant's proposed survey dates. UKHab habitat survey information has been translated into Phase 1 habitat survey information for the NBB assessment and translation tables have been included for reference within the **Green Infrastructure Statement** (**EN010166/APP/6.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We advise that the site is subject to assessment to determine the likelihood of protected species being present and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and in the event that the surveys deviate, or there are good reasons for deviation, full justification for this should be included within the ES.	A full summary of the surveys undertaken to inform the assessment is provided in Table 11-3 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Should protected species be found during the surveys, information should be provided identifying the species-specific impacts in the short, medium, and long-term together with any mitigation and compensation measures proposed to offset the impacts identified. We advise that the ES sets out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long-term financial, tenure, and management responsibility. Where the potential for significant impacts on protected species is identified, we advise that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES.	Sections 11.5 and 11.7 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) provide an overview of the mitigation measures relevant of the Proposed Development. Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) sets out the detailed impact assessment of any protected species within the ZoI of the Proposed Development. Where relevant the short and long term impacts have been considered. Section 11.7 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) sets out any monitoring requirements.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				Conservation Plans have not been prepared in support of the Application considering the findings of the assessment presented within Section 11.8 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We generally concur with the proposed approach to protected species surveys outlined in Table 9-5. However, while the breeding bird surveys are broadly appropriate for diurnal bird species, additional visits should be completed to determine the presence of crepuscular/nocturnal species such as the Schedule 1 listed barn owl. We would refer the applicant to the CIEEM guidelines for bird surveys (Bird Survey Guidelines for assessing ecological impacts) in this regard.	Further consideration has been given to the potential presence of barn owl (and other nocturnal/crepuscular species) in the vicinity of the Proposed Development, and the relevant findings are detailed in **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	With reference to paragraph 9.4.36, we note that "Technical engagement / consultation with Natural Resources Wales is also proposed to discuss and agree the scope of ornithological surveys." We would welcome further engagement with the applicant regarding this.	Details of further discussions held with NRW are provided in Table 11-4 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The Preliminary Ecological Appraisal (PEA, Appendix B) and relevant annexes do not appear to contain a robust summary of the bird species records returned from the local biological records centre. It is therefore not clear whether all ornithological receptors have been sufficiently identified and considered within the PEA and relevant annexes. For example, the application boundary appears to provide areas suitable for foraging, and possibly breeding, barn owl. Therefore, while we broadly concur with the birds that have been scoped in (Table 11-7), additional bird species may need to be considered for the ES.	A full assessment of effects of the Proposed Development on ornithological receptors is presented in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**). A full summary of local biological records relating to birds can be found in **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**) along with consideration of barn owl presence within the ZoI of the Proposed Development.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We note that a conservation management plan is currently in place at the site, secured as mitigation for previous developments at this location. This involves areas of the site being managed for estuarine birds. However, no details have been provided to confirm if the applicant intends to continue to maintain or enhance the management of the site for estuarine birds. We would welcome further dialogue with the applicant regarding this.	As detailed in **Appendix 4-A: Operation and Maintenance Mitigation Register** (**EN010166/APP/6.4**) upon the end of management arrangements detailed within the Conservation Areas Management Plan for the existing Connah's Quay Power Station, an updated Conservation Areas Management Plan would be prepared and submitted to FCC and 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, unless otherwise agreed with FCC and NRW.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Section 9.7.6 (Aquatic Ecology): we note that a number of watercourses are identified in Chapter 11, Water Environment and Flood Risk, Table 11-1. We therefore advise that impacts to fish, in particular European eel and Annex II species, are considered further in the Aquatic Ecology section of the ES.	Details of the aquatic ecology baseline surveys are provided in **Appendix 11-L: Aquatic Ecology Technical Appendix** (**EN010166/APP/6.4**). An assessment of effects on aquatic ecology is included in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The scoping report highlights that potential impacts on birds include noise, light and visual disturbance during construction and operation, and permanent loss of habitat. We acknowledge that the preliminary bird surveys detected large numbers of birds, many of which are features of the Dee Estuary Special Protection Area (SPA) and other designated sites, and we note that further surveys are proposed. We advise that Shotton Lagoons and Reedbeds SSSI and Inner Marsh Farm SSSI should also be scoped in for the construction, operation, and maintenance phases of the development.	This point is acknowledged. Shotton Lagoons and Reedbeds SSSI and Inner Marsh Farm SSSI have been considered within this assessment.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	As the proposed works may cause disturbance impacts during construction, operation, and maintenance, we advise that a sensitivity assessment is undertaken and the applicant considers, for example, Cutts et al. (2009) regarding this (Cutts, N., Phelps, A. & Burdon D. 2009. Construction and waterfowl: Defining sensitivity, response, impacts and guidance. Report to Humber INCA).	This position is acknowledged and the guidance provided in Cutts et al. (2009) has been reviewed and considered as part of the sensitivity assessment.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We advise that further information on the nature and extent of the proposed permanent loss of habitat, and its effects on bird features, is provided in the ES.	Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) considers the extent habitat loss on all ornithological receptors (important ecological features) based on the data presented in **Appendix 11-D: Ornithology Technical Appendix** (**EN010166/APP/6.4**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The determining authority for the DCO application is the Competent Authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (as amended). As such, they must not agree to any plan or project unless they are certain it will not adversely affect the integrity of a Special Area of Conservation (SAC), Special Protection Area (SPA) and/or Ramsar site. The determining authority should carry out a test of likely significant effects (TLSE) for the relevant SAC/SPA/Ramsar sites, which is required under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This test applies to impacts on the sites from the proposed works, either alone or in-combination with other plans and projects. If the test concludes there is likely to be a significant effect, then an Appropriate Assessment of the impacts on the SAC/SPA/Ramsar sites from the proposed works, either alone or in-combination with other plans and projects, will be required. We would be able to assist with that assessment in our role as the Statutory Nature Conservation Body under the above Regulations.	This is acknowledged and the Applicant has prepared a **Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**) which is included as part of the Application. The **Report to Inform Habitats Regulations Assessment** (**EN010166/APP/6.12**) is based on the latest relevant guidance. Details of further discussions with NRW are provided in Table 11-5 within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	The Wildlife and Countryside Act 1981 (as amended) places a duty on public authorities in exercising their functions, so far as this is likely to affect the flora, fauna, geological or physiographical features of a SSSI, to take reasonable steps consistent with the proper exercise of their functions to further the conservation and enhancement of those features. We refer you to our website for further advice.	The requirements of the Wildlife and Countryside Act 1981 (as amended) have been considered, where relevant, throughout the assessment contained within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We recommend that the applicant consults the local authority ecologist on the scope of the assessment to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, and areas that are considered important for the conservation of biological diversity in Wales.	Details of further discussions with FCC are provided in **Table 11-4** within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We would advise the applicant to contact other relevant people/organisations for biological information/records relevant to the site and its surrounds. These include the relevant Local Records Centre and any local ecological interest groups (e.g. bat groups, mammal groups).	Biological information/records have been obtained from Cofnod (biodiversity records centre for the region) and are detailed in **Appendices 11A-L** (**EN010166/APP/6.4**) as relevant.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We advise that provisions of the EIA audit compliance in respect of relevant nature conservation legislation (UK and Wales) together with relevant local and national policies, including BS 42020:2013.	The assessment has been produced in compliance with relevant legislation, policy and guidance. Details of relevant legislation and policy are provided in **Table 11-1** within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**) with further details included in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Throughout the PEA and relevant annexes there is reference to Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. This has been superseded in Wales by the Environment (Wales) Act 2016. We therefore advise that the documents are amended to correct this and ensure that they refer to the relevant Welsh legislation and policy.	References to this particular Section of the NERC Act 2006 have been removed throughout the assessment contained within **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	We advise that, in accordance with Planning Policy Wales, the application demonstrates how it will deliver a net benefit for biodiversity and thus contribute to promoting ecosystem resilience.	The Applicant has prepared the **Green Infrastructure Statement** (**EN010166/APP/6.11**) to summarise the NBB assessment.
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	Flint Town Council	They [the Applicant] advised they [the Applicant] are responsible for management of SSSI at the briefing meeting. Can we [FCC] have an impact assessment of what future plans they have for the site and what they will do during construction to mitigate risk.	The Conservation Management Plan for the Dee Estuary/Aber Afon Dyfrdwy SSSI would be reviewed and considered alongside the design and management proposals for the Proposed Development in accordance with the **Outline LEMP** (**EN010166/APP/5.11**). Impacts on the Dee Estuary/Aber Afon Dyfrdwy SSSI are considered in Section 11.6 of **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 11 - Terrestrial and Aquatic Ecology	N/A	NRW	Paragraph 10.4.4: we note the requirement to implement intake screens to comply with the Eels Regulations 2009 has been recognised and that this will be considered in Chapter 9 (Terrestrial and Aquatic Ecology) of the ES. We advise that intake screens should also be designed to minimise impacts to migratory Annex II fish species, which are features of the Dee Estuary SAC and River Dee and Bala Lake SAC.	The requirement of screening for Eels and the risks to protected fish species populations in the River Dee and related watercourses from entrainment are considered within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.1	PINS	Based on the distance between the Proposed Development and the closest MCZ (Fylde MCZ, which is more than 50km at the closest point), and absence of potential impact pathways, the Inspectorate agrees that this matter can be scoped out of the assessment	This position on the scope of the assessment and scoping out consideration of MCZs is acknowledged and is scoped out in Section 12.3 within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 12 - Marine Ecology	3.5.2	PINS	Whilst this is not identified as a matter to be scoped out in Table 10- 2, the Inspectorate notes that the assessment is proposed to be spatially limited to activities in the water connection corridor (shown on Figure 1-3 of the Scoping Report) rather than a defined Zone of Influence (ZoI) for potential impacts. The Inspectorate does not have sufficient information about the operational phase works to exclude the possibility of likely significant effects from this impact pathway. Consideration should be given to whether habitat loss could occur e.g. from maintenance dredging and hydromorphological changes including ongoing scour. Where significant effects are likely, these should be assessed in the ES.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. No habitat loss would occur in the intertidal or subtidal area as a result of the Proposed Development and has been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.3	PINS	The Scoping Report states that river and land-based activities have potential to disturb seals that have surfaced or hauled out but due to the intervening distance between the Proposed Development and the nearest haul out site at Hilbre Island (more than 15km downstream) there will be no available pathway. Ornithological receptors will be considered in the terrestrial and aquatic ecology ES chapter. Based on information presented in the Scoping Report, the Inspectorate agrees that significant effects are not likely to occur and this matter can be scoped out of the assessment. Please note the Inspectorate's comments at ID 3.5.9 of this Scoping Opinion regarding receptors to be considered in relation to underwater noise and vibration during construction.	This position on the scope of the construction phases assessment is acknowledged. This pathway has therefore been scoped out of assessment detailed within Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.4	PINS	Whilst this is not identified as a matter to be scoped out in Table 10-2 of the Scoping Report, the Inspectorate notes that it is scoped in for the construction phase for in-river works. It is unclear whether there could be in-river works during operation e.g. maintenance of the outfall and/ or maintenance dredging involving vessels that could result in impact pathways. The Inspectorate advises that this should be clarified in the ES, together with an assessment of any likely significant effects.	Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). This includes a significantly reduced scope of works in the Water Connection Corridor which is the focus of this assessment. No maintenance dredging or any other interaction with the riverbed would occur during any phases of the Proposed Development and this pathway has therefore, been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impact pathways identified for the updated Water Connection Corridor methodology are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.5	PINS	The Scoping Report states that the operational phase will not result in changes to underwater sound or visual disturbance that would impacts marine habitats or species. Based on the information presented in the Scoping Report, the Inspectorate agrees	This position on the scope of the operational phases assessment is acknowledged and has therefore, been scoped out of assessment in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			that significant effects are not likely to occur. This matter can be scoped out of the assessment.	
Chapter 12 - Marine Ecology	3.5.6	PINS	The Scoping Report states that there is uncertainty about the construction methodology for works within the water connection corridor, but the maximum area required is shown on Figure 1-3 in Appendix A of the Scoping Report. The ES should also explain what assumptions have been made about the methodology and the assessment should be based on the maximum parameters or worst case scenario. The potential permanent loss of habitat associated with these works should be quantified. In addition, the ES should confirm the predicted number of vessel movements during all phases of the Proposed Development. The Inspectorate's comments at ID 2.1.12 of this Scoping Opinion about flexibility apply equally to this matter.	Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). No permanent habitat loss is now predicted and has therefore been scoped out. The available information and assumptions regarding the use of vessels for the Proposed Development are discussed in Section 12.1 and 12.3 within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.7	PINS	The Scoping Report states that the existing CCGT requires abstraction of cooling water and discharge into the River Dee, which is carried out in accordance with rates and limits in an Environmental Permit issued by NRW. It is stated that the Proposed Development may reuse the existing infrastructure or new outfall infrastructure may be required. Please refer to the Inspectorate's comments at ID 2.1.8 of this Scoping Opinion regarding establishing the baseline condition for the purpose of assessment. This should include information about the existing rates and limits and any monitoring data obtained as part of the Environmental Permit. The ES should define the worst-case parameters in terms of volumes and thermal impacts from the Proposed Development and include an assessment of any likely significant effects, particularly to marine and estuarine fish receptors. The Applicant should consider whether temperature modelling should be undertaken to inform this assessment.	Impacts from abstraction of cooling water and discharge on marine ecology receptors are presented in Section 12.1 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes an assessment of available information about the existing rates and limits and any monitoring data obtained as part of the existing Environmental Permit. Since the Scoping Report was submitted design freeze has adopted the use of existing infrastructure within the Water Connection Corridor. Existing eel screens would be replaced and basket size increased to ensure flow rates remain at current levels. Therefore, intake and outflow rates would be at a level covered within the existing environmental permit. On this basis the worst-case for thermal discharge has been considered to be within the existing licence permits. Further details are contained within Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This impact has therefore been scoped out from further assessment.
Chapter 12 - Marine Ecology	3.5.8	PINS	The Scoping Report states that Environment Agency (EA) information on fish counts (TraC data) would be used but then states in a footnote that there are no EA fish sampling stations in the River Dee and no information on fish counts is available. The assessment in the ES should be supported by robust baseline data. If insufficient desk-based data is available, alternative data source(s) should be used, which may include the need for migratory fish survey(s). Please refer to the Inspectorate's comments at ID 3.5.10 of this Scoping Opinion. The Applicant's attention is drawn to the comments of NRW (see Appendix 2) regarding the Marine Evidence Based Sensitivity Assessment (MarESA). This data source should be used to inform the ES as relevant.	The Applicant notes the reference to the MarESA data source provided by NRW and has considered and referenced this in **Appendix 12-A: Marine Ecology Assessment Methodology** (**EN010166/APP/6.4**) and **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) as appropriate. Following the reduced scope of works in the Water Connection Corridor, NRW has agreed that fish surveys and seasonal restrictions would not be required. Data from monitoring reports at Chester Weir have informed the

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				baseline presented in Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.9	PINS	The Inspectorate advises that Pen Llyn a'r Sarnau Special Area of Conservation (SAC) and North Anglesey Marine SAC, as well as harbour porpoise and bottlenose dolphin, should be scoped into the assessment of underwater noise and vibration during construction, given the mobile nature of the marine mammal qualifying features and/ or marine mammals, which could be present in the Dee Estuary. The Applicant's attention is drawn to the comments of NRW (see Appendix 2), which note some omissions and/ or errors in the description of potential fish receptors. These should be corrected in the ES. The Inspectorate encourages agreeing assessment parameters with the relevant statutory bodies. The ES should include a figure illustrating the final selected study area(s).	The request to consider these designated sites is acknowledged however they are located a considerable distance from the Proposed Development and following the reduced design scope no underwater sound impacts during construction is anticipated. The Pen Llyn a'r Sarnau SAC and North Anglesey Marine SAC are referenced in Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) as is considered appropriate. The study area for the marine ecology assessment is presented in **Figure 12-1: Marine Ecology Study Area** (**EN010166/APP/6.3**). Both harbour porpoise and bottlenose dolphin are considered in the assessment presented in Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**), though as a result of design updates the relevant pathways are now very limited. Separate responses are provided to NRW comments on the Marine Ecology Scope within later rows of this table. A meeting was held with NRW on 01 July 2024 and 12 December 2024 to agree receptors for consideration in the ES. The outcome of this meeting is reflected in **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.10	PINS	The Scoping Report proposes intertidal habitat surveys for the area below mean high water springs (MHWS) within the water connection corridor and a buffer of 500m either side "where accessible". The water connection corridor is shown on Figure 1-3 of the Scoping Report. It is stated that this would encompass habitats and any potentially sensitive, protected and INNS marine ecology. The Inspectorate considers that that proposed survey scope is acceptable subject to the following comments: ▪ Final survey extents should be clearly described and illustrated on figures within the ES; ▪ Where survey extent is limited due to access issues, the ES should explain what efforts were made to obtain access and how any gaps in survey data are proposed to be addressed; ▪ It is unclear what specific species surveys are being proposed from information presented in the Scoping Report. The Inspectorate would expect the survey effort to include migratory fish and benthic invertebrates. Effort should be made to agree the scope, timing and extent of survey effort with relevant consultation bodies prior to survey work commencing. Evidence of any agreement or	Marine intertidal walkover and drone surveys were completed in June 2024 and the findings have been included in **Appendix 12-D: Intertidal Survey Report** and Section 12.4 within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). Furthermore, following a Discretionary Advice Serve (DAS) meeting with NRW in December 2024, it was agreed that given the reduced scope of works in the Water Connection Corridor, no further subtidal benthic surveys, fish surveys or cetacean surveys were necessary on the basis that the Proposed Development would involve no interaction with the riverbed at all.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			otherwise should be presented in the ES; and ▪ Limited reasoning is provided for not undertaking marine mammal surveys (for mammals other than harbour and grey seal). Noting that the study area extends to the Dee Estuary, where harbour porpoise and bottlenose dolphin could be present, and potentially further to specific receptors in the Irish Sea, the Inspectorate advises that survey(s) should be carried out where required to establish a robust baseline for marine mammals. Based on information in the Scoping Report, the Inspectorate agrees that harbour and grey seal surveys are not required as the presence of these marine mammals is well understood. The Inspectorate advises that survey work should be summarised in the ES and survey reports should be provided as technical appendices to the ES.	
