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At Horizon Nuclear Power
(Er gwybodaeth i bob Parti â Buddiant)

Eich Cyf:

Ein Cyf: EN010007

Dyddiad: 25 Chwefror 2019

Annwyl Syr/Fadam

Deddf Cynllunio 2008 (fel y'i diwygiwyd) Adran 89 a Rheolau Cynllunio Seilwaith (Gweithdrefn Archwilio) 2010 (fel y'u diwygiwyd) – Rheol 9 a Rheol 17

Cais gan Horizon Nuclear Power am Orchymyn yn Rhoi Caniatâd Datblygu ar gyfer Prosiect Wylfa Newydd

Newidiadau i'r cais gwreiddiol a chais am wybodaeth ychwanegol

Ysgrifennwn atoch i roi gwybod i chi am y penderfyniad gweithdrefnol a wnaed gan yr Awdurdod Archwilio ynglŷn â chais yr Ymgeisydd i dderbyn nifer o newidiadau i'r Cais am Orchymyn Caniatâd Datblygu (DCO). Ysgrifennwn atoch hefyd i ofyn i chi am wybodaeth ychwanegol ynglŷn â'r cais sydd wedi'i newid.

Mae'r Awdurdod Archwilio wedi derbyn dwy set o geisiadau am newidiadau i'r Cais; roedd y cais cyntaf yn cynnwys dau gais unigol am newid ac roedd yr ail yn cynnwys tri chais unigol am newid.

Cyhoeddwyd y set gyntaf o geisiadau am newidiadau fel Cyflwyniad Ychwanegol ynghyd â llythyr eglurhaol. Cyhoeddwyd yr ail set o Geisiadau am Newidiadau yn rhan o ddogfennau Terfyn Amser 4, ynghyd â llythyr eglurhaol (REP4-001).

Mae'r Ymgeisydd yn datgan ei fod wedi dilyn y weithdrefn a argymhellir yn Nodyn Cyngor 16 yr Arolygiaeth Gynllunio: Sut i ofyn am gael gwneud newid a allai fod yn berthnasol (AN16), er bod yr Ymgeisydd yn honni nad yw'r newidiadau arfaethedig yn berthnasol mewn gwirionedd.

Perthnasedd y newidiadau arfaethedig

Ym marn yr Ymgeisydd, nid yw'r newidiadau arfaethedig ym mhob un o'r Ceisiadau am Newidiadau yn berthnasol. Fodd bynnag, yr Awdurdod Archwilio sydd i benderfynu, yn y pen draw, p'un a yw newid arfaethedig yn berthnasol.

Fel y dywedir yn AN16:

“Nid oes diffiniad cyfreithiol o ‘berthnasol’, ond y profion i’w defnyddio yw p’un ai yw’r newid yn sylweddol neu p’un ai nad yw’r datblygiad sy’n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol. Mae’r cyntaf yn gyfystyr â gwneud newid perthnasol ac – ar yr amod bod digon o amser ar ôl yn y cam Archwilio – gellir ei gynnwys fel rhan o broses Deddf Cynllunio 2008. Mae’r olaf yn gyfystyr â phrosiect gwahanol y byddai angen gwneud cais newydd ar ei gyfer. Mae p’un ai yw newid arfaethedig yn perthyn i’r naill neu’r llall o’r categorïau hyn yn fater o farn gynllunio a all fod yn seiliedig ar feini prawf, gan gynnwys, er enghraifft, a fyddai’r newid yn achosi effaith/effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol.”

Mae’r Awdurdod Archwilio wedi asesu ceisiadau’r Ymgeisydd yn unol â pharagraffau 109 i 115 Canllaw’r Adran Cymunedau a Llywodraeth Leol (DCLG) ‘Deddf Cynllunio 2008: archwilio ceisiadau am ganiatâd datblygu’ ac AN16, ac mae wedi dod i’r casgliadau canlynol:

Cais am Newid yn ymwneud â’r Strategaeth Ffrwydro

i) Newid arfaethedig yr Ymgeisydd

Mae’r Ymgeisydd yn gofyn am gael newid yr oriau ffrwydro arfaethedig o 10:00-16:00 o’r gloch i 09:00-19:00 o’r gloch yn ystod yr wythnos, ac o 10:00-13:00 o’r gloch i 09:00-13:00 o’r gloch ar ddydd Sadwrn. (AS-020)

Nid yw’r Ymgeisydd yn rhagweld unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol o ganlyniad i’r newid arfaethedig. Yn ogystal, mae’r Ymgeisydd wedi cadarnhau na fyddai’r newid y gofynnwyd amdano yn cynyddu amllder ffrwydro yn ystod yr oriau estynedig a geisir.

Byddai’r oriau ffrwydro y gofynnwyd amdanynt yn ystod yr wythnos yn ymestyn awr yn hwyrach na’r cyfnod a awgrymir gan BS6472-2, ond byddai’r oriau yn ystod yr wythnos yn dechrau awr yn hwyrach hefyd. Byddai defnyddio lefel dirgryniad ffrwydro is o 4.5 ppv mms-1 yn ystod awr olaf y cyfnod y gofynnwyd amdano yn ystod yr wythnos yn lleihau’r effeithiau cysylltiedig a brofir gan breswylwyr lleol. Ni fyddai amllder ffrwydradau’n newid a, phe byddai’r newid yn cael ei ganiatáu, ni fyddai ffrwydrad yn ystod yr awr olaf y gofynnwyd amdani yn ystod yr wythnos yn ddigwyddiad annisgwyl. Fodd bynnag, byddai gweithio ar y lefel dirgryniad ffrwydro is, fel y cadarnhawyd gan yr Ymgeisydd ym mharagraff 1.2.7 REP3-044, yn lleihau effaith bosibl gwaith adeiladu yn sylweddol ar ôl 18:00 o’r gloch. Yn ogystal, gellid disgwyl yn rhesymol i fwy o weithgarwch ffrwydro ddigwydd yn ystod camau cynharach y gwaith adeiladu.

Mae’r ffactorau sydd wedi arwain at y newid y gofynnwyd amdano wedi cael eu hesbonio.

ii) Safbwyntiau ar berthnasedd

Nid yw Cyfoeth Naturiol Cymru (‘CNC’) yn credu [REP2-325 Atodiad D paragraff 2.8] y byddai unrhyw effeithiau amgylcheddol sylweddol newydd na gwahanol yn debygol o ddigwydd o ganlyniad i’r newid arfaethedig i’r strategaeth ffrwydro, ac mae Cyngor Sir Ynys Môn (‘IACC’) yn datgan ei fod yn fodlon bod y newid y gofynnwyd amdano yn amherthnasol ‘mewn cyd-destun’. Mae’r holl gynrychiolaethau eraill ynglŷn â’r newid y gofynnwyd amdano wedi cael eu hystyried.

iii) Barn yr Awdurdod Archwilio ar berthnasedd a derbyn newidiadau
Nid yw'r Awdurdod Archwilio wedi gweld unrhyw dystiolaeth y byddai'r newid y gofynnwyd amdano'n arwain at unrhyw effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol, gan gynnwys effeithiau cronol. Nid yw'r Awdurdod Archwilio ychwaith yn credu bod hyn (a'r newidiadau eraill a gynigiwyd) yn golygu nad yw'r datblygiad sy'n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol.

