

Application by Snowdonia Pumped Hydro Limited

Glyn Rhonwy Pumped Storage Scheme

The Examining Authority's first written questions and requests for information

Issued on 16 March 2016

The following table sets out the Examining Authority's written questions and requests for information to assist with the assessment of the application. **Responses should be received by the Examining Authority (ExA) on or before 13 April 2016.**

Questions are set out using a framework derived from the initial assessment of principal issues provided as Annex H to the letter of 9 February 2016. A schedule of abbreviations can be found at the end of this document.

The Planning Inspectorate's document references in these questions [in square brackets] can be found within the Examination Library, which will be published on our website throughout the examination.

Column 2 of the table indicates **to which parties questions are directed**. The ExA would be grateful if all parties named could answer all questions directed at them, providing either a substantive response, or to indicate the reason that the question is not relevant to them. **This does not prevent an answer being provided to a question by another interested party should the question be relevant to their interests.** Responsibility lies with each party to ensure that responses have been given to all questions directed to them.

Where questions can be **fully** answered within a Statement of Common Ground (SoCG) requested in Annex C to the letter of 9 February 2016 or within a Local Impact Report (LIR) then a reference to the relevant paragraph(s) of the SoCG or LIR will be sufficient.

Each question has a **unique reference number** (URN) which combines a section number and a question number. **When you are answering a question, please start your answer by quoting the unique reference number.**

If you are answering no more than 3 questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from the Planning Inspectorate. Please email your request to: GlynRhonwy@pins.gsi.gov.uk.

| URN | Question to | Question |
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| 1. | Development consent order (DCO), policy and other consents | |
| | <p>DCO – matters arising from the applicant’s responses to the ExA’s drafting queries.</p> <p>The first number in the text (e.g. Q11) refers to the question number in the ExA drafting queries document, which can be found here. This is followed by the reference of the relevant article/requirement of the draft DCO [APP-043]. Draft DCO v1 can be found here.</p> | |
| 1.1. | Applicant | <p>Q11 (Article 2(1) – Definition of ‘Authorised Development’).</p> <p>The response to the drafting query indicated that the Order was also intended to authorise minor operations required to achieve the Works, but which were not specifically listed in Part 1 of Schedule 1. Part 1 already lists a substantial number of items of ‘further development’ not linked to individual works. Please clarify further.</p> |
| 1.2. | Applicant | <p>Q12 (Article 2(1) – Definition of ‘Commence’).</p> <p>Please clarify and justify the ‘worst case’ scenario for pre-commencement activities considered in the Environmental Statement (ES), consistent with this definition.</p> |
| 1.3. | Applicant | <p>Q16 (Article 2(1) – Definition of ‘Order Land’).</p> <p>The revised draft DCO (v1) amends the definition of the Order land to “<i>the land subject to compulsory acquisition, which land is shown on the land plans and which is described in the book of reference</i>”. Can the definition be clarified further to read “<i>the land shown coloured pink, blue and green on the land plans which is subject to compulsory acquisition and which is described in the book of reference</i>”?</p> |
| 1.4. | Applicant | <p>Q20 (Article 3(2) – Development consent etc. granted by the Order)</p> <p>Was the amendment in draft DCO v1 intended to read “<i>...each numbered work may only be constructed within the area shown for that numbered work on the works plans</i>”?</p> |
| 1.5. | Applicant | <p>Q21 (Article 6 – Power to deviate)</p> <p>The Explanatory Memorandum [APP-044] says that vertical deviation is allowed “<i>subject to the maximum parameters set out in the requirements</i>”, but Requirement 5 does not provide depth parameters. Please provide parameters for vertical deviation or justify why this is not possible.</p> |

| URN | Question to | Question |
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| 1.6. | Applicant | Q24 (Article 9 - Defence in proceedings in respect of statutory nuisance). Article 9 seems to have a wider reach than considered in the ES and the specific examples provided in the applicant's response to the drafting query. Please could the applicant comment? |
| 1.7. | Applicant | Q32 (Article 19 – Compulsory acquisition). For the Secretary of State to be satisfied that s131(4) of the Planning Act 2008 (PA2008) applies, there must be reasonable certainty that the exchange land will be given for the access land. Article 19(1) provides a power for the undertaker to acquire the exchange land, but there is no obligation to exercise that power. The exchange land will only vest in the former owner of the access land if the exchange land becomes vested in the undertaker. The amendment in draft DCO v1 is noted, but would more certainty be provided if the amendment provided for the completion of compulsory acquisition of the access land not to take place until the acquisition of the exchange land had been completed? |
| 1.8. | Applicant | Q33 (Article 21 - Incorporation of the mineral code). Please clarify the response provided to the drafting query and elaborate further. |
| 1.9. | Applicant | Q38 (Article 23(6) - Private rights) a) Can the applicant explain the restriction to the terms of s152 of PA2008, which is limited to claims for injurious affection and depreciation of land value (extinguishment of a private right involves more than injurious affection or depreciation)? b) The response to the drafting query indicated that the phrase "or suspension" would be deleted, but it was not deleted from the draft DCO v1. c) The Article does not make any provision for compensation for the interference with rights, which is permitted under Article 23(2). The response to the drafting query responded that " <i>The applicant considers that the incorporation of the 1961 Act addresses the point</i> ". Article 23(6) as amended in the draft DCO v1 only refers to the <u>extinguishment</u> of private rights. The Book of Reference (BoR) identifies a number of plots as subject to <u>interference</u> with a private water supply. Can the applicant please reconsider their response? |
| 1.10. | Applicant | Q41 (Article 26 - Guarantees) The response to the drafting query declined to delete the words " <i>against the guarantor</i> " because " <i>the principle applies to all forms of guarantee – 'guarantors' would cover 3 forms and this</i> |

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| | | <i>inclusion provides extra security to unknown persons who may not be able to be identified as beneficiaries at this point".</i> The applicant therefore appears to acknowledge that the inclusion of the phrase excludes the other three forms. As the security (of whatever form) should be enforceable by any person entitled to compensation, can the applicant please reconsider whether Article 26(4) can be amended to clearly achieve that intention? |
| 1.11. | Applicant | <p>Q42 (Article 28 - Power to override easements and other rights)</p> <p>a) The drafting queries noted that no qualifying persons are identified in Part 2 of the BoR (potential claimants under s10 of the Compulsory Purchase Act 1965, Part 1 of the Land Compensation Act 1973 or s152(3) of PA2008). If there are no such persons, why was this article necessary?</p> <p>b) The response to the drafting query said that the applicant was unclear of the relevance of those provisions. They are considered relevant because the owners of interests or rights that may be overridden under Article 28(1) might be able to make a 'relevant claim' under those sections (s57 of PA2008). If there were such interests, or rights, it would be expected that they would be identified in Part 2 of the BoR. Can the applicant please reconsider the point?</p> |
| 1.12. | Applicant | <p>Q43 (Article 31 – Felling or lopping of trees)</p> <p>Should Article 31(1) be expressly subject to Article 32 so that it will not apply to trees that are subject to tree preservation orders, which should be dealt with under Article 32?</p> |
| 1.13. | Applicant | <p>Q44 (Article 32(4) – Trees subject to tree preservation orders)</p> <p>Please identify the tree areas and groups of trees referred to in this Article.</p> |
| 1.14. | Applicant | <p>Q45 (Article 33 – Statutory undertakers)</p> <p>The response to the drafting query indicated that Article 33(1) was not subject to protective provisions because there was a statutory regime for the protection of apparatus under streets, and the protective provisions would apply to the streets to which the statutory regime would not apply. Can the applicant please provide more detail on the statutory regime, confirm why it would apply notwithstanding this Article, and identify to which streets it would apply?</p> |
| 1.15. | Applicant | <p>Q48 (Article 37 – Removal of human remains)</p> <p>Should Article 37(6)(b) read "... such as <i>re-internment</i> or cremation"?</p> |