Chapter 12 - Marine Ecology	3.5.11	PINS	Paragraph 10.6.3 of the Scoping Report states that permanent habitat loss because of re-use or replacement of the existing outfall would be minimised "as far as reasonably practicable" but does not explain how this would be achieved. Embedded mitigation measures relied upon to avoid or minimise significant adverse effects should be clearly explained, including through use of drawings as relevant, with cross-reference in the ES. Measures should be demonstrably secured through the DCO or other legal mechanism. The Applicant's attention is drawn to the comments of NRW (see Appendix 2) regarding INNS. The Inspectorate advises that a biosecurity risk assessment and INNS management plan for operational activities in the marine environment should be prepared and submitted with the DCO application.	The reduced scope of works in the Water Connection Corridor have been confirmed to be refurbishment of the existing screens only as a worst-case scenario. Details on these works involved are shown in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). Embedded mitigation including the production of a Biosecurity Risk Assessment and a marine Invasive Non-Native Management Plan has been undertaken. Please see **Appendix 12-E: Marine Biosecurity Risk Assessment and Appendix 12-F: Marine Invasive Non-Native Species Framework Management Plan** and Section 12.5 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.12	PINS	For the avoidance of doubt, the Inspectorate understands that references to marine ecology in the description of construction and operation effects scoped into the assessment include marine mammals. Consideration should be given to whether construction works could result in any temporary habitat loss or disturbance for marine mammals, i.e. those that might be using habitat in the Dee Estuary; where significant effects are likely to occur, these should be assessed in the ES.	Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). There is no interaction with the seabed during construction works, or any change in intake/outfall footprints in the marine environment and therefore, no permanent habitat loss or underwater sound disturbance is predicted and has therefore been scoped out in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 12 - Marine Ecology	3.5.13	PINS	For the avoidance of doubt, assessment of these impact pathways should include consideration of any physical process effects associated with installation and use of a cofferdam (as identified in Chapter 14 of the Scoping Report). Please refer to the Inspectorate's comments at ID 3.9.7 of this Scoping Opinion.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). No cofferdam would be used and is therefore no longer assessed in this chapter. The relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.14	PINS	The Applicant's attention is drawn to the comments of NRW (see Appendix 2). The assessment should consider potential for both temporary and longer-term habitat loss as a result of the full range of construction activities required. The expected effect duration should be described in the ES.	Updated methodology for all phases of the Proposed Developed are detailed in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**). This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). No permanent habitat loss is predicted and has therefore scoped out in Section 12.3 of within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	3.5.15	PINS	Please refer to the Inspectorate's comments at ID 3.4.13 of this Scoping Opinion regarding confidential annexes for sensitive or vulnerable ecological features.	Where necessary to comply with the relevant legislation and guidance, confidential appendices have been provided separately and would not be made available publicly.
Chapter 12 - Marine Ecology	N/A	NRW	There is limited detail about the proposed works for the Water Connection Corridor during construction and operation/maintenance, and particularly the description of the worst-case scenario, which makes it difficult to advise fully on the extent of impacts to marine ecological features at this scoping stage. We therefore advise that more detailed information is provided to enable a robust assessment of impacts in the final ES.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	We note that the abstraction and discharge of cooling water is still to be confirmed and will be subject to an Environmental Permit. However, for EIA scoping purposes we advise that worst-case scenarios of proposed volumes and thermal impacts are considered for the assessment of impacts to aquatic receptors.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of proposed volumes and thermal impacts being within the existing licence permit. Therefore, impacts relating to proposed volumes and thermal impacts have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	Paragraph 10.4.8 / Table 10-1: please note that bullhead (Cottus gobio) is also a qualifying feature of the River Dee and Bala Lake SAC.	This has been considered in the aquatic ecological assessment presented in **Chapter 11: Terrestrial and Aquatic Ecology** (**EN010166/APP/6.2.11**).
Chapter 12 - Marine Ecology	N/A	NRW	We note the requirement to implement intake screens to comply with the Eels Regulations 2009 has been recognised and that this will be considered in Chapter 9 (Terrestrial and Aquatic Ecology) of the ES. We advise that intake screens should also be designed to minimise impacts to migratory Annex II fish species, which are features of the Dee Estuary SAC and River Dee and Bala Lake SAC	This point is acknowledged. Further information on the design of the Eel screens is provided in Section 12.1 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) and an assessment is detailed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) which has been designed to minimise impacts to migratory fish.
Chapter 12 - Marine Ecology	N/A	NRW	Paragraph 10.4.19: non-migratory brook lamprey is mentioned in relation to the Dee estuary. However, brook lamprey is a feature of the River Dee and Bala Lake SAC, but not of the estuary, and is generally only found in freshwater.	This has been corrected as necessary within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	Paragraph 10.6.7: regarding fish we advise that given the narrowness of the channel, impact piling should be avoided in favour of vibro piling.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (include no piling of any type). Therefore, impacts relating to piling have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The impacts identified are assessed in Section 12.6.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 12 - Marine Ecology	N/A	NRW	We note and concur with the identified potential operational impacts to fish in Section 10.7.4, but we also advise that the potential impacts from simultaneous operation of both the existing and the new power station are fully considered in the ES.	As described in **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**), the Proposed development and the existing Connah's Quay Power Station would not operate at full capacity simultaneous as the utilise shared infrastructure. An assessment considering the simultaneous operations is not provided.
Chapter 12 - Marine Ecology	N/A	NRW	Based on the limited amount of detailed information available about the proposed methodology for construction and operation we advise that the following impacts and sites should be scoped in regarding marine mammals: • Underwater sound assessment and vibration disturbance e.g., from piling • Accidental pollution • Collisions between any project vessels and marine mammals • Temporary habitat loss and/or disturbance • Impacts from release of sediment-bound contaminants • Indirect effects to marine mammals from changes in marine water quality • Temporary increases in suspended sediment concentrations and associated turbidity (please refer to our Physical Processes advice for further details)	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). Following on from the PEIR, many impacts relating to original works are no longer applicable and have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	A large grey seal 'haul-out' of 300-500 individuals, which forms part of the north Wales grey seal population, is present on the eastern side of Salisbury Middle, adjacent to Hilbre Island, located downstream of the Proposed Development in the mouth of the Dee estuary. Grey seals are a feature of the Pen Llŷn â'r Sarnau SAC and are functionally linked to the Dee estuary due to the mobile nature of this species and haul-out ranges along the north Wales coastline and within the Dee estuary, as well as their regular presence in the Dee estuary and river. Therefore, we advise that Pen Llŷn â'r Sarnau SAC should be scoped in for assessment due to the potential underwater noise disturbance and vibration during construction (e.g. piling). The timing of the proposed works will affect the possibility of disturbance to grey seal due to the seasonality of their haul-outs. We therefore advise that details of any underwater noise disturbance and timing of these works are considered and assessed in the ES. Harbour seals are also recorded hauled-out on the West Hoyle sandbank. However, exact haul-out numbers of this species are not known.	Pen Llŷn â'r Sarnau SAC has been considered and is identified within the baseline section (Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)) and relevant impacts identified are assessed in Section 12.6. However, following the reduced scope of works in the Water Connection Corridor, underwater sound and vibration disturbance to benthic ecology has been scoped out from further assessment (Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)).
Chapter 12 - Marine Ecology	N/A	NRW	Harbour porpoise and bottlenose dolphin could occur in the surrounding coastal waters and within the outer Dee Estuary, and therefore have potential for underwater noise disturbance impacts. We advise that consideration is given to these species and to North Anglesey Marine SAC (designated for harbour porpoise) which is the nearest marine mammal SAC in proximity to the Dee estuary.	Acknowledged. Pen Llŷn â'r Sarnau SAC has also be considered and is identified within the baseline section (Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).). However, due to the largely reduced scope of works, underwater sound disturbance has

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				been scoped out from further assessment in Section 12.2.7 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	With reference to paragraph 10.6.7, regarding marine mammals we welcome the proposed use of the standard JNCC mitigation measures for construction piling.	This position on the use of standard JNCC mitigation measures for construction piling is acknowledged however, it should be emphasised that piling work is no longer required as part of the Proposed Development.
Chapter 12 - Marine Ecology	N/A	NRW	We advise that Table 10-1 should include Pen Llŷn â'r Sarnau SAC, due to the functional linkage with grey seals using the Dee estuary.	Acknowledged. Pen Llŷn â'r Sarnau SAC has also be considered and is identified within the baseline section (Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)) and has been considered in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**) as necessary.
Chapter 12 - Marine Ecology	N/A	NRW	We also advise that Table 10-1 should refer to the qualifying features of each SAC and not coastal features, as this is the terminology used in the conservation advice. Conservation objectives should be taken from the Regulation 33 advice as these are the agreed conservation objectives for cross-border sites.	Acknowledged. A summary of the qualifying features of each SAC is provided in Table 1 of **Appendix 12-B: Relevant Designated Sites** (**EN010166/APP/6.4**).
Chapter 12 - Marine Ecology	N/A	NRW	Paragraph 10.6.3 notes that should the proposed development re-use, refurbish or replace the existing outfall located in the Water Connection Corridor, permanent habitat loss will be minimised as far as reasonably practicable. We advise that the worst-case scenario should be clarified and assessed and that the potential permanent loss of habitat should be calculated. We note that maintenance dredging is discussed but it is not clear where the dredge would be deposited, or the quantities and types of sediment to be dredged (please refer to para. 98 in our Physical Processes advice for further details).	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever (including no dredging at any stage). Therefore, impacts relating to dredging have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	The potential use of a cofferdam is not discussed in Chapter 10 (Marine Ecology) but is included in Chapter 14 (Physical Processes). We advise that details of the proposed works should be defined and described in the ES in order to understand the potential impacts from the proposed development.	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				case assumption of works, there would be no interaction with the riverbed whatsoever, including no cofferdam. Therefore, impacts relating to a cofferdam have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	Furthermore, we advise that potential linkages between different receptors and/or chapters should be clearly identified as impacts to one receptor may inform impacts to another i.e. where potential impacts to physical processes inform impacts to benthic ecology receptors and water quality.	Acknowledged. Appropriate cross-references have been included in this chapter to other relevant chapters.
Chapter 12 - Marine Ecology	N/A	NRW	Based on the limited amount of detailed information available about the proposed methodology for construction and operation we advise that the following construction and operation impacts should be scoped in for benthic ecology receptors. Construction impacts • Direct loss and physical disturbance to benthic habitats and species from works carried out below Mean High Water Spring tide limits (MHWS) within the Water Connection Corridor: this should be further defined to clearly differentiate between the impact pathways that relate to temporary habitat loss and/or disturbance from, for example, the movement of vehicles on the shore compared to impacts that could result in long-term habitat loss i.e. replacement of the Water Connection Corridor. We therefore advise that the following two impacts should be scoped in: ▪ Temporary benthic habitat loss and/or disturbance ▪ Long-term benthic habitat loss • Physical disturbance to benthic habitats and species from increased suspended sediment concentrations (i.e. increased turbidity and deposition): we advise that this should be defined as "temporary increases in suspended sediment concentrations and associated turbidity" as this would include potential impacts from smothering to benthic receptors • Indirect impacts to benthic ecology from changes in marine water quality (excluding turbidity) • Indirect impacts to benthic habitats from hydromorphological changes • Introduction and/or spread of Invasive Non-Native Species (INNS): this should include potential introduction of INNS from the movement of vessels required to deliver materials to site • Accidental pollution from vehicles, vessels, and equipment/machinery: this could be mitigated via production and adherence to standard post-consent plans e.g. a Construction Environmental Management Plan (CEMP) • Impacts from release of sediment-bound contaminants: disturbance to intertidal/subtidal habitats associated with construction activities could lead to remobilisation of sediment-bound contaminants that may affect benthic communities	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed. Therefore, many impacts originally considered at PEIR stage have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 12 - Marine Ecology	N/A	NRW	We would not expect underwater sound and vibration disturbance to benthic ecology receptors to be scoped in unless specific benthic species that are sensitive to noise and/or vibration are identified within the project's Zone of Influence (ZoI).	This position on the scope of the assessment is acknowledged and following the reduced scope of works in the Water Connection Corridor, underwater sound and vibration disturbance to benthic ecology has been scoped out from further assessment (see Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)).
Chapter 12 - Marine Ecology	N/A	NRW	We advise that the following operational impacts should be scoped in: • Temporary habitat loss and/or disturbance e.g. maintenance dredging • Indirect impacts to benthic receptors from changes to existing thermal and chemical effects from treated water discharge • Indirect impacts to benthic receptors from hydromorphological changes: this should consider ongoing scour, potentially leading to habitat alteration - please also refer to our Physical Processes advice regarding changes to seabed/riverbed morphology (para. 109) and scour of seabed caused by water discharge (para. 110 - 112) • Impacts from release of sediment-bound contaminants • Indirect impacts to benthic ecology from changes in marine water quality (excluding turbidity) • Temporary increases in suspended sediment concentrations and associated turbidity (please refer to our Physical Processes advice below) • Introduction and/or spread of INNS e.g. from maintenance vessels if required, and also to account for any new infrastructure to function as a 'stepping-stone' for INNS • Accidental pollution • Increases in water temperature: this is discussed in Chapter 11 but not Chapter 10 regarding benthic ecology. Some benthic habitats and/or species are sensitive to changes in temperature. We therefore advise that this should be scoped in	**Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**) and **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**) provide an overview of the works required in the Water Connection Corridor. This included a reduced scope of works in the Water Connection Corridor which is the focus of this assessment. The worst-case scenario is described in Section 12.3 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). This includes details on the worst-case assumption of works, there would be no interaction with the riverbed whatsoever. Therefore, many impacts originally considered at PEIR stage have been scoped out from assessment in Section 12.2 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**). The other relevant impacts identified are assessed in Section 12.6 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	Section 10.4.5 (Sources of Information): the Marine Evidence Based Sensitivity Assessment (MarESA) should be referred to for any future sensitivity assessments as this supersedes and replaces the Marine Life Information Network (MarLIN) approach.	Acknowledged, this has been considered and referenced in **Appendix 12-A: Marine Ecology Assessment Methodology** (**EN010166/APP/6.4**).
Chapter 12 - Marine Ecology	N/A	NRW	Section 10.4.23 (Marine Ecological Surveys and Data Collection): we agree that more recent surveys should be completed to characterise the intertidal habitats present and potentially affected by the development. This survey should include potential habitats affected within the defined ZoI. We would welcome engagement with the applicant when devising their characterisation survey. Please also refer to Natural Resources Wales / Benthic habitat assessments for marine developments for best practice guidance on how to carry out benthic habitat surveys and monitoring in relation to marine developments.	Intertidal surveys were completed in June 2024 and following a Discretionary Advice Service (DAS) meeting with NRW also in June 2024 and December 2024. However, following the reduced scope of works in the Water Connection Corridor it was agreed by NRW following a meeting in December that benthic surveys were no longer required. The findings of the intertidal surveys are detailed in **Appendix 12-D: Intertidal Survey Report** (**EN010166/APP/6.4**) and Section 12.4 of **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**).
