Connah's Quay Low Carbon Power

Marine Licence Application

Signposting Document

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List of Abbreviations

Abbreviation	Definition
AIL	Abnormal Indivisible Load
ALAN	Artificial Light at Night
CCGT	Combined Cycle Gas Turbine
CCS	Carbon Capture and Storage
CEMP	Construction Environmental Management Plan
CO_2	Carbon Dioxide
CQLCP	Connah's Quay Low Carbon Power
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
FCC	Flintshire County Council
HRA	Habitats Regulations Assessment
IMO	International Maritime Organization
INNS	Invasive Non-Native Species
LEMP	Landscape and Ecology Management Plan
LSE	Likely Significant Effect(s)
MCAA	Marine and Coastal Access Act 2009
MHWS	Mean High Water Springs
MLA	Marine Licence Application

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ML	Marine Licence
MW	Megawatt
MWe	Megawatt Electrical (output)
NRA	Navigational Risk Assessment
NRW	Natural Resources Wales
NSIP	Nationally Significant Infrastructure Project
PAD	Protocol for Archaeological Discoveries
PINS	Planning Inspectorate
PMSC	Port Marine Safety Code
RAMS	Risk Assessment and Method Statement
RAPID	Reducing and Preventing Aquatic Invasive Species Dissemination
RIHRA	Report to Inform Habitats Regulations Assessment
SAC	Special Area of Conservation
SPA	Special Protection Area
SSC	Suspended Sediment Concentration
SWMP	Site Waste Management Plan
UKHO	United Kingdom Hydrographic Office
VTS	Vessel Traffic Services
WCC	Water Connection Corridor
WFD	Water Framework Directive
WWCS	Wedgewire Cylinder Screen(s)

1 Introduction

1.1 Overview

1.1.1 The Connah's Quay Low Carbon Power Project (CQLCP; hereafter referred to as the Proposed Development) is a proposed nationally significant infrastructure project (NSIP) (Planning Inspectorate (PINS) Ref. EN010166) by Uniper UK Limited (the Applicant) for a new combined cycle gas turbine (CCGT) generating station with post-combustion carbon capture (CCS). The Proposed Development would achieve a net electrical output capacity of more than 350 megawatts (MW; referred to as MWe for electrical output), up to a likely maximum of 1,380 MWe (with CCP being operational), onto the national electricity transmission network. The Proposed Development would be located on and around the existing Connah's Quay Power Station site (elements of which would be decommissioned or replaced) on Kelsterton Road, Deeside, Flintshire, north-east Wales, approximately 0.6 km north-west of Connah's Quay. The Proposed Development comprises the generating station and carbon capture plant, together with associated infrastructure including natural gas, cooling water and electricity connections, and a Carbon Dioxide (CO_2) export connection linking to the HyNet transport and offshore storage network in Liverpool Bay.

1.1.2 The Proposed Development is currently the subject of Development Consent Order (DCO) application number EN010166. Documents submitted in support of the DCO application and which are referenced throughout this report may be accessed on the PINS CQLCP Examination Library at: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010166/documents

1.1.3 The key DCO application documents referred to throughout this signposting document are listed below. These documents are available through the PINS CQLCP Examination Library referenced above:

- **Chapter 4: The Proposed Development (EN10166/APP.6.2.4)**
- **Chapter 5: Construction Management and Programme (EN010166/APP/6.2.5)**
- **Chapter 9: Noise and Vibration (EN010166/APP/6.2.9)**
- **Chapter 11: Terrestrial and Aquatic Ecology (EN010166/APP/6.2.11)**
- **Chapter 12 Marine Ecology (EN010166/APP/6.2.12**
- **Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)**
- **Chapter 16: Physical Processes (EN010166/APP/6.2.16)**
- **Chapter 18: Marine Heritage (EN010166/APP/6.2.18)**
- **Figure 12-1: Marine Ecology Study Area (EN010166/APP/6.3)**
- **Figure 12-2: Designated Sites with Marine Ecological Features (EN010166/APP/6.3)**
- **Outline Surface Water Drainage Appendix 13-D (EN010166/APP/6.4)**
- **Geomorphological Walkover Survey Report (EN010166/APP/9.12)**
- **Report to Inform Habitats Regulations Assessment (RIHRA (EN010166/APP/6.12))**
- **ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report (EN010166/APP/6.4)**
- **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation (EN010166/APP/6.8)**
- **Framework CEMP (EN010166/APP/6.5)**

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- **Navigational Risk Assessment (EN010166/APP/6.15)**
- **Commitment Register (EN010166/APP/6.10)**
- **Draft Development Consent Order (EN010166/APP/3.1)**
- **Appendix 12-A: Marine Ecology Assessment Methodology (EN010166/APP/6.4)**
- **Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan (EN010166/APP/6.4)**
- **Outline Landscape and Ecology Management Plan (LEMP) (EN010166/APP/6.9)**
- **Lighting Strategy (EN010166/APP/7.22)**
- **Consents and Agreements Position Statement (EN010166/APP/3.3)**
- **Applicant's Response to Deadline 6 Submissions (EN010166/APP/9.40)**
- **Final Statement of Common Ground between Uniper UK Ltd and Natural Resources Wales (EN010166/APP/8.2)**
- **Final Statement of Common Ground between Uniper UK Ltd and Natural England (EN010166/APP/8.16)**

1.1.4 For all abbreviations and glossary terms used in this report refer to **ES Vol II 6.2 CQLCP Glossary Abbreviations Contents (EN010166/APP/6.2).**

1.2 Purpose of this Document

1.2.1 Following discussions with National Resource Wales (NRW) as the marine licencing authority for Wales (NRW case reference PA2507), it has been confirmed that the Proposed Development requires a separate Marine Licence for works proposed 'between Mean High-Water Springs (MHWS) and 12 nautical miles from the shore (in-water works)', in addition to the DCO Application currently under consideration.

1.2.2 In Wales, the Marine and Coastal Access Act 2009 (MCAA) (UK Government, 2009) requires a marine licence for specified licensable activities undertaken within the UK marine area. For marine licensing purposes, this includes areas below MHWS, encompassing both intertidal and subtidal habitats.

1.2.3 In Wales, a standalone Marine Licence Application (MLA) must be prepared as it cannot be deemed within the body of the DCO (i.e. a Deemed Marine Licence). NRW is the body responsible for issuing, revoking, and enforcing a Marine Licence.

1.2.4 This signposting document sets out the description of the in-water (i.e., below MHWS), and therefore marine licensable activities required to support the Proposed Development and provides a high-level summary of relevant material from the Environmental Impact Assessment (EIA) undertaken for the DCO application, as reported in the **Connah's Quay Low Carbon Power Environmental Statement (ES) (EN010166/APP/6.2)**; (hereafter referred to as the DCO ES) and other supporting documentation.

1.2.5 This document has been prepared as a companion document for the MLA, covering the Proposed Development's marine licensable elements (i.e. the Proposed Surface Water Outfall at Old Rockcliffe Brook and the eel screen replacement works within the Water Connection Corridor in the River Dee (see Section 2 for further details), submitted to NRW. Together with the MLA form, this document is intended to assist NRW in the marine licence determination process by clearly summarising and identifying where relevant environmental information is already presented within the DCO ES and other supporting documentation.

1.2.6 Where possible, this document aligns with the structure and information requirements of the 'NRW MLA form' in order to provide more detailed responses than the space on the form allows. It is important to note that this document does not present new information; rather, summarising and signposting to existing relevant information already submitted in

support of the DCO application. Detailed assessments are available for review through the PINS CQLCP Examination Library (link provided above in Paragraph 1.1.2).

1.2.7 This document should be read alongside:

- NRW's completed MLA form; and
- The DCO ES and supporting documentation – relevant sections of the DCO ES as outlined in this document, as well as supporting technical documents (e.g. Report to Inform Habitat Regulations Assessment (HRA), Water Framework Directive (WFD) assessment, drawings); all available on the PINS CQLCP Examination Library (link provided above in Paragraph 1.1.2) as well as via the links provided throughout this document.

1.3 Defining MHWS in Proximity to the Proposed Development

1.3.1 Identifying the MHWS line can be somewhat challenging, as its position may vary over time in response to natural coastal processes, tidal conditions, shoreline change and the methodology used to define or map it.

1.3.2 Consultation with NRW's marine licencing team confirmed that the boundaries of marine licensing jurisdiction should be based on an Applicant-defined understanding of MHWS in proximity to the Proposed Development, based on available evidence.

1.3.3 Consideration of a range of evidence specific to the locality of the Proposed Development has been completed to justify the upstream extent of marine licensing jurisdiction on Old Rockcliffe Brook in relation to construction of the Proposed Surface Water Outfall.

1.3.4 It is the position of the Applicant that MHWS and therefore the jurisdiction of the marine licencing regime (defined under the MCAA 2009) in the vicinity of the Proposed Development extends as far up Old Rockcliffe Brook as the existing surface water outfall infrastructure for the existing CQ Power Station. This is indicated in **Figure 1** below and is supported by evidence from both the DataMapWales[2] and by available UK Hydrographic Office (UKHO) tide tables and measurement data.

1.3.5 It should be noted that **Figure 1** shows a photograph of an observed equinox high tidal state (March 2026). The extent of marine water ingress in this circumstance is considered exceptional / 'worst-case', representing parameters outside of MHWS. It demonstrates that even at a highest astronomical tide, tidal water levels may reach up to but not extend landwards of the existing surface water outfall on Old Rockcliffe Brook.

[2] 2018 1m resolution LiDAR DataMapWales: Local Authority Boundaries – High Water Mark



Figure 1: View north towards the Dee Estuary, from existing surface water outfall infrastructure at Connah's Quay power station. Source: Applicant. 11:56am; 20th March 2026.

2 Project Description and Overview of Marine Licensable Elements

2.1.1 This section has been provided to support Part 6 (Project Description) of the MLA form.

2.1.2 The MLA relates to the licensing of construction activities proposed to be carried out below MHWS as outlined below in **Table 1**. They are collectively referred to as the 'Marine Elements' within the DCO ES.

Table 1: Overview of Marine Elements, construction activities and their location

Marine Element	Description of Activity	Location
1) Proposed Surface Water Outfall	Construction of new surface water drainage outfall (approx. 1200mm diameter) adjacent to existing outfall.	Within Surface Water Outfall Area and adjacent to Existing Surface Water Outfall in Old Rockcliffe Brook (also referred to as Kelsterton Brook).
2) Eel screen replacement	Replacement of existing intake 3 mm wedgewire cylinder screens (WWCS) with 2 mm WWCS and any minor refurbishment found necessary to existing support structure (concrete, metalwork, timbers).	Within and a section of the Water Connection Corridor that extends into the River Dee.

2.1.3 It should be noted that a ML is only sought for the construction phase of these Marine Elements; their operation and maintenance is already covered under the existing abstraction licence and environmental permit for discharge to the River Dee, held by the existing Connah's Quay Power Station[3].

2.1.4 As summarised above in **Table 1**, the Marine Elements are situated at two separate locations, the Surface Water Outfall Area and the Water Connection Corridor as depicted on **Figure 12-1: Marine Ecology Study Area (EN010166/APP/6.3**). Further information is provided in **Section 2.2** and **Section 2.3** of this document respectively.

2.1.5 As required as part of the MLA, a map showing the boundary of Marine Elements along with a tabulate list with their geographic coordinates have been provided in **Appendix C**.

2.2 Proposed Surface Water Outfall

2.2.1 It is not anticipated that the Proposed Surface Water Outfall will be required to be constructed below MHWS (as discussed in Section 1.3), it is however acknowledged that this infrastructure is proposed immediately adjacent to MHWS and potentially in the supralittoral ('Splash') zone. For completeness and to ensure consistency between adjacent/overlap of the consenting processes, activities associated with the construction of the Proposed Surface Water Outfall adjacent to the Existing Surface Water Outfall (Figure 2 & Figure 3) is included as a defined activity within this MLA.

2.2.2 As described in paragraphs 4 .2.48 – 4.2.49 of **ES Vol II Chapter 4 Proposed Development (EN10166/APP.6.2.4),** *"The Proposed Development has been designed to provide a drainage system that protects the environment from accidental discharges including segregation of clean water / rainwater and firewater from potentially contaminated water and / or firefighting chemicals.*

2.2.3 *Surface water would be appropriately segregated and contaminated surface water will be treated prior to discharge via the same system as the processed wastewater stream. (…)*

[3] As detailed in the Consents and Agreements Position Statement (EN010166/APP/3.3**)**. Available at: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010166-001422-3.3%20CQLCP%20Consents%20and%20%20Agreement%20Position%20Statement%20Rev%2004%20Clean.pdf

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Following attenuation (if required), surface water site drainage would be discharged to the River Dee via a new surface water outfall (the Proposed Surface Water Outfall) adjacent to the existing outfall (the Existing Surface Water Outfall). The final design of the Proposed Surface Water Outfall will be subject to various technical assessments to identify the most appropriate solution." Further information is provided in **Outline Surface Water Drainage Appendix 13-D (EN010166/APP/6.4)**.