Yn unol â hynny, mae'r Awdurdod Archwilio yn cytuno y byddai'r newid i strategaeth ffrwydro'r cais yn newid amherthnasol i'r cais ac y dylai gael ei dderbyn i'w ystyried yn yr archwiliad yn rhan o'r cais.

iv) Materion i'w hystyried yn rhan o'r archwiliad
Cododd nifer o ymatebwyr i'r ymgynghoriad bryderon ynglŷn ag effeithiau sŵn a dirgryniad sy'n gysylltiedig â'r datblygiad arfaethedig ar Ardal Gwarchodaeth Arbennig Môr-wenoliaid Ynys Môn, ac y gallai'r newid y gofynnwyd amdano ychwanegu at yr effeithiau. Bydd hyn, ynghyd â'r rheolaethau angenrheidiol a ddylai gael eu darparu gan y Cod Ymarfer Adeiladu a phryderon Cyngor Sir Ynys Môn (IACC) y dylai Safon Brydeinig BS6472-2:2008 gael ei mabwysiadu'n llawn, yn cael eu hystyried gan yr Awdurdod Archwilio yn rhan o'i archwiliad o'r cais (fel y'i newidiwyd).

v) Ymgynghoriad cyhoeddus
Nodwyd bod ymgynghoriad cyhoeddus ar y newid arfaethedig hwn wedi cael ei gynnal gan yr Ymgeisydd rhwng 14/08/2018 a 28/09/2018, a'i fod wedi cynnwys ymgynghoreion penodol a phreswylwyr lleol trwy Gronfa Ddata Cymdogion Agos Horizon.

Mae'r Awdurdod Archwilio yn fodlon nad oes angen ymgynghoriad pellach, er mwyn tegwch, i ddiogelu buddiannau a/neu hysbysu'r rhai y gallai'r newid effeithio arnynt.

Cais am newid yn ymwneud â symudiadau llongau

i) Newid arfaethedig yr Ymgeisydd
Mae'r Ymgeisydd yn gofyn am newid i'r symudiadau llongau arfaethedig. Byddai'n cynyddu'r terfyn dyddiol uchaf o bedwar symudiad y dydd (dwy long) i 16 symudiad y dydd (wyth llong) o fewn cyfanswm y symudiadau llongau a aseswyd ac a ddisgrifiwyd yn y datganiad amgylcheddol (AS-021).

Nid yw'r Ymgeisydd yn rhagweld unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol o ganlyniad i'r newid arfaethedig. Yn ogystal, mae'r Ymgeisydd wedi cadarnhau [REP3-044] bod y cais am newid yn ymwneud yn unig â chynyddu terfyn dyddiol uchaf llongau sy'n defnyddio'r Cyfleuster Dadlwytho Morol (MOLF) fel y gellid ymdopi â digwyddiadau annisgwyl, fel tywydd gwael; ni fyddai'r newid y gofynnwyd amdano'n cynyddu cyfanswm nifer y llongau sy'n ofynnol i adeiladu'r datblygiad arfaethedig; ac, mae'r cais wedi ystyried ystod eang o fathau o longau, symudiadau a dulliau o'u rheoli.

Mae'r ffactorau sydd wedi arwain at y newid y gofynnwyd amdano wedi cael eu hesbonio.

ii) Safbwyntiau ar berthnasedd

Ar ôl ystyried effeithiau posibl, gan gynnwys y rhai hynny ar ansawdd aer, mamaliaid môr ac adar môr, nid yw CNC yn credu [REP2-325 Atodiad D paragraff 3.6] y byddai unrhyw effeithiau amgylcheddol sylweddol newydd na gwahanol yn debygol o ddigwydd o ganlyniad i'r newid arfaethedig i symudiadau llongau.

Mae'r holl gynrychiolaethau eraill ynglŷn â'r newid y gofynnwyd amdano wedi cael eu hystyried.

iii) Barn yr Awdurdod Archwilio ar berthnasedd a derbyn newidiadau
Nid yw'r Awdurdod Archwilio wedi gweld unrhyw dystiolaeth y byddai'r newid y gofynnwyd amdano'n arwain at unrhyw effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol, gan gynnwys effeithiau cronol. Nid yw'r Awdurdod Archwilio ychwaith yn credu bod hyn (a'r newidiadau eraill a gynigiwyd) yn golygu nad yw'r datblygiad sy'n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol.

Yn unol â hynny, mae'r Awdurdod Archwilio yn cytuno y byddai'r newid i symudiadau llongau arfaethedig y cais yn newid amherthnasol i'r cais, ac mae'n dod i'r casgliad y dylai gael ei dderbyn i'w ystyried yn yr archwiliad yn rhan o'r cais.

iv) Materion i'w hystyried yn rhan o'r archwiliad
Mae ymatebion i'r ymgynghoriad wedi codi pryderon ynglŷn â natur y symudiadau llongau a'u heffeithiau ar Ardal Gwarchodaeth Arbennig Môr-wenoliaid Ynys Môn, ac y gallai'r newid y gofynnwyd amdano darfu ymhellach ar y nythfa môr-wenoliaid. Bydd y materion hyn, ynghyd â'r rheolaethau angenrheidiol i'w darparu gan y Cod Ymarfer Adeiladu, yn cael eu hystyried gan yr Awdurdod Archwilio yn rhan o'i archwiliad o'r cais (fel y'i newidiwyd).

v) Ymgynghoriad cyhoeddus
Nodwyd bod ymgynghoriad cyhoeddus ar y newid arfaethedig hwn wedi cael ei gynnal gan yr Ymgeisydd rhwng 14/08/2018 a 28/09/2018, a'i fod wedi cynnwys nifer o bartion yr oedd o'r farn y byddai ganddynt fuddiant yn y newid arfaethedig (gan gynnwys unigolion rhagnodedig o dan adran 42(a)-(d) Deddf Cynllunio 2008, ymgynghoreion statudol ac Unigolion â Buddiant mewn Tir); bod dau ddigwyddiad galw heibio wedi cael eu cynnal ar ei fws ymgynghori yng Nghemaes a Thregele, a bod ei gylchlythyr 'Newyddion i Gymdogion' wedi cael ei anfon at bob aelwyd yn ardaloedd Cemaes a Thregele.

Mae'r Awdurdod Archwilio yn fodlon nad oes angen ymgynghoriad pellach, er mwyn tegwch, i ddiogelu buddiannau a/neu hysbysu'r rhai y gallai'r newid effeithio arnynt.