Chapter 12 - Marine Ecology	N/A	NRW	Section 10.5 (Impact Assessment Methodology): with reference to the draft assessment methodology including definitions for longevity of an impact (i.e. short,	The impact assessment presented in this chapter has been undertaken in accordance with CIEEM methodology as

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			medium, long term), extent and magnitude, we advise that the sensitivity of receptors should be defined and presented in the ES. Section 4.4.6 notes that specific criteria for each technical assessment will be developed but this has not been presented in Chapter 10.	detailed in **Appendix 12-A: Marine Ecology Assessment Methodology** (**EN010166/APP/6.4**).
Chapter 12 - Marine Ecology	N/A	NRW	Section 10.6 (Embedded Mitigation): we advise that a full Biosecurity Risk Assessment and INNS Management Plan should be completed in relation to all marine operation activities associated with the proposal. The risk assessment and management plan should include consideration of all activities, vehicles and equipment used as well as how the risk will be minimised through appropriate mitigation and adherence to best practice guidance and management measures. The risk assessment should include a review of all available data in relation to the presence of marine INNS where applicable to the proposal, and the potential risks associated with each species identified.	INNS identified in the desk study of the local benthic environment have been considered in Section 12.4 and associated impacts from INNS are assessed in Section 12.6 (both within **Chapter 12: Marine Ecology** (**EN010166/APP/6.2.12**)). Furthermore, a marine INNS Management plan and Biosecurity Risk Assessment has been produced: **Appendix 12-E: Marine Biosecurity Risk Assessment** (**EN010166/APP/6.4**); and **Appendix 12-F: Marine Invasive Non-Native Species Framework Management Plan** (**EN010166/APP/6.4**).
Chapter 13 - Water Environment	3.6.1	PINS	No matters have been proposed to be scoped out of the assessment	This was the case at the time of the Scoping Report. Subsequently, it has been possible to scope certain potential impacts out of assessment following design development and further Proposed Development details being available. Notably, morphological impacts to the Dee Estuary, and water quality impacts to surface water and groundwater relating to Abnormal Indivisible Loads (AIL), the Electrical Connection Corridor, and the Repurposed CO_2 Connection Corridor. Further details are given in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 13 - Water Environment	3.6.2	PINS	As noted in ID 3.6.7, there is a high groundwater table, the Applicant should consider any implications of this on contamination for example. Clear cross-referencing should be provided within the ES. NRW in its response (see Appendix 2) notes that such cross referencing should be present in the major accidents and disasters aspect chapter.	This has been considered within the assessment presented within Section 13.6 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Cross-references are provided to other chapters as necessary.
Chapter 13 - Water Environment and Flood Risk	3.6.3	PINS	It is noted that some of the guidance referenced throughout the aspect chapter in the Scoping Report is not listed in the identified guidance list. In the ES, all referenced guidance should be included within a reference list. NRW has identified additional guidance to be considered (see Appendix 2).	All referenced guidance has been included within the reference list of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and appendices (**EN010166/APP/6.4**), as appropriate.
Chapter 13 - Water Environment and Flood Risk	3.6.4	PINS	The Applicant should consider whether temperature modelling is required as part of the EIA and Water Framework Directive (WFD) assessment, which should be used to inform the ES. The methodology for the water resources assessment should be justified in the ES, with effort made to agree it with the relevant consultation bodies.	The existing permit limits for abstraction and discharge (volume, temperatures and water quality) would be maintained unchanged. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. Details of assessment methodologies are provided in Section 13.3 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 13 - Water Environment and Flood Risk	3.6.5	PINS	NRW comments (see Appendix 2) state that the hydraulic modelling referenced in Scoping Report paragraph 11.4.56, the tidal Dee model, does not include the Proposed Development site within the 1D-2D model extent. It is therefore likely that some additional modelling will be required to quantify the flood risk posed to the Proposed Development site. Further details are provided in NRW's response, which the Applicant should have regard to. The Inspectorate advises that the Applicant discuss and seek to agree with NRW and other relevant consultation bodies if the Proposed Development should be treated as new highly vulnerable development for the purposes of flood risk assessment and application of policy tests. This is not a matter on which the Inspectorate can advise.	Additional hydraulic modelling has been undertaken to support **Appendix 13-C: Flood Consequence Assessment** (**EN010166/APP/6.4**). Further consultation has been undertaken with NRW on this process as outlined in **Table 13-4** of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). **Appendix 13-C: Flood Consequence Assessment** (**EN010166/APP/6.4**) treats the Proposed Development as highly vulnerable development in line with TAN 15 2004 as the current guidance.
Chapter 13 - Water Environment and Flood Risk	3.6.6	PINS	The Inspectorate advises that a site investigation of groundwater conditions should be provided to establish the baseline conditions given NRW's view that the groundwater table is high. NRW state in its response (see Appendix 2) that baseline conditions should include a description of gradients and salinity. This information would also be important in assessing contamination pathways for the construction, operation and decommissioning phases notably because of the proximity to designated sites. The ES should consider these matters and provide justifications for any departure(s) from advice.	A preliminary ground investigation and groundwater monitoring was carried out in January to March 2025, as is reported in **Appendix 14-F: Stage 2, Tier 1 Generic Risk Assessment: Soil and Groundwater** (**EN010166/APP/6.4**), to determine groundwater conditions. The outcomes have been included within this chapter to inform the hydrogeological baseline and impact assessment. The scope of the preliminary ground investigation was developed in consultation with NRW. Also refer to **Appendix 13-E: Hydrogeological Assessment** (**EN010166/APP/6.4**) for descriptions of gradients and salinity.
Chapter 13 - Water Environment and Flood Risk	3.6.7	PINS	The ES should confirm if the proposed water abstraction would involve water requirements in addition to the currently licenced quantities. It is likely that amendments to the existing abstraction licence would be required even if the quantities of water do not change. The ES should provide a progress update on these and any other licences being sought.	The existing abstraction limits and location would remain unchanged during the operation of the Proposed Development, as it is anticipated that the project will reuse existing infrastructure and operate within currently permitted rates. Therefore, a variation to the existing abstraction licence is not currently anticipated. Should future design progress indicate that predicted abstraction may exceed permitted levels or require new points, an application to vary the abstraction licence would be submitted. Any such changes would only be implemented if the resulting environmental effects remained within the envelope assessed in this Environmental Statement. If effects were materially new or different, a Development Consent Order (DCO) amendment or new DCO application, with appropriate assessment, would be required. This is not anticipated at this design stage. Permits and consents expected to be required are outlined within Section 13.5 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and in the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 13 - Water Environment and Flood Risk	3.6.8	PINS	The ES should include greater detail regarding the specific legislation and guidance used to define the methodology used. Due to the location of the Proposed Development, the Applicant should also consult with the Environment Agency (EA) in addition to NRW where appropriate.	All legislation and guidance used to inform the assessment has been included within Section 13.1 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**), with further detail in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**). Details of further consultation are outlined in Table 13-5 within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 13 - Water Environment and Flood Risk	3.6.9	PINS	A concept/ outline surface water drainage strategy is proposed for the Main Development Area. The Scoping Report does not justify why it is limited to the Main Development Area and does not include the other components. The ES should include such a justification, or other sites and components should be included within the concept/ outline surface water drainage strategy.	The **Outline Surface Water Drainage Strategy** is included as **Appendix 13-D** (**EN010166/APP/6.4**), and its suitability for protecting the water environment is assessed within this chapter. The only permanent above ground infrastructure is within the Main Development Area. The Proposed CO_2 Connection Corridor would be underground, meaning the ground would be reinstated to its pre-construction state, and therefore is not included in the drainage strategy. A CEMP would be in place for the construction stage which would cover any drainage requirements for this phase. Refer to the **Framework CEMP** (**EN010166/APP/6.5**), which would be developed into a detailed CEMP post consent as a requirement of the DCO.
Chapter 13 - Water Environment and Flood Risk	3.6.10	PINS	The Applicant's attention is drawn to NRW's response (see Appendix 2) noting that an interim classification waterbody status is due in 2024. All assessment should be based upon the most up to date information available.	Noted. The most recently published waterbody classifications available on the most recently published waterbody classifications available on the NRW Water Watch Wales website have been used in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) this assessment and appendices.
Chapter 13 - Water Environment and Flood Risk	N/A	FCC	Planning/site constraints and opportunities: • TAN15 Flood Risk Zones closer to the coast and areas without sea defences	This information has been considered in the preparation of the baseline provided in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) as well as **Appendix 13-A: Water Environment Baseline Survey** and **Methodology Report** and **Appendix 13-C: Flood Consequence Assessment** (**EN010166/APP/6.4**).
Chapter 13 - Water Environment and Flood Risk	N/A	FCC	A Sustainable Urban Drainage System (SUDS) which will prevent reductions in water quality, attenuate surface runoff rates and form a part of landscape and ecological mitigation proposals will be required for consideration by the Council under the SAB (SUDS Approval Body).	Noted. The **Framework Surface Water Drainage Strategy** is included as **Appendix 13-D** (**EN010166/APP/6.4**), and its suitability for protecting the water environment is assessed within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). A SuDS approach is included in this strategy and we note the requirement for consideration of the SAB.
Chapter 13 - Water	N/A	FCC	During construction there is the risk that contaminants are mobilised and result in pollution. A Flood Consequence Assessment (FCA) should be undertaken.	The risk of pollution to surface and groundwater bodies is assessed within this chapter (see Section 13.6) taking into account mitigation outlined in Section 13.5 of **Chapter 13:**

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Environment and Flood Risk				**Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). A **FCA** is provided as **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) and is considered within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) in EIA terms
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Our Flood Risk Map confirms the development site to be located partially within Zone C1 (and Zone B) of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and most of it is within Flood Zone 3 (Sea).	This point is acknowledged. This information has been considered in the preparation of the baseline provided in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) as well as **Appendix 13-A: Water Environment Baseline Survey and Methodology Report** and **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We note that a range of flood risk impacts have been scoped in for both the construction and operational phases, as outlined in Table 11-8. We are satisfied with the potential effects identified. We also note that the applicant has confirmed a Flood Consequences Assessment (FCA) will be prepared in support of the submission. We confirm that we would expect a detailed FCA to be prepared in support of this proposal. We consider that an FCA would be needed for any energy project in Zone C / Flood Zone 3, not only those greater than one hectare as is stated in paragraph 11.2.1 of the Scoping Report. The FCA should be prepared in compliance with Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The updated TAN15 is yet to be published or adopted. However, we advise that the Flood Map for Planning should still be referred to, as confirmed in the letter from Welsh Government dated 15 December 2021, which confirms the FMfP represents better and more up-to-date information on areas at flood risk than the DAM.	The position on the scope of the water environment and flood risk assessment is acknowledged. The FCA is provided as **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) and has taken account of NRW's feedback to both the Scoping Report and statutory consultation.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Based on the 'Indicative Site Map' contained within the Connah's Quay Low Carbon Power Project Newsletter (February 2024), a considerable portion of the proposed development would appear to be located on undeveloped arable land, with a smaller section within the footprint of the existing power station. We therefore consider that the proposal should be treated as new highly vulnerable development, as this undeveloped land is unlikely to benefit from an existing land use, and the proposal would also be an intensification of use. However, we advise that the Planning Inspectorate provides direction on this.	The FCA has treated the Proposed Development as highly vulnerable development in line with TAN 15 2004 as the current guidance. The FCA is provided as **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	The FCA should include a comprehensive assessment of flood risk from all sources, including the tidal Dee and fluvial sources, including Kelsterton Brook. The primary source of flood risk is likely to be tidal from the Dee. We note from paragraph 11.4.56 that "no hydraulic modelling is proposed as part of the EIA as there is sufficient existing hydraulic modelling for this area to be provided by NRW and the Environment Agency." However, the tidal Dee model does not include the site within the 1D-2D model extent, and it is therefore likely that some additional modelling will be required to quantify the flood risk posed to the site (whether this be an update to the existing model or a new study), and to assess the impact on flood risk elsewhere, especially as	The FCA is provided as **Appendix 13- C: Flood Consequences Assessment** (**EN010166/APP/6.4**) and assesses flood risk from all sources. Additional hydraulic modelling has been undertaken to support the FCA as part of the ES. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) for details of the modelling undertaken.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			the Scoping Report indicates land raising of up to 1 metre will be required on parts of the site. We note that paragraph 11.5.6 refers to "existing NRW defences" which interface with the proposed development site. However, we understand that the feature along the site boundary is maintained privately, and we have no information on the standard of protection, maintenance regime or composition of this defence. We would therefore advise any modelling study to be based on an 'undefended' scenario which ignores the presence of this defence, to provide a precautionary assessment of flood risk.	Meetings have been held with NRW to discuss and agree the approach to hydraulic modelling. Further details of all of the consultation undertaken to date is provided in Table 13-5 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). The hydraulic modelling has been undertaken using an 'undefended' scenario configuration that was agreed with NRW in May 2025. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) for details of the modelling undertaken
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Several sections of the Scoping Report (including Table 11-8) refer to the breach scenario being a 'residual risk'. We advise that a breach scenario (or in this case the undefended scenario due to the nature of the defence adjacent to the site) should be considered as the design event, and not a residual risk. The FCA should demonstrate that the entire site (as defined by the redline application boundary) can be designed to be flood-free in the 0.5% Annual Exceedance Probability (AEP) undefended event with an allowance for climate change for tidal flood risk, and the 1% AEP event with an allowance for climate change for fluvial flood risk.	This point has been discussed with NRW further to inform the FCA, which is presented in **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**). Further details of all of the consultation undertaken to date are provided in Table 13-5 within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	The 0.1% AEP event (with an allowance for climate change for tidal flood risk) should also be assessed, and the assessment of the proposal's impacts on flood risk elsewhere should be based on this event. The impacts of any land raising on tidal and fluvial flood risk should be quantified, and if any increases in flood risk elsewhere are identified these will need to be managed to an acceptable level.	**Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) has considered the potential impacts of land raising to ensure no unacceptable increases in flooding. This has been supported by hydraulic modelling. Refer to **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) for full details.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures, and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.	This comment is noted. **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**) has considered risk and consequences of flooding in accordance with TAN15. Further details on consultation are provided within **Chapter 2: Assessment Methodology and Consultation** (**EN010166/APP/6.2.2**) and within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We advise that the scoping out of water bodies should be based on the project's ZoI (see para. 96 and 101 of our Physical Processes advice below,). Therefore, we do not agree that some water bodies should be screened out as they are 2km away (i.e. paragraph 11.4.1 and Table 11-1), as there may be impacts to fish, for example, due to a thermal plume.	This comment is acknowledged. The ZoI/Study Area is stated as 1 km but potential impacts to further waterbodies beyond this are considered where there is a reasonable pathway to impact under the source-pathway-impact approach. However, in this case due to the proximity of the Order limits to the River Dee estuary, and the size of this water feature, it is considered the ultimate downstream receptor for this assessment.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Table 11-2: note that the name of the transitional water body is "Dee (N. Wales)" not "River Dee". We advise that the target status of the Dee (N. Wales) water body is "Good" by 2027. Please also note that an interim classification is due in 2024 and the final assessment should be based on the most up to date information available.	This has been updated with the correct name and classification status within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and in **Appendix 13-A: Water Environment Baseline Survey and Methodology Report** (**EN010166/APP/6.4**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Table 11-3: we concur with the designated sites identified and agree that there are no Bathing Waters in proximity to the development.	This position on the baseline is acknowledged. Refer to **Appendix 13-A: Water Environment Baseline Survey and Methodology Report** (**EN010166/APP/6.4**) for full baseline details.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Paragraph 11.4.59: we advise that the "Clearing the Waters for All" WFD guidance is followed to inform screening and scoping. The WFD compliance assessment should include all parts of the development, including those licensable under Marine Licensing and the Environmental Permitting Regulations (i.e. water abstraction and discharge).	The WFD assessment presented in the ES follows the 'Clearing the Waters for All' WFD guidance as well as more recent NRW guidance issued to the project team following the statutory consultation period. Refer to **Appendix 13-B: Water Framework Directive Report** (**EN010166/APP/6.4**) for full details of the approach taken. This includes consideration of all parts of the Proposed Development initially, but with various aspects screened and scoped out in a staged process in accordance with the guidance.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Paragraph 11.5.1: we advise that the Environment Agency (EA) are also consulted as the river water bodies lying to the north of the Dee estuary are within the EA's jurisdiction.	The Order limits have been reduced since the Scoping Report stage, with no potential for impacts to waterbodies north of the Dee estuary. The Environment Agency were consulted and stated that they hold no information for any water body within the study area.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Paragraph 11.5.2: we agree that the assessment should consider construction, operation and decommissioning as well as abstraction and discharges. We also agree that foul water should be considered. Any risks from the mobilisation of contamination to the water environment (to be addressed in Chapter 12, Geology and Ground Conditions) should also be considered in the WFD compliance assessment.	