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| 1.16. | Applicant | Q57 (Work No 3) Are temporary buildings covered by 3(e) and can permanent buildings please be identified? |
| 1.17. | Applicant | Q59 ("further development") a) The drafting query referred to the list of further development and asked why it was necessary and could not be identified in more detail in connection with the works to which they are relevant. It is important that the DCO clearly identifies the scope of the development which it authorises. Could the applicant please reconsider their response to the drafting query? b) The drafting query asked which of these works were already within the scope of the existing planning permission. Can the applicant please provide a more specific reply than that given in the response to the drafting query? |
| 1.18. | Applicant | Q64 (Requirement 5 - Detailed design) Should provision be made for the approval of detailed design of the works described as "further development" in Schedule 1? If not, why not? |
| 1.19. | Applicant | Q68 (Requirement 16(1) - Construction hours) As drafted, this Requirement could be interpreted as restricting working hours on all days except public holidays. Should it be re-drafted, for example " <i>Construction work must not take place on public holidays, or outside the hours of.....</i> "? |
| 1.20. | Applicant | Q69 (Requirement 17 - Construction compound and temporary structures) Should this requirement also make provision for the restoration of the temporary construction compounds after a defined period? |
| 1.21. | Applicant | Q70 (Requirement 18 - Works on replacement open space (Work 11H)) What is the justification for the substitute Requirement 18 in the draft DCO v1? |
| | DCO – other | |
| 1.22. | Applicant | Please provide an annotated plan to justify of the extent of the Order and Works limits, including the inclusion of quarry 7, parts of quarries 2 and 5, the width of the penstock route, the width of the quarry 6 outflow corridor and the alternative locations for the pumping station. |

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| 1.23. | Applicant | <p>a) Please clarify the meaning of “<i>materially new or materially different environmental effects</i>” quoted in Article 6 and in Part 1 of Schedule 1, how this relates to definitions used in the ES and the mechanism by which an environmental effect would be judged “<i>materially new or materially different</i>” and approved as such by the discharging authority.</p> <p>b) Please justify that the impact assessment has taken into account the limits of deviation specified in Article 6 and are there any consequences for mineral or other rights if the powers of deviation were to be exercised in full?</p> |
| 1.24. | Applicant Natural Resources Wales (NRW) | Should Article 17 refer to the consents required by Natural Resources Wales (NRW)? |
| 1.25. | Applicant | <p>a) Can more information be provided on the dimensions of buildings, tunnels, shafts and other structures, including the maximum plan dimensions of the dams and the maximum plan dimensions and height of the slate mounds and of ‘further developments’?</p> <p>b) Can these dimensions be included in the works plans and the draft DCO [APP-43]?</p> <p>c) If fixed dimensions cannot be provided at this stage, please demonstrate how the ES has assessed the maximum development parameters allowed by the draft DCO [APP-43].</p> |
| 1.26. | Gwynedd Council NRW | Are there any concerns regarding the resources required to discharge the draft DCO [APP-043] and, if there are any, can you suggest how these could be addressed? |
| | Policy | |
| 1.27. | Applicant Gwynedd Council NRW Interested Parties | Although National Policy Statements (NPSs) EN-1, EN-3 and EN-5 are referred to in the Planning Statement [APP-057], no NPS is designated in respect to pumped storage developments. However, the ExA’s preliminary view is that policies in these NPSs, and particularly EN-1, are potentially important and relevant to this examination. Interested parties are invited to comment on this and to identify any particular policies in the NPSs that they consider to be important and relevant to this examination, as described under s105(2)(c) of PA2008. |
| 1.28. | Gwynedd Council NRW | a) Please identify all Welsh and other local policy that is relevant and applicable to the consideration of this application, set out why that is the case and summarise the relevant policies as they relate to the application. Please include reference to Planning Policy Wales, |

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| | SNPA | <p>Technical Advice Notes (TANs), Minerals Planning Policy Wales, the Gwynedd Unitary Development Plan, the Eryri Local Development Plan and the draft Anglesey Gwynedd Joint Local Development Plan.</p> <p>b) What policy support is provided for the application in the Development Plans?</p> <p>c) Is there any concern that the development conflicts with any of the identified policy? Please identify each concern and how it relates to a specific policy.</p> <p>d) Would any identified conflict amount to a reason to refuse development consent?</p> <p>e) Please comment on the relevance of renewable energy policies, of low carbon development policies and of specific policies for energy storage.</p> <p>f) Is the development expected to make a contribution to addressing climate change mitigation.</p> |
| 1.29. | Gwynedd Council | Please set out the current stage of preparation of the draft Anglesey Gwynedd Joint Local Development Plan and the stage that it is likely to have reached by the end of the examination. |
| 1.30. | Gwynedd Council | Please comment on the relevance of the Glyn Rhonwy Development Plan and Implementation Strategy (2008) and, if it is relevant, please could a copy be submitted to the examination? |
| 1.31. | Gwynedd Council | Are there any comments or concerns regarding the Planning Statement [APP-057] and is it accepted that the need case for the development is made? |
| | Other consents | |
| 1.32. | Applicant | <p>a) Based on table1 of the Details of Other Consents and Licenses [APP-055], please provide an update on progress towards the granting of all other consents required before the proposed development can become operational, including consents already secured and noting the comments in NRW's relevant representation. The table should include a summary of the current position, outstanding matters and when it is anticipated that consent will be obtained.</p> <p>b) Can an updated version of this table be provided for each deadline in the examination?</p> |
| 1.33. | Gwynedd Council NRW | <p>a) Does the Details of Other Consents and Licenses [APP-055] include all the necessary consents and licenses and is it an accurate reflection of the position held with the relevant bodies?</p> <p>b) Are the other consents and licenses required for the proposed development likely to be forthcoming within acceptable and predictable timescales?</p> |

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| | | <p>c) Are the measures required by any other consents and licenses likely to be consistent with the ES and the draft DCO [APP-043]?</p> <p>d) Are any consents and licenses likely to present impediments to the development becoming operational?</p> |
| 1.34. | Applicant SP Manweb | <p>a) Is the connection agreement for the connection of the full generation capacity of Glyn Rhonwy Pumped Storage, in whose name is the agreement and is it transferable?</p> <p>b) What conditions are imposed and are these consistent with the DCO application assumptions?</p> <p>c) Is upgrading of the National Grid substation required and, if so, what works are anticipated?</p> |
| 1.35. | Applicant | Can the applicant provide a schedule listing any planning obligations to be agreed with relevant stakeholders under s106 of the Town and Country Planning Act 1990? The schedule should provide an outline of the contents of each obligation and how it complies with Regulation 122 of the Community Infrastructure Levy Regulations. |
| 1.36. | Applicant Gwynedd Council | <p>a) Please comment on the relationship between the draft DCO [APP-043] and any existing Town and Country Planning Act 1990 (T&CPA) approval(s) within the Order limits.</p> <p>b) Please suggest a mechanism to avoid a 'pick-and-mix' between the DCO and T&CPA consents.</p> |
| 2. | General issues regarding the Environmental Statement (ES) and mitigation and management plans | |
| | General issues regarding the Environmental Statement | |
| 2.1. | Applicant | Please update the indicative site layout plan [APP-014] to show the direction of North. |
| 2.2. | Applicant | <p>a) Please produce a drawing to indicate the anticipated layouts of construction compounds, access routes and temporary spoil heaps and clarify the durations that each will be active.</p> <p>b) Please demonstrate how the locations and durations have been assessed in the ES.</p> |
| 2.3. | Applicant | Please clarify discrepancies between the areas of the development quoted in the ES, including the 97.77 ha quoted in chapter 6 [APP-073] and the 91.24 ha quoted in chapter 1 [APP-068]. |