Cais am Newid yn ymwneud â Phatrymau Sifft Gweithwyr

i) Newid arfaethedig yr Ymgeisydd
Mae'r Ymgeisydd eisiau gwneud newidiadau i batrymau sifft gweithwyr, gweler y tabl isod. (REP4-011)

| DCO Presennol | | Newid Arfaethedig | | |
|-------------------------|---|---------------------------|----------------------------|---|
| | | | 2020 | 2023 |
| Dydd (10 awr) | 07:00-17:00 07:30-17:30 08:00-18:00 | Dydd (10.5 awr) | 07:00-17:30 07:30-18:00 | 07:00-17:30 07:30-18:00 08:00-18:30 |

| | | | | |
|--------------------------|---|------------|---------------------------|--|
| Nos (10.5 awr) | 16:30-03:00 17:00-03:30 17:30-04:00 | Nos | 19:30-06:00 (10.5 awr) | 19:30-05:30 20:00-06:00 (10 awr) |
|--------------------------|---|------------|---------------------------|--|

Nid yw'r Ymgeisydd yn rhagweld unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol o ganlyniad i'r newid arfaethedig.

Mae'r ffactorau sydd wedi arwain at y newid y gofynnwyd amdano wedi cael eu hesbonio.

ii) Safbwyntiau ar berthnasedd

O'r ymatebion a dderbyniwyd i ymgynghoriad yr Ymgeisydd, mae CNC a Gwasanaeth Tân ac Achub Gogledd Cymru (NWFR) yn cytuno na fyddai unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol yn codi o ganlyniad i'r newid arfaethedig.

Mae IACC yn dadlau bod angen i'r cais hwn am newid gael ei ystyried ochr yn ochr â'r ddau gais arall am newidiadau i symudiadau cerbydau nwyddau trwm (HGV) ac oriau gwaith y safle a gyflwynwyd erbyn Terfyn Amser 4 hefyd. Mae IACC o'r farn y byddai'r newidiadau, o'u hystyried fel pecyn, yn gyfystyr â newid perthnasol i'r cais.

iii) Barn yr Awdurdod Archwilio ar berthnasedd a derbyn newidiadau

Er bod yr Awdurdod Archwilio yn nodi pryderon IACC ynglŷn â'r effeithiau cronol posibl, yn seiliedig ar y dystiolaeth a gyflwynwyd, nid yw'r Awdurdod Archwilio o'r farn y byddai'r newid y gofynnwyd amdano'n arwain at unrhyw effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol. Nid yw'r Awdurdod Archwilio ychwaith yn credu bod hyn (a'r newidiadau eraill a gynigiwyd) yn golygu nad yw'r datblygiad sy'n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol. Yn unol â hynny, ystyrir y byddai'r cais am newid i batrymau sifft gweithwyr yn newid amherthnasol ac y dylai gael ei dderbyn i'w ystyried yn yr archwiliad yn rhan o'r cais.

iv) Materion i'w hystyried yn rhan o'r archwiliad

Mae'n amlwg bod nifer o bryderon ynglŷn â'r newid arfaethedig. Mynegodd Llywodraeth Cymru (LIC) bryder y gallai'r newid arfaethedig arwain at y posibilrwydd o orgyffyrddiad rhwng gweithwyr sy'n gadael a chyrraedd y safle, ac amheuodd p'un a allai Cyffordd 4 yr A55 ymdopi â hyn. Yn ogystal, holodd p'un a oedd y newid arfaethedig wedi ystyried traffig a gynhyrchir gan Fferi 05:45 Caergybi.

Er gwaethaf y cwestiwn ynghylch perthnasedd, mae IACC yn credu y byddai angen i'r cais hwn gael ei asesu ymhellach ac y byddai angen gwybodaeth am effeithiau posibl y newid. Mae wedi gofyn am dystiolaeth ychwanegol ynglŷn ag ymddygiad a phatrymau teithio gweithwyr, gan gyfeirio at weithlu Hinkley Point C. Mynegodd bryder hefyd ynglŷn â hyd y sifftiau, a ph'un a allai hyn olygu y byddai mwy o weithwyr yn ceisio llety yn agosach i'r safle ac y byddai'r symudiadau traffig wedi'u cywasgu i ddwy sifft yn hytrach na'u lledaenu ar draws tair sifft. Croesawodd y ffaith y byddai'r newid yn osgoi amserau teithio ysgolion.

Ailadroddodd Cyngor Sir Gwynedd (GCC) bryderon blaenorol ynglŷn â phatrymau sifft a dywedodd er nad oedd y newid arfaethedig yn codi unrhyw bryderon newydd, amlygodd y posibilrwydd o 'ymestyn cyfnodau brig', gan gyfeirio at gydnerthedd y rhwydwaith i ymdopi â damweiniau a digwyddiadau annisgwyl.

Roedd un preswylwr lleol yn pryderu am yr effaith ar lefelau traffig ar adegau pan fyddai pobl yn cysgu.

Bydd yr holl faterion hyn yn cael eu hystyried gan yr Awdurdod Archwilio yn rhan o'i archwiliad o'r cais (fel y'i newidiwyd).

v) Ymgynghoriad cyhoeddus

Cynhaliodd yr Ymgeisydd ymgynghoriad cyhoeddus ar y newidiadau arfaethedig rhwng 8/11/2018 a 6/12/2018. Roedd hyn yn cynnwys llythyrau at ymgynghoreion penodol; cymhorthfa agored yng Nghemaes; anfon cylchlythyr Horizon 'diweddariad ar yr ymgynghoriad' at bob cartref yng Nghemaes, Tregele ac ar hyd rhan ddeheuol yr A5025 (3,018 o gyfeiriadau) a gosod hysbysiadau safle mewn 22 lleoliad.

Mae'r Awdurdod Archwilio yn fodlon nad oes angen ymgynghoriad pellach, er mwyn tegwch, i ddiogelu buddiannau a/neu hysbysu'r rhai y gallai'r newid effeithio arnynt.

Cais am Newid yn ymwneud â Symudiadau HGV

i) Newid arfaethedig yr Ymgeisydd

Mae'r Ymgeisydd eisiau gwneud newidiadau i symudiadau HGV, gweler y tabl isod. (REP4-013)

| DCO Presennol | | Newid Arfaethedig | |
|------------------------------------|-------------|------------------------------------|-------------|
| Llun-Gwener | 07:00-19:00 | Llun-Gwener | 07:00-23:00 |
| Sadwrn | dd/b | Sadwrn | 08:00-13:00 |
| Sul a Gwyliau | dd/b | Sul a Gwyliau | dd/b |
| Cyfanswm nifer yr oriau yr wythnos | 60 | Cyfanswm nifer yr oriau yr wythnos | 85 |

Byddai'r un nifer o HGVs, ond byddai'r symudiadau wedi'u lledaenu dros fwy o oriau/dyddiau.