Foul water and potential contamination have been considered within **Appendix 13-B: Water Framework Directive Report** (**EN010166/APP/6.4**) as well as the impact assessment within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**). Where relevant cross references have also been provided to other assessments within the ES.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	Paragraph 11.5.5: H1 assessment, dispersion modelling and sediment transport modelling are mentioned as potential assessment techniques. We advise that temperature modelling may also be required if a thermal plume is to be generated by the development.	The existing permit limits for abstraction and discharge of cooling water (volume, temperatures and water quality) would be maintained unchanged. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. As such, H1 assessment, dispersion modelling, temperature modelling and sediment transport modelling have not been required.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We note from paragraph 11.5.13 that any modelling requirements will be agreed with NRW, and we would welcome further engagement regarding this.	Consultation has been undertaken with NRW to inform the approach to hydraulic modelling (see Table 13-4 within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and **Appendix 13-C: Flood Consequences Assessment** (**EN010166/APP/6.4**). No other form of modelling has been undertaken.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We are content with the proposed scoping of hydrological elements for the EIA. We advise that all works in and adjacent to watercourses associated with the proposal should aim to: • reduce impacts as far as practicable through expert geomorphological input in the siting and design of assets within the river and riparian zone (e.g. favouring directional drilling above open cut techniques, using clear-span structures rather than culverts) • mitigate any residual risks and impacts, work with the natural riverine processes present and actively seek to enhance the local environment through restoration of natural features and processes	This approach has been followed in development of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) (and the Preliminary Environmental Information Report), which has included specialist input from suitably qualified hydromorphologists.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We note that the proposal will require water to be abstracted from the river Dee estuary. We advise that the ES should confirm if this would involve additional water to the currently licenced quantities. It is likely that amendments to the existing abstraction licence would be required even if the quantities of water do not change, such as a change of "purpose", licence holder or intake location. Any such amendments would need to be addressed by NRW's abstraction licencing process.	The existing abstraction license and infrastructure would remain unchanged during the operation of the Proposed Development. Therefore, amendments to the existing abstraction licence are not currently anticipated. Permits and consents expected to be required are outlined in Section 13.5 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and in the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**) document.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We note that reference 203 of the Scoping Report (page 145), contains the wrong web page address. We therefore advise that the correct address is used in the ES.	This has been corrected within the reference list provided in within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We are content with the scoping in of the various water quality aspects as per Chapter 11 and note that there are also some key uncertainties (paragraph 11.3.3) which may require water quality modelling to support the EIA. We also note that a CEMP would be produced, and this would incorporate control measures for potential water quality impacts.	Water quality modelling is not considered to be required on the basis that the existing discharge limits and location for cooling water from the Proposed Development to the River Dee would be unchanged during operation. NRW confirmed via email exchange dated 27 January 2025 that they are content with this arrangement. Furthermore, there would be no intrusive works undertaken in the Dee Estuary that might have the potential to mobilise sediment, and thus does not require modelling. As such, H1 assessment, dispersion modelling, temperature modelling and sediment transport modelling have not been required. A CEMP would be in place for the construction stage. Refer to the **Framework CEMP** (**EN010166/APP/6.5**) which outlines the control measures for mitigating water quality impacts. This would be developed into a detailed CEMP post consent as a requirement of the DCO. The detailed CEMP, secured by a DCO requirement, would be supported by a Water Management Plan to be submitted post consent but prior to construction.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	With regards to Section 11.6 (Embedded Mitigation) we advise that the applicant considers the Guidance for Pollution Prevention series.	This guidance series has been considered within **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) where appropriate.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	We note that groundwater flooding is scoped in. We advise that the groundwater flood risk at this site is heightened because the groundwater table is high. A robust baseline of groundwater conditions should therefore be determined. Such conditions would include groundwater depths as these will vary as a result of tidal influence, flow paths, gradients, and salinity. This information would also be important in assessing contamination pathways for the construction, operation, and decommissioning phases notably because of the proximity to designated sites. Changing climate impacts on tidal influence, tidal surges, sea-level rise, and salinity should also be considered as these have the potential to influence the transport of chemicals that may have leaked or been inadvertently released into the subsurface during the operational life of the facility. The permeability of near-surface materials including Tidal Flat Deposits may be moderate to high and depending on the nature of construction excavations, hydraulic control through dewatering has the potential to generate significant volumes of water. Dewatering could also generate a moderate cone of influence which may 'spread' existing contamination and salinity, although saline groundwater may be ubiquitously present given the site setting. Saline conditions should be confirmed through site investigation. A site investigation that defines the baseline groundwater conditions, including permeabilities, against knowledge of what will need to be excavated and its location would help to determine the nature of dewatering and potential associated contamination issues. This should be considered within the EIA. The ability to assess the potential of groundwater flow impediment is predicated on a sound understanding of baseline groundwater conditions and what would be built in the subsurface and its location. Groundwater levels may rise at the site because of sea-level rise during the operational life of the project and this should be considered within the risk assessment. The presence of private water supplies, notably any that relies on near-surface groundwater, should be determined as changes to the flow regimes from the construction (dewatering) and operational site can potentially affect their performance; for example, increasing the salinity of the local groundwater because of dewatering or operational influence.	A preliminary ground investigation including for determination of groundwater conditions was undertaken in January-March 2025. The outcomes have been included within this chapter to inform the hydrogeological baseline and a hydrogeological impact assessment has also been undertaken. The scope of the preliminary ground investigation has been developed through ongoing consultation with NRW. Data on Private Water Supplies has been obtained and is presented in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and has been taken into account within the impact assessment.
Chapter 13 - Water Environment and Flood Risk	N/A	NRW	The site is located close to the river Dee, which is a main river. We advise that a Flood Risk Activity Permit (FRAP) (Environmental Permitting (England & Wales) Regulations 2016) may be required for any permanent or temporary works in, over, under or within 16 metres of a tidal main river, or within 16 metres of any flood defence structure on that river, or within a flood plain. See our website for further information: Natural Resources Wales / Flood risk activity permits. We note that some works will be in the marine environment and will be subject to a Marine Licence, including the possible new abstraction and discharge infrastructure and new eel screens. Any works covered	These consenting comments were noted. The expected consent requirements based on the Proposed Development design at the time of the DCO submission are discussed in Section 13.5 of **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**) and within the **Consents and Agreement Position Statement** (**EN010166/APP/3.3**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			by a Marine Licence will be excluded from requiring a FRAP. However, any works that do not require or are exempt from a Marine Licence may still need a FRAP, if they meet the definition of a flood risk activity.	
Chapter 13 - Water Environment and Flood Risk	N/A	Network Rail	Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property / infrastructure. Storm / surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.	This has been considered during development of **Appendix 13-D: Framework Drainage Strategy** (**EN010166/APP/6.4**). This strategy has been designed in such a way so as not to adversely affect the stability of Network Rail's property / infrastructure.
Chapter 13 - Water Environment and Flood Risk	N/A	Welsh Water (N.B. late response so not included in main Scoping Opinion report)	It appears the application does not propose to connect to the public sewerage system, and therefore Dwr Cymru Welsh Water has no objections in principle. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be reconsulted on this application.	It remains the case that connection to the public sewerage system is not proposed, with connection prevented by the location of the railway line. Black and grey wastewater (i.e. non-cooling and non-process wastewater) from the existing Connah's Quay Power Station is currently directed to an underground septic tank system for storage and settling (as treatment). Current permitted practice is to treat sewage on site and discharge treated sewage waters with main cooling water purge discharge to the River Dee. Due to sub-optimal operation of one of the existing systems, this is currently emptied periodically by a specialist contractor (approximately once per six-month period). It is expected that the Proposed Development would utilise a new similar system for black and grey wastewater including foul drainage from permanent welfare facilities, with treated black and grey wastewater either to be discharged to the River Dee with main cooling water purge discharge or to be removed by specialist contractor.
Chapter 13 - Water Environment and Flood Risk	N/A	Welsh Water (N.B. late response so not included in main Scoping Opinion report)	It appears the application does not propose to connect to the public watermains system, and therefore Dwr Cymru Welsh Water has no objections in principle. However, should circumstances change and a connection to the public watermain system is preferred we must be re-consulted on this application.	This response is partially correct. There would be a water supply to the Proposed Development from public mains (e.g. for boiler feed and domestic purposes but not evaporative cooling), but any changes to the watermains system would be within the Main Development Area.
Chapter 14 - Geology and Ground Conditions	3.7.1	PINS	The Proposed Development does not include any works beyond routine maintenance for the repurposed CO_2 connection corridor and existing natural gas connection corridor. As such, the Inspectorate is content to scope this matter out for the construction and postconstruction/ post decommissioning phase assessments.	This position on the scope of the construction and decommissioning phase assessments is acknowledged and is reflected in the assessment contained within **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 14 - Geology and Ground Conditions	3.7.2	PINS	The Applicant proposes to scope out impacts on human health from contamination within shallow unsaturated soil and groundwater during operation on the basis that the Proposed Development would operate in accordance with environmental permitting requirements. The Inspectorate is content with this approach; however, it would expect to see commentary on the best practice measures being followed during operation and progress or likelihood of securing permitting set out in the ES.	During operation, the Proposed Development would require an environmental permit under the Environmental Permitting (England and Wales) Regulations, 2016 (Ref 13 within **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**)). For further information regarding aspects that have not been considered within the scope of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**), and further details of the environmental permit requirements, please see paragraph 14.5.4 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**). Further details are also provided in the **Consents and Agreements Position Statement (EN010166/APP/3.3)**.
Chapter 14 - Geology and Ground Conditions	3.7.3	PINS	The Scoping Report sets out that impacts on unsaturated soil and groundwater deriving from pollution events bypassing the drainage system during operation is to be scoped out on the basis that the Proposed Development would operate in accordance with environmental permitting requirements. The groundwater table is very shallow at the site, as noted in paragraph 12.5.51 of the Scoping Report. *The Inspectorate has considered this matter alongside responses from relevant consultation bodies, notably NRW, and deem that this matter should not be scoped out at this stage.* NRW noted in its response that the drainage system could spread chemicals significantly depending on its design and is seeking further investigation and assessment. *The Inspectorate encourages the Applicant to discuss this matter further with NRW*.'	Drainage design and pollution events during operation is discussed in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP.6.2.13**) and also in **Appendix 13-D Outline Drainage Strategy** (**EN010166/APP/6.4**). Furthermore, during operation, the Proposed Development would require an environmental permit under the Environmental Permitting (England and Wales) Regulations, 2016 (see paragraph 14.5.4 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**). Further details are also provided in the **Consents and Agreements Position Statement** (**EN010166/APP/3.3**). Therefore, impacts from unsaturated soil and groundwater deriving from pollution events bypassing the drainage system during operation has been scoped out of this chapter.
Chapter 14 - Geology and Ground Conditions	3.7.4	PINS	The Scoping Report sets out the requirement for further data gathering to inform the methodology and scope of the assessment. The ES should set out the scope of this investigation and any agreements reached with relevant consultation bodies. The Applicant should consider if monitoring is required to inform the baseline.	Preliminary ground investigation (January/February 2025) and monitoring (pre-DCO) has been undertaken (as agreed with NRW. See Table 14-5 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**). Further details on groundwater and soil baseline quality from the preliminary ground investigation and monitoring completed is provided in **Appendix 14-F: Tier 2, Stage 1 Generic Risk Assessment: Soil and Groundwater** (**EN010166/APP/6.4**).
Chapter 14 - Geology and Ground Conditions	3.7.5	PINS	The assessment criteria as set out in the Scoping Report are proposed to follow the Design Manual for Roads and Bridges (DMRB) guidance, which is primarily used for road schemes. The use of this assessment criteria has not been justified within the text to confirm its suitability for the Proposed Development. The ES should provide such justification. The Applicant should seek to agree the assessment criteria with relevant consultation bodies.	As detailed in paragraph 14.3.6 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**), although DMRB is applicable to road schemes, it is considered to provide a suitable framework within which to conduct EIA for ground conditions on schemes which include linear elements (including the Proposed Development). Further details on the approach to assessing contaminated land are provided in

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				Appendix 14-B: Land Contamination Methodology (**EN010166/APP/6.4**). Engagement has been undertaken with NRW and FCC who have agreed with the methodology used within the assessment. Further information is presented in Table 14-5 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**).
Chapter 14 - Geology and Ground Conditions	3.7.6	PINS	The Scoping Report makes reference to a Decommissioning Environmental Management Plan (DEMP). NRW (see Appendix 2) advises in its response that a Decommissioning Assessment Report is also prepared, with likely decommissioning tasks and estimated costings factored in for ground investigation and remediation scenarios. The Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	Section 14.6 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**) provides an assessment of the effects during the decommissioning phase of the Proposed Development. As detailed in Section 4.6 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**), a Decommissioning Environmental Management Plan (DEMP) would be produced at the time of decommissioning, pursuant to a Requirement of the **Draft DCO** (**EN010166/APP/3.1**). The DEMP would include an outline programme of works, would consider all potential environmental risks and contain guidance on how risks can be removed, mitigated or managed, accounting for potential future changes to baseline conditions.
Chapter 14 - Geology and Ground Conditions	N/A	Coal Authority	We assume based on the comments within the Scoping Report that consideration will be given to the potential risks posed by coal mining features to the connection corridor as part of a ground conditions chapter within the ES. For clarity the 'main site' as identified does not fall within the defined Development High Risk Area and consideration of risk posed by coal mining features is not necessary.	Ground stability and geotechnical issues will be assessed in the detailed design phase through an interpretive Ground Investigation Report (GIR) and as the design develops then a Geotechnical Design Report (GDR), or equivalent. Ground stability is a factor to be considered in the engineering design.
Chapter 14 - Geology and Ground Conditions	N/A	FCC	Planning/site constraints and opportunities: • Parts of the site are within the Coal Authority Referral Area and parts are within the Coal Authority Standing Advice area.	This information is acknowledged, and the Mining Remediation Authority online mapping has been reviewed to inform the desk study information presented in **Appendix 14-A: Geo-Environmental Desk Based Assessment** (**EN010166/APP/6.4**).
Chapter 14 - Geology and Ground Conditions	N/A	FCC	Planning/site constraints and opportunities: • 250m buffer zone around landfill sites in various locations	Some of the Order limits are located within a landfill site and / or within the 250m buffer zone around landfill sites. Further information on landfill sites is in **Appendix 14-A: Geo-Environmental Desk Based Assessment** (**EN010166/APP/6.4**), Section 14.4 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**), **Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment** (**EN010166/APP/6.4**) and **Figure 14-2: Potential areas of contamination** (**EN010166/APP/6.3**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 14 - Geology and Ground Conditions	N/A	FCC	The site lies within the flood zone of the River Dee and is at risk of flooding. Ground contamination and associated risks must be identified by way of a desk study, intrusive ground investigation and risk assessment.	A Geo-environmental Desk Based Assessment (equivalent to a Stage 1, Tier 1 Preliminary Risk Assessment (PRA)) has been undertaken (**Appendix 14-A: Geo-Environmental Desk Based Assessment** (**EN010166/APP/6.4**)). This defines the need for future ground investigation and risk assessment. Preliminary ground investigation has been undertaken and soil and groundwater baseline quality and a Stage 1, Tier 2 generic risk assessment is summarised in **Appendix 14-F: Tier 1, Stage 2 Generic Risk Assessment: Soil and Groundwater** (**EN010166/APP/6.4**). Additional ground investigation would be undertaken as the design of the Proposed Development is progressed. Flood risks are discussed in more detail in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP/6.2.13**).
Chapter 14 - Geology and Ground Conditions	N/A	NRW	We note that adverse impacts on unsaturated soil and groundwater deriving from pollution events bypassing the drainage system are proposed to be scoped out. However, given that groundwater is very shallow at the site we advise that the ES includes a qualitative assessment of one or more pollution events to the wider environment using the source-pathway-receptor principle. This would enable a meaningful assessment based on a robust baseline upon which to assess contamination linkages i.e., which direction the contamination is likely to be directed towards.	Drainage design is discussed in **Chapter 13: Water Environment and Flood Risk** (**EN010166/APP.6.2.13**) and also in **Appendix 13-D Outline Drainage Strategy** (**EN010166/APP/6.4**). Furthermore, during operation, the Proposed Development would require an environmental permit under the Environmental Permitting (England and Wales) Regulations, 2016. Further details on the environmental permit are provided in paragraph 14.5.4 and the **Consents and Agreements Position Statement** (**EN010166/APP/3.3**). Therefore, impacts from unsaturated soil and groundwater deriving from pollution events bypassing the drainage system during operation has been scoped out of this chapter.
