



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Application by Snowdonia Pumped Hydro Limited for an Order Granting Development Consent for the Glyn Rhonwy Pumped Storage Scheme

Agenda for the issue specific hearing to be held on 17 May 2016

This document sets out the arrangements and agenda for the issue specific hearing that was notified by the Examining Authority (ExA) on 18 April 2016.

Date: Tuesday 17 May 2016

Time: 9:30am, room open from 9:00am

Venue: Mynydd Gwefru Electric Mountain, Llanberis, Gwynedd, LL55 4UR

Parking: Pay and display parking is available at Lakeside, A4086, Gwynedd, Llanberis, LL55 4TA

The Electric Mountain Visitor Centre has been selected as the location for this hearing as it satisfies all of the Planning Inspectorate's programming requirements. The Visitor Centre is owned by First Hydro Company, which is responsible for the management and operation of the pumped storage plants at Dinorwig. First Hydro Company is part of GDF Suez Energy International. The applicant for the Glyn Rhonwy scheme, Snowdonia Pumped Hydro Limited, is responsible for the delivery of the Glyn Rhonwy scheme and is entirely independent of both GDF Suez and First Hydro Company.

Os oes angen, bydd cyfieithiad o'r Gymraeg i'r Saesneg ar gael drwy clustffonau.

Members of the Planning Inspectorate's case team will be available at the venue for half an hour before the hearing commences. They will be able to answer any questions about procedural matters or the running of the hearing. At this time it will also be helpful if attendees could make themselves known to the case team and indicate if they wish to make an oral representation to the hearing in Welsh.

Participation in the hearing

All interested parties are invited to attend the hearing.

The following parties are invited attend because the ExA considers that the material they have submitted raises issues that the ExA may wish to explore at the hearing:

- The applicant
- Gwynedd Council
- Natural Resources Wales
- Mrs Cherry Bartlett (item 3)
- Dr Jane Huuse (item 3)
- Mr Dan Jackson (item 4)
- Mr John Harold (items 4 and 6)
- Mr Jeff Taylor (items 5 and 6)
- Mr Oggy East (items 6 and 7)
- Miss Ceris Meredith (items 8 and 12)
- Mr Michael Vitkovitch (item 8)

Any interested party is entitled to make oral representations at the hearing, subject to the ExA's discretion and power to control the hearing.

The applicant, local authority and any other bodies or persons seeking to present and rely on expert evidence are advised to ensure that their appropriate expert advisors are present at the hearing and available to give evidence and to be questioned.

To assist in the running of a fair, efficient and effective hearing and to ensure that all relevant views can be heard, groups of individuals who have similar views on a matter are strongly encouraged to choose one representative to speak for the group.

Conduct of the hearing

Guidance under the Planning Act 2008 and the Examination Procedure Rules provide that at hearings it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing will therefore be led by the ExA.

The hearing is intended for the ExA to hear from invited attendees on identified specific issues about which it is considered require oral clarification or examination. The hearing will be conducted in a round table format. Cross examination of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. For most matters the ExA will question persons directly.

The primary method of examining the application is in writing and the hearing should be seen as building on the foundations of the various written representations. Any oral representations invited by the ExA should be based on the person's relevant or written representation. The applicant is requested to provide a written summary of their oral representations after the hearing. The ExA may request written summaries of other representations.

If there is not sufficient time during the hearing for an oral representation then the ExA may request that it is made at the open floor hearing, starting at 5.00pm.

During the hearing the ExA may request that an agenda item is addressed in a post-hearing document in writing, or that an oral representation is provided in a post-hearing document in writing, rather than during the hearing.

You will note from the agenda that there are a number of matters to be examined on the day. As such, the ExA requests that interested parties consider how best to provide evidence at the hearings and prepare accordingly.

Document references in the agenda [in square brackets] are from the Examination Library, which can be found on our website (click [here](#)).

The ExA aims to, where possible, work through the agenda in the order set out below. However, there may be need for some flexibility. The ExA may at any time shorten or lengthen a session, conclude the hearing early, change the running order, or otherwise adjust the timings as required for each item to be examined to the ExA's satisfaction. Also, the ExA may raise matters arising from submissions and pursue lines of inquiry in the course of the discussions that are not included in the agenda.