Fodd bynnag, rhwng 19:00 a 23:00 (Llun-Gwener), byddai uchafswm o 20 o symudiadau i bob cyfeiriad (h.y. 40 o symudiadau dros gyfnod o bedair awr).

Ddydd Sadwrn, byddai uchafswm o 50 o symudiadau i bob cyfeiriad (h.y. 100 o symudiadau dros gyfnod o bum awr).

Nid yw'r Ymgeisydd yn rhagweld unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol o ganlyniad i'r newid arfaethedig.

Mae'r ffactorau sydd wedi arwain at y newid y gofynnwyd amdano wedi cael eu hesbonio.

ii) Safbwyntiau ar berthnasedd

Ni wnaeth CNC, GCC na NWFR sylwadau ar berthnasedd y newid arfaethedig. Yn hytrach, daethant i'r casgliad na fyddai unrhyw effeithiau amgylcheddol sylweddol newydd na gwahanol yn debygol o godi o ganlyniad i'r newid arfaethedig.

Mae IACC yn dadlau na ddylai'r cais hwn am newid gael ei ystyried ar wahân a bod angen iddo gael ei ystyried ochr yn ochr â'r ddau gais arall am newidiadau i batrymau sifft ac oriau gweithio'r safle a gyflwynwyd erbyn Terfyn Amser 4 hefyd. Mae IACC o'r farn y byddai'r newidiadau, o'u hystyried fel pecyn, yn gyfystyr â newid perthnasol i'r cais ac y byddai angen asesiad llawn o'r effeithiau, gan gynnwys darparu gwybodaeth amgylcheddol arall.

Fodd bynnag, mae IACC yn derbyn, o ran Nodyn Cyngor 16, na fyddai'r newid arfaethedig ar ei ben ei hun yn newid hanfod y cais yn sylweddol.

iii) Barn yr Awdurdod Archwilio ar berthnasedd a derbyn newidiadau
Er bod yr Awdurdod Archwilio yn nodi pryderon IACC ynglŷn â'r effeithiau cronol posibl, yn seiliedig ar y dystiolaeth a gyflwynwyd, nid yw'r Awdurdod Archwilio o'r farn y byddai'r newid y gofynnwyd amdano'n arwain at unrhyw effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol. Nid yw'r Awdurdod Archwilio ychwaith yn credu bod hyn (a'r newidiadau eraill a gynigiwyd) yn golygu nad yw'r datblygiad sy'n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol. Yn unol â hynny, ystyrir y byddai'r cais am newid i symudiadau HGV yn newid amherthnasol ac y dylai gael ei dderbyn i'w ystyried yn yr archwiliad.

iv) Materion i'w hystyried yn rhan o'r archwiliad
Mae'n amlwg bod nifer o bryderon ynglŷn â'r newid arfaethedig. Mae IACC wedi gofyn i'r newid gael ei sicrhau trwy naill ai'r DCO drafft (dDCO) neu God Ymarfer Adeiladu (CoCP); manylion y mesurau lliniaru arfaethedig ar gyfer y 18 eiddo ychwanegol y byddai'r newid arfaethedig yn effeithio arnynt, ac na ddylai'r newid i'r oriau ddod i rym oni bai/tan fod y gwelliannau priffyrdd i'r A5025 nad ydynt yn dilyn llinell bresennol y ffordd yn cael eu cwblhau ac ar agor i draffig. Cododd LIC bryder ynglŷn â gwrthdaro posibl â phobl sy'n cyrraedd ar fferi Caergybi. Cododd naw preswyliwr lleol nifer o bryderon y gellir eu crynhoi fel a ganlyn: lefelau sŵn yn y nos; ansawdd aer; gwrthdaro traffig ar ddydd Sadwrn ac yn ystod yr haf; dirywiad arwyneb y ffordd; traffig sy'n mynd yn rhy gyflym; gweithredu'r newidiadau i oriau cyn y gwaith priffyrdd nad yw'n dilyn llinell bresennol y ffordd.

Bydd y materion hyn yn cael eu hystyried gan yr Awdurdod Archwilio yn rhan o'i archwiliad o'r cais (fel y'i newidiwyd).

v) Ymgynghoriad cyhoeddus
Cynhaliodd yr Ymgeisydd ymgynghoriad cyhoeddus ar y newidiadau arfaethedig rhwng 8/11/2018 a 6/12/2018. Roedd hyn yn cynnwys llythyrau at ymgynghoreion penodol; cymhorthfa agored yng Nghemaes; anfon cylchlythyr Horizon 'diweddariad ar yr ymgynghoriad' at bob cartref yng Nghemaes, Tregale ac ar hyd rhan ddeheuol yr A5025 (3,018 o gyfeiriadau) a gosod hysbysiadau safle mewn 22 lleoliad.

Mae'r Awdurdod Archwilio yn fodlon nad oes angen ymgynghoriad pellach, er mwyn tegwch, i ddiogelu buddiannau a/neu hysbysu'r rhai y gallai'r newid effeithio arnynt.

Cais am Newid i Oriau Gweithio

i) Newid arfaethedig yr Ymgeisydd
Mae'r Ymgeisydd eisiau gwneud newidiadau i oriau gweithio, gweler y tabl isod.
(REP4-012)

| Gweithgarwch | DCO Presennol | Newid Arfaethedig |
|---|--|---|
| Stancio morol | Yr holl waith stancio morol 07:00-18:00 | Stancio ergydiol (<i>Percussion piling</i>) 07:00-19:00 Stancio dalennog (<i>Sheet piling</i>) 24h |
| Adeiladu'r MOLF | Yr holl offer perthnasol 07:00-18:00, heblaw am offer morol = 24 awr | Yr holl offer, 24 awr |
| Paratoi am ffrwydro, gan gynnwys drilio a phacio cerrig ar gyfer ffrwydro | Yr holl offer 07:00-19:00 | 24/7 ar gyfer gweithrediadau adeiladu sy'n gysylltiedig â chloddio dwfn |
| Drilio ac angori cerrig wrth wneud gwaith cloddio, gan gynnwys defnyddio concrit chwistrellu (<i>shotcrete</i>) i sefydlogi wynebau agored | Yr holl offer 07:00-19:00 | 24/7 ar gyfer gweithrediadau adeiladu sy'n gysylltiedig â chloddio dwfn |
| Symud/adleoli cerrig a gloddiwyd o'r ardal forol (parth 10) ac o uned 1 (parth 4) ac unedau 2 (parth 8). Bydd y deunydd hwn yn symud i ardaloedd o amgylch y gwaith cloddio dwfn ac ar gyfer adeiladu'r MOLF | Yr holl offer 07:00-19:00 | 07:00-19:00 ar gyfer 100% o'r offer, 19:00-23:00 a 23:00-07:00 ar gyfer 50% o'r offer Bydd deunydd ym mharth 10 yn cael ei osod cyn belled â'r morglawdd yn unig (24h) |
| Gweithrediadau ategol sy'n gysylltiedig ag ystod o weithgareddau sy'n angenrheidiol i gefnogi'r gwaith cynnar a'r Prif Waith Adeiladu (e.e. cyfarpar/cynnal a chadw ffyrdd/cyflenwi tanwydd/symudiadau cyfarpar a deunyddiau, glanhau) | Yr holl offer 07:00-19:00 neu 06:00-20:00 | 24/7 |
| Goleddfu'r safle ym mhyrth adeiladu 6, 7, 8 a 9 a chludo'r deunydd canlyniadol ar ffyrdd cludo HR-011, HR-b1 a HR-B2 ar gyfer adeiladu Twmpath E a Thwmpath B. Byddai mwyafrif y gwaith hwn yn digwydd yn ystod misoedd 1-12 y cyfnod adeiladu. | Yr holl offer 07:00-19:00 | Yr holl offer 07:00-22:00 |