Chapter 14 - Geology and Ground Conditions	N/A	NRW	The drainage system could significantly spread chemicals depending on its design. We advise that details of the chemical inventory at the site are considered to assess the types of contaminants that could occur at the operating facility and qualitative statements are provided within the ES on these risks.	During operation, the Proposed Development would operate in accordance with an environmental permit, governed under the Environmental Permitting (England and Wales) Regulations 2016. Further details on the environmental permit are provided in paragraph 14.5.4 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**) and the **Consents and Agreements Position Statement** (**EN010166/APP/3.3**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 14 - Geology and Ground Conditions	N/A	NRW	Given the high groundwater table and proximity to sensitive environmental receptors, we advise that operational contamination assessment aspects are included/cross-referenced within the Major Accidents and Disasters assessment; for which we note that industrial and hydrological hazards have been scoped in.	For further information relating to operational hazards refer to **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**).
Chapter 14 - Geology and Ground Conditions	N/A	NRW	Paragraph 3.3.7 provides a commitment that a soil and groundwater investigation will be undertaken prior to commencing construction. We note that no further information is provided on the scope of this investigation, considering that the Main Development Area possesses a high groundwater table, is in close proximity to a highly sensitive environment (Dee estuary) and is at risk of groundwater flooding. We advise that ground baseline conditions at the site should be investigated and understood, with sufficient time factored in to any site investigation so that baseline characterisation through monitoring can be suitably determined.	A Geo-environmental Desk Based Assessment (equivalent to a Stage 1, Tier 1 PRA) has been undertaken. This defines the need for future ground investigation and risk assessment. Preliminary ground investigation has been undertaken and a summary of the soil and groundwater baseline quality and a Stage 1, Tier 2 generic risk assessment is summarised in **Appendix 14-F: Tier 1, Stage 2 Generic Risk Assessment: Soil and Groundwater** (**EN010166/APP/6.4**). Additional ground investigation would be undertaken as the design of the Proposed Development is progressed.
Chapter 14 - Geology and Ground Conditions	N/A	NRW	We advise that a Decommissioning Assessment Report is prepared, with likely decommissioning tasks and estimated costings factored in for ground investigation and remediation scenarios, e.g., no contamination found after the operational life, some spot contamination found across the site, and major contamination across the site, along with potential long-term, post-decommissioning impacts associated with the project.	Section 14.6 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**) provides an assessment of the effects during the decommissioning phase of the Proposed Development. As detailed in Section 4.6 of **Chapter 4: The Proposed Development** (**EN010166/APP/6.2.4**), a Decommissioning Environmental Management Plan (DEMP)) would be produced at the time of decommissioning, pursuant to a Requirement of the **Draft DCO** (**EN010166/APP/3.1**). The DEMP will include an outline programme of works, will consider all potential environmental risks and contain guidance on how risks can be removed, mitigated or managed, accounting for potential future changes to baseline conditions.
Chapter 14 - Geology and Ground Conditions	N/A	FCC	Any information on landfills – up to 250 m from the site	Further information on landfill sites is provided in **Appendix 14-A: Geo-Environmental Desk Based Assessment** (**EN010166/APP/6.4**), Section 14.4 of **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**), **Appendix 14-C: Potential Areas of Contamination and Further Risk and Impact Assessment** (**EN010166/APP/6.4**) and **Figure 14-2: Potential areas of contamination** (**EN010166/APP/6.3**).
Chapter 15 - Landscape and Visual Amenity	3.8.1	PINS	The Scoping Report proposes to scope out an assessment of nighttime lighting effects during the construction phase on the basis that high levels of lighting already exist given the industrial nature of the area, and any additional lighting associated with the Proposed Development will be directional and temporary. The Inspectorate is content	This position on the scope of the construction phase assessment is acknowledged.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			that the level of additional lighting generated during construction is unlikely to result in a significant effect and therefore this matter can be scoped out of the assessment.	
Chapter 15 - Landscape and Visual Amenity	3.8.2	PINS	The Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	Pursuant to Requirement 17 of the **Draft DCO** (**EN010166/APP/3.1**), within 12 months of the date that the undertaker decides to decommission the authorised development, the undertaker must submit to the relevant planning authority a Decommissioning Environmental Management (DEMP). The DEMP would consider in detail all potential environmental risks and contain guidance on how risks can be removed, mitigated or managed, accounting for potential future changes to baseline conditions. Potential impacts and associated effects arising during the decommissioning phase have been considered in Section 15.6 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**), and are anticipated to be similar to those identified during the construction phase.
Chapter 15 - Landscape and Visual Amenity	3.8.3	PINS	The Inspectorate notes that an indicative list of viewpoint locations has been provided in the Scoping Report. The Applicant has undertaken to agree this list with relevant local authorities through further consultation. The Inspectorate welcomes this approach and advises the Applicant to make effort to agree the locations with other relevant consultation bodies, for example the Canal and River Trust and NRW. The Applicant should ensure that topography and ground cover are considered when identifying receptors. The Applicant should consider whether the assessment should include receptors in terms of users of the waterways and public rights of way (PRoW) within the vicinity of the Proposed Development site.	Table 15-2 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**) provides a summary of the consultation undertaken to date relating to the LVIA. Topography and ground cover have been considered in the identification of receptors through the analysis of Zones of Theoretical Visibility (ZTV) and site work. Refer to **Figure 15-8: Zone of Theoretical Visibility - 150 m Absorber Column Height plus 8 m Raised Ground Level** (**EN010166/APP/6.3**). Recreational users of the Dee Estuary have been considered within the dynamic visual impact assessment without the use of a viewpoint. For further details and assessment refer to paragraphs 15.6.27 to 15.6.29 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**). Recreational users of the PRoW network have been considered within the visual impact assessment. Viewpoint 11, taken at Kelsterton Cemetery, is also representative from a number of nearby PRoW experiencing short-distance open views of the Proposed Development.
Chapter 15 - Landscape and Visual Amenity	3.8.4	PINS	The Applicant's attention is drawn to the scoping consultation response from NRW (see Appendix 2) in relation to potential effects on the Clwydian Range and Dee Valley National Landscape.	Viewpoint 15 has been added and illustrates a view from the Moel Famau Jubilee Tower located within the Clwydian Range and Dee Valley (CRDV) National Landscape. For further details and assessment refer to Section 15.6 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 15 - Landscape and Visual Amenity	3.8.5	PINS	The Lighting Strategy should consider impacts in relation to lighting on users of the adjacent railway, waterways and PRoW.	The impact of night-time lighting has been reviewed as part of this chapter to determine its effects on landscape character and visual amenity. The likely impacts and effects as a result of the recommendations set out in the **Lighting Strategy** (**EN010166/APP/7.22**) submitted with the Application are discussed in Section 15.6 within **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**).
Chapter 15 - Landscape and Visual Amenity	N/A	FCC	The Council acknowledges that the identified 16 Indicative Viewpoints for assessment, which have been subject to change, may be subject to further change during consultations with Local Planning Authorities prior to the Landscape and Visual Impact Assessment being undertaken (paragraph 13.4.20). The Council would be happy to provide input on this when necessary.	As detailed in Section 15.2 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**), FCC have been consulted and it has been confirmed that they have agreed that the proposed viewpoint locations provide a good representative sample for the assessment.
Chapter 15 - Landscape and Visual Amenity	N/A	FCC	The Scoping Report provides no reference to the provision of a BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations) survey. It would be standard practice to include a BS5837:2012 survey as an appendix to the Environmental Statement, which included a tree data table, accurate plotting of trees on site plans and an Arboricultural Implication Assessment. At this stage it appears the implications to trees and hedges are minor.	A Tree Survey and Arboricultural Impact Assessment (AIA) has been undertaken as detailed in **Appendix 15-G: Arboriculture Impact Assessment** (**EN010166/APP/6.4**).
Chapter 15 - Landscape and Visual Amenity	N/A	Network Rail	When considering the impact of lighting on the local environment, the lighting strategy should also take into consideration any glint or glare that may be caused to the neighbouring railway. Any proposed lighting should not interfere with train drivers vision or signals within the area.	A glint a glare assessment has not been undertaken on the basis that the **Lighting Strategy** (**EN010166/APP/7.22**) identifies the requirements to minimise light spill beyond the boundary of the Main Development Area during construction and operation.
Chapter 15 - Landscape and Visual Amenity	N/A	National Grid Electricity Transmission	If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.	This is noted and is considered in the **Outline LEMP** (**EN010166/APP/6.9**).
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	The National Landscape (AONB) boundary is 8km from the application site at its closest point. We note that the Landscape and Visual Impact Assessment (LVIA) study area will be 10km. A viewpoint from Moel Famau on the National Landscape (AONB) ridgeline at just over 10km is likely to be included in the LVIA (reference viewpoint P) although the 10km study area would exclude the wider National Landscape (AONB) ridgeline.	As detailed in Sections 15.2 and 15.4 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**) the 10 km study area includes a representative view (Viewpoint 15) from Clwydian Range and Dee Valley National Landscape (CRDV).
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	A Zone of Theoretical Visibility (ZTV) is shown for the tallest element at 105m (Figure 13-8) and next tallest element at 56m (Figure 13-7). Both indicate visibility from Moel Famau. Forestry north of Moel Famau has recently been felled, and in any case, there would be views from the summit over the tree line	This point is acknowledged. Viewpoint 15 is located at Moel Famau (grid reference 316166, 362655). Table 15-6 within **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**) notes long distance, expansive panoramic view from Moel Famau towards Connah's Quay.
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	We welcome the statement in paragraph 13.6.3 that a colour study of existing colours and materials within the surrounding landscape and existing power station will be undertaken to inform the design of the proposed development.	Section 15.3 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**) identifies that the proposed design, in particular the designs of the absorber column(s) (stack) and

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
				the CCGT and HRSG stack(s), should include consideration of appearance to reduce visual impact, accepting the scale of the Proposed Development. A colour study has been prepared (**Appendix 15-F: Colour Analysis** (**EN010166/APP/6.4**)) to guide the selection of colours in the design of the structures. Requirement 3 of the **Draft DCO** (**EN010166/APP/3.1**) provides that no stage of the authorised development may commence until details of the external appearance including colour of all new permanent buildings and structures have been submitted to and approved by the relevant planning authority, and these details must be in general accordance with the **Design Principles Document** (**EN010166/APP/7.8**).
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	The LVIA study area should be expanded to include the Moel Famau viewpoint, and this should be used as a 'representative' viewpoint of other high points on the ridge line of hill forts, including Moel Arthur at 456m and Moel y Parc at 398m which are all on the Offa's Dyke long distance footpath.	The study area has been re-defined to a suitable size and includes this relevant viewpoint information. Further information is presented in **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**)**.**
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	Potential impacts on National Landscape (AONB) Special Qualities should be assessed in the LVIA and informed by detailed supporting evidence and assessment.	The assessment presented in Section 15.6 of **Chapter 15: Landscape and Visual** (**EN010166/APP/6.2.15**) considers the potential impacts on the special qualities of the CRDV National Landscape.
Chapter 15 - Landscape and Visual Amenity	N/A	NRW	The National Landscape (AONB) boundary should be shown on viewpoint and other relevant mapping within the LVIA.	**Figure 15-3: Landscape Context** and **Figure 15-6: Representative Viewpoint Locations** (**EN010166/APP/6.3**) illustrates the National Landscape boundary.
Chapter 15 - Landscape and Visual Amenity	N/A	Wirral Council	No response received yet.	A further request for agreement on viewpoints was sent to Wirral Council, however a response was not provided.
Chapter 16 - Physical Processes	3.9.1	PINS	The Scoping Report sets out that the Proposed Development does not include any works beyond routine maintenance for the repurposed CO_2 connection corridor and it has not been considered further within the assessment. However, it is not explicitly summarised as being scoped out within Table 14-3 of the Scoping Report. Noting this, the Inspectorate is content to scope this matter out for the construction. However, it is noted that the Scoping Report does not define the terms post-construction and post-decommissioning. Without this information, the Inspectorate does not at this stage agree to the scoping of for these phases. The Inspectorate advises that this matter should be assessed for operation and decommissioning phases, or justification provided to demonstrates that there will be no LSE.	The Repurposed CO_2 Connection Corridor and Proposed CO_2 Connection Corridor are not located within the marine environment (they are above Mean High Water Springs (MHWS)). Therefore, these corridors have not been considered in the Physical Processes assessment presented in **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	3.9.2	PINS	PINS has considered the information included in the Scoping Report regarding disturbance to the seabed caused by the cofferdam and temporary structures and advice provided by NRW. NRW consider that this matter should not be scoped out at this stage, requiring further information. The Inspectorate concurs with this view. The Applicant's attention is directed to the response of NRW (see Appendix 2) which	Following the reduced scope of works in the Water Connection Corridor, a cofferdam will no longer be used and is therefore no longer assessed in **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			highlights information regarding disturbance to the bed morphology which the Applicant should have regard to.	
Chapter 16 - Physical Processes	3.9.3	PINS	PINS notes that there are uncertainties in the works proposed for the water connection corridor, referenced in paragraph 14.3.2 of the Scoping Report. The Inspectorate is not content to scope out this matter based on the information available. It is deemed that the information provided is not sufficient to make an informed assessment of potential impacts to seabed morphology and other receptors. The maximum volume of water proposed to be abstracted and discharged should be assessed within the ES, as well as the LSE.	Following scoping stage, the scope of works in the Water Connection Corridor is now confirmed. Paragraph 16.6.9 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the impact of the abstracted and discharged water.
Chapter 16 - Physical Processes	3.9.4	PINS	The Inspectorate has considered the information included in the Scoping Report regarding scouring due to the presence of new outfall structures affecting local flows and seabed levels during operation and advice provided by NRW response. The Inspectorate considers that this matter should not be scoped out at this stage. Further information should be provided on potential impacts to sensitive receptors caused by scouring and/ or sediment redeposition. The Applicant's attention is directed to the response of NRW (see Appendix 2) which highlights information regarding disturbance to the bed morphology which the Applicant should have regard to.	The updated scope of works within the Water Connection Corridor confirms the Proposed Development would utilise the existing Connah's Quay Power Station cooling water abstraction and discharge infrastructure potentially requiring only minor modification and alteration (see Paragraph 16.6.3 within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**)).
Chapter 16 - Physical Processes	3.9.5	PINS	The Inspectorate notes that the ZoI extends beyond the water connection corridor; however, limited information has been provided to explain how the study area was selected. The ES should include an explanation, noting that the ZoI should be based upon receptors and potential impact pathways to LSE and not a nominal area or distance. The Applicant is advised that the maximum spring tide excursion should be used in determining the ZoI.	The potential ZoI using the maximum spring tide excursion distance is included in paragraph 16.4.3 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**)) and in **Figure 16-2**: **Upstream and downstream ZoI** (**EN010166/APP/6.3**).
Chapter 16 - Physical Processes	3.9.6	PINS	NRW provides advice (see Appendix 2) referring to information that it deems necessary to understand the baseline and assess LSE. The Applicant is directed to this response and encouraged to agree the methodology with NRW.	The ES methodology is in line with the NRW guidance: 243 Guidance on Best Practice for Marine and Coastal Physical Processes Baseline Survey and Monitoring Requirements to inform the EIAs of Major Development Projects. Further information on the assessment methodology can be found in Section 16.3 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**)).
Chapter 16 - Physical Processes	3.9.7	PINS	The ES should set out maximum parameters for the proposed temporary cofferdam, including if/ how it could lead to increased levels of suspended sediment. Any LSE should be assessed.	Following the reduced scope of works in the Water Connection Corridor, a cofferdam would no longer be used.
Chapter 16 - Physical Processes	3.9.8	PINS	The disposal of spoil following maintenance dredging should be considered within the ES and include details of the disposal location, amount, and type of material, as well as an assessment into the potential impacts to the receiving site and surrounding area.	No maintenance dredging would take place within the Water Connection Corridor. Paragraph 16.6.15 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the potential impact of air blast cleaning and jet washing used to remove sediment from the eel screens.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 16 - Physical Processes	3.9.9	PINS	The Scoping Report is not clear in relation to the impact pathway referred to in this paragraph [14.7.5 of the Scoping Report]. This should be clarified within the ES. The ES should confirm which receptors will be affected by suspended sediment concentration (SSC) plumes and potential release of contamination from the seabed.	Following the reduced scope of works in the Water Connection Corridor a sediment sampling study is no longer required as there are no planned works that might lead to the release of contaminants from the riverbed.