2.2.4 As mentioned above in Paragraph 2.1.3, the ML is sought to cover the construction of this Marine Element only. Additional schematics for this Marine Element are provided in **Appendix B** for indicative purposes.

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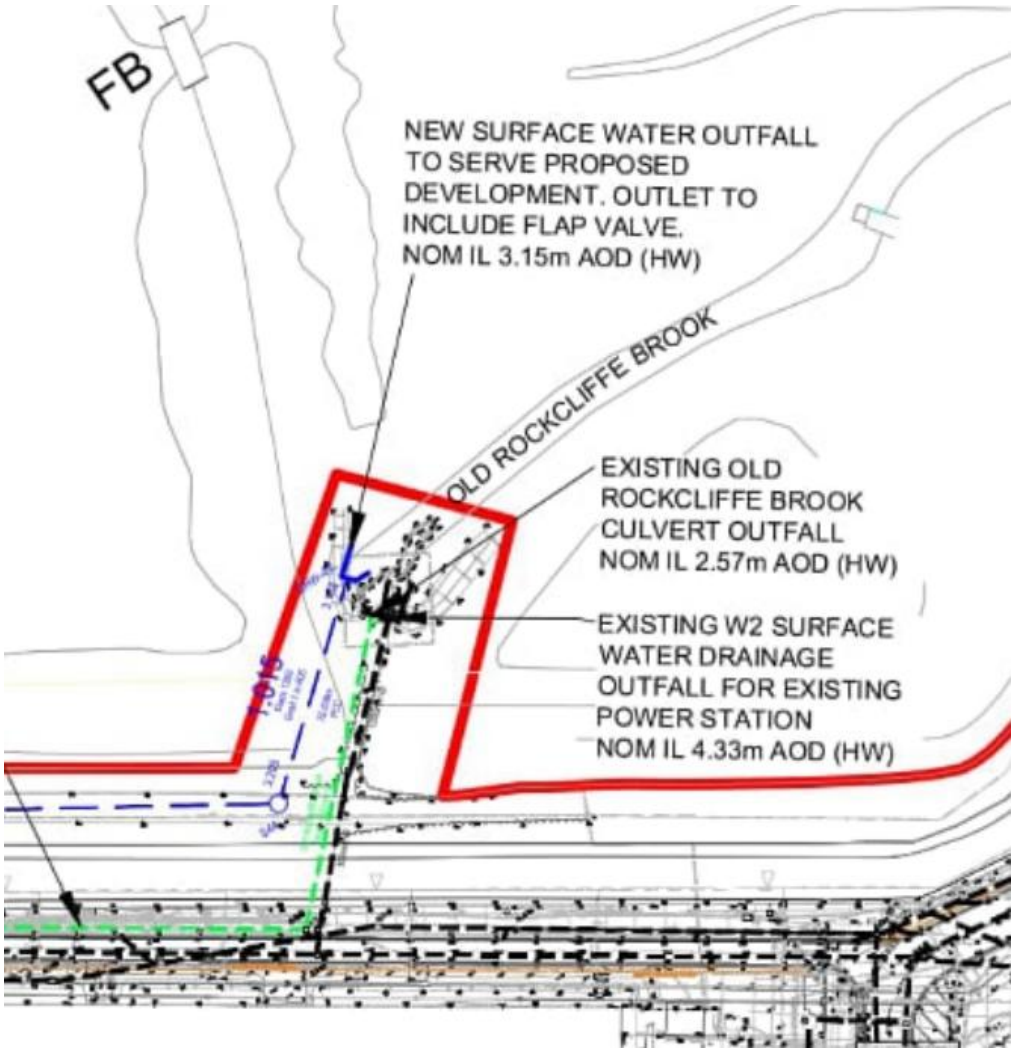


Figure 2: Indicative location of Proposed Surface Water Outfall (Blue) in relation to Existing Surface Water Outfall (Black) [For full image see Annex G of ES Volume IV Appendix 13-D: Outline Surface Water Drainage Strategy Report (EN010166/APP/6.4)



Figure 3: Two perspectives of the Existing Surface Water Outfall (Source: Geomorphological Walkover Survey Report (EN010166/APP/9.12))

2.3 Water Connection Corridor

2.3.1 As described in Paragraph 4.2.40 of ES Vol II Chapter 4 Proposed Development (**EN10166/APP.6.2.4**), "*Subject to minor modification and alteration, the Proposed Development would utilise the existing Connah's Quay Power Station cooling water abstraction and discharge infrastructure located within the River Dee. Upgrades to the existing cooling water intake equipment to meet current legislative requirements including the Eels (England and Wales) Regulations 2009 (Eels Regulations) (UK Government, 2009) would be required. This would comprise installation of new 2 mm eel screens on existing inlets (with minor repairs to surface concrete, metalwork, and timbers)".*

2.3.2 The marine licence is requested for the replacement and upgrades of the existing eel screens only as "*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" (ES Volume II Chapter 13: Water Environment and Flood Risk (**EN010166/APP/6.2.13**)).

2.3.3 NRW is advised that the eel screens need to be changed independently of the DCO application and that the Applicant holds an exemption to 2030 for use of the existing screens.

2.3.4 The existing intake structure has seven intake pipes each connected to four intake screens with 28 screens in total (**Figure 4**).



Figure 4: Photograph of existing intake eel screens, intake manifold and steelwork protection[4]

2.3.5 The intake modifications would not alter abstraction velocity across the seven collection pipes or change the fundamental arrangement of the intakes. Water approach velocities to the screens would remain unchanged, with conical screen ends provided to the ends of the first and last screens (not pictured) and scour protection retained as per the existing design (**Figure 4**). Consequently, the modifications are not expected to increase water velocities around the intake screens or elevate the risk of scour at the intake structure.

2.3.6 At present there are no drawings of the replacement screen to be provided. The new eel screens will require a slot width of 2mm. To maintain the current abstraction rate while avoiding an increase in approach velocity, the total screen area will need to be increased. This may be achieved through a combination of a minor increase in screen length and/or an increase in screen diameter. The diameter of the seven abstraction pipes will remain unchanged.

2.3.7 The replacement screens will be retained between the existing reinforced concrete manifold structure and the existing boat protection steelwork and timber fenders. While dimensions of the replacement screens may differ slightly to maintain the maximum permitted abstraction flow rates, the replacement eel screen baskets will not encroach

[4] Source: **Plate 1 in Appendix 12-C: Marine Ecology Plates (EN010166/APP/6.4)**

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into the river past the existing steelwork protection barrier. Construction materials will be similar to the original materials.

2.3.8 Additional schematics for this Marine Element are provided in **Appendix A** for indicative purposes.

3 Construction Methods

3.1.1 This section has been provided to support Part 7 (Methods Statement) and Part 8 (Materials of Project) of the NRW MLA form. The Construction activities and methods at the two locations (**Table 1**) are described in turn below in **Section 3.2** and **Section 3.3**.

3.2 Construction Activities in the Proposed Surface Water Outfall Area

3.2.1 The Proposed Surface Water Outfall would connect to and be downstream of a surface water drainage network within the Main Development Area as detailed in **Appendix 13-D: Outline Surface Water Drainage Strategy (EN010166/APP/6.4**).

3.2.2 As described in Paragraphs 12.1.10 - 12.1.11 of **ES Vol II Chapter 12 Marine Ecology (EN010166/APP/6.2.12**) "*The construction phase of the Proposed Surface Water Outfall will involve excavation activities at the periphery of the saltmarsh, ensuring the preservation of the existing mudflat habitat. The installation of the new outfall will be executed using either trenchless methods or open excavation techniques, extending from the current headwall.*

3.2.3 *Plant and material storage will be limited to the area between the headwall and the access road north of the existing Connah's Quay Power Station fence line, or within the Main Development Area. Larger equipment like cranes or long-reach excavators would also operate from this access road. Excavation will be done by hand or with mini diggers positioned accordingly at low-tide only*." It is considered likely that long reach excavators will also be used.

3.2.4 **ES Volume II Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)** indicated that based on provisional model results, the pipe size for the Proposed Surface Water Outfall would be approximately 1200mm diameter.

3.2.5 A 10 m buffer around the existing artificial structure (the Surface Water Outfall Area) has been included within the Order limits to allow for access and works if required, including the footprint of the Proposed Surface Water Outfall.

3.2.6 Further information is provided in **ES Volume II Chapter 5 Construction Management and Programme** (EN010166/APP/6.2.5).

3.3 Construction Activities in the Water Connection Corridor

3.3.1 Works within the Water Connection Corridor comprise replacement/updating of the eel screens. The existing 28 intake screens would be removed in phases, either individually or in sections at the bolted flange connection points. To facilitate this, the connecting pipework to the intake manifold would be sealed with a temporary blanking plate. This approach would allow the intake system to remain operational during high tides.

3.3.2 As outlined in Section 2.15 of the **Framework CEMP (EN010166/APP/6.5)**, Water Connection Corridor works would be undertaken by competent operatives only at low-tide, when the existing intake structures are exposed and accessible by foot and boat. **ES Vol II Chapter 12 Marine Ecology (EN010166/APP/6.2.12**) adds that "a*ccess to the intakes would be via a single route through the intertidal area using an existing maintenance access route that follows the old causeway, which avoids the saltmarsh as much as possible"* (**Figure 5**). Between six and 10 operatives are expected to work on the cooling water infrastructure.

3.3.3 For some works there may need to be a barge or boat positioned alongside the intake infrastructure (i.e. to support crane or safety diver activities; Figure 6), as considered in Section 2.5 of the **Navigational Risk Assessment (EN010166/APP/6.15).** The barge

would remain floating at all times, secured with mooring lines, if required, to the existing steelworks defence structure or purpose provided fixings into the reinforced concrete intake manifold structure; no jack-up barge would be involved. Water Connection Corridor works would occur over an estimated three- to five-month period and, unless otherwise agreed with Flintshire County Council (FCC) and NRW, would be completed between April and June inclusive to avoid fish migratory periods – regarding which, it is noted that works would take place at low tide which would have the potential to limit the impact on fish as well as fish migration.

3.3.4 Works will involve drilling into the reinforced concrete structure using handheld and ideally battery-powered tools, including percussive hammers, reciprocating saws, grinders, electrical winches, and other handheld equipment. Generators or 110V power supply taken from the access boat may be used if necessary. Cutting of existing pipework or pipework bolts may be required depending on condition and replacement design.

3.3.5 Materials and equipment will be transported to the work location by barge; only small hand tools may be carried to the workplace. A suitable gangplank, attached to both the concrete manifold and barge, will be used to gain access. Suspended scaffolding may be erected from the existing concrete intake manifold to the collision protection structure using ladder beams, positioned above the riverbed level and connected to the existing concrete manifold and protection steelwork. The scaffold may provide lifting and slinging points for removal of screens and pipework; alternatively, a small barge-mounted crane may be used.

3.3.6 Localised concrete repairs to the intake/outfall manifold may be required using battery-powered breakers and angle grinders, with repair materials being rapid-setting polymer-modified cementitious materials or suitable alternatives. The existing steelwork protection structures may require painting or attachment of sacrificial anodes, and existing timber fenders may require replacement during the project.

3.3.7 There would be no interaction with the riverbed during construction works. Suitable measures, to be detailed in CEMPs and Contractor Risk Assessment Method Statements (RAMS) shall ensure no waste materials enter the river.

3.3.8 As outlined in the Framework CEMP **(EN010166/APP/6.5)**, (Paragraph 1.3.2), "*It is anticipated that final CEMP(s) would be prepared, approved and implemented for individual phases of the Proposed Development".* As such appropriate mitigation measures (Section 7.3 - 7.5 of this report) will be planned in advance of each phase and included in Contractor RAMS.