I ddarparu ar gyfer y newid (a lliniaru effeithiau), byddai angen y llwybrau cludo ychwanegol canlynol o fewn terfynau'r gorchymyn:

- dau lwybr cludo cylchog (HR-B1 a HR-B2) wedi'u lleoli i'r gorllewin o Dregele ym mharth adeiladu 9, ac un llwybr cludo o barth adeiladu 9 i Dwmpath E (HR-011); byddai'r rhain yn cael eu defnyddio'n bennaf i gludo deunydd swmp sy'n codi yn sgil goleddfu'r safle yn ystod y flwyddyn adeiladu gyntaf i ddarparu deunydd llenwi sy'n angenrheidiol i adeiladu Twmpath B1 ac E;
- llwybr cludo o ben deheuol y gwaith cloddio dwfn (pyrth adeiladu 4 ac 8) i barth adeiladu 6 (HR-012), lle y bydd cyfarpar prosesu cerrig yn cael ei leoli, a fyddai'n cael ei ddefnyddio yn y nos yn bennaf er mwyn osgoi symud offer ger derbynyddion sensitif;
- llwybr cludo o ben deheuol y gwaith cloddio dwfn (pyrth adeiladu 4 ac 8) i byrth adeiladu 2 a 10 (HR-013), ac o ben gogleddol y gwaith cloddio dwfn (pyrth adeiladu 4 ac 8) i byrth adeiladu 2A a 2 (HR-014); byddai'r rhain yn galluogi cludo cerrig sy'n codi yn sgil y gwaith cloddio i'r Gwaith Morol, a byddent yn cael eu defnyddio yn y nos yn bennaf.

I ddarparu ar gyfer y newid arfaethedig, gwnaed nifer o fân newidiadau i'r rhestr/atodlen offer ddangosol hefyd yn ymwneud â niferoedd offer a dilyniannu gweithgareddau.

Nid yw'r Ymgeisydd yn rhagweld unrhyw effeithiau amgylcheddol sylweddol tebygol newydd na gwahanol o ganlyniad i'r newid arfaethedig.

Mae'r ffactorau sydd wedi arwain at y newid y gofynnwyd amdano wedi cael eu hesbonio.

ii) Safbwyntiau ar berthnasedd

Dadleuodd IACC y byddai'r newid, o'i ystyried ochr yn ochr â'r ddau gais arall am newid, yn cael effaith gronol ac yn arwain at newid perthnasol i'r cais ac y byddai angen asesiad llawn o'r effeithiau, gan gynnwys darparu gwybodaeth amgylcheddol arall.

O ran perthnasedd y newid arfaethedig, nid oedd CNC o'r farn y byddai unrhyw effeithiau sylweddol tebygol newydd neu wahanol. At hynny, roedd CNC o'r farn na fyddai'n debygol o arwain at effeithiau sylweddol tebygol newydd neu wahanol ar Ansawdd Aer, Ecoleg Ddaearol a Dŵr Croyw, yr amgylchedd morol nac Ardal o Harddwch Naturiol (AHNE) Ynys Môn.

iii) Barn yr Awdurdod Archwilio ar berthnasedd a derbyn newidiadau

Er bod yr Awdurdod Archwilio yn nodi pryderon IACC ynglŷn â'r effeithiau cronol posibl, yn seiliedig ar y dystiolaeth a gyflwynwyd, nid yw'r Awdurdod Archwilio o'r farn y byddai'r newid y gofynnwyd amdano'n arwain at unrhyw effeithiau amgylcheddol sylweddol tebygol newydd neu wahanol. Nid yw'r Awdurdod Archwilio ychwaith yn credu bod hyn (a'r newidiadau eraill a gynigiwyd) yn golygu nad yw'r datblygiad sy'n cael ei gynnig nawr, yn ei hanfod, yr hyn y gwnaed cais amdano yn wreiddiol. Yn unol â hynny, ystyrir y byddai'r newidiadau i batrymau sifft gweithwyr yn newid amherthnasol ac y dylai gael ei dderbyn i'w ystyried yn yr archwiliad.

iv) Materion i'w hystyried yn rhan o'r archwiliad

Er gwaethaf y cwestiwn ynghylch perthnasedd, mae IACC yn credu y byddai'r newid arfaethedig yn arwain at gynnydd sylweddol mewn gweithgareddau adeiladu dros

gyfnod o 24 awr a fyddai'n cael effaith niweidiol annerbyniol ar dderbynyddion amgylcheddol a dynol, ac y byddai'r oriau gwaith arfaethedig yn gwrthdaro â'r amserau adeiladu a argymhellir o fewn Safonau Prydeinig fel BS6472-2:2008 (arweiniad i werthuso amlygiad dynol i ddirgryniad) a BS 5228-1:2009 (Cod ymarfer ar gyfer rheoli sŵn a dirgryniad ar safleoedd adeiladu a safleoedd agored). At hynny, mae IACC o'r farn y gallai'r agweddau hyn effeithio ar elfennau allweddol o'r prosiect, gan gynnwys llety gweithwyr a'r stoc dai, ac nad yw'r effeithiau hyn wedi cael eu hasesu'n briodol.

Ailadroddodd CNC ei anghytundeb ag asesiad Pennod D13 y Datganiad Amgylcheddol a'r Asesiad Rheoliadau Cynefinoedd Cysgodol (SHRA) mewn perthynas ag Ardal Gwarchodaeth Arbennig Môr-wenoliaid Ynys Môn, a nododd y posibilrwydd o oleuadau ychwanegol. Mynegodd preswylwyr lleol bryder ynglŷn â sŵn, llwch a dirgryniad yn y nos a'r effaith y gallai hyn ei chael ar iechyd a diogelwch, gan gyfeirio'n benodol at aflonyddu ar gwsg.