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| 2.4. | Applicant | <p>The general EIA methodology is set out in Chapter 2 of the ES [APP-069] and confirms how the sensitivity of a receptor, the magnitude of an impact and the significance of an effect will be determined. It is unclear how this methodology has been applied consistently within each environmental topic chapter in the ES. <u>For each topic chapter of the ES please summarise:</u></p> <p>a) The categorisations of magnitude of impact and of sensitivities of receptors and how these are derived from established best practice guidance or otherwise justified.</p> <p>b) How the level of significance (e.g. negligible, minor, moderate or major) is derived from consideration of the magnitude of impact and the sensitivity of receptors for each impact.</p> <p>c) The level of significance that is considered a 'significant effect' in EIA terms.</p> |
| 2.5. | Applicant | <p>Please clarify the maximum and minimum Rochdale Envelope parameters for each development component and how all the parameters are secured in the draft DCO [APP-043].</p> |
| 2.6. | Applicant | <p>Please provide a summary table of the information provided in the ES which clearly identifies in respect to each impact identified within each environmental topic:</p> <p>a) The sensitivity of the receptor likely to be affected.</p> <p>b) The 'worst case' scenario parameters used for the impact assessment.</p> <p>c) The magnitude of the potential impact.</p> <p>d) The significance of the impact before <u>and</u> after mitigation.</p> <p>e) Any professional judgement that has been applied and how this derives from established best practice or is otherwise justified.</p> |
| 2.7. | Applicant | <p>Please clarify the overall significance of residual impact for each environmental topic.</p> |
| 2.8. | Applicant | <p>Please submit the results of the 2015 ground investigation to the examination and clarify the implications for the impact assessment in each relevant topic chapter of the ES, mitigation proposals, management plans, the draft COCP [APP-142], the draft DCO [APP-043], the Habitat Regulation Assessment and the No Significant Effects Report [APP-054].</p> |
| 2.9. | Applicant | <p>a) Is it now possible to confirm the need for temporary re-profiling of the northern wall of quarry 6 and the potential stabilisation of the existing slate tip to the north?</p> <p>b) Please advise where the potential impacts of these works are assessed.</p> |

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| 2.10. | Applicant Gwynedd Council | Is it necessary to secure measures to ensure the stability of the slate dams and mounds in the draft DCO [APP-043]? |
| 2.11. | Applicant | Please describe the nature and quality of the anticipated wastes arising from the development and confirm how this has been taken into account within each relevant topic chapter of the ES. |
| 2.12. | Applicant | <p>a) Clarify the sources of construction materials and the end locations of waste materials.</p> <p>b) Please provide calculations of estimates of volumes separately for each type of material that is to be excavated, moved, imported, exported or stored. Include slate, other rocks, topsoil, subsoil, silt and waste arising from the development. Include dams, spoil heaps, roads, settlement lagoons, acoustic bunds and any other relevant landscape features where material is deposited. The calculations should consider net and bulk volumes, dam and spoil heap plan areas, slope angles and stability and should be based on the 'worst case' scenarios.</p> <p>c) Thereby identify the volumes of each type of material that would be transported within the works limits and imported and exported to and from the development. In each case identify the means by which each type of material would be transported and the number and type of vehicle movements and where conveyor systems would be used.</p> <p>d) Please provide evidence that potential impacts arising from the transport and storage of materials identified has been taken into account within each relevant chapter of the ES.</p> |
| 2.13. | Applicant Gwynedd Council | <p>a) Please comment on the accuracy with which the presence, locations and nature of any unexploded ordnance (UXO) are known.</p> <p>b) What is the likelihood of remnants of a former bomb pile and UXO in quarry 6?</p> <p>c) Please clarify the potential impacts arising from UXO within and outside the Order limits, including in quarry 6 and in the former WWII munitions store in quarry 8.</p> <p>d) Please clarify the mitigation measures for UXO, including the ordnance management strategy and any measures required before any munitions are discovered.</p> <p>e) How are these measures secured in the draft DCO [APP-043]?</p> <p>f) Please respond to the relevant representations regarding UXO.</p> |
| 2.14. | Applicant | Please clarify the construction methods anticipated for the works in and adjacent to Llyn Padarn and identify where the potential impacts have been assessed in the ES. |

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| 2.15. | Applicant | Please provide an assessment of impacts arising from the construction of acoustic screening, including earth/spoil bunds. |
| 2.16. | Applicant | a) Please comment on the length of the construction programme, the confidence that it will not be exceeded, the principal risks of delay and the contingencies that have been included. b) What is the potential for a longer construction programme to lead to greater or different impacts to those identified in the ES? |
| 2.17. | Applicant Gwynedd Council NRW | a) Please provide an update on progress in discussions regarding the alternative locations for the pumping station and comment on the differences in impacts of the alternative locations. b) Please could the applicant respond to the concerns received in relevant representations from Oggy East, Emily Wood and Stephanie Duits. |
| 2.18. | Applicant | Please clarify the 'worst case' assessment parameters for the proposed maintenance activities during operation, including removal, reconstruction and repair works during the operation of the proposed development and demonstrate how these have been assessed in the ES. |
| 2.19. | Gwynedd Council NRW | Are you satisfied with the applicant's assessment of potential impacts during the operation and decommissioning of the proposed development? |
| 2.20. | Gwynedd Council | The development boundary has been amended and the area increased since T&CPA approval. Are you content that the proposed land uses in additional areas are appropriate and justified? |
| 2.21. | Interested Parties | Are there any comments on the potential for transboundary impacts, following the conclusion of the screening [APP-054] that the proposed development is not likely to have a significant impact on the environment in another European Economic Area state? |
| 2.22. | Community Councils | Do Community Councils affected by the proposals have any observations that they wish to bring to the attention of the ExA? |
| General issues regarding mitigation and the mitigation and management plans | | |
| 2.23. | Applicant | Please provide evidence that the mitigation hierarchy has been taken into account when carrying out the impact assessment and that this is reflected in the mitigation measures. |
| 2.24. | Applicant | a) Please could the applicant clarify the various management and mitigation roles identified in |