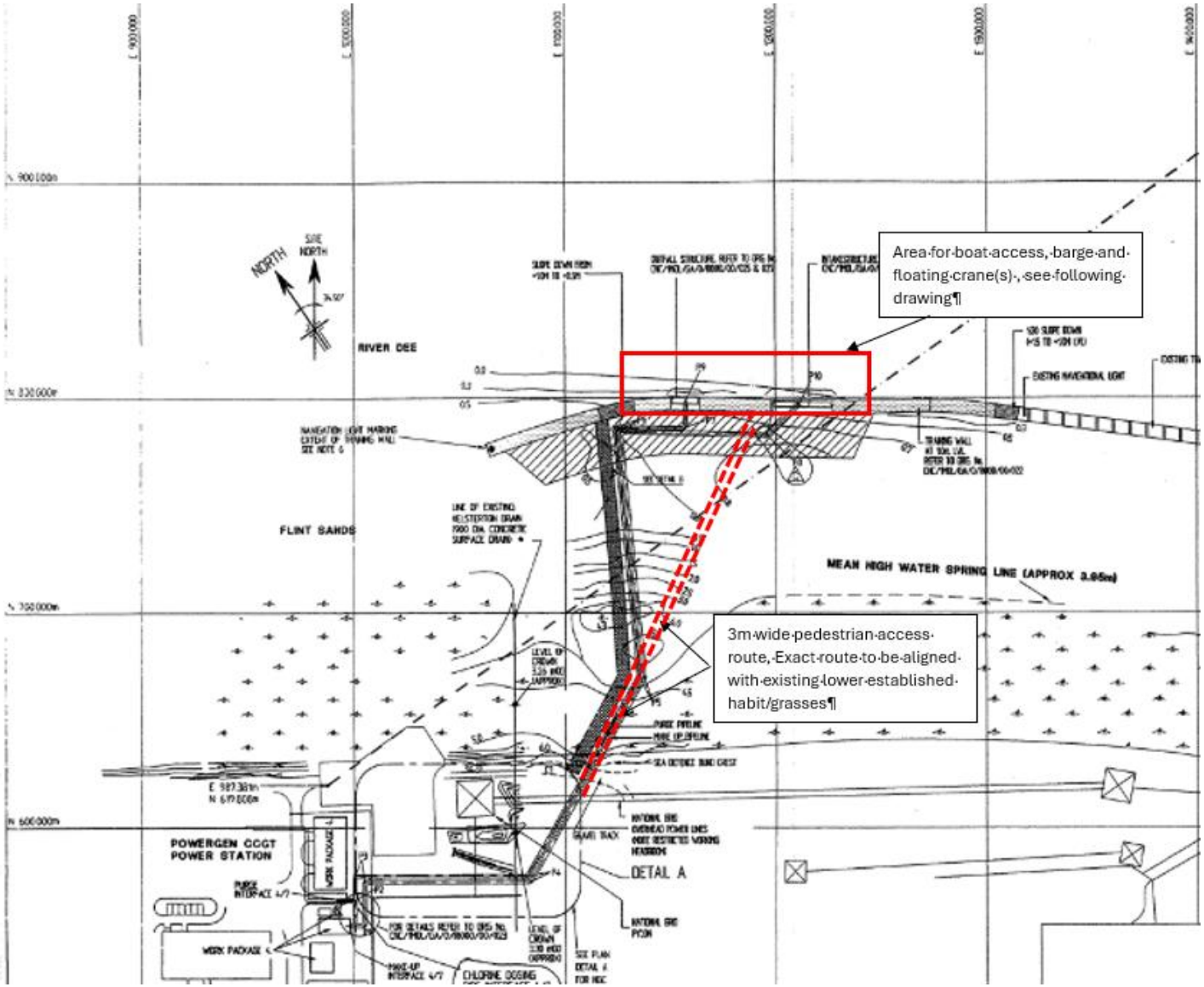


Figure 5: Indicative Water Connection Corridor pedestrian access route (located above MHWS) and support boat and/ or barge mooring area.

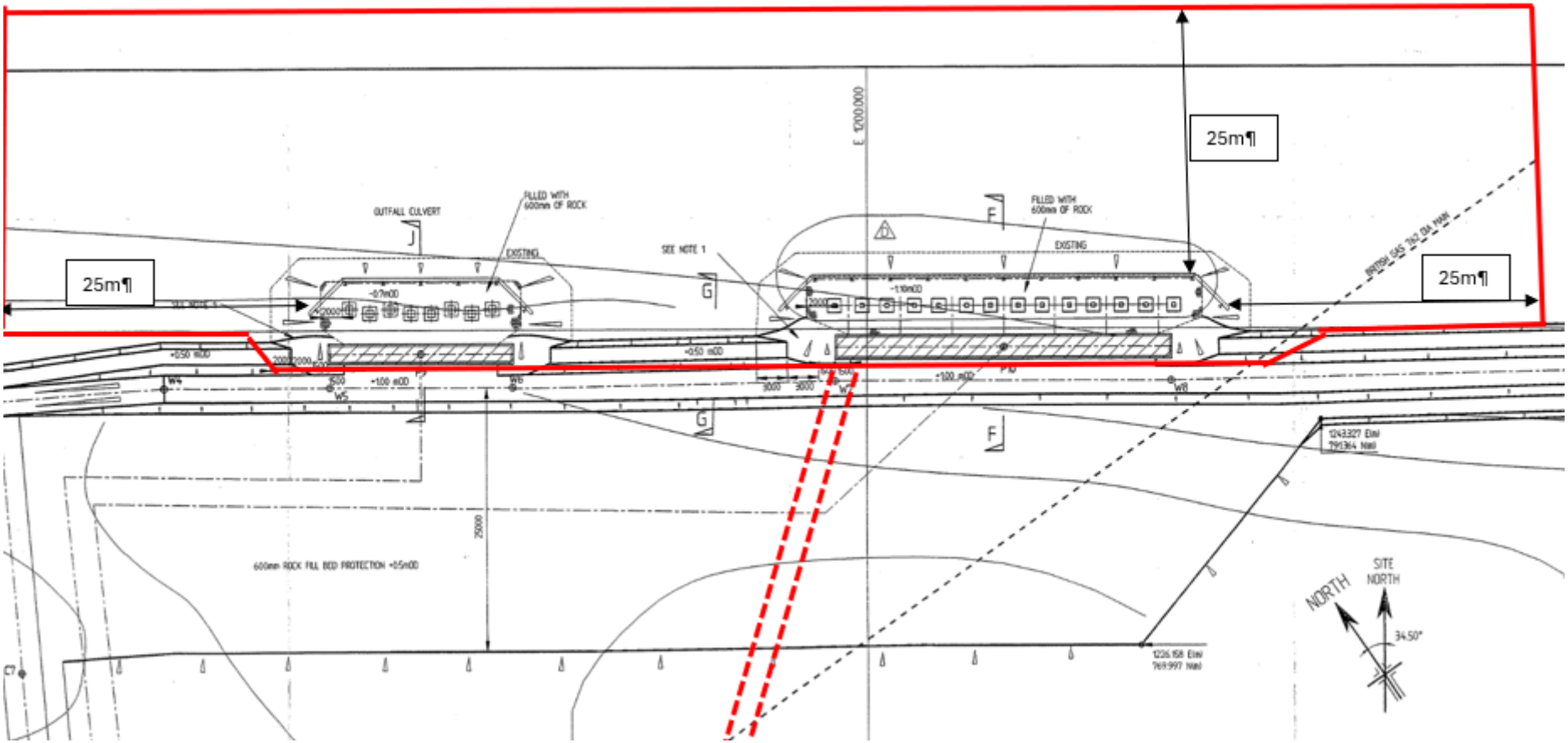


Figure 6: Indicative boat and/ or barge mooring area (annotated version of Drawing no. CNC/1M0L/GA/0/R1000/00/022)

4 EIA Summary

4.1.1 This section has been provided to support Part 4 (EIA) of the MLA form.

4.1.2 The Proposed Development is considered to fall under Annex I of the EIA Directive (European Parliament and Council, 2024) meaning an EIA was mandatory. As indicated in Section 1.2 of this report, a comprehensive ES was prepared in support of the Proposed Development's ongoing DCO application. Relevant parts of this DCO ES have been summarised here in support of this MLA for the two licensable Marine Elements (**Section 2**).

4.1.3 Assessments of the potential environmental impacts resulting from construction generated noise and vibration, as well as potential impacts of the Proposed Development and on marine ecology, flood risk, water quality, erosion and scour and marine heritage are set out in the applicable DCO ES chapters, as listed in Table 2. Summary information as specifically relevant to Marine Elements is set out within Sections 4.2 - 4.5 of this report.

4.1.4 Measures to minimise environmental impacts are reported in detail within the DCO ES chapters identified in Table 2 and secured in the **Framework CEMP (EN010166/APP/6.5)**. Mitigation measures are summarised separately in **Section 7** of this report.

Table 2: Key DCO ES topics relevant to Construction of the Marine Elements and Assessment Conclusions

Topic	Location in DCO ES documentation	Key Conclusion
Noise and Vibration	Chapter 9: Noise and Vibration (EN010166/APP/6.2.9).	N/A (scoped out) - for human receptors whilst marine/ecological receptors are assessed Chapter 12.
Physical Processes	Chapter 16: Physical Processes (EN010166/APP/6.2.16).	WCC: Negligible (Not Significant) Proposed Surface Water Outfall: No Likely Significant Effects identified.
Water Environment and Flood Risk	Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13).	Negligible to Minor Adverse (Not Significant).
Marine Ecology (comprising benthic ecology, coastal and migratory fish and marine mammals)	Chapter 12: Marine Ecology (EN010166/APP/6.2.12).	Minor Adverse (Not Significant) for both Marine Elements.
Marine Heritage	Chapter 18: Marine Heritage (EN010166/APP/6.2.18)	No significant impact is expected on known marine archaeological features. Potential for Major Adverse (Significant) impacts on unknown features, if unmitigated for both Marine Elements.

4.2 Noise and Vibration

4.2.1 **ES Volume Chapter 9: Noise and Vibration (EN010166/APP/6.2.9)** provides an assessment of potential impacts from noise and vibration on human receptors.

4.2.2 As indicated in Section 3.2 of this document, replacement of the eel screens within the Water Connection Corridor is proposed to be undertaken mainly by hand tools at low tide, with the potential addition of a barge mounted crane for lifting tasks. Construction phase airborne noise and vibration considerations affecting human receptors were considered 'not applicable' for Water Connection Corridor activities in Table 9-12 of **ES Volume Chapter 9: Noise and Vibration (**EN010166/APP/6.2.9).

4.2.3 Noise and vibration associated with construction of the Proposed Surface Water Outfall were scoped out of the DCO ES assessment as no likely significant effects were anticipated.

4.2.4 As per Table 12-6 in **ES Volume II Chapter 12: Marine Ecology (**EN010166/APP/6.2.12), "*Underwater sound disturbance to marine ecology, particularly migratory fish, during construction*" and "*Physical disturbance to marine ecology from changes in the airborne soundscape and visual disturbance during the construction*", were scoped out. This applies to both Marine Elements.

4.3 Physical Processes

4.3.1 **ES Volume II Chapter 16: Physical Processes (EN010166/APP/6.2.16)** provides an assessment of potential impacts on physical processes.

4.3.2 Paragraphs 16.6.4 and 16.6.5 of **ES Volume II Chapter 16: Physical Processes (EN010166/APP/6.2.16)** summarises that "*The new eel screens would have similar dimensions to the existing and therefore any impacts associated with the change in flow conditions near the bed due to increased water column turbidity and increased levels of suspended sediment concentrations would be negligible. The resultant effect on the water column, of low sensitivity, would be negligible (not significant)..*

4.3.3 *The related release of contaminants into the water column due to estuary bed disturbance would therefore also be negligible. The resultant effect on the water column, of low sensitivity, would be negligible (not significant)."*

4.3.4 As per Table 12-6 in **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12)** "*Permanent and temporary direct loss and physical disturbance to benthic habitats and species during the construction"* as well as "*Physical disturbance to benthic habitats and species from increased SSC (i.e. increased turbidity and deposition) during the construction*", and *"Indirect effects to marine ecology from hydromorphological changes (e.g., changes to water flow or sediment movement) during the construction",* were scoped out of assessments.

4.3.5 During the DCO Examination process Natural England raised concern (Relevant Representation comment. No. NE29[5]) about the potential loss of designated features resulting from the construction and operation of the Proposed Surface Water Outfall. The Applicant responded (Deadline 2[6]) "*As per the Applicant's response to Natural England's Relevant Representation comment (Ref. No. NE29) and as detailed in paragraph 10.2.2 of the Report to Inform Habitats Regulations Assessment (RIHRA) [APP-253], no scour losses are expected. The erosion assessment was a qualitative assessment made by a coastal process specialist, as modelling was not considered necessary. The conclusion is based on the fact (as noted in paragraph 10.2.2 of the RIHRA [APP-253]) that velocities are not high enough to cause scour erosion around the new outfall. The Applicant undertook a walkover survey on 23 January 2026 to validate this position. The findings of this are reported at Deadline 2 in the Geomorphological Walkover Survey Report (EN010166/APP/9.12) which conclude scour erosion associated with the proposed surface water outfall would not occur."*

4.3.6 Consequently, the Examination evidence supported the conclusion that permanent habitat loss would be limited to approximately 5 m² associated with the physical footprint of the Proposed Surface Water Outfall headwall allocated above MHWS. The matter was subsequently progressed through discussions between the Applicant, Natural England

[5] Available at: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010166-000797-9.4%20CQLCP%20Applicant%E2%80%99s%20Response%20to%20Relevant%20Representations%20Rev%2000_.pdf
[6] Available at: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010166-000837-9.11%20CQLCP%20Applicant%27s%20Response%20to%20Deadline%201%20Submissions%20Rev%2000.pdf

and NRW during the Examination, including the Statement of Common Ground process[7]. This is discussed further in **Section 5.2** of this report.