Bydd y materion hyn yn cael eu hystyried gan yr Awdurdod Archwilio yn rhan o'i archwiliad o'r cais (fel y'i newidiwyd).

v) Ymgynghoriad cyhoeddus

Cynhaliodd yr Ymgeisydd ymgynghoriad cyhoeddus ar y newidiadau arfaethedig rhwng 8/11/2018 a 6/12/2018. Roedd hyn yn cynnwys llythyrau at ymgynghoreion penodol; cymhorthfa agored yng Nghemaes; anfon cylchlythyr Horizon 'diweddariad ar yr ymgynghoriad' at bob cartref yng Nghemaes, Tregele ac ar hyd rhan ddeheuol yr A5025 (3,018 o gyfeiriadau) a gosod hysbysiadau safle mewn 22 lleoliad.

Mae'r Awdurdod Archwilio yn fodlon nad oes angen ymgynghoriad pellach, er mwyn tegwch, i ddiogelu buddiannau a/neu hysbysu'r rhai y gallai'r newid effeithio arnynt.

Gwybodaeth Ychwanegol

Er mwyn sicrhau bod yr hyn sydd wedi'i gynnwys yn y cais bellach yn eglur (o ganlyniad i dderbyn y newidiadau amherthnasol hyn i'r cais yn yr archwiliad), ac i gynorthwyo'r Awdurdod Archwilio i archwilio'r cais fel y'i newidiwyd, mae'r Awdurdod Archwilio yn gofyn i'r Ymgeisydd ddarparu'r canlynol:

- i. yr holl ddogfennau cais diwygiedig, gan gynnwys cynlluniau i adlewyrchu'r Ceisiadau am Newid, erbyn Terfyn Amser 7 yr amserlen archwilio, sef 14 Mawrth 2019.

Yn gywir

Frances Fernandes

Frances Fernandes

Aelod Arweiniol y Panel o Arolygwyr Archwilio

Nid yw'r cyfathrebiad hwn yn gyfystyr â chyngor cyfreithiol.

Darllenwch ein [Hysbysiad Preifatrwydd](#) cyn anfon gwybodaeth at yr Arolygiaeth Gynllunio.



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To Horizon Nuclear Power
(For information to all Interested
Parties)

Your Ref:

Our Ref: EN010007

Date: 25 February 2019

Dear Sir/Madam

**Planning Act 2008 (as amended) Section 89 and The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) – Rule 9 and Rule 17**

**Application by Horizon Nuclear Power for an Order Granting Development
Consent for the Wylfa Newydd Project**

Changes to the original application and request for further information

We are writing to inform you of the procedural decision made by the Examining Authority (ExA) regarding the Applicant's request to accept a number of changes to the Development Consent Order (DCO) Application. We also write to you to request further information relating to the changed application.

The ExA has received two sets of change requests for the Application; the first request comprising two individual change requests and the second containing three individual change requests.

The first set of change requests was published as an Additional Submission along with a covering letter. The second set of Change Requests was published as part of the Deadline 4 documents also with an accompanying letter (REP4-001).

The Applicant states that it has followed the recommended procedure in the Planning Inspectorates Advice Note 16: How to request a change that might be material (AN16) notwithstanding that the Applicant maintains that the proposed changes are in fact non material.

Materiality of the proposed changes

In the Applicants view, the proposed changes in each of the Change Requests are not material. It is ultimately however for the ExA to decide whether a proposed change is material.

As set out in AN16:

“ 2.1 There is no legal definition of ‘material’ but the tests to apply are whether the change is substantial or whether the development now being proposed is not in substance that which was originally applied for. The former constitutes a material change which – provided there is sufficient time remaining in the Examination stage - can be accommodated as part of the Planning Act 2008 (PA2008) process. The latter constitutes a different project for which a new application would be required. Whether a proposed change falls within either of these categories is a question of planning judgment which may be based on criteria including, for example, whether the change would generate a new or different likely significant environmental effect(s).”

The ExA has assessed the Applicant’s requests in line with paragraphs 109 to 115 of DCLG Guidance ‘Planning Act 2008: examination of applications for development consent’ and AN16 and has reached the following conclusions:

Change Request relating to the Blasting Strategy

i) Applicants proposed change

The Applicant is requesting a change to the proposed hours of blasting from 10:00-16:00hrs to 09:00-19:00hrs weekdays and 10:00-13:00hrs to 09:00-13:00hrs on Saturdays. (AS-020)

The Applicant predicts no new or different likely significant environmental effects from the proposed change. In addition, the Applicant has confirmed that the requested change would not increase the frequency of blasting during the extended hours sought.

The requested weekday hours for blasting would extend one hour later than the period suggested by BS6472-2, but the weekday hours would also start one hour later. Adopting a lower blasting vibration level of 4.5 ppv mms-1 during the latter hour of the requested weekday period would reduce the associated impacts experienced by local residents. The frequency of blasts would not change and, if approved, a blast occurring during the requested final weekday hour would not be an unexpected event. However, working to the lower blasting vibration level, as confirmed by the Applicant in paragraph 1.2.7 of REP3-044, would significantly reduce the potential impact of construction works after 18:00hrs. In addition, blasting activity reasonably would be expected to be concentrated in the earlier stages of construction activity.

The factors that have led to the requested change have been explained.

ii) Views on materiality

Natural Resources Wales (‘NRW’) considers [REP2-325 Annex D paragraph 2.8] that no new or different significant environmental effects would be likely to occur from the proposed change to the blasting strategy and Isle of Anglesey County Council (‘IACC’) is clear that it is satisfied that the requested change is non-material ‘in context’. All other representations in relation to the requested change have been taken into account.

iii) ExA view on materiality and accepting changes

The ExA has seen no evidence that there would be any new or different likely significant environmental effects resulting from the requested change, including cumulative effects. Neither does the ExA consider that as a result of this (and the

other changes proposed) the development now being proposed is not in substance that which was originally applied for.

Accordingly, the ExA agrees that the change to the application's blasting strategy would be a non-material change to the application and that it should be accepted for consideration in the examination as part of the application.

iv) Matters to be considered as part of the examination

A number of consultation respondents raised concerns regarding the effects of noise and vibration associated with the proposed development on the Anglesey Terns Special Protection Area, and that the requested change could add to the effects. This, along with the necessary controls that should be provided by the Code of Construction Practice and Isle of Anglesey County Council's (IACC's) concerns that British Standard BS6472-2:2008 should be adopted in full will be considered by the ExA as part of its examination of the application (as changed).

v) Public consultation

Public consultation on this proposed change is noted to have been carried out by the Applicant between 14/08/2018 and 28/09/2018 and included specified consultees and local residents via Horizon's Near Neighbours Database.

The ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/ or inform those potentially impacted by the change.

Change Request relating to Marine vessel movements

i) Applicants proposed change

The Applicant is requesting a change to the proposed marine vessel movements. It would increase the upper daily limit from four movements per day (two vessels) to 16 movements per day (eight vessels) within the total vessel movements assessed and described in the environmental statement. (AS-021)

The Applicant predicts no new or different likely significant environmental effects from the proposed change. In addition, the Applicant has confirmed [REP3-044] that the request for change only relates to increasing the upper daily limit of vessels using the Marine Off-Loading Facility so that unforeseen events, such as bad weather, could be accommodated; the requested change would not increase the total number of vessels required for the construction of the development proposed; and, the application has considered a wide range of vessel types, movements and their management.