An audio recording will be made of the hearing.

The audio recording and the ExA's summary of actions will be made available on the National Infrastructure Planning website (click [here](#)) as soon as practicable after the hearing. Any post-hearing documents or written summaries of oral representations requested by the ExA are to be received by deadline 4 at 12 noon on Thursday 26th May 2016.

Agenda

Time	Item	
09.00		Room open and seating available
09.30	1.	Welcome, opening remarks and introductions
	2.	No Significant Effects Report
	2.1	Please could the applicant and NRW advise whether the summary report of the 2015 ground investigation survey [REP2-005] affects the conclusions of the Habitats Regulation Assessment?
	2.2	Other questions on the applicant's update to the No Significant Effects Report (NSER) [REP1-001] at deadline 1 will be included with the ExA's second written questions. It is therefore suggested that these matters are dealt with in writing. Are there any comments on this approach?
	2.4	Please could Gwynedd Council (GC) and Natural Resources Wales (NRW) provide written comments on the updated NSER at deadline 4?
	3.	Construction route from the A4085 to Q1 (Ffordd Cefn Du)
	3.1	a) Please could the applicant summarise any options considered for an alternative construction route for quarry 1 (Q1) to the East and the A4086? b) The applicant has referred [REP3-026] to an optional route from Q6 to Q1 integrated with an open cut penstock route and referred to a number of adverse impacts that lead to this option being discounted. Please could the applicant summarise the mitigation measures that were considered for the options considered, including tunnelling of the penstock, the surface material used and micro-siting? c) Please could GC and NRW comment?
	3.2	The applicant [REP2-011] has suggested that that the construction route has not yet been finalised. What other routes may be considered?
	3.3	Please could the applicant respond to the suggestion from Dr Jane Huuse [REP2-030] that ' <i>a baseline survey should be carried out above the Waunfawr Cattle grid as this would show the true magnitude of disruption this development would have on residents in cottages along this stretch of road?</i> '
	3.4	Please could the applicant comment on whether the March 2015 traffic count data [REP3-023] included vehicles related to the 2015 pilot drilling campaign?
	3.5	a) Please could the applicant summarise the increases in total vehicle and HGV movements since the 2012 planning permission? b) Are there any implications of the increases in vehicle movements for the scope of the traffic modelling that the applicant [REP2-011] noted was agreed with GC in 2012? c) Is GC satisfied that the applicant's impact assessment and mitigation measures take account of the increases?
	3.6	a) Please could applicant provide an update on the discussions with

Time	Item
	<p>GC regarding the s278 agreement for the proposed highway improvement works?</p> <p>b) What issues are outstanding and when is agreement expected to be finalised?</p>
3.7	<p>What speed limit is proposed for construction traffic on this route and how is that limit secured?</p>
3.8	<p>a) How will the Construction Traffic Management Plan (CTMP) [REP3-007] ensure that the estimated construction traffic movements will not be exceeded?</p> <p>b) How will this be monitored for example?</p>
3.9	<p>a) Should timing restrictions of HGV movements during construction be secured in the draft DCO?</p> <p>b) Should a limit be placed on the number of HGV movements to and from Q1?</p> <p>c) Should records of HGV movements be maintained by the applicant and made available on request?</p> <p>d) Please could GC comment?</p>
3.10	<p>a) Are there any comments on the Ffordd Cefn Du highway improvements proposed by the applicant in their submission at deadline 3 [REP3-025]?</p> <p>b) Is it proposed that the measures set out in this document are secured in the draft DCO?</p> <p>c) Please could GC comment whether this document accurately reflects their understanding and position in respect to the discussions regarding the s278 agreement?</p> <p>d) Please could GC comment on whether the proposed s278 works would conflict with or prevent any of the measures outlined in the CTMP [REP3-007] or the Noise Management Plan (NMP) [REP3-006]?</p>
3.11	<p>The NMP [REP3-006] notes that '<i>structural surveys will be undertaken of properties who are concerned about vibration from construction traffic</i>'.</p> <p>a) Will the applicant also make its own expert assessment of which properties might be vulnerable to damage from vibration?</p> <p>b) How does the applicant intend to communicate this information to the occupiers and GC?</p> <p>c) Please could the applicant outline the measures that would be taken if a vulnerable property is identified?</p> <p>d) Please could additional measures be included in the next version of the NMP, as appropriate?</p>
3.12	<p>a) Please could the applicant suggest how Waunfawr residents, businesses and recreation participants could contribute to the finalisation of the detailed mitigation measures along the route, have an opportunity to comment on the proposals before they are finalised, receive feedback on how their concerns have been taken into account and participate in ongoing liaison?</p> <p>b) Is Waunfawr Community Council a suitable vehicle for this community engagement?</p> <p>c) If so, please could the applicant suggest how this can be secured?</p>