4.4 Water Environment and Flood Risk

4.4.1 **ES Volume II Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)** provides an assessment of impacts on water environment and flood risk.

4.4.2 The Proposed Surface Water Outfall is located to the eastern side of the Old Rockcliffe Brook (which flows below the Main Development Area and discharges adjacent to the Existing Surface Water Outfall), upstream of the main River Dee channel. The construction (**Section 3.2** of this report) may require some excavation; however, this would be limited to areas to the edge of the saltmarsh and outside the existing mudflat.

4.4.3 Paragraph 13.6.25 of **ES Volume II Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)** states that *"The Proposed Surface Water Outfall would be aligned with the Old Rockcliffe Brook channel in order to maintain the flow route and avoid erosion or changes in channel form."* Additionally, and whilst more of an operational licencing consideration, paragraph 13.5.71 notes that *"[discharge] velocities are not considered high enough to cause scour erosion around the outfall to Old Rockcliffe Brook."*

4.4.4 Construction impacts are assessed in paragraphs 13.6.20 and 13.6.23-26 of **ES Volume II Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)**, concluding that effects on water quality and hydromorphology would be minor adverse and not significant.

4.4.5 Proposed works in the Water Connection Corridor (**Section 2.3** and **3.3** of this report) comprise replacement of the existing eel screens on the current inlets (with minor repairs to surface concrete, metalwork, and timbers). Consultation responses (Section 13.2, Table 13-3 of **ES Volume II Chapter 13: Water Environment and Flood Risk (EN010166/APP/6.2.13)** confirm that installation of the new 2 mm eel screens would result in no changes to the discharge location or estuary morphology. Construction effects are assessed in paragraphs 13.6.19 and 13.6.22 (aforementioned ES chapter), concluding that effects on the River Dee would be negligible and not significant given that the extent of direct works required are minimal (e.g. no new structures are needed and only modification to abstraction inlets using hand tools predominantly), and taking into account good practice construction techniques.

4.5 Marine Ecology

4.5.1 **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12)** provides an assessment of potential impacts on marine ecology.

4.5.2 Details of the licensable Marine Elements are outlined in Section 2.2 and Section 2.3 of this report. Assessment of impacts on marine ecology are based on these, as reported in **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12)**. Any works above MHWS have been assessed in **ES Chapter 11: Terrestrial and Aquatic Ecology (EN010166/APP/6.2.11)** for relevant ecological receptors and are not considered further here. Further relevant impacts in relation to designated sites with marine ecology features have also been assessed in the **Report to Inform Habitats Regulations Assessment (EN010166/APP/6.12)** (see Section 5 of this report).

4.5.3 The assessment reported in the DCO ES determined the worst-case scenario for impact pathways to marine ecological receptors, in line with the Rochdale Envelope approach and has focused on those receptors considered to be 'important'. The importance criteria for marine ecological features are based on sensitivity and value of receptors which in

[7] Please refer to Final Statement of Common Ground between Uniper UK Limited and Natural Resources Wales (EN010166/APP/8.2) and Final Statement of Common Ground between Uniper UK Limited and Natural England (EN010166/APP/8.16).

turn are evaluated based on their vulnerability, recoverability and importance. The definitions and criteria of these are further explained in **Appendix 12-A: Marine Ecology Assessment Methodology (EN010166/APP/6.4**).

4.5.4 A summary of the construction phase scope of the assessment considered in the **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12)** is provided below in Table 3 together with the assessment outcome and residual significance. A full 'Summary of Potential Significant Residual Effects (Construction)' is provided on Table 12-14 in **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12).** Significance of effect definitions can be found in **Appendix 12-A: Marine Ecology Assessment Methodology (EN010166/APP/6.4)**. For both Marine Elements, no significant construction effects on marine ecological receptors were identified.

4.5.5 The principal marine ecology impact identified in the DCO ES was the potential permanent loss of a small area of saltmarsh habitat (approximately 5 m^3) associated with excavation for the Proposed Surface Water Outfall headwall. This matter is considered further in Sections 4.3 and 5.2 of this report. Given the relevance of the affected habitat to the Habitats Regulations Assessment (HRA), the implications of this habitat loss are considered principally through the HRA process (Section 5.2 of this report).

4.5.6 Whilst the Water Connection Corridor also lies within saltmarsh habitat, this is almost entirely above MHWS and is therefore outside the extent of the licensable Marine Elements. While this habitat is typically a marine-influenced, brackish habitat, due to it being situated above MHWS, it is assessed in **ES Chapter 11: Terrestrial and Aquatic Ecology (EN010166/APP/6.2.11)** and the **Report to Inform Habitats Regulations Assessment (EN010166/APP/6.12).**

Table 3: Summary of Potential Construction Phase Impacts Considered, Assessment Outcome and Residual Significance (applies to both Marine Elements)

Construction Impact	Assessment Outcome	Additional Mitigation / Enhancement Measure	Residual Significance (after mitigation)
Temporary direct loss and physical disturbance from the use of vessels to benthic habitats and species.	Works will be localised and temporary therefore of low magnitude [*note: this outcome is based on assessments of delivery barges at Port of Mostyn, Ellesmere Port and / or to Connah's Quay North. Any use of vessels to support the eel screen replacement works will remain afloat at all times].*	Not required	Negligible (Not Significant)
Effects to marine ecology from changes in marine water quality due to accidental spills from vessels and surface run-off from land-based construction activities within the Zone of Influence.	Works will be managed through construction controls secured in the **Framework CEMP (EN010166/APP/6.5)**(see also **Section 7** of this report) and therefore of very low magnitude.	Not required	Minor Adverse (Not Significant)
Effects on marine ecology from changes in existing lighting conditions during construction.	The works would be localised and temporary in nature. However, the presence of lighting near waterbodies during construction could result in a temporary direct effect on a species of high importance. On this basis, the effect on migratory fish from changes to existing lighting conditions during construction is assessed as Significant (moderate adverse effect)	Timing of works to avoid key migration periods Works carried out during daylight hours to minimise lighting.	Negligible (Not Significant)

Construction Impact	Assessment Outcome	Additional Mitigation / Enhancement Measure	Residual Significance (after mitigation)
Introduction and spread of invasive non-native species (INNS) from use of vessels.	Works will be managed through construction controls secured in the Framework CEMP and controlled through biosecurity measures – see Section 7.3.4 of this report and therefore of very low magnitude.	Not required	Negligible (Not Significant)
Collisions between any project vessels and marine mammals.	The risk of collision was assessed as having a low likelihood.	Not required	Minor Adverse (Not Significant)

4.6 Marine Heritage

4.6.1 **ES Volume II Chapter 18: Marine Heritage (EN010166/APP/6.2.18)** provides an assessment of potential impacts on marine heritage.

4.6.2 As identified in the Marine Heritage Desk-Based Assessment (**Appendix 18-A: Marine Heritage Desk-Based Assessment (EN010166/APP/6.4)**), there are no known marine heritage assets within the Surface Water Outfall Area. However, excavation works associated with the Proposed Surface Water Outfall have the potential to adversely affect previously unrecorded marine heritage assets of potentially high value if encountered, resulting in a worst-case major adverse effect that would be significant.

4.6.3 There is also potential for indirect effects through erosion and exposure of previously unrecorded assets; however, the assessment concludes that erosion associated with the Proposed Surface Water Outfall is unlikely. As a result, the likelihood of affecting unknown marine heritage assets is considered low despite the potentially significant consequences if such assets were present.

4.6.4 In the absence of mitigation, the DCO ES assessment concludes that there is a medium potential for previously unrecorded marine heritage assets to be present within the Surface Water Outfall Area, creating the potential for significant effects. However, the implementation of the **Overarching Written Scheme of Investigation for Terrestrial and Marine Heritage Mitigation (EN010166/APP/6.8)**, including an archaeological watching brief, post-construction erosion monitoring, and a Protocol for Archaeological Discoveries (PAD), would reduce this risk and ensure any unexpected discoveries are appropriately managed.

4.6.5 The agreed mitigation strategy, developed in consultation with Royal Commission on the Ancient and Historical Monuments of Wales and Clwyd-Powys Archaeological Trust, would also provide opportunities for beneficial effects through the investigation, recording and dissemination of information relating to any previously unknown marine heritage assets encountered during the works.

4.6.6 Regarding the Water Connection Corridor works (**Section 2.3** and **3.3** of this report), the **Marine Heritage Desk-Based Assessment (EN010166/APP/6.4)** found that no known marine heritage assets are present within the vicinity of the Order limits, and the proposed construction methodology within the Water Connection Corridor (**Section 3.3** of this report) would not require disturbance of the riverbed. Consequently, no direct effects on known or previously unrecorded marine heritage assets are anticipated, resulting in a No Effect finding that is not significant.

4.6.7 Furthermore, **ES Volume 2 Chapter 16: Physical Processes (EN010166/APP/6.2.16)** concludes that any changes to estuary or riverbed morphology would be minor and not significant. Therefore, any indirect effects on previously unrecorded marine heritage assets within the Water Connection Corridor would be negligible, with a worst-case minor adverse effect that is also considered not significant.

4.6.8 Concurrently, no specific additional mitigation measures have been identified for the Water Connection Corridor works. However, the assessments note that there is always a potential for unknown (previously/unrecorded) marine heritage assets to be encountered.

5 Designated Sites and HRA Summary

5.1.1 A **Report to Inform Habitats Regulations Assessment (RIHRA (EN010166/APP/6.12))** was prepared in support of the DCO application. A summary relevant to the licensable Marine Elements is provided below. Both Marine Elements are located within the Dee Estuary / Aber Dyfrdwy Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar site as indicated on **ES Figure 12-2: Designated Sites with Marine Ecological Features (EN010166/APP/6.3)** .

5.1.2 This section has been provided to support Part 12 (Protected Habitats and Species) of the MLA form.

5.2 Proposed Surface Water Outfall

5.2.1 As indicated in Section 1.3 of this report, the Existing Surface Water Outfall essentially forms a hard barrier that prevents the landward ingress of the tide therefore at this location it reflects the MHWS mark and the marine licencing boundary. This is relevant as many of the temporary saltmarsh impacts (see Paragraph 5.2.4 below) identified within the RIHRA, whilst related to the construction of the Proposed Surface Water Outfall, are located above MHWS.

5.2.2 The RIHRA identifies (Paragraph 7.1.14) that *"the Existing Surface Water Outfall and Proposed Surface Water Outfall are both located within areas confirmed during the NVC survey by AECOM in 2024 to be saltmarsh (1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae))."* For this reason, it concludes that Likely Significant Effects (LSE) could not be excluded for the Dee Estuary / Aber Dyfrdwy SAC, SPA and Ramsar site in relation to the construction of the Proposed Surface Water Outfall because the works would be located within qualifying saltmarsh habitat and would result in habitat loss/damage during construction. This impact pathway was therefore screened into HRA Stage 2 (Appropriate Assessment).

5.2.3 Other potential impact pathways, including effects on qualifying fish species, barriers to movement, otter, water quality and flow, and invasive non-native species, were assessed and screened out as LSE because the works are localised, temporary, predominantly undertaken at low tide where relevant, and subject to standard pollution prevention and biosecurity controls.

5.2.4 The Appropriate Assessment (Section 10.2 of the RIHRA) identified that construction of the Proposed Surface Water Outfall would affect a maximum of 650 m² of saltmarsh habitat, which is a qualifying feature of the Dee Estuary SAC and Ramsar site and supporting habitat for SPA bird features. However, for the purposes of marine licencing, it is understood that this area of impact is mainly in the 'works corridor' and above MHWS – i.e., the pipe burial area between the Main Development Area and the Proposed Surface Outfall structure.

5.2.5 Whilst the majority of these impacts are not directly within the marine licensable area; for information purposes: "*Permanent losses […] would be much smaller than 650 m² as the works corridor can be restored and most of the outfall pipe can be buried*" (RIHRA, Paragraph 10.2.3). Paragraph 10.2.6 of the RIHRA adds that "*The 650 m² of habitat to be lost consists of species-poor grass dominated saltmarsh (SM28 Elytrigia repens dominated grassland) […] While this is a natural part of the saltmarsh community it has lower diversity and ecological interest than other areas"*. Section 10.3 of the RIHRA states "*there will be a small (maximum 5 m²) permanent loss of saltmarsh within Dee*

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Estuary / Aber Dyfrdwy SAC / SPA / Ramsar site due to the presence of the Proposed Surface Water Outfall. Without mitigation and coupled with the lag-time between burial of the pipe and any natural regeneration of saltmarsh vegetation over the works footprint, it is considered that an adverse effect on integrity would arise. However, with the aforementioned creation of a 1,300 m² area of managed retreat south of the existing Connah's Quay Power Station no adverse effect on integrity would arise." In relation to the managed retreat mitigation described above, it is important to distinguish between the DCO assessment (for which the RIHRA was prepared) and the scope of this MLA. The RIHRA considered the temporary loss of up to 650 m² of saltmarsh habitat above MHWS together with the permanent loss of up to 5 m² associated with the Proposed Surface Water Outfall and the need for the managed retreat was driven by the former (temporary) loss. In contrast, this MLA assesses only the effects arising from the Proposed Surface Water Outfall itself. The maximum permanent loss of 5 m² of saltmarsh habitat represents approximately 0.00002% of the 2,045.2 ha of Atlantic salt meadow within the Dee Estuary / Aber Dyfrdwy SAC. At this scale, the habitat loss would be ecologically insignificant and would not be measurable in the context of the extent or distribution of the qualifying habitat within the SAC, either alone or in combination with other plans and projects. Furthermore, the scale of loss is substantially smaller than the natural spatial variability typically exhibited by saltmarsh habitats. Accordingly, the permanent loss of 5 m² of saltmarsh would not undermine the conservation objectives or integrity of the Dee Estuary / Aber Dyfrdwy SAC.