Chapter 16 - Physical Processes	3.9.10	PINS	The Inspectorate has considered the information included in the Scoping Report regarding scour of the seabed and the response from NRW, which queries the assumption that minimal impact would occur with discharge taking place during high tide and the effects of discharging water. The Inspectorate advises that scouring of the seabed caused by water discharge should be scoped into the ES at this stage. The Applicant is encouraged to discuss this and agree the approach with relevant consultation bodies.	Scour of the riverbed caused by discharging water from the outfall is assessed in Paragraph 16.6.11 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	Given the uncertainties in the works proposed for the Water Connection Corridor and the construction methodology, all potential impacts relating to physical processes should remain scoped in until more information is available to make an informed assessment of impacts to seabed morphology and other receptors.	Confirmation of the scope of works within the Water Connection Corridor has now been provided. These works have been assessed within the ES accordingly.
Chapter 16 - Physical Processes	N/A	NRW	The project's ZoI should be defined for each physical processes receptor and a description provided to show how the ZoI has been determined.	Following the reduced scope of works in the Water Connection Corridor there are no adverse impacts associated with the Proposed Development within the Water Connection Corridor. However, the potential ZOI using the maximum spring tide excursion distance is included in Paragraph 16.4.3 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16** and in **Figure 16-2**: **Upstream and downstream ZoI** (**EN010166/APP/6.3**).
Chapter 16 - Physical Processes	N/A	NRW	Baseline Understanding: a more comprehensive understanding of circulation within the Dee estuary should be included in the ES and should consider the influence that freshwater input into the river Dee and estuary will have on the estuarine stratification and vertical mixing processes as well as the sediment transport and deposition processes. For the physical processes chapter, we advise that the applicant follows the recommendations outlined in: GN 041: Natural Resources Wales / Marine physical processes and Environmental Impact Assessment (EIA). The guidance includes two evidence reports: • Evidence Report No: 243 Guidance on Best Practice for Marine and Coastal Physical Processes Baseline Survey and Monitoring Requirements to inform EIA of Major Development Projects. • Evidence Report No: 208 Advice to Inform Development of Guidance on Marine, Coastal and Estuarine Physical Processes Numerical Modelling Assessments.	Paragraph 16.4.23 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16** provides an up to date understanding of the baseline tidal currents.
Chapter 16 - Physical Processes	N/A	NRW	Maintenance Dredging: no consideration appears to have been given to the disposal of dredge spoil if maintenance dredging is conducted during project operation. At present the quantities and type of sediment to be dredged are unknown. If it is	No maintenance dredging would take place within the Water Connection Corridor.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			intended to deposit dredge spoil at a licenced disposal site, we advise that an assessment should be completed to determine whether the disposal site can receive the required amount of dredge spoil in the first instance. Potential impacts on receptors caused by both the dredging and disposal activities should be included in the ES. Please also consider NRW's position note regarding this: PS 012 Sustainable management of marine and coastal sediment (naturalresources.wales)	Section 16.6 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the potential impact of air blast cleaning and jet washing used to remove sediment from the eel screens.
Chapter 16 - Physical Processes	N/A	NRW	Toxic Contamination: we advise that the sheltered, low energy environment of the upper Dee estuary will function as a muddy sediment sink where contaminants can bind to the muddy sediment. Contaminants may be remobilised if the sediment is disturbed e.g. dredging, making them available as potential pollutants in the water column, and being carried away from the site with the currents. We are concerned that contaminants released into the water column will not be adequately assessed in the correct chapter as there is currently incorrect signposting to Chapter 12 (Geology and Ground Conditions) which only deals with land contamination and not in-river contamination. We therefore advise that toxic contamination in the water column from sediment-bound contaminants is considered wholly in Chapter 11 (Water Resources and Flood Risk) under water quality and not signposted to other chapters.	Following the reduced scope of works in the Water Connection Corridor a sediment sampling study is no longer required as there are no planned works that might lead to the release of contaminants from the riverbed.
Chapter 16 - Physical Processes	N/A	NRW	We advise that where supporting literature is used to describe the baseline environment, the evidence should include an in-text citation with author and reference details next to the figure or text that is being referred to.	Where supporting literature has been referenced, this has been included in a reference list at the end of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.4.12: the tidal excursion distance is an important parameter that needs to be fully understood for the Dee estuary, particularly when determining the fate of Suspended Sediment Concentration (SSC) plumes and potential contaminants derived from construction and operational works in the upper estuary. We advise that the maximum spring tide excursion should be used to determine the ZoI relating to the spatial extent of potential impacts in relation to physical processes (e.g. SSC plumes and transport of remobilised contaminants). We advise that the applicant follows the recommendations outlined in NRW Guidance Note (GN) 041 (Natural Resources Wales / Marine physical processes and Environmental Impact Assessment (EIA)), which provides best practice guidance on coastal processes modelling.	Following the reduced scope of works in the Water Connection Corridor there are no adverse impacts associated with the Proposed Development within the Water Connection Corridor. However, the potential ZoI using the maximum spring tide excursion distance is included in Section 16.4.3 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) Following the reduced scope of works in the Water Connection Corridor, it has been agreed with NRW that no dispersion modelling is required (see **Table 16-5** within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**)).
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.4.30: we advise that sediment samples and core samples are collected in the Water Connection Corridor to determine the presence of contaminants and the size and distribution of seabed sediments. These data are required to inform the assessment of impacts to other receptors caused by maintenance dredging and/or construction works remobilising sediment into suspension to be transported by the current regime and redeposited.	Following the reduced scope of works in the Water Connection Corridor a sediment sampling study is no longer required as there are no planned works that might lead to the release of contaminants from the riverbed.
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.5.2: we advise that it is not only modified flows which may mobilise sediment. Maintenance dredging activities and excavation works could also disturb sediment off the seabed with the potential for SSC plumes to develop as a result. We	No maintenance dredging would take place within the Water Connection Corridor.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			welcome the intention to model the dispersion of suspended sediment from works carried out below MHWS associated with the project.	Section 16.6 within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the potential impact of air blast cleaning and jet washing used to remove sediment from the eel screens. Following the reduced scope of works in the Water Connection Corridor, it has been agreed with NRW that no dispersion modelling is required (see **Table 16-5** within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**)).
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.5.3: the applicant is advised to note and consider NRW Guidance Note GN 041.	Reference to the guidance note is acknowledged and referred to in Section 16.2 within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.7.3: clarification should be provided on how and where the cofferdam will be installed, how long it will be in place and how it will lead to increased levels of suspended sediment and contaminant dispersion.	Following the reduced scope of works in the Water Connection Corridor, a cofferdam would no longer be used.
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.7.4: we advise that consideration should be given to the resultant SSC plumes caused by the maintenance dredging and the potential for SSC plume dispersion and sediment redeposition onto habitats which could be sensitive to sediment smothering and chemical contamination. The SSC plumes will also change the water clarity and, if present, the contaminants will lead to water quality deterioration.	No maintenance dredging would take place within the Water Connection Corridor. Section 16.6 within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the potential impact of air blast cleaning and jet washing used to remove sediment from the eel screens. Following the reduced scope of works in the Water Connection Corridor, it has been agreed with NRW that no modelling is required.
Chapter 16 - Physical Processes	N/A	NRW	Clarification should be provided on the disposal location of the maintenance dredged material. The amount and type of material to be dredged should be confirmed and detail of the disposal site provided. We advise that if the maintenance dredge material is to be disposed of in a marine disposal site, an assessment should be completed to determine any potential impacts to the receiving site and surrounding area from disposal of the maintenance dredge material.	No maintenance dredging would take place within the Water Connection Corridor. Paragraph 16.6.7 within **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**) assesses the potential impact of air blast cleaning and jet washing used to remove sediment from the eel screens.
Chapter 16 - Physical Processes	N/A	NRW	Clarification should also be provided with regards to which impact pathway is referred to in paragraph 14.7.5, as it is unclear if the applicant is referring to sediment disturbance leading to SSC plumes. We advise that the potential release of contaminants should be treated separately. Clarification should be provided on which receptors will be affected by the SSC plumes and subsequent deposition and what receptors will be affected by the potential release of contaminants from the seabed sediments. We advise that a summary table is included in the ES to describe the	This has been considered within Section 16.6.18 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			activities affecting physical processes and the receptors potentially affected by each impact pathway.	
Chapter 16 - Physical Processes	N/A	NRW	Paragraph 14.7.6 (Changes to seabed/riverbed morphology): we note that it is unknown how long the cofferdam will be in place. However, scour pits could potentially develop due to alteration in flow i.e. flow acceleration effects against the cofferdam. Depressions in the seabed may also persist following excavation works during the construction of the intake and outfall structures. At this stage there are uncertainties in the works proposed for the Water Connection Corridor. We therefore advise that changes to seabed/riverbed morphology from scour or excavation during construction works should not be scoped out at this stage, until a more informed assessment can be completed.	Following the reduced scope of works in the Water Connection Corridor, a cofferdam would no longer be used. Scour of the riverbed caused by discharging water from the outfall is assessed in Paragraph 16.6.11 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	Paragraphs 14.7.7 – 14.7.9 (scour of the seabed caused by water discharge): based on the information presented we note that cooling water discharge will not occur at high water but towards low water (HW +1 to HW +4 i.e. on the ebb tide). We therefore consider the assumption that the impact is expected to be minimal due to the discharge taking place during high tide to be incorrect. The discharge of water will increase flow velocity and potentially cause scouring of the seabed and sediment suspension and redeposition. We therefore advise that scouring of the seabed caused by discharge of cooling water is scoped in as a continual impact over the operational phase of the project.	Scour of the riverbed caused by discharging water from the outfall is assessed in Paragraph 16.6.11 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	We advise that the impact on the seabed/riverbed levels caused by cooling water discharge should remain scoped in until a scour assessment is completed which considers the volume and velocity of discharge and the seabed sediment type, bedload morphology along with the presence of sensitive receptors which could be affected by the scouring and increase in water velocity.	Scour of the riverbed caused by discharging water from the outfall is assessed in Paragraph 16.6.11 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 16 - Physical Processes	N/A	NRW	Paragraphs 14.7.10 – 14.7.11: we advise that changes to morphology caused by scour around the intake and outfall channels should not be scoped out until a scour assessment has been undertaken considering the potential impact to sensitive receptors caused by scouring and/or sediment redeposition.	Scour of the riverbed caused by discharging water from the outfall is assessed in Paragraph 16.6.11 of **Chapter 16: Physical Processes** (**EN010166/APP/6.2.16**).
Chapter 17 - Terrestrial Heritage	3.10.1	PINS	The Scoping Report notes that any impacts on terrestrial cultural heritage will have occurred and been mitigated during the construction phase. The Inspectorate is content that significant effects on buried archaeology during operation and decommissioning are not likely and this matter can be scoped out of the assessment. However, information regarding decommissioning is limited and therefore the Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning.	An assessment of effects on terrestrial heritage assets during decommissioning is presented in Section 17.6. of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**).
Chapter 17 - Terrestrial Heritage	3.10.6	PINS	The Applicant should seek to agree a methodology with relevant consultation bodies including Cadw and Flintshire Council. Cadw have highlighted as part of their representation that the Historic Environment (Wales) Act is to be enacted in the near future, updating a number of guidance and policy documents. The EIA methodology should be based upon the most up to date methodology.	The assessment presented within Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) takes account of the most up to date methodology at the time of writing. Technical engagement has been undertaken with relevant consultees including Cadw and FCC to agree the methodology for the heritage assessment.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 17 - Terrestrial Heritage	N/A	Cadw	The designated historic assets in Annex A are inside 3km of the application area. As such, we expect that the impact of the *proposed windfarm* [the Proposed Development] on all these designated historic assets will be assessed in accordance with the Welsh Government guidance given in the document "The Setting of Historic Assets in Wales". We would expect a stage 1 assessment to be carried out for all the listed designated historic assets, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific historic assets. The results of the stage 1 assessment should be included in the EIA, possibly as an appendix.	The assessment presented within Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) utilises a 3 km study area for designated heritage assets and this has been agreed with Cadw. An assessment for all designated heritage assets located within this study area is presented in **Appendix 17-A: Terrestrial Heritage Desk Based Assessment** (**EN010166/APP/6.4**).
Chapter 17 - Terrestrial Heritage	N/A	Cadw	It is noted that section 15.4.40 identifies that there may be a need for archaeological fieldwork to be carried out after the completion of the desk-based assessment. It is recommended that Cadw and the Dyfed Archaeological Trust are consulted once the desk-based assessment and walkover survey have been completed to agree if there is a need for further surveys.	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) to agree the scope of any archaeological fieldwork required. Cadw have confirmed that they would defer agreement of the scope of fieldwork to CPAT.
Chapter 17 - Terrestrial Heritage	N/A	Cadw (also Flintshire County Council for second paragraph)	The requirement for geophysical survey would be triggered by clusters of surface monuments suggesting high levels of nearby activity, for which associated sub-surface archaeology may be present, but cannot be properly quantified and located. It may also be triggered where prior surveys cannot accurately define the nature of surface or sub-surface features without retrieving more information. If geophysical anomalies are located but are not diagnostic enough to allow informed opinions on dating, function, level of preservation and importance then additional intervention by targeted evaluation trenching may also be required within the pre-determination assessment stage and in accordance with Planning Policy Wales and TAN24. A realistic time period should be set aside to complete the archaeological assessment, reporting and mitigation discussion before the application is formally submitted for examination and in accordance with guidance on pre-determination archaeological evaluation set out in Technical Advice Note 24 (May 2017), paragraph 4.7 and Planning Policy Wales (Feb 2021), paragraph 6.1.26. Failure to complete the appropriate surveys may result in delays at the examination stage if additional information is required. The applicant should therefore adjust their application submission dates if necessary to ensure these surveys are fully completed.	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) to agree the scope of any archaeological fieldwork required to inform the baseline. Cadw have confirmed that they would defer agreement of the scope of any archaeological fieldwork to CPAT. It was agreed with CPAT that a geophysical survey would be undertaken in the first instance on land not previously disturbed by historic construction or where existing made ground is present, the results of which would inform the requirement for any further stages of archaeological fieldwork. The geophysical survey was carried out in October 2024 and the results presented in **Appendix 17-C: Geophysical Survey Report** (**EN010166/APP/6.4**). In agreement with CPAT, no further archaeological evaluation surveys are required in advance of the DCO submission. Mitigation strategies have been identified based on the results of the geophysical survey, which are set out in Section 17.7 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) and presented in the **Overarching Written Scheme of Investigation (WSI) for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**). The assessment presented in Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) takes account of the most up to date and relevant guidance and policies at the time of writing.
Chapter 17 - Terrestrial Heritage	N/A	Cadw	Finally, it should be noted that the Historic Environment (Wales) Act 2023 will have been enacted before the EIA is completed and that many associated documents, such as TAN 24, will be updated in accordance with the Act.	The assessment presented in Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) takes account of the most up to date and relevant guidance and policies at the time of writing.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 17 - Terrestrial Heritage	N/A	FCC	Planning/site constraints and opportunities: • Clwyd Powys Archaeological Trust assets on and surrounding the site	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) with regard to potential impacts to non-designated archaeological assets.
Chapter 17 - Terrestrial Heritage	N/A	FCC	The CPAT Planning Services section are the primary advisors to the Local Planning Authority on matters relating to development impacts on any non-designated heritage assets. Information on designated assets would be obtained from Cadw via [redacted] (scheduled monuments, registered parks and gardens, battlefields, world heritage sites) and from the Built Heritage Conservation Officer for Flintshire County Council ([redacted]) in terms of listed buildings, conservation areas. With regard to marine and intertidal archaeology and related ship or aircraft wrecks the applicant should consult [redacted](Marine Investigator) [redacted] regarding this scope and future assessment at the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW).	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) with regard to potential impacts to non-designated terrestrial heritage assets. Technical engagement has also been undertaken with Cadw with regards to designated terrestrial heritage assets and engagement has been undertaken with the Conservation Officer for FCC with regards to built heritage assets. Effects on marine heritage are assessed in Section 18.6 of **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**) and technical engagement has been undertaken with RCAHMW in order to confirm the scope and methodology for assessment of impacts to marine heritage assets.