Time	Item
	4. Cumulative impact with the grid connection, including traffic
	4.1 Please could the applicant provide an update on progress in discussions regarding the proposed connection to the existing substation [REP2-011 question 1.3.4] and on the route selection study for the grid connection [REP3-026 page 26-51]?
	4.2 a) To what extent are the applicant and GC able to influence the final decision on whether the grid connection will be underground or overhead? b) To what extent could overhead sections be constructed under permitted development rights that do not require planning permission?
	4.3 Please could the applicant provide detail on the anticipated cumulative traffic impacts with an underground grid connection, including consideration of GC's comments [REP2-041] regarding the degree of reinstatement required?
	4.4 How has provision been built into the CTMP [REP3-007] to manage cumulative impacts with the construction of the grid connection?
	Morning break
	5. Ordnance
	5.1 Please could the applicant summarise the potential for unexploded ordnance, chemical weapons or radioactivity to be present on the site, the health risks involved and how these will be managed and mitigated?
	5.2 Please could the applicant summarise any engagement with the Health and Safety Executive to date on this matter?
	5.3 a) Please could the minimum measures to be included in the Ordnance Management Strategy be specified in the draft DCO? b) Please could the applicant provide a draft Ordnance Management Strategy during the course of the examination?
	5.4 Please could the applicant briefly provide examples of where similar risks of unexploded ordnance, nerve gas or radioactivity have been managed and mitigated on other sites?
	5.5 Please could the applicant respond to the comments made by Jeff Taylor [REP3-030] regarding inventory discrepancies and the presence of chemical weapons?
	5.6 Do the impact assessment and mitigation measures address the ordnance identified in the documents provided by Jeff Taylor [REP2-034, 035 and 036]?
	5.7 Please could GC and NRW comment?
	6. Water discharges and contamination
	6.1 a) Please could the applicant describe the sequence of testing, dewatering and monitoring for contamination as the water from Q6 is discharged into Llyn Padarn? b) Please could the applicant demonstrate how this process is secured in the draft DCO through the draft mitigation plans?

Time	Item
	6.2 What is the risk of any exceedances of contamination limits in the water to be discharged not being identified before discharge?
	6.3 a) What length of sheet pile is anticipated to be required for the construction of the outfall in Llyn Padarn and how is it to be installed and extracted? b) What are the associated impacts and how have these been assessed in the Environmental Statement (ES)?
	6.4 a) Please could the applicant respond to the comments made by Cymdeithas Pysgotwyr Seiont Gwyrfai a Llyfni [REP1-020] on the potential disturbance to decomposing algae and resulting impacts on biodiversity, including Arctic Charr? b) Please could NRW comment?
	6.5 a) Please could the applicant clarify whether the potential for health or developmental problems linked to munition-related chemicals identified by Dr Dawn Wimpory [REP2-027] have been assessed? b) Are any special measures in addition to those set out in the discharge consent required to avoid these potential impacts? c) Please could GC and NRW comment?
	6.6 a) Following its response the first written question 8.16, please could the applicant clarify the potential for fine particulates to leach from the new slate dams, spoil heaps and access tracks to the Nant-y-Betws during operation? b) Please could the applicant clarify the specific mitigation measures in place to address fine particulates during construction and operation, and how these measures are secured in the DCO? c) Please could NRW comment? d) Is NRW content with the 10m minimum distance from the slate mounds to the Nant-y-Betws specified in draft DCO Requirement 5? d) Should a similar distance be specified for the Q1 dam to the Nant-y-Betws?
	Lunch break
	7. Recreation at Llyn Padarn lagoons
	7.1 a) Please could the applicant comment on the feasibility of the spillway structure crossing the intermediate pressure gas mains indicated by Wales and West Utilities Ltd [REP2-055] along Ffordd Clegir and the track alongside Llyn Padarn? b) Please could the applicant provide an update on any discussions regarding consents for the crossings?
	7.2 a) Please could the applicant comment on the differences in impacts of the two potential locations for the pumping station? b) Please could the applicant provide an update on discussions regarding the alternative location and set out in detail the matters that need to be resolved and a timetable for resolution? c) Would the applicant intend to remove the other (worst case) option assessed from the draft DCO if agreement is reached that the alternative location could be used?
	7.3 a) Please could the applicant provide examples of what is meant by