5.2.6 As covered in Section 4.3 of this report, the discharge rate of the Proposed Surface Water Outfall is not high enough to cause scour erosion around the new outfall.

5.2.7 The RIHRA concluded that, the embedded mitigation, construction controls, habitat restoration and compensatory measures secured through the DCO would offset habitat losses and avoid adverse effects on site integrity. A summary of the measures relevant to the Proposed Surface Water Outfall is provided in Table 4. Collectively, these measures ensure that the Proposed Surface Water Outfall will not adversely affect the integrity of the Dee Estuary / Aber Dyfrdwy SAC, Dee Estuary / Aber Dyfrdwy SPA or Dee Estuary / Aber Dyfrdwy Ramsar site, which are assessed together because the affected saltmarsh is a qualifying feature of the SAC and Ramsar site and a supporting habitat for the SPA.

Table 4: Summary of measures to minimise impacts

Topic	Summary	Key RIHRA evidence
Embedded mitigation	The outfall will be designed to avoid scour and minimise permanent habitat loss. The discharge velocity is sufficiently low that scour erosion is not expected, all of the outfall pipe will be buried following construction, and the works corridor will be restored.	Para. 10.2.2 states the discharge velocity at the outfall exit would be "*less than 0.5 m/s" and concludes this is "not high enough to cause scour erosion around the new outfall*." Para. 10.2.3 states that "*most of the outfall pipe can be buried", reducing permanent habitat loss."*
Construction controls	Construction of the Proposed Surface Water Outfall will be undertaken in accordance with the **Framework CEMP**, incorporating pollution prevention measures to protect water quality, seasonal timing restrictions to avoid disturbance to SPA birds,	Mitigation Schedule (page 2): Construction of the Proposed Surface Water Outfall is to be undertaken outside the SPA non-breeding period (April–June), secured through the **Framework CEMP**.
Habitat restoration	Temporary construction impacts will be restored through reinstatement of the works corridor and natural regeneration of the saltmarsh. The majority of habitat loss is temporary, with further habitat recovery anticipated following removal of the	Para. 10.2.3 states that *"the works corridor can be restored"* and that *"allowing natural regeneration and colonisation from the surrounding area is a more appropriate restoration method than planting.*

Topic	Summary	Key RIHRA evidence
	existing outfall when the existing power station is decommissioned. [A Saltmarsh Method Statement is listed as a required Control Plan in the Framework CEMP (**EN010166/APP/6.5**) to address, amongst others, the approach to monitoring saltmarsh recovery.	Para. 10.2.4 concludes that the permanent loss would ultimately be temporary because the existing outfall could be removed following decommissioning of the existing station.
Offsetting	The remaining permanent saltmarsh loss is offset through managed realignment to create approximately 1,300 m² of replacement saltmarsh and enhanced management of the Dee Estuary saltmarsh, ensuring no overall net loss.	Para. 10.2.7 explains that managed realignment will "*ensure no overall net loss within the SAC/SPA/Ramsar site*" by allowing saltmarsh to naturally expand. The mitigation schedule (page 3) also specifies "*Managed Realignment...to allow the natural expansion of 1,300 m² of saltmarsh"* and a "*financial contribution to enhanced management of the saltmarsh*".

5.2.8 As mentioned above in Paragraph 4.3.5 (Section 4.3 of this report), during the DCO Examination proceedings, Natural England raised concerns over the risk of saltmarsh loss in the locality of the Proposed Surface Water Outfall from construction and erosion (scour during operation). It is understood that these issues were subsequently deferred to NRW because the effects would occur on the Welsh side of the Dee Estuary SAC, while agreeing there would be no effects on the River Dee and Bala Lake SAC from this issue (Ref 2.7 on **Draft Statement of Common Ground between Uniper UK Limited and Natural England (EN010166/APP/8.16)); ** with the concerns being resolved by the Applicant demonstrating there would be an estimated maximum 5 m² permanent loss of saltmarsh from installing the Proposed Surface Water Outfall headwall infrastructure (i.e., from direct displacement) and that it should be "*possible for the Proposed Surface Water Outfall to be designed such that any future risk of saltmarsh erosion is reduced to an acceptable level"* (Ref A1.8 in **Applicant's Response to Deadline 6 Submissions (EN010166/APP/9.40)**.

5.3 Water Connection Corridor

5.3.1 The **RIHRA (EN010166/APP/6.12)** recognises that the Water Connection Corridor is located within the Dee Estuary / Aber Dyfrdwy SAC, SPA and Ramsar but because (RIHRA Paragraph 7.2.12) "*Materials would be supplied by boat... workers would access by foot across the saltmarsh, which is current practice for inspections. The actual engineering work... would be located outside of the saltmarsh... Therefore, no loss of saltmarsh or intertidal mudflat habitat would arise. As such, no LSE would arise."*

5.3.2 The HRA therefore screens out all potential LSE associated with the eel screen replacement works.

6 WFD Compliance

6.1.1 The MLA requires that the results of a WFD Assessment are attached to the MLA. **ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report (EN010166/APP/6.4)**[8] has been prepared for the Proposed Development in support of

[8] Available at: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010166-001048-6.4%20CQLCP%20Appendix%2013-B%20Water%20Framework%20Directive%20Report%20Rev%2001%20Clean.pdf

the DCO application. Sections of this WFD assessment relevant to the Marine Elements (Table 1 and Section 2) are summarised below.

6.1.2 **Section 2.4** of **ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report (EN010166/APP/6.4)** sets out the assumptions for the construction phase of the Proposed Development – that by association also apply to the proposed works on the licensable Marine Elements. It confirms that:

- the Proposed Surface Water Outfall adjacent to the Main Development Area is required as part of the Proposed Development adjacent to the existing discharge point; and
- that works within the Water Connection Corridor would involve replacing eel screens and minor repairs to surface concrete, metalwork, and timbers. These works would be carried out between the existing inlets and existing concrete manifold on the riverbank.

6.1.3 All contractors would (Para. 2.4.3) *"as a minimum conform to all permit / consent / license requirements and best practice measures to avoid, reduce and minimise the risk of water pollution or unacceptable physical impact (without mitigation) on water bodies".*

6.2 Proposed Surface Water Outfall

6.2.1 Sections 4 and 5 of **ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report (EN010166/APP/6.4)** identify that the construction works associated with the Proposed Surface Water Outfall may result in uncontrolled release of construction site runoff that may include high levels of fine sediment and oils and localised increases in sediment loading that could affect oxygen and nutrient levels. The assessment also identifies the potential for localised direct impacts to the bank of Old Rockcliffe Brook, resulting in negative impacts on the hydromorphology of a tributary to the Dee (N Wales) WFD waterbody if not mitigated. The assessment also identifies the potential for cumulative effects on water quality within the Dee Estuary, as all potentially affected water features ultimately discharge to the estuary. The construction of the Proposed Surface Water Outfall would result in a localised morphological impact to Old Rockcliffe Brook; however, no physical works are proposed within the Dee (N. Wales) WFD waterbody itself. Embedded mitigation (see Section 7) would be applied and secured through the **Framework CEMP (EN010166/APP/6.5)** to minimise sediment release, pollution risks and any morphological impacts.

6.2.2 The assessment also identifies a potential risk of introducing or spreading invasive non-native species (INNS) during construction, which would be managed through an Invasive Species Management Plan and good practice biosecurity measures and secured through the **Framework CEMP (EN010166/APP/6.5)**.

6.2.3 *The assessment concluded that with the proposed mitigation in place, construction impacts are expected to be localised and will not cause deterioration of WFD quality elements or prevent future improvements at the waterbody scale.*

6.3 Water Connection Corridor

6.3.1 Sections 4 and 5 of **ES Volume IV Appendix 13-B: Water Framework Directive Assessment Report (EN010166/APP/6.4)** identify that replacement of the existing eel screens and minor repairs to surface concrete, metalwork, and timbers have the potential to result in temporary and localised impacts on the hydromorphology of the Dee (N. Wales) WFD waterbody. The assessment notes that the works would be carried out using scaffolding attached to the existing protection structure with materials stored in a support barge moored adjacent to the existing protection structure. There would be no physical interaction with the riverbed. Therefore, impacts to hydromorphology would be temporary and localised. Spillages from vessels may cause a chemical change which could impact on fish populations; however, these would be localised and temporary. Embedded mitigation, including implementation of the **Framework CEMP (EN010166/APP/6.5)**, pollution prevention measures and good practice construction methods, would minimise these risks.

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6.3.2 The WFD Report concludes that, following implementation of embedded mitigation, construction of the Proposed Development [i.e., including the Proposed Surface Water Outfall and Water Connection Corridor works] would comply with the objectives of the WFD, with no deterioration in WFD waterbody status and no prevention of future objectives for the relevant waterbodies.

7 Environmental Controls and Mitigation

7.1.1 This section has been provided to support Part 7(c) of the MLA form which asks for details on mitigation measures to (i) minimise risk to marine environment, (ii) prevent undue interference to others, and (iii) maintain navigational safety, including marking and lighting of works. Mitigation measures relevant to the Proposed Development's licensable Marine Elements (**Section 2** of this report) are summarised to meet these requirements in **Sections 7.3** - **7.5** respectively. **Commitment Register** (**EN010166/APP/6.10**) provides a full list of the environmental mitigation measures secured as part of the DCO application process for the Proposed Project.

7.2 General Design-Led Mitigation Measures

7.2.1 The Proposed Development has been designed, wherever practicable, to avoid or minimise environmental impacts through iterative design development and the incorporation of embedded mitigation measures. The DCO ES confirms that the design has been substantially refined since the Preliminary Environmental Impact Review stage, with activities in the Water Connection Corridor now limited to refurbishment of the existing intake infrastructure. As a result, previous proposals for new marine infrastructure, dredging, piling, cofferdams and riverbed disturbance have been removed from the project, representing impact avoidance through design. A summary of the wider design-led mitigation measures applicable to the two Marine Elements is provided under the subheadings below.

Proposed Surface Water Outfall

7.2.2 As covered in **Section 2.2** and **Section 3.2**, the Proposed Surface Water Outfall involves building a new permanent outfall structure to discharge surface water drainage from the Main Development Area. This new outfall will be located next to the Existing Surface Water Outfall. Construction comprises installation of the outfall through an extension to the existing headwall, using localised excavation landward of the headwall where required.

7.2.3 The Proposed Development has been designed, as far as possible, to avoid or minimise impacts and effects identified within the DCO ES through the process of design development, and by embedding measures into the project design. The DCO ES confirms that:

- works would be undertaken during low tide only (i.e., when the tide is out beyond the relevant works location rather than specifically restricting to the low tide point);
- the outflow is to be located adjacent to the existing outfall infrastructure;
- there would be no in-river working;
- excavations would be confined to the upper edge of the saltmarsh; and
- excavations would remain outside existing mudflat habitat.

7.2.4 The **Framework CEMP** (**EN010166/APP/6.5**); Requirement 4 of the **Draft DCO** (**EN010166/APP/3.1**)) lists the Saltmarsh Method Statement as a Control Plan to "*addressing soil stockpiling and the suitability of using turves, and setting out the proposed approach to monitoring saltmarsh recovery*".

Water Connection Works

7.2.5 As covered in **Section 2.3** and Section 3.3, the Water Connection Corridor works are limited to refurbishment of the existing cooling water intake infrastructure through replacement of the existing intake screens with updated eel screens. The ES confirms that the previous proposals for new marine infrastructure have been removed from the

project and the marine works are now confined to refurbishment of the existing intake structures. The ES confirms that:

- replacement of the existing intake screens within the existing intake structure to utilise the existing intake footprint;
- removal and replacement of screens on a phased basis to maintain operation of the cooling water intake whilst maintaining existing abstraction rates and hydraulic conditions;
- minor repairs to existing concrete, steelwork and timber fenders where required that involves no piling, dredging cofferdams or seabed excavations;
- installation using handheld equipment where possible with access via the existing intake structure at low tide, with materials delivered by boat/barge where required (which would remain afloat to incur no riverbed interaction).