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| | Gwynedd Council NRW | <p>the draft CoCP [APP-142] and elsewhere in the ES, including the Environmental Clerk of Works, the Project Environmental Manager, the Environmental Manager, the Environmental Officer and the Ecological Clerk of Works?</p> <p>b) How will the applicant ensure that suitably qualified and experienced people are appointed to these roles?</p> <p>c) How are the roles to be secured?</p> <p>d) Please could Gwynedd Council (GC) and NRW comment?</p> |
| 2.25. | Applicant Gwynedd Council NRW | <p>a) Please could the applicant clarify the nature of all monitoring proposed for each stage of the project, the scope of the proposed monitoring, the minimum measures that they intend to deliver and the actions that would be taken in response to the results?</p> <p>b) Please update the draft CoCP [APP-142] to include this information.</p> <p>c) Do GC and NRW have any comments on the proposed scope of the monitoring?</p> |
| 2.26. | Applicant | <p>The Schedule of Mitigation [APP-085] usefully summarises enhancement, mitigation and monitoring measures committed to in the ES, outlining how they would be secured in the draft DCO [APP-043].</p> <p>a) In order to provide a more comprehensive audit trail, could more detail be provided in the schedule to cross reference numbered paragraphs in the ES and the securing mechanisms?</p> <p>b) Could more detail be added to the schedule so that it references and cross-reference every mitigation measure in the ES with each relevant provision in the draft DCO [APP-043] and each relevant paragraph in the draft CoCP [APP-142]?</p> <p>c) Can an updated version of this schedule be provided for each deadline in the examination?</p> |
| 2.27. | Applicant | <p>a) Please explain the approach to the draft CoCP [APP-142] and associated draft DCO [APP-043] requirements, including the rationale for the split of mitigation measures between the draft DCO [APP-043], the draft CoCP [APP-142] and the plans forming the appendices to the draft CoCP [APP-142].</p> <p>b) Would it be possible to streamline the draft CoCP [APP-142] and the plans forming the appendices to it, so that relevant information is not provided in multiple places?</p> |
| 2.28. | Applicant | Please provide a description of the hierarchy of mitigation and management plans to explain the |

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| | | relationship between them and how they are tied back to the draft DCO [APP-043]. An example can be found here . Include identification of whether each document is in final or initial/draft status and the document reference/version number. Also identify who will be responsible for agreeing the content and controlling the delivery of each plan. |
| 2.29. | Applicant | How will it be ensured that the final mitigation and management plans will accord with the minimum standards and provisions in the draft DCO [APP-043] or in the outline or draft plans? |
| 2.30. | Applicant | Please clarify the arrangements for the approval, consultation, operation and monitoring of the plans post-DCO consent and throughout the life of the development and demonstrate how this will be secured in the draft DCO [APP-043]. |
| 2.31. | Applicant Gwynedd Council NRW | <p>a) Should there be more detail of the matters to be covered by the mitigation and management plans listed in draft DCO [APP-043], Requirement 6(2) and the draft CoCP [APP-142]?</p> <p>b) Do the draft DCO [APP-043] and the draft COCP [APP-142] provide sufficient detail on the mitigation measures in order to address the impacts of the development?</p> <p>c) Can all mitigation measures mentioned in the different topic chapters of the ES be set out in full in the draft CoCP [APP-142] and other mitigation plans, rather than being covered by general references to the ES?</p> |
| 2.32. | Gwynedd Council NRW | In order to demonstrate how the proposed mitigation measures would be delivered, are any further draft/outline mitigation and management plans required at this stage? |
| 2.33. | Gwynedd Council NRW | <p>a) Do GC and NRW consider that there is enough information on the principles and parameters used in the draft DCO [APP-043] and the draft CoCP [APP-142] to be confident that the submitted management and mitigation plans will be capable of approval?</p> <p>b) Do GC and NRW consider that they have sufficient information to be confident that the submitted CoCP and other management and mitigation plans will be monitored adequately during the pre-commencement, construction and operation of the proposed development to ensure the success of the proposed mitigation?</p> <p>c) Do GC and NRW consider that they have sufficient information to be confident that the CoCP and other management and mitigation plans will be appropriately enforced?</p> |

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| 3. | Biodiversity and ecology | |
| | Habitats Regulation Assessment (HRA) | |
| 3.1. | Applicant | Please respond to the queries regarding the Habitats Regulations 2010 (as amended) raised in item 2 of annex C to the letter of 9 February 2016. |
| 3.2. | NRW | Please comment on the appropriateness of the baseline data used for the HRA. |
| 3.3. | Applicant NRW | Please confirm that the development is not connected with or necessary to the management for nature conservation of any of the European Sites considered in the No Significant Effects Report (NSER) [APP-054]. |
| 3.4. | Applicant | Please clarify the definition of a 'likely significant effect' (LSE) in the context of the HRA, with reference to any established best practice guidance. |
| 3.5. | Applicant | Please clarify the extent of any modelling used to inform levels of dilution and dispersion of discharge into water bodies linked to the European Sites. |
| 3.6. | NRW | <p>a) Please comment on the indirect impacts, including from blasting, noise, vibration and lighting, on lesser horseshoe bats linked to the Gyllifon Special Area of Conservation (SAC).</p> <p>b) Is NRW content with the level of the detail provided on the mitigation/enhancement measures for lesser horseshoe bats, including the use of other tunnels?</p> <p>c) Does NRW consider that these measures constitute mitigation relied on to reach the conclusion of no LSE, or enhancement measures?</p> <p>d) Are you satisfied that the measures are appropriately secured in the draft DCO [APP-043]?</p> |
| 3.7. | NRW | Do any other impacts need to be considered in respect to the Gyllifon SAC in addition to those assessed in the NSER [APP-054]? |
| 3.8. | Applicant | Please clarify the mitigation measures proposed for the Afon Gwyrfai SAC, including those for water pollution impacts, and how they are secured in the draft DCO [APP-043]. |
| 3.9. | NRW | Within the NSER [APP-054] the applicant is relying on proposed conditions that will be applied to the discharge consent in order to conclude no LSE. However, a discharge consent for the |

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| | | proposed development has not yet been obtained. Do the proposed conditions for the discharge consent provide the security that effects on European sites hydrologically linked to the development can be excluded, or is additional mitigation required to reach this conclusion? |
| 3.10. | NRW | Is NRW content with the in-combination assessment with the grid connection and the Dinorwig hydroelectric scheme in the HRA? |
| 3.11. | NRW | <p>a) Is NRW content with the applicant's screening conclusions in their NSER [APP-054] and have all qualifying features and interests been correctly identified?</p> <p>b) If not, then please could NRW provide specific information on any likely impacts on sites and qualifying features and interests, an assessment of the mitigation measures provided by the application and advise whether other mitigation measures could be provided?</p> <p>c) Does the NRW support the applicant's findings that likely significant effects on the European sites can be excluded and, if so, please can you confirm what mitigation measures you consider are necessary to reach this conclusion, and whether these are appropriately secured in the draft DCO [APP-043] or through other means.</p> <p>d) If not, then please could the NRW itemise the sites and qualifying features and interests in respect of which there are outstanding concerns?</p> |
| Biodiversity and ecology – policy, scope, methodology and baseline | | |
| 3.12. | NRW Gwynedd Council | Are there any concerns on the scope of the assessment or on the methodology in the Ecology chapter of the ES [APP-074]? |
| 3.13. | Applicant NRW Gwynedd Council | <p>a) When does the applicant intend to survey tunnel 16, will the findings be available by the close of the examination and how will the findings be incorporated into the assessment?</p> <p>b) Do NRW and GC consider that it is acceptable for the survey to be carried out post-consent?</p> |
| 3.14. | NRW | Are there any comments on the scope of the lichen surveys undertaken? |
| Biodiversity and ecology – impact assessment | | |
| 3.15. | NRW Gwynedd Council | a) Are NRW and GC satisfied with the impact assessment and the conclusions reached in respect to the significance of potential impacts? |