Time	Item	
		'access to the lagoons will be only minimally impeded' in its response to written representations [REP3-026]? b) What are the anticipated extent and durations of any restrictions? c) How will any access restrictions be communicated, and how is this process secured in the draft DCO via any of the mitigation plans?
	7.4	What would be the benefits and adverse implications of no construction being permitted in the lagoons area from May to September, inclusive?
	8.	Noise, vibration, dust deposition and air overpressure limits
	8.1	The applicant has stated [REP2-012] that a conveyor used to transport material from Q6 to Q1 will be placed within the penstock. a) Please could the applicant confirm that this is preferred method given the distance of the penstock below ground level, the volumes of material to be transported and the construction sequence? b) What temporary stockpiling of material at Q6 may be required? c) Have other methods of transporting material directly between Q6 and Q1 been assessed? d) Should the use of the conveyor within the penstock be secured as the only means by which certain material (to be specified) can be transported directly between Q6 and Q1?
	8.2	The noise assessment [APP-080] has used the April 2015 survey result for background noise levels at location 4, although the July 2012 value is lower. Please could the applicant comment?
	8.3	With reference to Gwynedd Council's response [REP2-041] to the first written question 7.2, do Marine Planning Guidance 11 or BS 5288 provide for the strictest noise limits during construction when façade correction is included under BS 5228?
	8.4	a) Please could the applicant summarise the limits proposed for noise (including low frequency noise), vibration and dust deposition, including the locations and times when any different limits apply and how the limits are established? b) With reference to the applicant's response [REP2-011] to the first written question 7.9, what level of vibration can cause anxiety in the occupants of dwellings, could those limits be exceeded and, if so, how can these impacts be mitigated? c) What is the justification of the proposed limit for dust deposition? d) Please could the applicant summarise the monitoring proposed for noise (including low frequency noise), vibration and dust deposition and how the results will be made available?
	8.5	a) Does the applicant predict that the specified noise, vibration and dust deposition limits will be exceeded at any time, including during blasting? b) If so, by how much and for what durations are the limits likely to be exceeded? c) Will the draft DCO allow for a restricted number of exceedances? d) Did the assessment presented in the ES [APP-080] consider the potential for exceedances on a worst case scenario basis?
	8.6	a) Please could GC clarify their comments [REP2-041] that 'further