7.3 Measures to Protect the Marine Environment

7.3.1 As outlined in Section 12.5 of **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12), "***The Proposed Development has been designed, as far as possible, to avoid or minimise impacts and effects on Marine Ecology through the process of design development, and by embedding measures into the project design. During the design phase, the Applicant has substantially reduced the proposed scope of works in the Marine Elements which have reduced impacts to marine ecology receptors*."

7.3.2 As described in Section 7.2 above, a key mitigation measure is the reduction in the scope of the marine works. The DCO ES acknowledges that the revised design in the Water Connection Corridor avoids works within the riverbed, removes the need for dredging, piling, cofferdams and minimises permanent habitat loss below MHWS.

7.3.3 Residual impacts once mitigation has been factored-in is summarised in Table 3 in Section 4.5 of this report. For further information please refer to Table 12-14 in **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12).**

Embedded mitigation measures

7.3.4 The following embedded mitigation measures have been incorporated into the Marine Element design:

1. The Biosecurity Risk Assessment[9] (**ES Volume II Appendix 12-E: Marine Biosecurity Risk Assessment and Management Plan (EN010166/APP/6.4)**) and **ES Volume II Appendix 12-F: Marine Invasive Non-Native Species Outline Management Plan (EN010166/APP/6.4);** requirement 4(2)(b) of the **Draft DCO (EN010166/APP/3.1)**) identify measures to prevent the introduction and / or spread of marine INNS during all phases of the Proposed Development. These measures include:
    a. visual inspection of project equipment (including vessels) to ascertain the biosecurity risk from No visible fouling (Risk Rank 0) to Very heavy fouling assemblage comprising many different types of plants and/or animals (Risk Rank 5);
    b. the GB Non-Native Species Secretariat and RAPID LIFE project have outlined important biosecurity control measures for reducing the spread of INNS in the marine environment (RAPID LIFE, 2020);
    c. additional measures include the use of appropriate anti-fouling coatings on the new eel screen replacements. Where elements cannot receive an anti-fouling coating, they would be appropriately visually inspected, thoroughly cleaned, and dried out prior to placement within the marine environment; and
    d. all vessels are expected to originate from within UK waters, and local to the Proposed Development, all vessels should adhere to the International Convention

[9] Provided separately to support this MLA.

for the Control and Management of Ships' Ballast Water and Sediments with the aim of preventing the spread of marine INNS (IMO, 2017) and the International Maritime Organisation (IMO) Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (Biofouling Guidelines) (IMO, 2011).

2. implementation of a **Framework CEMP (EN010166/APP/6.5)** including a **Framework Site Waste Management Plan (SWMP;** requirement 4(2)(a) of the **Draft DCO (EN010166/APP/3.1)**) with measures including:
    a. control and minimise the risk of pollution to surface waters by managing construction site run-off; and
    b. measures to control storage, handling and disposal of polluting substances.
    c. Restriction of lighting to a focused point where reasonably practicable, during construction. For further information refer to **ES Volume II Chapter 5: Construction Management and Programme (EN010166/APP/6.2.5)** and the **Lighting Strategy (EN010166/APP/7.22**). The strategy seeks to provide safe working conditions whilst reducing light pollution and the visual impact of light on the local environment[10]; and
    d. operational lighting requirements for the Proposed Development that identify that lighting would be sited or screened in such a way as to reduce illumination on adjoining sensitive habitats to minimise effects on receptors sensitive to light impacts where practicable **(Lighting Strategy (EN010166/APP/7.22).**
3. an **Outline Landscape and Ecology Management Plan (LEMP) (EN010166/APP/6.9)** has been developed to secure habitat management and monitoring of retained and created habitats (including saltmarsh). A final version of the plan would be prepared and approved in advance of the relevant stage of the Proposed Development;
4. a Pollution Prevention Plan, including an emergency spill plan which would be implemented during all stages of the Proposed Development;
5. pollution prevention will be achieved with both physical and procedural measures such as temporary sediment forebays within a designated attenuation basin during construction, suitable interceptors within the permanent and temporary surface water drainage networks and suitable storage of construction materials;
6. as part of the drainage design, appropriate pollution measures will be implemented and in place within the drainage network in the form of full retention fuel interceptors, shut-off valves and fire suppression / contaminated water tanks;
7. the appointed contractor shall provide suitable pumps, settlement tanks and filters to filter all water being pumped/ discharged from excavations into existing drains. The appointed contractor shall also take measures to ensure that runoff from open excavations does not enter the surrounding drainage system without being treated;
8. all discharged water (rainwater and groundwater) from pumping will be treated and tested before re-infiltration. Such water will be disposed of as construction site run-off having first passed through a settlement tank or filtration system where appropriate;

7.3.5 The following construction best practice measures relevant to the Marine Elements are to be adopted by the Proposed Development:

1. International Regulations for Preventing Collisions at Sea (IMO, 1972); and
2. International Convention for the Prevention of Pollution from Ships (MARPOL Convention 73/78); and
3. Delivery of Abnormal Invisible Loads will be received through a choice of three existing ports.

[10] Though this does not specify impacts to marine receptors, such as fish, which are addressed as an Additional Mitigation Measure later in this section.

Additional Mitigation

7.3.6 Additional mitigation measures, as outlined in Section 12.7 of **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12),** have been proposed to reduce likely significant effects on designated sites and sensitive receptors during both construction and operation. These measures are fully detailed in **Chapter 11: Terrestrial and Aquatic Ecology (EN010166/APP/6.2.11)** and the **Report to Inform Habitat Regulations Assessment (EN010166/APP/6.12) –** see **Section 5** of this report. A summary for migratory fish is provided here as it relates specifically to the (licensable) marine environment:

- Works during the construction phase would preferably be carried out during daylight hours to avoid the need to use Artificial Light at night (ALAN) which is known to affect the movement of migratory species of fish. Where this is not possible then lights should be directed away from watercourses and bodies as far as reasonably practicable so that fish migration, spawning and feeding is not disrupted.
- Where only daylight working is not feasible, or ALAN cannot be directed entirely away from waterbodies it is advised that key migration periods are avoided.

7.3.7 As detailed in paragraph 12.6.15 of **ES Volume II Chapter 12: Marine Ecology (EN010166/APP/6.2.12),** *"The Framework CEMP (EN010166/APP/6.5) and the Lighting Strategy (EN010166/APP/7.22) specify that lights used during construction would be shielded and angled to minimise disturbance to ecological receptors. However, these documents do not specifically address the impact on fish or waterbodies".*

7.4 Measures to Prevent Undue Interference to Others

7.4.1 This section summaries the efforts made by the Applicant to avoid and minimise disruption to other users of the marine environment during construction of the Marine Elements (Section 3).

Proposed Surface Water Outfall

7.4.2 The Proposed Surface Water Outfall has been designed (amongst other reasons) to minimise disturbance within the estuary and avoid unnecessary interference with marine users. As outlined in Section 2.14 of the **Framework CEMP (EN010166/APP/6.5)**: "*the Proposed Surface Water Outfall would be installed into an extension of the existing headwall via trenchless construction methods or open excavation. Should open excavation be required it would be limited to areas to the edge of the saltmarsh and outside of the existing mudflat habitat and undertaken either by hand or use of mini diggers.* […] *Materials storage and location of plant would to be limited to the area between the existing headwall and the existing access road to the northern side of the existing Connah's Quay Power Station."*

7.4.3 To minimise encroachment into the estuary and prevent interference to other marine environment users from construction of the Proposed Surface Water Outfall:

- Construction activities will be confined to the immediate work area around and landward of the existing headwall;
- Plant and material storage will be restricted to the area between the existing headwall and access road, or within the main development area;
- No permanent structures or works are proposed that would obstruct navigation.

Water Connection Corridor

7.4.4 As outlined in Section 2.15 of the **Framework CEMP (EN010166/APP/6.5)** the eel screen replacement activities in the Water Connection Corridor will comprise refurbishment of the existing intake structure and replacement of the existing eel screens

using competent operatives and divers[11], supported by a barge and/or support vessel. Works will be undertaken from the existing intake structure, with access on foot via the saltmarsh and from the support barge. No works will interact with the riverbed. Materials and equipment will be stored on the support barge and the working area will be established on scaffolding attached to the existing protection structure. The majority of works are expected to require hand tools only. In essence, the support barge alone presents any potential for impact on other marine environmental users in the Water Connection Corridor.

7.4.5 The **Navigational Risk Assessment (EN010166/APP/6.15)** states in Section 2.5 that *"The work on the intakes will involve lifting out the existing intake screen assemblies, detaching the existing screens and replacing them with finer mesh screens. The assemblies will then be lifted back into position. The estimated construction period is 3-5 months, and a crane barge is expected to be moored at site alongside the protective barrier for the duration of this period in order to lift the sections over the barrier. An additional vessel may also be required to deliver materials to site.*

7.4.6 To navigate to Connah's Quay North, AILs must pass the Water Connection Corridor. Construction specific hazards have been identified that could arise if construction is ongoing while AILs are transported past the screens during the construction period. An Interim Water Connection Corridor NRA has been developed to address these hazards and mitigate associated risks should this situation arise. The Interim Water Connection Corridor NRA has been prepared independently of the Connah's Quay North NRA, as it is only applicable if construction coincides with the transportation of AILs. As secured by Requirement 19 of the Draft DCO (EN010166/APP/3.1) an updated NRA will need to be repeated by the contractor once the precise methodology has been confirmed in correspondence with the Dee Conservancy."

7.4.7 The Interim Water Connection Corridor NRA is provided in Appendix A.5 of **The Navigational Risk Assessment (EN010166/APP/6.15)** with the results discussed as follows in Section 5.2 of the same document: *"The Interim Water Connection Corridor NRA (in Appendix A.5) determined that there were no hazards that were scored above a category of "Moderate" in the mitigated risks. However, there were some high scored baseline risks, notably "Construction risks" and "Fire on board crane barge". These were awarded respective baseline scores of 15 (High) and 10 (High) which have been reduced to 9.4 (Moderate) and 3.2 (Minor). While the fire hazard has been reduced to a low mitigated score, the construction risk score is still moderately high even though it is still categorised as moderate. This is due to the consequences being rated high and there being limited information on the construction method. This risk, and all others associated with the construction work, will require updating by the contractor following completion of their RAMS (Risk Assessment and Method Statement)."*

7.5 Navigational Safety Measures

7.5.1 As indicated above in paragraph 7.4.4 the only works with the potential to interact with navigation comprise the replacement of the existing eel screens within the Water Connection Corridor. A crane barge is expected to remain moored alongside the existing protective barrier throughout the estimated three to five month construction period, with an additional vessel potentially required for material deliveries. The works are undertaken entirely within the footprint of the existing intake structures, which are already protected by an existing fender structure.

7.5.2 **The Navigational Risk Assessment (EN010166/APP/6.15)** identifies that the only circumstance in which these works present an additional navigational risk is if construction activities coincide with the transport of Abnormal Indivisible Loads (AILs) to the proposed Connah's Quay North berth, as this navigation route passes the Water Connection Corridor. To address this, a dedicated Interim Water Connection Corridor Navigational Risk Assessment (Appendix A.5 of **The Navigational Risk Assessment (EN010166/APP/6.15)**) has been prepared specifically to identify construction-related

[11] Note, safety divers only. Divers are not being proposed to undertake any of the construction work.

hazards and define mitigation measures for this temporary scenario. This assessment is separate from the baseline assessment for the Connah's Quay North route and is only applicable where the two activities overlap.

7.5.3 The assessment further requires that, before works commence, the contractor prepares an updated Navigational Risk Assessment reflecting the final construction methodology and in consultation with the Dee Conservancy. This updated assessment is secured through Requirement 19 of the Draft DCO.

7.5.4 Additional construction measures further reduce potential effects on navigation by ensuring that:

- works are confined to the existing intake structures and do not extend into the navigable channel;
- works do not interact with the riverbed;
- materials and plant are stored on the support barge, avoiding obstruction of the river;
- temporary working platforms are formed using scaffolding attached to the existing protection structure rather than new in-river infrastructure;
- each intake is worked on individually using temporary seals, allowing continued operation of the existing power station throughout the works.

7.5.5 Collectively, these measures ensure that any temporary navigational risks are identified, assessed and managed through project-specific risk assessment and construction controls, while limiting the physical extent of works within the river.

7.5.6 General navigational safety measures identified in the NRA include:

- Compliance with the Port Marine Safety Code (PMSC);
- Formal Navigational Risk Assessment (NRA);
- Weather monitoring and operational restrictions;
- Tidal planning and under-keel clearance management;
- Detailed contractor Risk Assessment and Method Statement (RAMS);
- Risk control options developed jointly through stakeholder consultation;
- Mandatory pilotage and use of tug assistance where required;
- Use of Vessel Traffic Services (VTS) and harbour communications;
- Navigation in accordance with Notices to Mariners and harbour operating procedures;
- Established emergency procedures;
- Mooring and berthing controls;
- Maintenance of navigational aids; and
- Additional controls for Water Connection Corridor works (see Paragraph 7.5.2 above).