| URN | Question to | Question |
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| | | b) Are there any concerns on which plans/projects have been included in the cumulative impact assessment or the approach that has been taken for the cumulative impact assessment? |
| 3.16. | NRW Gwynedd Council | a) Please comment on the applicant's assessment of potential impacts on bats due to blast induced noise, vibration and air over blasts. b) Are there any suggestions for how the assessment could be improved? |
| 3.17. | Applicant NRW | a) Please clarify the potential impacts on fish in the Nant-y-Betwys, including from changes in water flows, from contamination and from noise and vibration. b) Is NRW content with the assessment undertaken? |
| 3.18. | NRW | With reference to the Wildlife and Countryside Act 1981 (as amended), is NRW content with the assessment of impacts on Schedule 1 species using quarry 5? |
| 3.19. | NRW | a) Is NRW content with the assessment of impacts on species for which breeding or other information is confidential? b) Are there any specific confidential matters that the ExA should be made aware of and explore during the examination? If any replies to this or other questions include information that is potentially exempt from release under Environmental Information Regulations, that information should be submitted in a separate and clearly identified document. |
| 3.20. | Applicant | Please respond to concerns regarding fish, birds, trees and other ecology matters in relevant representations from Tom Hutton, Gareth Jones, Haf Owen, Oggy East, Emily Wood and others. |
| 3.21. | Applicant Gwynedd Council NRW | a) Please could the applicant provide plans to clarify the extent of removal, cutting or lopping of trees and hedgerows, including those subject to tree preservation orders and justify the necessity at each location? b) Please could GC and NRW comment? |
| | Biodiversity and ecology – mitigation, residual impacts and significance | |
| 3.22. | Applicant | Please provide an updated draft CoCP [APP-142] to include the control measures for invasive species specified in the ES [APP-074]. |

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| 3.23. | Applicant NRW | Please comment on inconsistencies between the draft Habitat Management Plan and the draft CoCP [APP-142], for example regarding pre-construction surveys for arctic charr. |
| 3.24. | NRW Gwynedd Council | <p>a) Please comment on the suitability of the mitigation measures proposed to reduce impacts on bats, including those required for impacts from blasting.</p> <p>b) Please comment on the need to mitigate impacts on badgers.</p> <p>c) Has sufficient protection been provided for trees and hedgerows and is this adequately secured in the draft DCO [APP-043]?</p> |
| 3.25. | Applicant NRW Gwynedd Council | <p>a) Please clarify the purposes of the various pre-construction surveys and any monitoring, including who is involved.</p> <p>b) How will results be interpreted and acted upon?</p> <p>c) How will the surveys and monitoring be secured in the draft DCO [APP-043].</p> <p>d) Should the DCO set out the species that require additional pre-construction surveys?</p> <p>e) Please could NRW and GC comment?</p> |
| 3.26. | Applicant NRW Gwynedd Council | <p>a) Please clarify the extent of restored/replacement habitats proposed to mitigate for the extent of removal, cutting or lopping of trees and hedgerows.</p> <p>b) Please clarify the extent of tree replacement that is proposed and the specification of replacement trees, including in the vicinity of the spillway infrastructure and pumping station.</p> <p>c) What will be the basis of calculation of the amount of any compensation to any person who suffers loss due to removal, cutting or lopping of trees and hedgerows?</p> <p>d) Please could NRW and GC comment?</p> |
| 3.27. | Applicant | Where will there be restrictions on the timing of the works to mitigate impacts during certain times of the day or seasons of the year, what species will these restrictions mitigate for and how are these secured in the draft DCO [APP-043]? |
| 3.28. | Applicant | With reference to paragraph 5.3.4 of NPS EN-1, please set out the proposed enhancement measures and how are these secured in the draft DCO [APP-043], or through other mechanisms? |

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| 4. | Landscape and visual impacts | |
| | Landscape and visual impacts – policy, scope, methodology and baseline | |
| 4.1. | NRW Gwynedd Council SNPA | <p>a) Please comment on the methodology employed for the Landscape and Visual Impact Assessment (LVIA) [APP-073] and it's consistency with the Guidelines for Landscape and Visual Assessment 3rd Edition (GLVIA3).</p> <p>b) Do you agree with the methodology by which the degree of significance derives from the sensitivity and magnitude criteria?</p> <p>c) How should the magnitude of impact on a national park or a designated landscape be considered when only part of the designated area is directly affected?</p> <p>d) Please comment on the plans/projects included in the cumulative impact assessment.</p> |
| 4.2. | Applicant | Please identify 'dark sky' status locations with the potential to be affected by the proposed development, their level of sensitivity and the assessments required to take them into account. |
| | Landscape and visual impacts – impact assessment | |
| 4.3. | Applicant | Have the impacts to landscape elements such as trees, vegetation, acoustic mounds 'further developments' and other landscape works been included in the LVIA [APP-073]? |
| 4.4. | Applicant | Please clarify the Design and Access Statement [APP-060] note that " <i>all drawings submitted with the DCO are indicative and do not represent the final design</i> ", the 'worst case' scenario parameters used in the LVIA and how these are secured in the draft DCO [APP-043]. |
| 4.5. | Applicant | Please confirm how all photomontages have been updated from the approved T&CPA scheme as necessary if they represent a 'worst case' scenario for dam and spoil heap dimensions. |
| 4.6. | NRW Gwynedd Council SNPA | <p>a) Please comment on the acceptability of summer only photomontages, seasonal variations in the screening provided by vegetation and the necessity for additional winter photomontages.</p> <p>b) Please comment on the presence of an interpretive board with respect to receptors and the value of the view from viewpoint 6.</p> <p>c) Any comments on the assessment of visual impacts of the conveyors during construction and</p> |

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| | | <p>should the assessment consider the impacts arising from the movement of the conveyors?</p> <p>d) Are NRW, GC and SNPA content with the assessment of impacts on geological landscapes?</p> <p>e) Please identify the degree of agreement with the specific applications of professional judgement in the Landscape and Visual Impact Assessment [APP-073].</p> |
| 4.7. | SNPA NRW | Are there any concerns on the assessment of impact on the setting of Snowdonia National Park or on the Llyn and Anglesey Areas of Outstanding Natural Beauty (AONB)? |
| 4.8. | Applicant | Please clarify the impacts of lighting on 'dark sky' status locations. |
| 4.9. | Applicant NRW Gwynedd Council SNPA | <p>a) What is the likelihood of any tree or hedgerow removal being required for the grid connection and what is the likelihood of all or part of the cable route being overhead?</p> <p>b) Please comment on the assessment of cumulative impacts with the grid connection during construction and operation whether an overhead grid connection should be assessed as the 'worst case' scenario for the landscape and visual impact assessment.</p> |
| 4.10. | Applicant | Please respond to the relevant representations regarding visual impacts from Dan Jackson, Emily Wood, Dr David Bellamy, Elfyn Jones, Dean Lawton and others. |
| | Landscape and visual impacts – mitigation, residual impacts and significance | |
| 4.11. | Applicant | How will the restoration of land used temporarily for construction in addition to the temporary construction compounds be secured in the draft DCO [APP-043]? |
| 4.12. | Applicant | Please clarify how mitigation measures will be secured in the draft DCO [APP-043] and draft CoCP [APP-142], including tree protection and replacement, siting of temporary installations, site restoration, replacement of removed vegetation, re-colonisation of vegetation on slate mounds, reinstatement of stone walls and surfacing of tracks and update the mitigation table accordingly. |
| 4.13. | Applicant Gwynedd Council | <p>a) Please could GC comment on the suitability of the draft DCO [APP-043] provisions for the design and materials of the proposed buildings, structures, fencing and external lighting?</p> <p>b) Does GC consider that adequate design information has been provided and secured in the draft DCO [APP-043] to ensure that the mitigation set out in the ES will be delivered?</p> <p>c) Should structures be subject to an independently reviewed design guide, approved by GC?</p> |