Chapter 17 - Terrestrial Heritage	N/A	FCC	We normally expect all of the following sources to have been consulted to inform the baseline data: • Designated asset data from Cadw (http://historicwales.gov.uk) • Archaeological records held by the National Monuments record RCAHMW including information on historic place names https://rcahmw.gov.uk/discover/list-of-historic-place-names/ • Archaeological records held by Clwyd-Powys Archaeological Trust HER (via direct consultation with the HER team [redacted] and not just relying on Archwilio data). • Relevant Conservation Area details from Flintshire County Council. • LANDMAP datasets from NRW for Cultural Landscape and Historic Landscape aspect areas and associated character areas with the significance of impact to be quantified. • Maps, plans and documents held in the Flintshire Archives https://www.newa.wales/ • Maps, plans and documentary sources held at National Library of Wales including the Tithe Maps of Wales https://places.library.wales/home • Aerial photos held by the Central Register for Aerial Photography Wales (CRAPW) http://aerialphotos.wales.gov.uk/ and the National Monuments Record RCAHMW • Records held on the Portable Antiquities Scheme database here https://finds.org.uk/ • Readily available and relevant primary and secondary published sources and unpublished archaeological reports. • ZTV / cumulative ZTV from roof/chimney top to determine those heritage assets within the study areas which will be affected visually for subsequent setting impact assessments. • Findings of other environmental topics (landscape, peat, water, soils, noise, & vibration).	The assessment presented in Section 17.6 of **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**) utilises these sources.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 17 - Terrestrial Heritage	N/A	FCC	During the iterative design process, and depending on the feedback from the desk based assessment and walkover surveys, there may be a requirement to gather more information on the sub-surface archaeological potential of the development area, which will not normally be apparent from a desk based and walkover study alone. We note the comments in Paragraph 15.4.23 and Paragraph 15.4.24 about the depths of made ground across the Main Development Area which vary between 1.6 - 4 metres of dumped material from the 1960's and later events. Depending on the depth of the new foundations and service trenches in this area it would seem highly unlikely that any significant archaeology survives or will be impacted. The potential for further geophysics and trenching within the Main Development Area area should be clearly stated in the desk based assessment and walkover report.	Technical engagement has been undertaken with CPAT to agree the scope of any archaeological fieldwork required to inform the baseline. A summary of consultation to date is provided in Table 17-3 and Table 17-5 within **Chapter 17: Terrestrial Heritage** (**EN010166/APP/6.2.17**).
Chapter 17 - Terrestrial Heritage	N/A	FCC	With regard to reporting and archiving of any archaeological reports produced by the archaeological consultants/contractors for this assessment it should be noted that a high resolution digital pdf will be required by the CPAT Historic Environment Record to be sent via HEDDOS https://cpat.org.uk/heddos.html in accordance with the Welsh Archaeological Trusts HER submission guidelines here https://cpat.org.uk/curatorial-services/historic-environment-record/#page-content And the full digital archive will need to be forwarded to the National Monuments Record, RCAHMW, Aberystwyth and/or the Archaeology Data Service in accordance with their submission guidelines.	The DBA and fieldwork reports produced from archaeological fieldwork surveys undertaken for the Proposed Development will be deposited with the HER in accordance with the requirements of CPAT and in line with their guidance. The full digital archive will be deposited with the HER, the Archaeology Data Service, National Monuments Record and RCAHMW where appropriate and in accordance with their submission guidelines.
Chapter 17 - Terrestrial Heritage	N/A	FCC	We will need to approve a Written Scheme of Investigation (WSI) document (sometimes called a project design) before any new assessment work commences and WSI's will be required for any additional geophysics and evaluation trenching also. All WSI's and resulting final reports must include a Data 3 Management Plan (updated for final report), Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement	WSI's for each stage of assessment (including DBA and archaeological fieldwork) have been prepared and agreed with CPAT. All WSIs include a Data Management Plan, Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement where relevant.
Chapter 17 - Terrestrial Heritage	N/A	FCC	We would welcome further direct correspondence and communication with the archaeological consultants/contractor who are engaged to complete the cultural heritage assessment as part of an iterative design process, and we would also wish to see copies of any cultural heritage assessment reports completed as the design process moves forward. We would expect to be consulted on the draft final ES cultural heritage chapter before it is submitted for examination.	Engagement with CPAT has been undertaken with regards to non-designated archaeological assets. Engagement with the Conservation Officer for FCC is ongoing with regards to built heritage assets. The DBA has been shared with CPAT (Heneb) prior to DCO submission.
Chapter 18 – Marine Heritage	3.10.2	PINS	The Scoping Report proposes to scope out an assessment of the direct impacts on known and potential marine cultural heritage receptors on previously disturbed sediment during construction on the basis that no known maritime heritage has been identified within the Proposed Development site, and construction activities will occur on previously disturbed mobile intertidal sediments which have been disturbed by installation of the original outflow. The Inspectorate is content that significant effects on marine cultural heritage during construction, for the reasons noted above, are not likely and this matter can be scoped out.	This position on scoping out of impacts to previously disturbed sediment is acknowledged and reflects the assessment approach presented in **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**).
Chapter 18 – Marine Heritage	3.10.4	PINS	The Scoping Report notes that significant effects from operational activities and maintenance dredging are unlikely on the basis that these activities will take place in areas where the dredging impact has already occurred.	This position on scoping out effects during operational activities and maintenance dredging on marine heritage is acknowledged and reflects the assessment approach

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			The Inspectorate is content that significant effects on marine cultural heritage during construction and operation are not likely and this matter can be scoped out.	presented in **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**).
Chapter 18 – Marine Heritage	3.10.3	PINS	The Scoping Report proposes to scope out an assessment of the indirect impacts on marine heritage receptors due to altered sediment or hydrological processes on the basis that changes to hydrodynamics and sedimentary processes during construction and operation are expected to be negligible. The Inspectorate is content that significant effects on marine cultural heritage during construction and operation are not likely and this matter can be scoped out.	This position on scoping out indirect impacts on marine heritage is acknowledged and reflects the assessment approach presented in **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**).
Chapter 18 – Marine Heritage	3.10.5	PINS	The Inspectorate agrees that there is not expected to be any potential impacts to buried marine archaeology during the decommissioning and therefore this matter can be scoped out. The Inspectorate directs the Applicant to comments in ID 2.1.12 which should be addressed in the ES in relation to decommissioning.	Impacts of decommissioning on marine heritage have been scoped out of the assessment presented in Section 18.6 of **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**). This is on the basis that the decommissioning works would be limited to filling of the pipework, with the cooling water infrastructure remaining in-situ.
Chapter 18 – Marine Heritage	3.10.6	PINS	PINS indicated that the Applicant should seek to agree a methodology with relevant consultation bodies including Cadw and Flintshire Council. Cadw have highlighted as part of their representation that the Historic Environment (Wales) Act is to be enacted in the near future, updating a number of guidance and policy documents. The EIA methodology should be based upon the most up to date methodology.	The assessment presented in Section 18.6 of **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**) has taken account of the most up to date legislation and policy including the Historic Environment (Wales) Act 2023, and the methodology follows current best practice and guidance. The ES has taken into account updates to the Historic Environment (Wales) Act (Technical engagement has been undertaken with relevant consultees including Cadw and CPAT (the archaeological advisors to Flintshire County Council).
Chapter 18 – Marine Heritage	N/A	Cadw	Cadw noted that section 15.4.40 identifies that there may be a need for archaeological fieldwork to be carried out after the completion of the desk-based assessment. It is recommended that Cadw and the Dyfed Archaeological Trust are consulted once the desk-based assessment and walkover survey have been completed to agree if there is a need for further surveys.	Technical engagement has been undertaken with CPAT (the archaeological advisors to FCC) to agree the scope of any archaeological fieldwork required. Cadw have confirmed that they would defer agreement of the scope of fieldwork to CPAT
Chapter 18 – Marine Heritage	N/A	Cadw	It should be noted that the Historic Environment (Wales) Act 2003 will have been enacted before the EIA is completed and that many associated documents, will be updated in accordance with the Act.	The *Historic Environment (Wales) Act 2023* is referenced in **Table 18-1** within **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**). The Act came into full effect on 4 November 2024. It is expected that associated regulations and guidance would continue to be updated to reflect the Act and this assessment has taken into account the most up to date legislation, methodology and guidance at the time of writing.
Chapter 18 – Marine Heritage	N/A	FCC	Flintshire County Council indicated that for marine and intertidal archaeology and related ship or aircraft wrecks the applicant should consult [redacted] (Marine Investigator) [redacted] regarding this scope and future assessment at the Royal Commission on the Ancient and Historical Monuments of Wales.	Engagement has been undertaken with RCAHMW in order to confirm the scope and methodology for the assessment of impacts to marine heritage assets.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 18 – Marine Heritage	N/A	FCC	Flintshire County Council indicated that they normally expect all of the following sources to have been consulted to inform the baseline data: Designated asset data from Cadw (http://historicwales.gov.uk) Archaeological records held by the National Monuments record RCAHMW Archaeological records held by Clwyd-Powys Archaeological Trust HER (via direct consultation with the HER team [redacted] and not just relying on Archwilio data). Relevant Conservation Area details from Flintshire County Council. Maps, plans and documents held in the Flintshire Archives https://www.newa.wales/ Maps, plans and documentary sources held at National Library of Wales including the The Maps of Wales https://places.library.wales/home Records held on the Portable Antiquities Scheme database here https://finds.org.uk/ Readily available and relevant primary and secondary published sources and unpublished archaeological reports. Findings of other environmental topics (landscape, peat, water, soils, noise, & vibration).	The assessment outlined within **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**) has utilised the relevant sources listed. A full list is presented in **Appendix 18-A: Marine Heritage Desk-Based Assessment** (**EN010166/APP/6.4**).
Chapter 18 – Marine Heritage	N/A	FCC	With regard to reporting and archiving of any archaeological reports produced by the archaeological consultants/contractors for this assessment it should be noted that a high resolution digital pdf will be required by the CPAT Historic Environment Record to be sent via HEDDOS https://cpat.org.uk/heddos.html in accordance with the Welsh Archaeological Trusts HER submission guidelines here https://cpat.org.uk/curatorial-services/historic-environment-record/#page-content And the full digital archive will need to be forwarded to the National Monuments Record, RCAHMW, Aberystwyth and/or the Archaeology Data Service in accordance with their submission guidelines.	The Desk-Based Assessment (**Appendix 18-A: Marine Heritage Desk-Based Assessment** (**EN010166/APP/6.4**)) will be deposited with the HER when the ES has been submitted in accordance with the requirements of CPAT and in line with their guidance. The full digital archive will be deposited with Archaeology Data Service and submitted to the National Monuments Record and RCAHMW where appropriate.
Chapter 18 – Marine Heritage	N/A	FCC	We will need to approve a Written Scheme of Investigation (WSI) document (sometimes called a project design) before any new assessment work commences and WSI's will be required for any additional geophysics and evaluation trenching also. All WSI's and resulting final reports must include a Data 3 Management Plan (updated for final report), Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement	An **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**) detailing mitigation strategies identified for both terrestrial heritage and marine heritage has been prepared and agreed with CPAT and RCAHMW. The **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**) includes a Data Management Plan, Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement. There is then a requirement in the **Draft DCO** (**EN010166/APP/3.1**) which requires a written scheme for the investigation of areas of archaeological interest to be approved by FCC, such detail to be in general accordance with the **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation** (**EN010166/APP/6.8**).
Chapter 18 – Marine Heritage	N/A	FCC	We would welcome further direct correspondence and communication with the archaeological consultants/contractor who are engaged to complete the cultural heritage assessment as part of an iterative design process, and we would also wish to	Correspondence and communication has continued following the EIA scoping process. **Chapter 18: Marine Heritage** (**EN010166/APP/6.2.18**) has not been supplied for further

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			see copies of any cultural heritage assessment reports completed as the design process moves forward. We would expect to be consulted on the draft final ES cultural heritage chapter before it is submitted for examination.	consultation before submission, because changes to design means the impacts would now be minor to negligible.
Chapter 19 - Socio-economics, Recreation and Tourism	3.11.1	PINS	The Scoping Report proposes to scope out an assessment of permanent disruption to traffic on the local and strategic road networks during the operation phase. Noting the comment made in relation to the scope of the traffic and transport aspect assessment in ID 3.3.1, the Inspectorate is content that disruption to traffic during operation is unlikely to result in a significant effect; however, the Applicant should consider any potential LSE from cumulative projects on the strategic road network. The Applicant is encouraged to discuss this and seek agreement from relevant consultation bodies.	As detailed in **Appendix 1-A: EIA Scoping Report** (**EN010166/APP/6.4**) and **Chapter 10: Traffic and Transport** (**EN010166/APP/6.2.10**), an assessment of permanent disruption to traffic on the local and strategic road networks during the operation phase is scoped out of the assessment in that there is not expected to be any likely significant effects. However, an assessment of cumulative effects with other developments is presented in **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**).
Chapter 19 - Socio-economics, Recreation and Tourism	3.11.2	PINS	The Scoping Report identifies potential effects on visitor attractions and community facilities but does not specifically explain how these are proposed to be considered as part of the socio-economic assessment. The ES should set out a clear methodology and impacts on visitor attractions and community facilities should be assessed in the ES where significant effects are considered likely.	**Appendix 19-C: Impact Assessment Methodology - Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.4**) has been prepared to provide a detailed methodology which considers the approach to assessing each receptor individually, explaining how any impact on visitor attractions and community facilities is assessed in terms of sensitivity and magnitude criteria. This approach has been followed in the ES presented in Section 19.6 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**).
Chapter 19 - Socio-economics, Recreation and Tourism	3.11.3	PINS	The Scoping Report identifies potential temporary and permanent effects on PRoW during the construction and decommissioning phases. The Scoping Report does not explain how impacts on PRoW are to be considered as part of the socio-economic assessment methodology. Impacts on PRoW should be assessed in the ES where significant effects are likely and mitigation detailed.	**Appendix 19-C: Impact Assessment Methodology - Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.4**) has been prepared to provide detailed methodology which considers each receptor individually, explaining how any impact on PRoW is assessed in terms of sensitivity and magnitude criteria. This approach has been followed in Section 19.6 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**).
Chapter 19 - Socio-economics, Recreation and Tourism	3.11.4	PINS	No reference is made to crime and safety in the Scoping Report. The ES should set out whether the characteristics of the Proposed Development are likely to have any significant effects on crime and safety and provide justification if it is proposed to scope this matter out. The ES should explain how any required security measures are secured.	As described in Section 19.3 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**) professional judgement and experience of similar developments has resulted in the scoping out of impacts on crime and safety, as no significant effects are anticipated due to the nature of the Proposed Development and its location on existing operational site. This is further explained in Paragraph 19.2.8 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**).
Chapter 19 - Socio-economics,	N/A	Flint Town Council	Opportunities to strengthen links of the project in particular the carbon capture and storage aspects of the Proposed Development and the links to STEM subjects with	Section 19.6 of **Chapter 19: Socio-economics, Recreation, and Tourism** (**EN010166/APP/6.2.19**) summarises the skills,

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Recreation and Tourism			local secondary schools in the area (including Richard Gwyn and Flint High School in particular) as part of Unipers outreach programme.	education and training proposals under the Proposed Development
Chapter 20 - Climate Change	3.12.1	PINS	No matters have been proposed to be scoped out of the assessment.	**Appendix 20-A: Greenhouse Gas Baseline Data and methodology Report** (**EN010166/APP/6.2.4**) and **Appendix 20-B: Climate Change Resilience Baseline Data and Methodology Report** (**EN010166/APP/6.2.4**) details that all relevant climate related have matters have been scoped into this climate change assessment.
Chapter 20 - Climate Change	N/A	NRW	We are content with the proposed scoping for each of the three methodological aspects of climate change assessment and note that the relevant data sources, climate hazards and impacts are referred to that we would expect for this type of development. For climate, we note that no elements are scoped out and the categorisation and thresholds for significance are as standard. Therefore, we have no concerns to raise at this scoping stage.	This position on the scope of the assessment is acknowledged. Further details of the methodologies are provided in **Appendix 20-A: Greenhouse Gas Baseline Data and methodology Report** (**EN010166/APP/6.2.4**) and **Appendix 20-B: Climate Change Resilience Baseline Data and Methodology Report** (**EN010166/APP/6.2.4**).
Chapter 21 - Human Health	3.13.1	PINS	No matters have been proposed to be scoped out of the assessment.	This is acknowledged.
Chapter 21 - Human Health	3.13.2	PINS	The Scoping Report does not consider the impacts of the Proposed Development on housing supply. The ES should contain an assessment of the housing needs of the workforce and any LSE on local housing supply should be described.	An assessment of effects on local accommodation facilities has been undertaken in Section 19.6 of **Chapter 19: Socio-Economics, Recreation and Tourism** (**EN010166/APP/6.2.19**). This consists of assessing the effect of the construction workforce on local accommodation capacity.