8 References

European Parliament and Council (2014) Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment. Official Journal of the European Union, L124, pp. 1–18

International Maritime Organisation (IMO), 2011; 2011 Guidelines for the Control and Management of Ships' Biofouling to Minimize the Transfer of Invasive Aquatic Species. Annex 26. Resolution MEPC.207(62). Adopted 15 July 2011.

International Maritime Organisation (IMO), 2017; International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) [online]. Available at: https://www.imo.org/en/About/Conventions/Pages/International Convention-for-the-Control-and-Management-of-Ships%27-Ballast-Water and-Sediments-(BWM).aspx (Accessed 28/07/25)

RAPID LIFE., 2020a; Marine Biosecurity: Control Measures [online] Available at: https://www.nonnativespecies.org/local-action-groups lags/rapid-life-project/toolkits/#marinetoolkit (Accessed 28/07/25)

UK Government (2009) *Marine and Coastal Access Act 2009*. Available at: https://www.legislation.gov.uk/ukpga/2009/23/contents?lang=en (Accessed: 7 July 2026).

UK Government (2009a) *The Marine Licensing (Notices Appeals) Regulations 2009*. SI 2009/3344. Available at: https://www.legislation.gov.uk/uksi/2009/3344/made (Accessed: 7 July 2026)

Appendix A: Additional Water Connection Corridor Works Schematics

General - Unencrypted

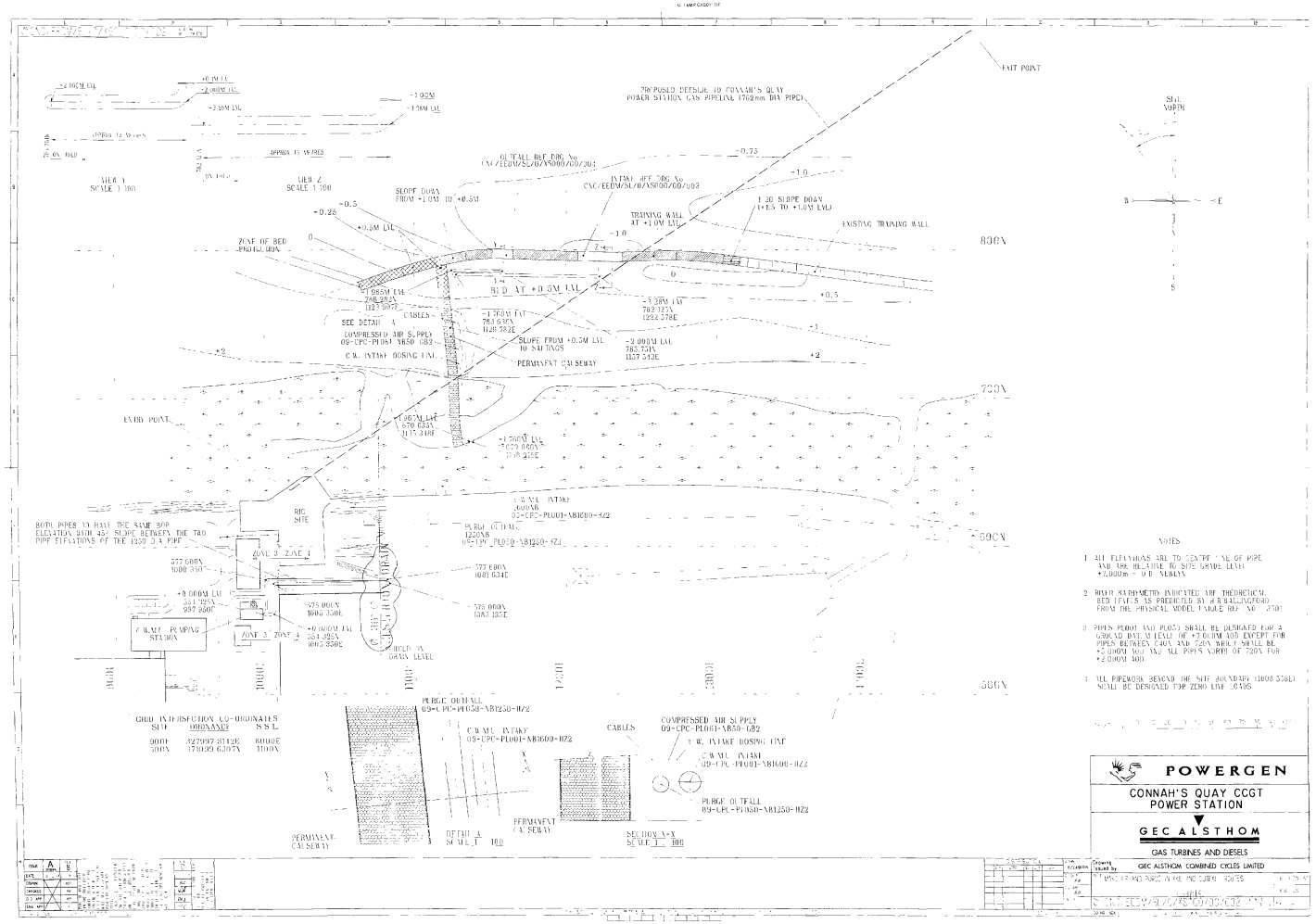


Figure 7: MAKE UP AND PURGE INTAKE OUTFALL ROUTES_CNC-104195-SHT-1-OF-1

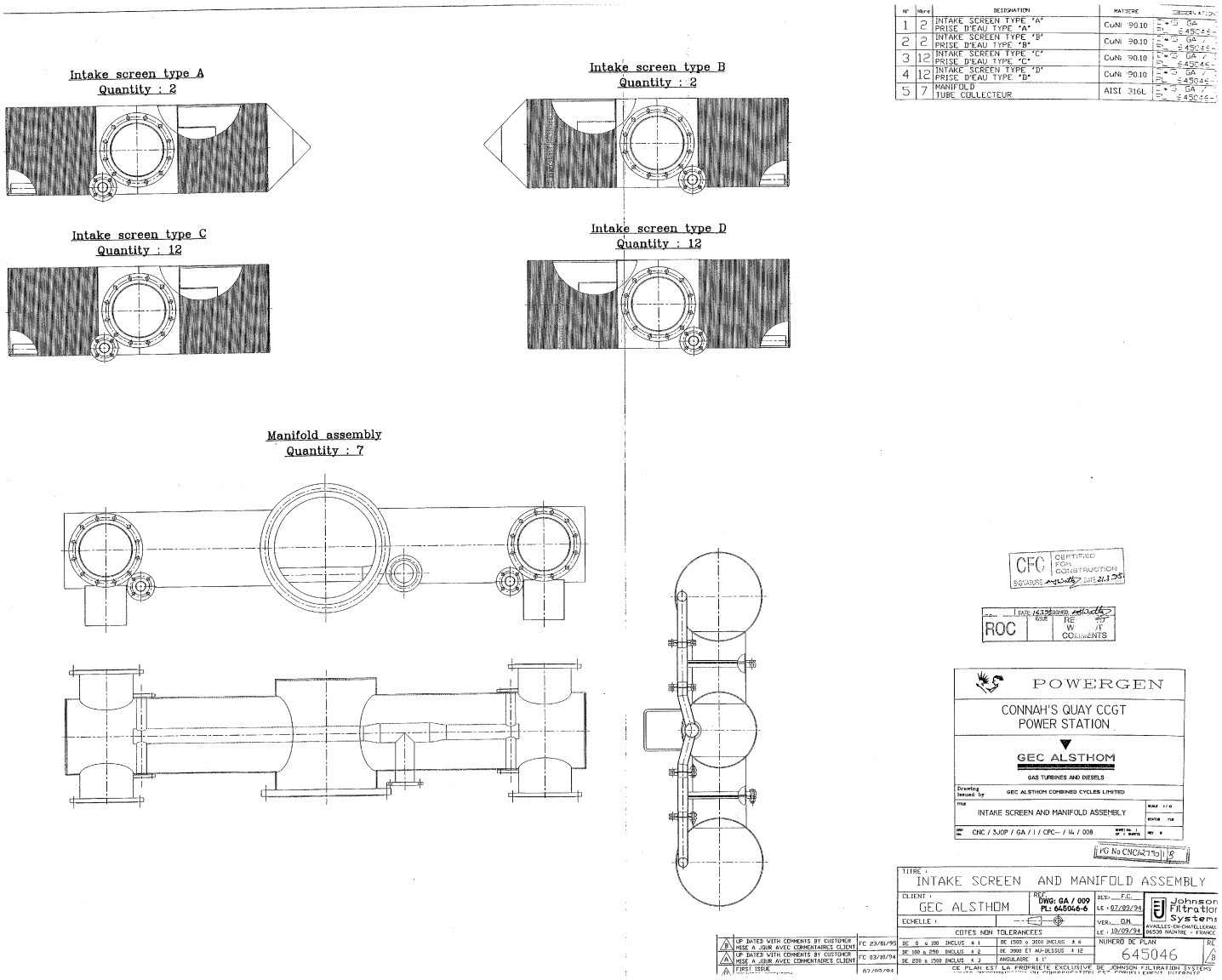


Figure 8: INTAKE SCREEN AND MANIFOLD ASSEMBLY_CNC-103556

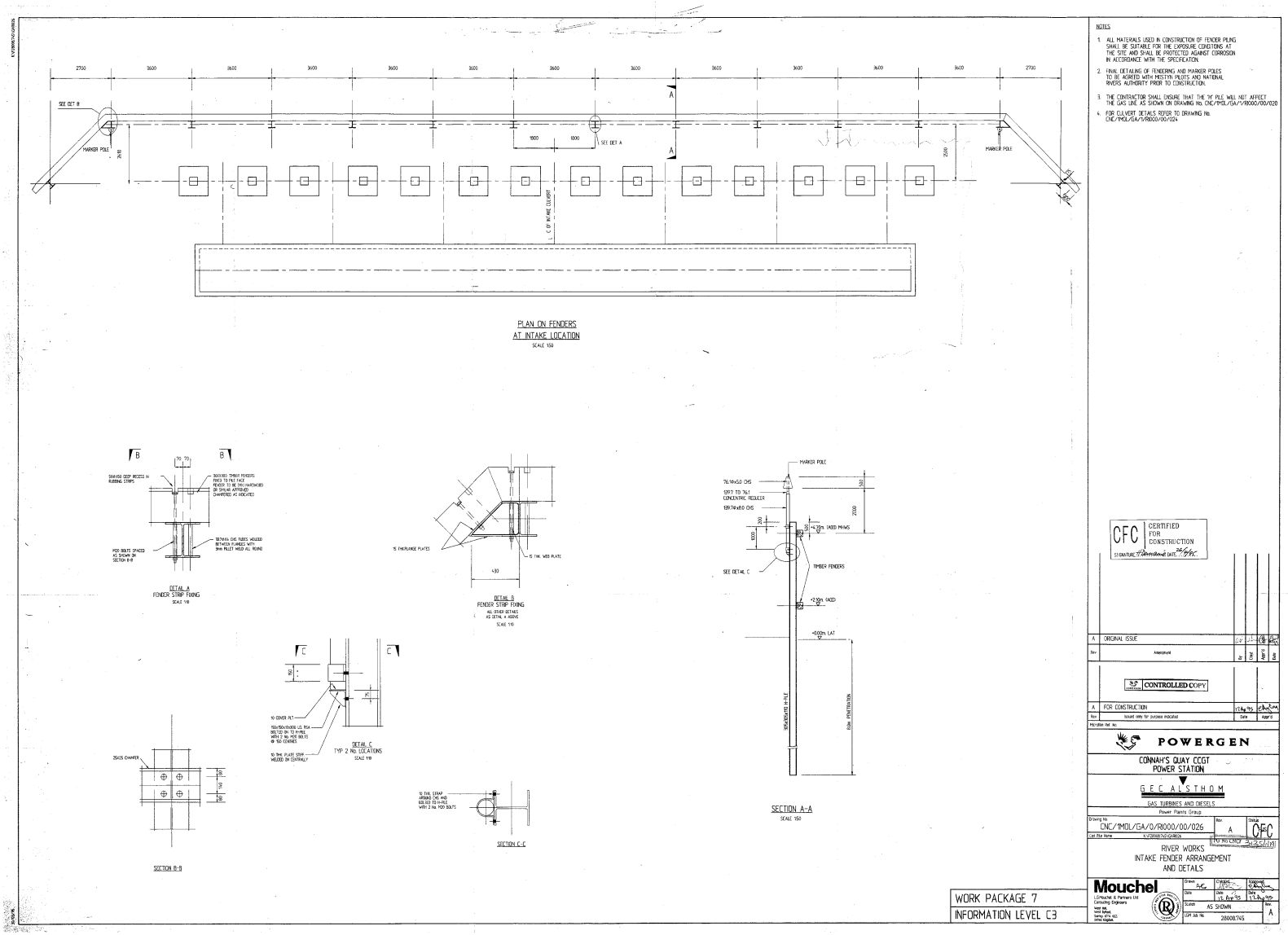


Figure 9: RIVERWORKS INTAKE FENDER ARRANGEMENT AND DETAILS_CNC-101915