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| 5. | Historic environment | |
| | Historic environment – policy, scope, methodology and baseline | |
| 5.1. | Gwynedd Council Cadw | Please clarify the relationships between Gwynedd Council, Gwynedd Archaeological and Planning Services and Cadw, their responsibilities for the historic environment, their roles in discharging and reviewing control and mitigation measures for this application and whether these responsibilities are accurately reflected in the draft DCO [APP-043]. |
| 5.2. | Applicant | a) Please clarify the differences between the approved T&CPA scheme and the DCO development and demonstrate how these have been considered in the assessment. b) Please clarify the scope of additional site walkover and survey information obtained since the T&CPA approval and how this has been considered in the assessment. |
| 5.3. | Applicant | Please clarify the sensitivity attributed to the historic landscapes [APP-078] and how this derives from established best practice or is otherwise justified. |
| 5.4. | Applicant | Please confirm whether full coverage of the areas within the site boundary was achieved as part of the suite of walkover surveys. |
| 5.5. | Gwynedd Council Cadw SNPA | a) Are there any comments on the assessment scope, methodology and baseline conditions? b) Please comment on whether an assessment of the impacts on the tentative World Heritage Site is required and whether any weight should be given to the tentative World Heritage Site status, taking a future proofing approach. |
| | Historic environment – impact assessment | |
| 5.6. | Applicant | Please clarify the impacts which may arise as a result of future site investigations and other pre-commencement activities, including at the penstock corridor and construction compounds. |
| 5.7. | Applicant | Can the applicant explain why the assessment of potential impacts in Chapter 11 of the ES [APP-078] has only considered 101 recorded heritage assets when the 334 heritage assets are identified in Appendix 11.1 [APP-132]? |

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| 5.8. | Applicant | With reference to Requirement 15(2)(b) of the draft DCO [APP-043], please provide an assessment of the potential impacts of peat loss on the historic environment. |
| 5.9. | Applicant | What are the potential impacts of the proposed landscaping strategy, including planting or re-profiling of land, on archaeological assets, including where there may be unknown assets? |
| 5.10. | Applicant | Is the location of the former Cefn Du radio station known, what are the potential impacts on the Cefn Du radio station and what is the significance of the potential impacts? |
| 5.11. | Applicant Gwynedd Council NRW | a) Please could the applicant justify the statement in paragraph 11.7.35 [APP-078] that the considerable impact identified on Historic Landscape Character Areas 07 and 45 using the ASIDHOL methodology " <i>is argued to be an overstatement of the true level of effect</i> "? b) Please could GC and NRW comment? |
| 5.12. | Applicant | Please clarify the significance, in EIA terms, attributed to moderate visual impacts on Historic Landscape Character Areas and justify your reasons. |
| 5.13. | Applicant | Please provide an assessment of the impacts on the setting of Dolbadarn Castle, given the visual pathway between the two sites, or justify why it is not required. |
| 5.14. | Applicant | Please clarify whether there would likely to be any significant interrelating impacts between the landscape and visual assessment and heritage assessment, including impacts on historic landscapes and on Dolbadarn Castle. |
| 5.15. | Applicant | Please clarify why potential cumulative impacts on the historic environment from the grid connection were discounted, particularly given the proximity. |
| 5.16. | Gwynedd Council Cadw | Have the potential impacts on all heritage assets have been properly assessed for all phases, including pre-commencement activities, maintenance and decommissioning? |
| Historic environment - mitigation, residual impacts and significance | | |
| 5.17. | Gwynedd Council Cadw | a) Are there any comments on the mitigation measures proposed for all heritage assets? b) If not, please outline each concern and the steps you wish to see taken to deal with it. c) Are there any comments on the Written Scheme of Investigation [APP-135]? |

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| 5.18. | Applicant | <p>a) Please clarify how micro-siting has been taken into account within the assessment and the proposed mitigation strategy?</p> <p>b) To what extent does the draft DCO [APP-043] provides flexibility for micro-siting?</p> |
| 5.19. | Applicant Gwynedd Council Cadw | Should the recording of assets be relied on as a mitigation measure, with reference to paragraph 5.8.19 of EN-1; are there any other suitable mitigation measures if it should not be considered; and what are the consequences for the residual impacts and their significance if recording was not taken into account? |
| 5.20. | Applicant Gwynedd Council Cadw | How should the specific mitigation, enhancement and compensation measures identified in the ES [APP-078] be secured in the draft DCO [APP-043] and in the draft CoCP [APP-142], including commitments to undertake monitoring, avoid surviving remains, recording (if applicable), a landscape survey, publish results, further evaluation, improve access to surviving sites, provide interpretation boards, obtain the advice and support of an expert in the industrial archaeology of the region and consult with the archaeological advisor to GC? |
| 5.21. | Applicant Gwynedd Council Cadw | <p>a) Please clarify the purpose and content of the Archaeological Compensation and Enhancement Strategy identified in Requirement 7 of the draft DCO [APP-043] and how it relates to the specific mitigation, compensation and enhancement measures proposed in the ES [APP-078] and the Written Scheme of Investigation [APP-135] and whether Requirement 7 should be extended to include the minimum measures relied on in the ES for mitigation?</p> <p>b) Do GC or Cadw consider that a draft or outline Archaeological Compensation and Enhancement Strategy is required at this stage?</p> |
| 5.22. | Applicant Gwynedd Council Cadw | <p>a) Please clarify the extent of archaeological monitoring top soil strip necessary to ensure that any previously unrecorded features are excavated and recorded.</p> <p>b) Are GC and Cadw content with the targeted investigation strategy and other mitigation measures set out in the Written Scheme of Investigation [APP-135]?</p> |
| 5.23. | Gwynedd Council Cadw | With reference to EN-1, is there agreement with the applicant's conclusion that " <i>any adverse impacts on archaeology or cultural heritage will be heavily outweighed by the significant benefits that the development will bring</i> "? |