Chapter 21 - Human Health	3.13.3	PINS	The Inspectorate advises that, whilst an initial approach to the identification of sensitive receptors has been provided, the impacts on health and wellbeing and health inequalities of the Proposed Development may have particular impact on vulnerable or sensitive populations, including those that fall within the list of protected characteristics. These receptors, if present, should therefore be included in the scope of assessment	IEMA guidance for human health assessment recommends that the assessment takes account of the sensitivity of relevant populations and vulnerable sub-populations and their ability to respond to change. **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) considers potentially vulnerable sub-populations in the assessment in line with this guidance. Further information is provided within Section 21.4 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) where the existing and future baselines are discussed.
Chapter 21 - Human Health	N/A	UKHSA	Having considered the consultation documents, we do not have any specific comments at this stage. However, UKHSA requests that the proposer confirms either that the project does not contain any EMF sources that have a potential health impact; or that a health impact assessment is carried out in the Environmental Statement (ES). In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA's predecessor organisation Public Health England (PHE) produced an advice document Advice on the content of Environmental Statements accompanying an application under the NSIP Regime', setting out aspects to be addressed within the Environmental	The Proposed Development contains an Electrical Connection, which could produce EMFs. The Human Health assessment presented in Section 21.6 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) assesses whether or not significant effects to human receptors would arise from EMFs produced in the operational phase under the 'radiation' determinant. It finds that no significant effects are likely. Public Health England's '*Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*' has been considered and is detailed

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			Statement1. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation. It should be noted that Public Health Wales (PHW) is the national public health agency in Wales who will take the lead in health and wellbeing considerations.	in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**). Where health impacts are scoped out, an explanation is provided in Section 21.2 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**).
Chapter 21 - Human Health	N/A	Public Health Wales	Our partners, the UK Health Security Agency (formerly Public Health England) have published guidance on information to be included in Nationally Significant Infrastructure Project (NSIP) "Advice on the content of Environmental Statements accompanying an application under the NSIP Regime'. We would expect to see the advice and recommendations from this document reflected in any ES. We are encouraged that the relevant information has been included in the scoping document, such as the sections on Air Quality, Noise and Vibration and Health. We also welcome reference to the Wales Health Impact Assessment Support Unit Guidance and the Wellbeing of Future Generations Act in relation to formulating the human health impact assessment (HIA) for this project. Furthermore, we are encouraged by any projects that mitigate the impacts of climate change by reducing reliance on fossil fuels and transitioning to renewable energy source such as solar, wind, tidal etc., provided the emissions related to the construction and maintenance of the site are kept to a minimum and are offset by the longevity of the project. As stated, PHW works closely with health boards across Wales. Since this project is located within Betsi Cadwaladr University Health Board (BCUHB), we can work with the Director of Public Health (DPH) within BCUHB to make them aware of the project and around any health concerns that may arise from the project. There may be some aspects of the development relating to health of the population that can be fielded directly to the DPH, as the lead for local public health issues.	The assessment presented in Section 21.6 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) has considered "*Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*" and provides an overview of this in **Appendix 7-A: Legislative, Policy and Guidance Framework for Technical Topics** (**EN010166/APP/6.4**).
Chapter 22 - Major Accidents and Disasters	3.14.1	PINS	The Scoping Report proposes to scope out an assessment of the following hazards for the construction phase: Other industrial hazards; Meteorological hazards; Hydrological hazards; Geophysical hazards; Other natural hazards; and, Societal hazards. These matters are proposed to be scoped out on the basis that the likelihood of a major accident or disaster is low given the relatively short duration of the construction phase and small chemical inventory. Based on the information in the Scoping Report, the Inspectorate is content that risks to or from the Proposed Development from these matters are not likely to result in significant effects. These matters can be scoped out of the assessment.	This position on the scope of the construction phase assessment is acknowledged and has been applied to **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 22 - Major Accidents and Disasters	3.14.2	PINS	The Scoping Report proposes to scope out an assessment of the following hazards for the commissioning phase: Other industrial hazards; Meteorological hazards; Hydrological hazards; Geophysical hazards; Other natural hazards; and, Societal hazards. These matters are proposed to be scoped out on the basis that the likelihood of a major accident or disaster is low given the relatively short duration of the commissioning phase. Based on the evidence presented in the Scoping Report, the Inspectorate is content that risks to or from the Proposed Development from these matters are not likely to result in significant effects. These matters can be scoped out of the assessment.	This position on the scope of the operational phase assessment is acknowledged and has been applied to **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**).
Chapter 22 - Major Accidents and Disasters	1.14.3	PINS	The Inspectorate directs the Applicant to comments in ID 2.1.11, which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	An assessment of the decommissioning of the Proposed Development is provided in Section 22.6 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**).
Chapter 22 - Major Accidents and Disasters	N/A	HSE	With reference to the redlined Indicative Site Boundary shown on Plate 1-1 Indicative DCO Site Layout contained in document [Connah's Quay Low Carbon Power (Uniper), Scoping Report, Document Reference 60717119 – AECOM] areas of the proposed development fall within HSE public safety zones associated with Major Accident Hazard Pipeline(s) and Major Hazard Installation(s): Pipeline(s) • 21 Feeder Mickle Trafford / Deeside [HSE ref 7630, Transco ref: 1881] - Pipeline Operator: National Grid Gas PLC • NTS (Burton Point) to Connahs Quay PS Pipeline [HSE ref 11891] - Pipeline Operator: Uniper • Point of Ayr to Connahs Quay Pipeline [HSE ref 11888] - Pipeline Operator: ENI Liverpool Bay Operating Company Major Hazard Installation(s) • H4216 Tata Steel UK Ltd, Flintshire There is currently insufficient information available for HSE to provide its' public safety Land Use Planning Advice. However, by way of general guidance HSE would not advise against the proposed development providing no population(s), either temporary or permanent, is introduced within any of HSE's public safety zones nor would HSE advise against Workplaces (DT1.1 - Workplaces)*, providing for less than 100 occupants in each building and less than 3 occupied storeys.	As described in Section 22.3 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**), potential domino effects would be considered as part of the COMAH process for the Proposed Development which would ensure risks are mitigated to be As Low As Reasonably Practicable (ALARP).
Chapter 22 - Major Accidents and Disasters	N/A	HSE	The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) (Wales) Regulations 2015.	Section 22.5 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**) identifies that the Proposed Development would require Hazardous Substances Consent. Section 22.6 of **Chapter 22: Major Accidents and Disasters** (**EN010166/APP/6.2.22**) provides a summary of the

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations. Further information on HSC should be sought from the relevant Hazardous Substances Authority.	hazardous substances to be used on site within each of the relevant phases of the Proposed Development.
Chapter 23 - Materials and Waste	13.5.1	PINS	The Scoping Report does not identify any allocated/ safeguarded mineral or waste sites present within the site boundary, as such, the Inspectorate is content to scope this matter out.	This position is acknowledged. At scoping no allocated/safeguarded mineral or waste sites were located within the Order limits. The Order limits have been updated since the scoping process. The Order limits are now within an allocated/safeguarded mineral site at Mostyn Docks (FCC LDP Policy PC11). As described in **Chapter 5: Construction Management and Programme** (**EN010166/APP/6.2.5**), no works are proposed in the docks which would compromise the essential infrastructure that supports the supply of minerals. There are no other allocated/safeguarded mineral or waste sites present in the Order limits. Consequently, this matter has not been considered further in this assessment.
Chapter 23 - Materials and Waste	13.5.2	PINS	The proposed CO_2 connection corridor is located within an MSA. The Scoping Report states that impacts to MSAs are not proposed to be assessed in the ES as they would be considered separately as a planning consideration. It is stated that this is in accordance with IEMA Guidance. Based on the Proposed Development and noting that potential severance and/ or sterilisation of the resource would be assessed as part of the Geology and Ground Conditions ES chapter, the Inspectorate is content to scope this matter out.	Potential severance and/or sterilisation of the resource is considered within **Chapter 14: Geology and Ground Conditions** (**EN010166/APP/6.2.14**).
Chapter 23 - Materials and Waste	13.5.3	PINS	The Scoping Report sets out that products used for the Proposed Development would be developed in a manufacturing environment with its own waste management plans, facilities, and supply chain and as such, are outside of the geographical scope of the study area. On this basis the Inspectorate is content to scope this matter out.	This position is acknowledged. Consequently, this matter has not been considered further in the assessment within **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**). .
Chapter 23 - Materials and Waste	13.5.4	PINS	The Applicant proposes to address other environmental impacts associated with the management of materials and waste to or from the Proposed Development in other relevant environmental aspect chapters of the ES. On this basis the Inspectorate is content to scope this matter out. Cross-references should however be made between aspect chapters where appropriate to ensure a comprehensive assessment.	This position is acknowledged. Cross references are included in **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**) to other ES documents as appropriate.
Chapter 23 - Materials and Waste	13.5.5	PINS	The Applicant does not deem forecasting the availability of materials and landfill capacity an accurate reflection and states that it could be unreliable, noting the time periods involved. The Inspectorate agrees with this approach and on this basis is content to scope this matter out. Consideration at appropriate intervals regarding the availability of materials and landfill capacity will however need to be considered over	This position is acknowledged. Reference has been made to decommissioning and the Decommissioning Environmental Management Plan (DEMP) that would be produced by the decommissioning contractor within paragraph 23.5.11 of **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			the lifetime of the Proposed Development, including decommissioning. It is expected that reference to this will be made in the DEMP, site waste management plan (SWMP), and materials management plan (MMP).	The **Framework SWMP** (**CEMP**) (**EN010166/APP/6.5**) and MMP (if required) would cover construction only. Commentary on the future availability of materials and landfill capacity is provided in **Appendix 23-A: Materials and Waste Baseline Data** (**EN010166/APP/6.2.23**). There is no publicly available information regarding any potential changes to waste management facility capacity that are likely to have occurred by the time of the Proposed Development's construction, operation and decommissioning therefore the availability of materials and landfill capacity be considered by the contractor(s) in their final SWMP and DEMP.
Chapter 23 - Materials and Waste	N/A	NRW	We are content with the proposed scoping of materials and waste aspects.	This position is acknowledged. **Chapter 23: Materials and Waste** (**EN010166/APP/6.2.23**) has been prepared in accordance with the principles set out in the **Appendix 1-A: EIA Scoping Report** (**EN010166/APP/6.4**).
Chapter 24 - Cumulative and Combined Effects	3.16.1	PINS	The Inspectorate directs the Applicant to comments in ID 2.1.11, which should be addressed in the ES in relation to decommissioning and therefore does not agree to scope out this matter on the information provided.	**Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) considers decommissioning as appropriate to the inter-project effects and intra-project effects. Further information is provided in Section 24.4 on the consideration of decommissioning with each assessment.
Chapter 24 - Cumulative and Combined Effects	3.16.2	PINS	The Scoping Report sets out that 15km is the maximum study area. The Inspectorate considers that this may need to be revised to ensure consideration of all study areas in other environmental aspect chapters as some of these study areas may exceed 15km.	The study area within **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) remains 15 km and has been reviewed. Section 24.4.16 within **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) details the justification for this.
Chapter 24 - Cumulative and Combined Effects	3.16.3	PINS	It is noted that the Port of Mostyn is missing from the list of cumulative projects identified in Scoping Report Table 21-1. It is noted that this may be as a result of a nominal screening distance having be applied. The Applicant should ensure that a maximum screening distance is used and justified as being applicable to all assessments undertaken as part of the EIA.	The Port of Mostyn Energy Park Extension Project is included in the cumulative short-list within **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) as scheme ID 16.
Chapter 24 - Cumulative and Combined Effects	3.16.4	PINS	It is noted that recent approved and proposed developments at the Shotton Paper Mill site (less than 1km from the Proposed Development application site) have not been included in Appendix D, Table 1. These developments should be included in the ES and consideration should be given as to whether they should be scoped into the cumulative effects assessment.	Proposed developments at the Shotton Paper Mill site are included in the short list within **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**) as scheme IDs 3, 55 and 114. A full list of cumulative developments is presented in **Appendix 24-A: Long List of Other Developments** (**EN010166/APP/6.4**) of cumulative projects.
Chapter 24 - Cumulative and Combined Effects	N/A	FCC	Planning/site constraints and opportunities: • BAE Outer Safeguarding Zone Consultation Zone, BAE Birdstrike 13km Consultation Zone, BAE buildings above 15 m in height Consultation Zone Airport Safeguarding Area.	This information has been considered during the preparation of the ES.

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
Chapter 24 - Cumulative and Combined Effects	N/A	FCC	Planning/site constraints and opportunities: • Overhead power line extends east to west	This information has been considered during the preparation of the ES.
Chapter 24 - Cumulative and Combined Effects	N/A	FCC	Planning/site constraints and opportunities: • Green Barrier south of the site	This information has been considered during the preparation of the ES.
Chapter 24 - Cumulative and Combined Effects	N/A	FCC	Planning/site constraints and opportunities: • Hynet Carbon Dioxide Pipeline Safeguarded Area	The Proposed Development is proposed to connect to the HyNet project and HyNet has been considered as part of the cumulative assessment presented in **Chapter 24: Cumulative and Combined Effects** (**EN010166/APP/6.2.24**).
Chapter 24 - Cumulative and Combined Effects	N/A	NRW	We note that the Port of Mostyn is missing from the list of cumulative projects identified in Table 21-1, this may be due to the relative constrained screening distance of 15km. However, for some receptors this may need to be revised, please see our advice for benthic habitats and physical processes above.	Port of Mostyn is included in the cumulative long list as scheme ID 16 (The Mostyn Energy Park Extension Project).
Aspects to be Scoped Out	3.17.1	PINS	Shipping and Navigation The Inspectorate is content that through adhering to best practice methods and established procedures relating to usage of the River Dee, the Proposed Development is unlikely to result in significant effects relating to shipping and navigation and therefore the matters listed in paragraph 22.1.11 are considered appropriate to be scoped out. The Inspectorate would however wish to see agreement to this approach by relevant consultation bodies involved in the procedures managing use and safety of the River Dee in the ES.	Further engagement with the Harbour Master for the Dee Conservancy, the Harbour Master for Ellesmere Port and the Port of Mostyn has been undertaken. **Appendix 5-B: Framework Navigational Risk Assessment** (**EN010166/APP/6.15**) has subsequently been prepared and is included as part of the Application.
Aspects to be Scoped Out	3.17,2	PINS	Commercial Fisheries The Inspectorate is content that as a result of the location of the Proposed Development and notably the cofferdam in relation to the fishing activities, significant effects are unlikely. The potential for cockle dredging is noted but due to the scale of activity, the Inspectorate agrees that significant effects are unlikely. The Inspectorate therefore considers that the matters listed in paragraph 22.2.9 can be scoped out of the ES.	This position is acknowledged.
Aspects to be Scoped Out	3.17.3	PINS	Transboundary Effects The Inspectorate is content to scope this matter out, please see comments in ID 2.2.5.	This position is acknowledged.
Aspects to be Scoped Out	2.2.5	PINS	Transboundary Effects The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.	An updated Transboundary screening assessment has been included as **Appendix 2-A: Transboundary Screening Matrix** (**EN010166/APP/6.4**).

Chapter	Comment ID (where applicable)	Consultee	Summary of Comment	Response
			The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-andadvice/advice-notes/	
Aspects to be Scoped Out	3.17.4	PINS	Aviation The Inspectorate notes information provided in the Scoping Report, standard practices in terms of notification that will be followed and responses from relevant consultation bodies and is content for this matter to be scoped out.	This position is acknowledged.
Aspects to be Scoped Out	3.17.5	PINS	Electronic interference and electromagnetic fields (EMF) Noting that matters relating to health from EMF are scoped into the assessment, the Inspectorate is content to scope electronic interference and EMF out of the assessment as a standalone aspect providing consideration as part of other aspects is documented where relevant.	This position on consideration of EMF within the Human Health Assessment rather than as a standalone report is acknowledged. The Proposed Development contains an Electrical Connection, which could produce EMFs. The Human Health assessment presented in Section 21.6 of **Chapter 21: Human Health** (**EN010166/APP/6.2.21**) assesses whether or not significant effects to human receptors will arise from EMFs produced in the operational phase under the 'radiation' determinant.
Cumulative Long List	N/A	NRW	We also note that recent approved and proposed developments at the Shotton Paper Mill site (less than 1km from the DCO application site) have not been included in Appendix D, Table 1. We therefore advise that these are included in Table 1 and consideration is given as to whether they should be scoped in to the cumulative effects assessment.	Shotton Paper Mill will be considered in the list of cumulative projects as proposed scheme IDs 3, 55 and 114. A full list of cumulative developments is presented in **Appendix 24-A: Long List** (**EN010166/APP/6.4**) of cumulative projects.