The factors that have led to the requested change have been explained.

ii) Views on materiality

Having considered possible effects, including those on air quality, marine mammals and sea birds, NRW considers [REP2-325 Annex D paragraph 3.6] that no new or different significant environmental effects would be likely to occur from the proposed change to marine vessel movements.

All other representations in relation to the requested change have been taken into account.

iii) ExA view on materiality and accepting changes

The ExA has seen no evidence that there would be any new or different likely significant environmental effects resulting from the requested change, including cumulative effects. Neither does the ExA consider that as a result of this (and the other changes proposed) the development now being proposed is not in substance that which was originally applied for.

Accordingly, the ExA agrees that the change to the application's proposed marine vessel movements would be a non-material change to the application and concludes that it should be accepted for consideration in the examination as part of the application.

iv) Matters to be considered as part of the examination

Consultation responses have raised concerns regarding the nature of the vessel movements and their effects on the Anglesey Terns SPA, and that the requested change could add to the disturbance of the tern colony. These matters, along with the necessary controls to be provided by the Code of Construction Practice will be considered by the ExA as part of its examination of the application (as changed).

v) Public consultation

Public consultation on this proposed change is noted to have been carried out between 14/08/2018 and 28/09/2018 including a number of parties which it considered would have an interest in the proposed change (including prescribed persons under section 42(a)-(d) of the Planning Act 2008, statutory consultees and Persons with an Interest in Land); two drop-in events on its consultation bus in Cemaes and Tregle and a maildrop of its newsletter 'Neighbour News' to all households within the Cemaes and Tregle areas.

The ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/or inform those potentially impacted by the change.

Change Request relating to Workers Shift Patterns

i) Applicants proposed change

The Applicant is seeking to make changes to the workers shift patterns, see table below. (REP4-011)

| Current DCO | | Proposed Change | | |
|------------------------------|---|---------------------------|-----------------------------|---|
| | | | 2020 | 2023 |
| Day (10 hours) | 07:00-17:00 07:30-17:30 08:00-18:00 | Day (10.5hours) | 07:00-17:30 07:30-18.00 | 07:00-17:30 07:30-18:00 08:00-18:30 |
| Night (10.5 hours) | 16:30-03:00 17:00-03:30 17:30-04:00 | Night | 19:30-06:00 (10.5 hours) | 19:30-05:30 20:00-06:00 (10 hours) |

The Applicant predicts no new or different likely significant environmental effects would arise from the proposed change.

The factors that have led to the requested change have been explained.

ii) Views on materiality

From the responses received to the Applicants consultation NRW and North Wales Fire and Rescue (NWFR) agree that no new or different likely significant environmental effects would arise from the proposed change.

IACC advocate that this change request needs to be considered alongside the other two requests for changes to HGV movements and site working hours also submitted at D4. IACC believe that when considered as a package the changes would amount to a material change to the application.

iii) ExA view on materiality and accepting changes

Whilst the ExA note the concerns of the IACC with regards to potential cumulative effects, based on the evidence submitted, the ExA considers that there would not be any new or different likely significant environmental effects resulting from the requested change. Neither does the ExA consider that as a result of this (and the other changes proposed) the development now being proposed is not in substance that which was originally applied for. Accordingly, it is considered that the request for a change to the workers shift patterns would be a non-material change and should be accepted for consideration in the examination.

iv) Matters to be considered as part of the examination

It is clear that there are a number of concerns regarding the proposed change. The Welsh Government (WG) raised a concern that under the proposed change workers leaving and arriving at the site had the potential to overlap and questioned whether Junction 4 of the A55 had the capacity to deal with this. In addition, it queried whether the proposed change had accounted for traffic generated by the 05:45 Holyhead Ferry.

Notwithstanding the question of materiality, the IACC believes that in relation to this request further assessment and information would be needed about the potential effects of the change. It has requested further evidence on worker behaviour and travel patterns with reference to Hinkley Point C workforce. It also voiced concern about the length of the shifts, whether this may give rise to more workers seeking accommodation closer to the site and that the traffic movements would be concentrated into two rather than spread over three shifts. It did welcome the fact that the change would avoid school travel times.

Gwynedd County Council (GCC) maintained previous concerns with regards to shift patterns and stated that whilst the proposed change did not raise any new concerns it highlighted the potential for 'peak spreading' with reference to the resilience of the network to accidents and unforeseen events.

One local resident was concerned about the impact on traffic volumes at times when people would be sleeping.

These matters will all be considered by the ExA as part of its examination of the application (as changed).

v) Public consultation

The Applicant undertook public consultation on the proposed changes between 8/11/2018 and 6/12/2018. This included letters to specific consultees; an open surgery in Cemaes; a mail drop of Horizons newsletter 'consultation update' to all

houses in Cemaes, Tregle and along the southern stretch of the A5025 (3,018 addresses) and the erection of site notices in 22 locations.

The ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/or inform those potentially impacted by the change.

Change Request relating to HGV Movements

i) Applicants proposed change

The Applicant is seeking to make changes to the HGV movements, see table below. (REP4-013)

| Current DCO | | Proposed Change | |
|----------------------|-------------|----------------------|-------------|
| Mon-Fri | 07:00-19:00 | Mon-Fri | 07:00-23:00 |
| Sat | n/a | Sat | 08:00-13:00 |
| Sun and Hols | n/a | Sun and Hols | n/a |
| Total hours per week | 60 | Total hours per week | 85 |

There would be the same number of HGVs however the movements would be spread over a greater number of hours/days.

However, between 19:00-23:00 (Monday-Friday) there would be a maximum of 20 movements in each direction (ie 40 movements over a four hour period).

On Saturday there would be a maximum of 50 movements in each direction (ie a 100 movements over a five hour period).

The Applicant predicts no new or different likely significant environmental effects would arise from the proposed change.

The factors that have led to the requested change have been explained.

ii) Views on materiality

NRW, GCC and NWFR did not comment on the materiality of the proposed change rather they concluded that there would not be any new or different likely significant environmental effects likely to arise because of the proposed change.

IACC advocate that this change request should not be considered separately but needs to be considered alongside the other two requests for changes to shift patterns and site working hours also submitted at D4. IACC believe that when considered as a package the changes would amount to a material change to the application and that a full assessment of the impacts, including the provision of other environmental information would be needed.