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| 6. | Traffic and transport | |
| | Traffic and transport – policy, scope, methodology and baseline | |
| 6.1. | Applicant | Please clarify the progress made to agree the final construction routes and subsequently secure these in the draft DCO [APP-043]. |
| 6.2. | Gwynedd Council | Are you content with the level of information provided to understand how the development would be accessed and which routes are likely to be affected? |
| 6.3. | Applicant | a) Please clarify the standards required for each section of the temporary and permanent diverted sections of the public rights of way (PRoW), including consideration of any sections of bridleway and standards for horse riding. b) What will be the legal status of each section of the Llanberis-Waunfawr mountain road? |
| 6.4. | Applicant | a) Were any especially sensitive areas identified for road traffic impacts and agreed with GC? b) Was the need for any specific traffic modelling considered and was this agreed with GC? |
| 6.5. | Gwynedd Council | Is the scope of the baseline traffic surveys appropriate for the DCO development? |
| 6.6. | Applicant Gwynedd Council | The methodology suggests that a 15% increase in HGV and other vehicle trips would be considered a 'minor effect' and that a 'high effect' on a local road can be considered not significant. Please comment. |
| 6.7. | Applicant | What is the basis for a 25% increase in predicted construction traffic movements to represent a 'worst case' scenario and has this been applied to all types of vehicle movements provided in the trip generation tables 12-13 to 12-22 [APP-079]? |
| | Traffic and transport – impact assessment | |
| 6.8. | Applicant | a) Please provide a detailed justification of the significance of impacts identified in tables 12-23 to 12-25 [APP-079]. b) Why have the magnitudes of impact been categorised at the particular levels? c) How do the magnitudes of impact relate to the identified increases in traffic flow? |

| URN | Question to | Question |
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| 6.9. | Applicant | Please clarify the basis of the figures for the number of units and total number of movements of each type of vehicle in tables 12-12 to 12-22 [APP-079], including figures identified for 'construction worker bus' and 'site engineers etc'. |
| 6.10. | Applicant | How have the need to import material onto the site and the anticipated wastes arising from the development been taken into account for the proposed routing and predicted traffic flows? |
| 6.11. | Applicant | Please clarify the basis of the assessment of 'worst case' scenario traffic impacts outside normal construction hours, including additional working that would be approved under draft DCO [APP-043] requirement 16 and any activities not defined as 'construction work'. |
| 6.12. | Applicant | What construction traffic flows are anticipated after month 29 for the route to quarry 1? |
| 6.13. | Applicant | a) Please clarify the impacts of temporary closures of Ffordd Clegir, including during blasting. b) How can these impacts be mitigated and how can this mitigation be secured? c) How are the temporary closures secured through the draft DCO [APP-043]? |
| 6.14. | Applicant Gwynedd Council | a) Given the proposed number, size and weight of vehicles needed to construct the project, the nature of the local highway network and the potential impacts, is there full confidence that the best solutions have been identified and that these are viable and capable of implementation? b) Has the condition and capacity of the road between Waunfawr and quarry 1 and the nature of the receptors along this route been fully considered? |
| 6.15. | Gwynedd Council | Please comment on the suitability of the minor roads between the A4085 and the development to accommodate increases in traffic and the transportation of large modular units. |
| 6.16. | Applicant Gwynedd Council | a) Does the proposed development have the potential to become a site visited by tourists? b) If it does, what are the consequences for the traffic impact assessment? |
| 6.17. | Gwynedd Council | Are there any comments on the assessment of traffic impacts during peak tourist periods, including the suitability of the baseline traffic surveys? |
| 6.18. | Gwynedd Council | Please identify the degree of agreement with the specific applications of professional judgement in the traffic and transport assessment. |

| URN | Question to | Question |
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| 6.19. | Applicant | Please respond to the concerns raised regarding traffic issues in the relevant representations from Ceris Meredith, Tom Hutton, Mads Huus, Dr Jane Huus, Christine Jordan, Cherry Barlett, Dorrie Jandling, Mererid Llwyd, Tom Hutton, Thomas Jones, Alessa Jaendling and others. |
| 6.20. | Gwynedd Council | <p>a) Have the concerns raised by GC before the application was made, including those related to impacts from construction traffic in Caernarfon, been addressed sufficiently?</p> <p>b) Please comment on the cumulative impacts of the access route to the western part of the development with the construction of the Caernarfon and Bontnewydd bypass.</p> <p>c) Please comment on the cumulative impacts on traffic and transport with those arising from the grid connection, including the extent of temporary road closures and the extent to which the cable will need to be laid within the carriageway.</p> |
| Traffic and transport - mitigation, residual impacts and significance | | |
| 6.21. | Applicant | <p>a) Please provide more detail in the draft Construction Traffic Management Plan (CTMP) included in the draft CoCP [APP-142] to demonstrate how the mitigation measures will be delivered, including the mitigation of specific impacts on local people at the specific locations most affected by traffic increases, speed limits, traffic controls, banksmen and escort vehicles and specific measures to be taken to mitigate impact during peak hours and the school run.</p> <p>b) What confidence is there that the mitigation measures will be successful in ensuring that the residual impacts are no worse than determined in the ES and what is the justification for that?</p> |
| 6.22. | Gwynedd Council | <p>a) Can GC confirm that it is content with the provisions of the draft DCO [APP-43] in respect to the powers sought, the suggested timings for notifying the undertaker and the resources required to undertake these responsibilities?</p> <p>b) Is GC satisfied with the draft CTMP and is it satisfied that all mitigation measures are satisfactorily secured in the draft DCO [APP-043]?</p> |
| 6.23. | Applicant | Will HGV vehicles be restricted to the standard construction hours specified in Requirement 16(1) of the draft DCO [APP-043], or would subsection 16(2) also apply? |
| 6.24. | Applicant Gwynedd Council | Should the travel plan mentioned in paragraph 12.9.10 [APP-079] include operational traffic movements and how will the travel plan be secured in the draft DCO [APP-043]? |

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| 6.25. | Applicant | How has provision been built into the traffic mitigation strategy to manage cumulative impacts with the construction of the grid connection and of the Caernarfon and Bontnewydd bypass. |
| 6.26. | Gwynedd Council | Is there agreement with the applicant's conclusion that " <i>the residual traffic effects from the construction and operation of the development are not significant</i> "? |
| 7. | Noise and vibration | |
| | Noise and vibration – policy, scope, methodology and baseline | |
| 7.1. | Gwynedd Council | Is GC satisfied with the baseline noise and vibration data and with the assessment methodology? |
| 7.2. | Applicant Gwynedd Council | Please comment on the relevance of Minerals Planning Policy Wales and Minerals Planning Guidance for noise, vibration and air overpressure and where these should these be used instead of TAN 11 or BS 5228. |
| 7.3. | Applicant | Justify how noise levels above limits can be considered minor effects in table 13-6 [APP-080]. |
| 7.4. | Applicant | a) Please clarify the limits for each magnitude of effect in table 13-7 [APP-080], for example is a moderate vibration effect for a Peak Particle Velocity between 0.3 mm/s and 1.0 mm/s, or between 1.0 mm/s and 10mm/s? b) What vibration levels have the potential to cause structural damage? |
| 7.5. | Applicant | Please clarify whether the lower or higher of the 2012 and 2015 baseline noise surveys values should be used in the construction noise assessment, including in table 13-16 [APP-080]. |
| 7.6. | Applicant | What is the technical justification for not applying a façade correction factor for noise? |
| 7.7. | Applicant Gwynedd Council | a) Please comment on the sensitivity of receptors to air overpressure from blasting. b) Can suitable limits be identified for noise, vibration and air overpressure from blasting? |
| 7.8. | Gwynedd Council SNPA NRW | a) Are GC, SNPA and NRW content with the scope, methodology, basis of the sensitivity and magnitude criteria used in the assessment? b) How should the noise, vibration and air overpressure impacts from blasting be assessed? |