Time	Item
	<p><i>work is required on the impact of vibration and air overpressure from blasting'?</i></p> <p>b) Please could the applicant respond?</p> <p>c) Please can an update be provided on discussions between the applicant and GC regarding the suitability of setting an air overpressure limit [REP2-041]?</p> <p>d) Can the applicant provide an estimate of the overall duration and frequency of blasting?</p>
8.7	<p>a) What vibration and air overpressure limits does the applicant propose for blasting?</p> <p>b) What are the impacts of vibration and air overpressure at this level, including on human and biodiversity receptors?</p> <p>c) Please could the applicant summarise the monitoring proposed for noise, vibration and air overpressure from blasting and how the results will be made available?</p>
8.8	<p>a) What noise and vibration limits does the applicant propose for tunnelling?</p> <p>b) What are the impacts of noise and vibration at this level, including on human and biodiversity receptors?</p> <p>c) The applicant has identified [REP2-011] potential ground borne vibration of 0.45mm/s from tunnel boring. The impacts are assessed as negligible. Please could the applicant clarify this, given the 0.3mm/s threshold identified for vibrations from traffic?</p> <p>d) Please could the applicant summarise the monitoring proposed for vibration from tunnelling and how the results will be made available?</p>
8.9	<p>a) The applicant has stated [REP2-011] that '<i>should excessive noise levels occur due to untypical activities for a period of greater than 8 weeks, the noise impact will be considered as major</i>'. What is the likelihood of this occurring?</p> <p>b) Given the current uncertainties, for example regarding impacts due to blasting, should the impact during construction be considered major and significant?</p> <p>c) If so, how does the applicant intend to mitigate this?</p> <p>d) Do GC have any comments?</p>
8.10	<p>a) Please could GC comment on the noise, vibration, dust deposition and air overpressure limits proposed by the applicant?</p> <p>a) Please could GC comment on the enforceability of these limits?</p> <p>b) Can any further measures be taken to control the activities that might result in a breach of the limits, including through initial monitoring, trial blasts, etc..?</p>
8.11	<p>Are GC and NRW in agreement with the content of the draft NMP [REP3-006] and does this secure all further assessments needed to inform the content of the final Noise Management Plan?</p>
8.12	<p>Do NRW have any further comments on the potential impacts of blasting on biodiversity and how these should be mitigated?</p>
8.13	<p>a) Does NRW consider that any activities should be restricted at certain times of year in order to mitigate biodiversity impacts?</p> <p>b) If so, how should this be secured?</p>
8.14	<p>The ExA may be minded to secure noise, vibration, dust deposition</p>

Time	Item
	<p>and air overpressure limits directly in the draft DCO, due to their importance as mitigation measures, for clarity and to avoid any mechanism for the limits to be relaxed.</p> <p>a) Please could the applicant and GC comment?</p> <p>b) Please could the applicant suggest suitable wording for requirements in their next revision of the draft DCO?</p> <p>c) To help with the consideration of an alternative approach, please could the applicant also suggest suitable wording to secure these limits in a certified document where there is no mechanism for the limits to be relaxed?</p>
	Afternoon break
	9. Written Scheme of Investigation (WSI) and heritage impacts
	<p>9.1 GC [REP2-041] has noted the need for a detailed site wide WSI for archaeological mitigation. Is this sufficiently covered by draft DCO [REP3-106] Requirement 17?</p> <p>9.2 Following recent comments from GC [REP3-028] on the impacts on archaeological monuments compared with the 2012 planning permission; does GC wish to provide further responses to the applicant's ASIDOHL, impact assessment or mitigation and enhancement measures?</p>
	10. Conditions of the 2012 planning permission
	<p>10.1 a) With reference to the applicant's comparison document [REP2-003] are GC satisfied that the mitigation measures equivalent to the conditions of the 2012 planning permission have been adequately updated in the draft DCO and the draft and outline plans secured by the draft DCO to reflect the differences of the development from the 2012 scheme?</p> <p>b) With reference to condition 3 of the 2012 planning permission is GC content that there is no longer a requirement for formal reviews of the operations every 5 years?</p> <p>c) Is GC satisfied that all of the equivalent and updated mitigation measures are adequately secured by the draft DCO?</p>
	11. Code of Construction Practice (CoCP) and Schedule of Required Plans and Strategies
	<p>11.1 Please could Gwynedd Council (GC), Natural Resources Wales (NRW) and Interested Persons provide written comments, indicating whether you are satisfied that the necessary mitigation migration measures are covered appropriately, on the following documents at deadline 4:</p> <ul style="list-style-type: none"> • Schedule of Other Required Plans and Strategies [REP3-024] • Code of Construction Practice [REP2-013] • Common, Access Land and Public Rights of Way Strategy [REP3-005] • Noise Management Plan [REP3-006] • Construction Traffic Management Plan [REP3-007] • Silt Management Plan [REP3-008] • Water Management Plan [REP3-012]