Appendix B: Additional Surface Water Outfall Schematics

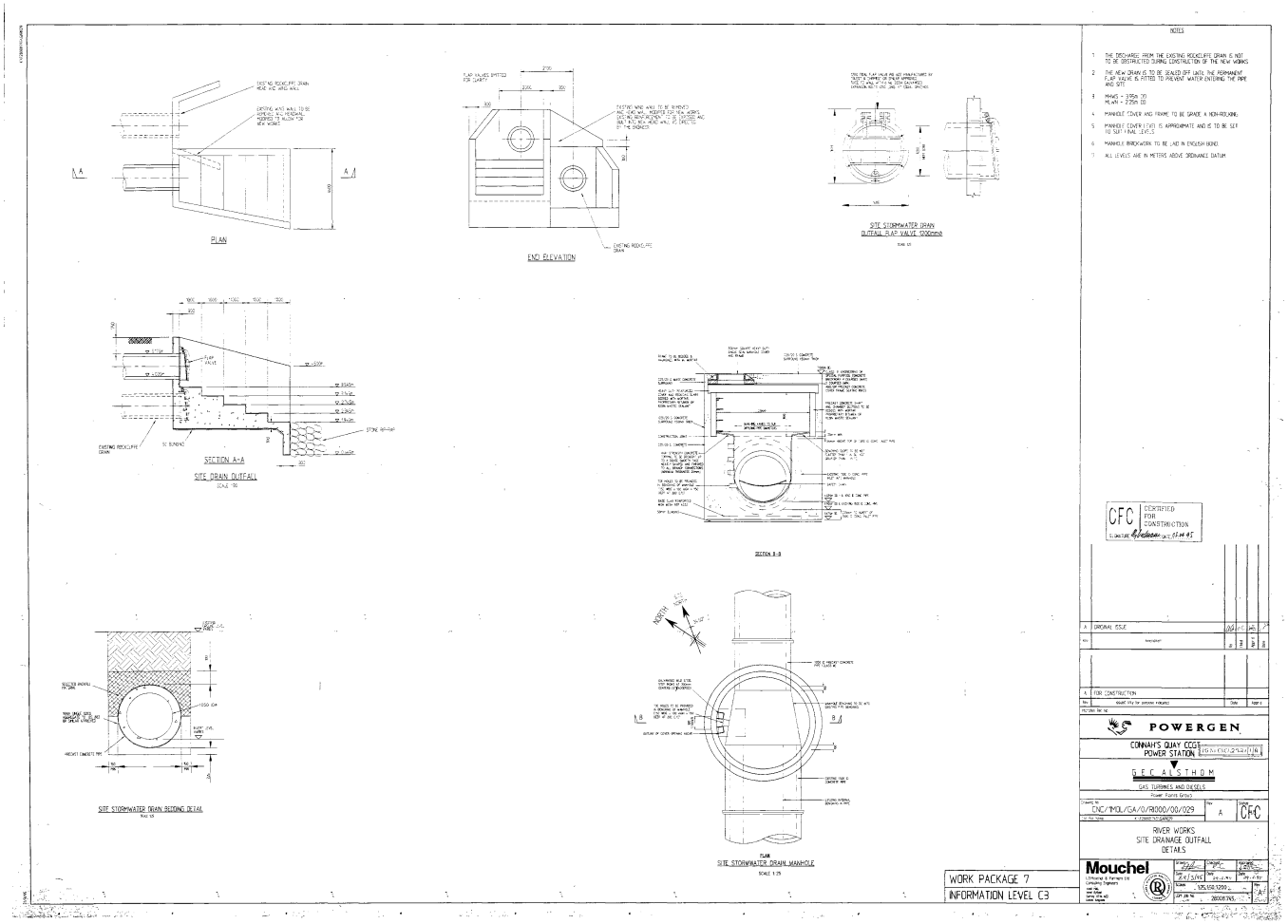


Figure 10: RIVERWORKS SITE DRAINAGE OUTFALL DETAILS_CNC-101921 [Existing Surface Water Outfall]

General - Unencrypted

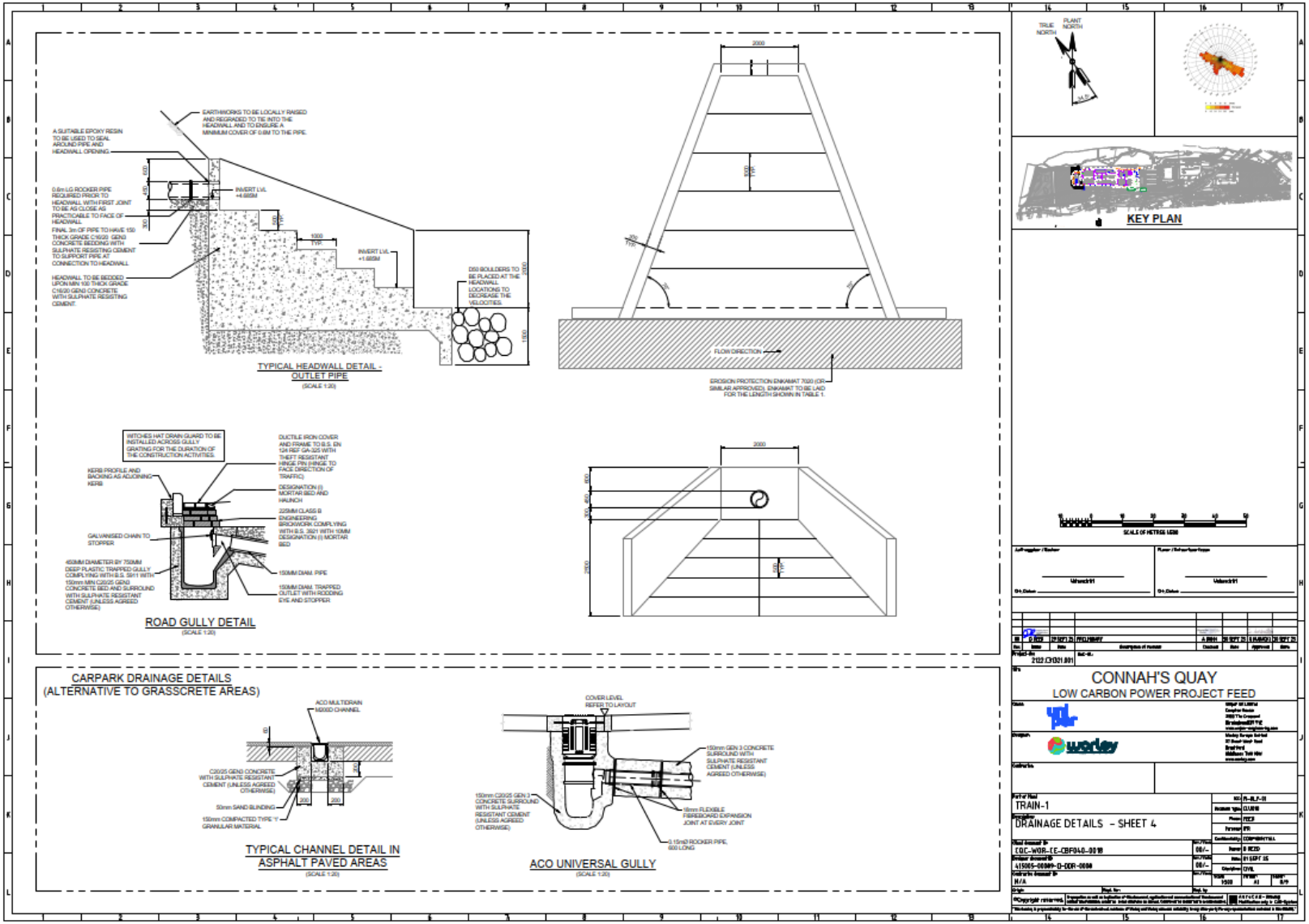


Figure 11: Indicative design of Proposed Surface Water Outfall (CQC-WOR-CE-CBF040-0018)

Appendix C: Map showing locations of the Marine Elements

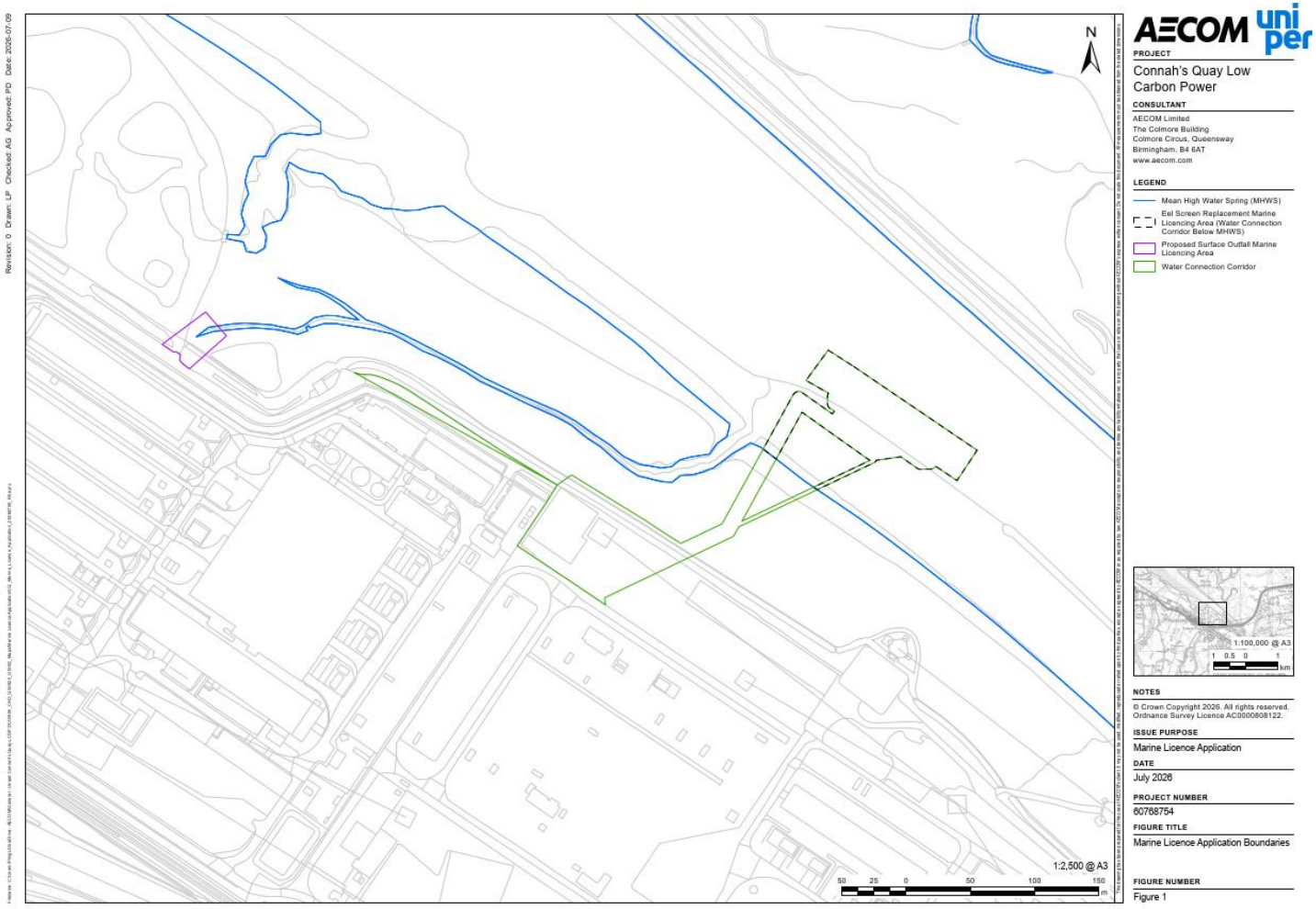


Table 5: Marine Works area bounding coordinates:

Marine Licence Application Boundary	Vertex ID	X	Y
Proposed Surface Outfall Marine Licencing Area	1	-3.08240	53.23338
Proposed Surface Outfall Marine Licencing Area	2	-3.08193	53.23364
Proposed Surface Outfall Marine Licencing Area	3	-3.08164	53.23344
Proposed Surface Outfall Marine Licencing Area	4	-3.08211	53.23319
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	1	-3.07537	53.23271
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	2	-3.07503	53.23310
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	3	-3.07503	53.23311
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	4	-3.07463	53.23341
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	5	-3.07433	53.23330
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	6	-3.07288	53.23273
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	7	-3.07290	53.23270
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	8	-3.07311	53.23251
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	9	-3.07473	53.23243
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	10	-3.07478	53.23245
Eel Screen Replacement Marine Licencing Area (Water Connection Corridor Below MHWS)	11	-3.07522	53.23264

General - Unencrypted