However, IACC accept that in terms of Advice Note 16 the proposed change on its own, would not fundamentally alter the substance of the application.

iii) ExA view on materiality and accepting changes

Whilst the ExA note the concerns of the IACC with regards to potential cumulative effects, based on the evidence submitted, the ExA considers that there would not be

any new or different likely significant environmental effects resulting from the requested change. Neither does the ExA consider that as a result of this (and the other changes proposed) the development now being proposed is not in substance that which was originally applied for. Accordingly, it is considered that the request for a change to HGV movements would be a non-material change and should be accepted for consideration in the examination.

iv)Matters to be considered as part of the examination

It is clear that there are a number of concerns regarding the proposed change. IACC requested that the change should be secured through either the dDCO or through a Code of Construction Practice (CoCP); details of the proposed mitigation for the 18 additional properties that would be affected by the proposed change and that the change to the hours should not take effect unless/until the A5025 off-line highway improvements are completed and open to traffic. The WG raised a concern about a potential clash with arrivals from the Holyhead ferry. Nine local residents raised a number of concerns that can be summarised as night time noise levels; air quality; traffic conflicts on Saturdays and during the Summer; deterioration of the road surface; speeding traffic; the change to hours being implemented before the off-line highways works.

These matters will be considered by the ExA as part of its examination of the application (as changed).

v)Public consultation

The Applicant undertook public consultation on the propose changes between 8/11/2018 and 6/12/2018. This included letters to specific consultees; an open surgery in Cemaes; a mail drop of Horizons newsletter 'consultation update' to all houses in Cemaes, Tregel and along the southern stretch of the A5025 (3,018 addresses and the erection of site notices in 22 locations.

The ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/or inform those potentially impacted by the change.

Working Hours Change Request

i)Applicants proposed change

The Applicant is seeking to make changes to the working hours, see table below. (REP4-012)

| Activity | Current DCO | Proposed Change |
|---|--|---|
| Marine piling | All piling 07:00-18:00 | Percussion piling 07:00-19:00 Sheet piling 24h |
| MOLF Construction | All relevant plant 07:00-18:00, except marine plant = 24 hours | All plant, 24 hours |
| Preparation for blasting including rock drilling and packing for blasting | All plant 07:00-19:00 | 24/7 for construction operations for deep excavations |

| | | |
|--|--------------------------------------|---|
| Drilling and rock anchoring in excavations including application of shotcrete to stabilise open faces | All plant 07:00-19:00 | 24/7 for construction operations for deep excavations |
| Moving/repositioning won rock in the excavations both from the marine area (zone 10) and from unit 1 (zone 4) and units 2 (zone 8). This material will move to areas around the deep excavation and for the construction of the MOLF | All plant 07:00-19:00 | 07:00-19:00 for 100% of the plant 19:00-23:00 and 23:00-07:00 for 50% of the plant Material in zone 10 will be placed only as far as the breakwater (24h) |
| Support operations which covers a range of activities required to support the early works and Main Construction (eg equipment/road maintenance, fuelling, movements of equipment and materials, cleaning) | All plant 07:00-19:00 or 06:00-20:00 | 24/7 |
| Site grading in construction zones 6,7,8 and 9 and the transportation of resultant material on haul routes HR-011, HR-b1 and HR-B2 for the construction of mound E and Mound B. the majority of this would occur in months 1-12 of construction. | All plant 07:00-19:00 | All plant 07:00-22:00 |

To accommodate the change (and to mitigate effects) the following additional haul routes within the order limits would be needed:

- two circular haul routes (HR-B1 and HR-B2) situated to the west of Tregale in construction zone 9, and one haul route from construction zone 9 to Mound E (HR-011); these would primarily be used to transport bulk material arising from site grading during the first year of construction to provide fill material needed to construct Mound B1 and E;
- a haul route from the south extent of the deep excavations (construction zones 4 and 8) to construction zone 6 (HR-012), where rock processing equipment will be situated, which would be used primarily at night so as to avoid plant movements near sensitive receptors;
- two haul routes from the south extent of the deep excavations (construction zones 4 and 8) to construction zones 2 and 10 (HR-013), and from the north extent of the deep excavations (construction zones 4 and 8) to construction

zones 2A and 2 (HR-014); these would enable the transportation of rock arising from the excavations to the Marine Works and would be used primarily at night.

To accommodate the proposed change there have also been a number of minor changes to the indicative plant list/schedule relating to plant numbers and sequencing of activities.

The Applicant predicts no new or different likely significant environmental effects would arise from the proposed change.

The factors that have led to the requested change have been explained.

ii) Views on materiality

The IACC argued that when considered alongside the other two change requests, cumulatively the change would result in a material change to the application and that a full assessment of the impacts, including the provision of other environmental information would be needed.

On the materiality of the change proposed, NRW stated that it did not consider there to be new or different likely significant effects. Furthermore, NRW considered that it would not be likely to result in new or different likely significant effects to Air Quality, Terrestrial and Freshwater Ecology, the marine environment or Anglesey AONB.

iii) ExA view on materiality and accepting changes

Whilst the ExA note the concerns of the IACC with regards to potential cumulative effects, based on the evidence submitted, the ExA considers that there would not be any new or different likely significant environmental effects resulting from the requested change. Neither does the ExA consider that as a result of this (and the other changes proposed) the development now being proposed is not in substance that which was originally applied for. Accordingly, it is considered that the working hours change would be a non-material change and should be accepted for consideration in the examination.

iv) Matters to be considered as part of the examination

Notwithstanding the question of materiality, the IACC believes that in relation to the proposed change, this would constitute a significant increase in construction activities over a 24 hour period which would have an unacceptable adverse impact on both environmental and human receptors, that the proposed working hours would conflict with construction times as recommended within British Standards such as BS6472-2:2008 (guide to evaluation of human exposure to vibration) and BS 5228-1:2009 (Code of practice for noise and vibration control on construction and open sites). Furthermore, IACC consider that these aspects have the potential to impact on key elements of the project including worker accommodation and on housing stock and that these effects have not been properly assessed.

NRW maintained its disagreement with the assessment of Chapter D13 of the ES and the SHRA with respect to the Anglesey Terns SPA and noted the potential for additional lighting. Local residents expressed concern about noise, dust and vibration at night and the effect that this could have on health and safety with particular reference to sleep disturbance.

These matters will be considered by the ExA as part of its examination of the application (as changed).

v)Public consultation

The Applicant undertook public consultation on the propose changes between 8/11/2018 and 6/12/2018. This included letters to specific consultees; an open surgery in Cemaes; a mail drop of Horizons newsletter 'consultation update' to all houses in Cemaes, Tregale and along the southern stretch of the A5025 (3,018 addresses and the erection of site notices in 22 locations.

The ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/or inform those potentially impacted by the change.

Further Information

So that it is clear what the application now constitutes (as a result of accepting these non material changes to the application into the examination) and to assist the ExA in examining the application as now changed the ExA is requesting from the applicant:

- i. all revised application documents including plans to reflect the Change Requests by Deadline 7 of the examination timetable, 14 March 2019.

Yours faithfully

Frances Fernandes

Frances Fernandes

Lead Member of the Panel of Examining Inspectors

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