Time	Item	
		<ul style="list-style-type: none"> • Excess Water Management Strategy [REP3-013] • Biosecurity Plan [REP3-021] • Ffordd Cefn Du Highway Improvements [REP3-025]
	11.2	Please could NRW advise whether the need for it to be consulted on the various mitigation measures and plans set out in the draft DCO are adequately secured in the draft DCO, including in Requirements 6 (should ' <i>where appropriate</i> ' be removed?), 8, 9, 11, 12, 13, 16, 17, 21 and 22?
	11.3	<p>a) Please could the applicant clarify the status of the Schedule of Other Required Plans and Strategies [REP3-024] and of the Schedule of Mitigation [REP2-011 Appendix 2.28]?</p> <p>b) Can the applicant suggest a mechanism by which it will be ensured that these documents establish the minimum measures that are to be included in each subsequent plan and strategy?</p> <p>c) Should the final versions of these be included as certified documents in Article 38 of the draft DCO?</p>
	11.4	<p>a) Should the final versions of the draft CoCP [REP2-013] and other mitigation plans and strategies [REP3-024] [REP3-005] [REP3-006] [REP3-007] [REP3-008] [REP3-012] [REP3-013] [REP3-021] submitted during the examination be certified documents in Article 39 of the draft DCO?</p> <p>b) Should the draft CoCP be updated to reflect the mitigation plans and strategies that were submitted at deadline 3 and remove any duplicated information that is now included in the specific draft plans?</p>
	11.5	Please could the applicant suggest a mechanism by which it can be ensured that the certified versions of the CoCP and other mitigation plans and strategies establish the minimum measures to be adopted in all later versions and that there is no mechanism by which these can be relaxed?
	11.6	The ES will be a certified document and mitigation measures in it are referenced from the draft DCO. However, there are a number of discrepancies between the ES and the draft and outline CoCP and other mitigation plans, for example the timing restrictions on HGV movements mentioned in ES chapter 12.9.2. Please could the applicant suggest how discrepancies, including potential conflicts between mitigation measures mentioned in the ES with those subsequently developed during the examination, can be addressed?
	11.7	<p>a) Please could the applicant provide a schedule of all plans/strategies required in the CoCP (requirement 6) and other plans (requirement 7) which sets out the status of any draft plans and which can be expected to be provided or updated during the course of the examination. This will assist the ExA with version control of the draft plans and knowing which versions should be tied into the final DCO.</p> <p>b) For future submissions of new/revised plans submitted, please could the applicant include an accompanying note summarising the changes made to the plans and the reasons for this?</p> <p>c) Please could the applicant provide a summary of the changes included in the draft CTMP submitted at deadline 3 [REP3-007]?</p>

Time	Item
	12. Other matters
	<p>12.1 a) Please could the applicant comment on the potential for adverse economic impacts arising from noise, vibration, dust deposition and air overpressure at tourism businesses, including Glyn Peris Guest House, with reference to the written representation [REP2-048] received from Miss Ceris Meredith and Mr Paul Haydock, and other businesses mentioned by Concerned About Glyn Rhonwy [REP2-026]?</p> <p>b) Does the applicant consider that there is potential for adverse economic impacts of this type?</p> <p>c) If so, is there a mechanism by which they could be mitigated?</p> <p>d) Please could GC comment?</p>
	<p>12.2 Please could the applicant respond to comments regarding potential economic impacts in relevant representations from Lynn Pugh [RR-011], Tom Hutton [RR-012], Christine Jordan [REP1-018] and Dr David Bellamy [RR-034]?</p>
	<p>12.3 Please could the applicant clarify the material to be used for the lining of Q1 and Q6 and comment on its appearance and visual impact when the water level in each reservoir is drawn down during normal operation?</p>
	<p>12.4 a) With reference to section 4.13 of National Policy Statement EN-1, please could the applicant summarise the potential impacts on health, including consideration of traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests?</p> <p>b) Please could GC comment?</p>
	<p>12.5 What options did the applicant consider for land to be exchanged for open access common land and why was the chosen option selected?</p>
	<p>12.6 Please could the applicant clarify its response [REP3-026] to a written representation from the Snowdonia Society [REP2-051] that the forestry land to be exchanged for open access common land is '<i>of equivalent character and utility</i>'? In doing so, please could the applicant address the Snowdonia Society's specific points about the recreational values of the two plots?</p>
	<p>12.7 Please could the applicant comment on whether the proposal to exchange forestry land for open access common land is in accordance with the DEFRA's Common Land consents policy, including paragraph 3.2, which states a policy objective whereby '<i>deregistration of registered land is balanced by the registration of other land of at least equal benefit</i>'?</p>
	Any other business and the ExA's closing remarks
	Close