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| | Noise and vibration – impact assessment | |
| 7.9. | Applicant | Please clarify the consideration given to the potential impacts of HGV movements on the structural integrity of buildings and respond to concerns mentioned in relevant representations. |
| 7.10. | Applicant | <p>a) Please clarify the durations of the noise-generating activities anticipated to exceed the limits.</p> <p>b) Please comment on the magnitude of impact if these will be for more than the 8 weeks per year identified in BS 5228.</p> <p>c) Can the spatial extent to which predicted construction noise levels are anticipated to exceed the limit be indicated on a map?</p> |
| 7.11. | Applicant | <p>a) What maximum instantaneous charge levels are anticipated to be practical and representative for each different blasting activity?</p> <p>b) Please clarify the anticipated frequency, timing and duration of blasting activities and the potential for simultaneous blasting at more than one location.</p> <p>c) Please clarify the 'worst case' scenario parameters for blasting and provide a quantified assessment of noise and vibration impacts and an assessment of air overpressure impacts.</p> <p>d) Are trial blasts necessary for a quantitative assessment?</p> |
| 7.12. | Applicant | Please clarify the noise impacts arising from the concrete batching plant, including consideration of the times of day when it will be used. |
| 7.13. | Applicant | <p>a) Quantify predicted vibration levels, including from traffic and the tunnel boring machine.</p> <p>b) Please quantify the noise and vibration impacts from drilling, rock crushing and the conveyor.</p> |
| 7.14. | Applicant | Please respond to the concerns raised regarding noise and vibration issues in the relevant representations from Ceris Meredith, Tom Hutton, Tammy Lewis-Jones, Emily Wood, Kristian James, Peter Frost, Dr Rebecca Williams, Jeff Taylor, Ray Wood, Michael Vitkovitch and others. |
| 7.15. | Gwynedd Council SPNA NRW | <p>a) Are GC, SNPA and NRW content with the assessment of noise, vibration and air overpressure impacts, including during construction, blasting, drilling and the use of conveyors?</p> <p>b) Please identify the degree of agreement with the specific application of professional judgement used in the noise and vibration assessment.</p> |

| URN | Question to | Question |
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| | Noise and vibration - mitigation, residual impacts and significance | |
| 7.16. | Applicant | <p>a) Please clarify the mitigation measures proposed for noise, vibration and air overpressure impacts from blasting and provide the specification of any acoustic screening.</p> <p>b) Please justify the basis for the prediction that the magnitude of impacts will be negligible and that the significance will be minor adverse, with reference to best practice guidance.</p> <p>c) What confidence levels exist in respect to the significance of residual impacts from blasting, given the potential uncertainties and what is the justification for that?</p> <p>d) Please clarify the specific monitoring, recording, communication and complaint procedures proposed for blasting activities.</p> <p>e) How are the mitigation measures to be secured in the draft DCO [APP-043]?</p> |
| 7.17. | Applicant Gwynedd Council | <p>a) Please clarify the construction phase consultation, communication, monitoring and complaints proposals and the proposals to establish a local liaison group.</p> <p>b) Please clarify the measures to be taken if construction noise or vibration limits are exceeded and how these are secured in the draft DCO [APP-043]?</p> <p>c) Please could GC comment?</p> |
| 7.18. | Applicant | With reference to the measures proposed to mitigate construction traffic noise, please clarify the process to ensure that road irregularities will not exceed 20mm, whether this been agreed with GC and how it is secured in the draft DCO [APP-043]. |
| 7.19. | Applicant Gwynedd Council | <p>a) Please clarify the restrictions on construction activities or noise levels outside normal working hours, including blasting and other noisy activities and how this is secured.</p> <p>b) Please clarify the anticipated extent of works, noise and vibration levels outside normal working hours required under a Control of Pollution Act 1974 s61 agreement.</p> <p>c) Are appropriate restrictions are in place in Requirement 16(2) of the draft DCO [APP-043]?</p> |
| 7.20. | Applicant | <p>a) Please provide a draft Construction Noise Management Plan to demonstrate how noise and vibration mitigation measures will be delivered.</p> <p>b) What confidence is there that the mitigation measures will be successful in ensuring that the residual impacts are no worse than determined in the ES and what is the justification for that?</p> |

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| 7.21. | Gwynedd Council Interested Parties | Have sufficient measures have been taken to avoid or minimise nuisance from construction traffic noise and vibration at residential properties? |
| 7.22. | Applicant Gwynedd Council | <p>a) Please clarify the mechanism for finalising noise and vibration limits during construction and operation, including from traffic, blasting, night-time pumping, equipment and maintenance.</p> <p>b) How will noise limits, including for low frequency noise, and the measures necessary to ensure compliance with them, be identified and approved?</p> <p>c) Can limits be secured in the draft DCO [APP-043] to provide comfort of the worst case residual impacts when there remain uncertainties, including blasting, ground conditions, flexibility sought for construction methods and that key equipment is yet to be selected?</p> <p>d) If limits are not secured, what alternative controls and mitigation methods such as limits on activities, timings and locations, are considered to be suitable?</p> <p>e) How are these measures secured in the draft DCO [APP-043], or how should they be?</p> |
| 7.23. | Applicant Gwynedd Council | <p>a) Please clarify any construction and operational phase consultation, communication, monitoring and complaints proposals and the proposals to establish a local liaison group.</p> <p>b) Please clarify the measures to be taken if construction or operational noise or vibration limits are exceeded and how these are secured in the draft DCO [APP-043]?</p> <p>c) Please could GC comment?</p> |
| 7.24. | Gwynedd Council SPNA NRW | <p>a) Are GC, SNPA and NRW satisfied with the mitigation measures proposed and secured in the draft DCO [APP-043] and in the draft CoCP [APP-142]?</p> <p>b) Are GC, SNPA and NRW satisfied with the noise and vibration monitoring proposed and the means by which it is secured?</p> <p>c) How should the noise, vibration and air overpressure impacts from blasting be mitigated?</p> |
| 8. | Water resources and flood risk | |
| | Water resources – policy, scope, methodology and baseline | |
| 8.1. | Applicant | Please respond to the comments made by NRW in their relevant representation. |

| URN | Question to | Question |
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| 8.2. | Applicant | <p>a) Please provide an update on progress in obtaining Reservoirs Act 1975 consents.</p> <p>b) What comfort can be provided that the parameters of the dam design assessed in the ES will be consented?</p> |
| 8.3. | Applicant NRW | Please clarify the purpose of a 'Designated Site Consent Order', the legislation that this comes under and whether one will be required for working within the Llyn Padarn Site of Special Scientific Interest, as mentioned in paragraph 7.4.6 of the Ecology chapter of the ES [APP-074]? |
| 8.4. | Applicant | Has the data from the 2015 walkover survey has been used to inform the baseline conditions in the ES and to inform the Water Frameworks Directive assessment and, if not, then please could the assessments be updated accordingly? |
| 8.5. | Applicant NRW Gwynedd Council | <p>a) Please comment on the suitability of the baseline information on groundwater conditions and drainage pathways for the impact assessment, including knowledge of existing tunnels, culverts, drainage systems and fractures in the bedrock.</p> <p>b) Please justify that there is sufficient information on the groundwater conditions for the likely impacts of the development to be fully understood and appropriately mitigated.</p> <p>c) Please comment on the need for, scope and timing of further investigations, when this data will be obtained and whether the need for the further investigation work should be secured in the draft DCO [APP-043].</p> <p>d) Please clarify the mechanisms by which the scope of the investigations will be agreed including who is involved and how results will be interpreted and acted upon</p> <p>e) What is the risk that the further information that will be obtained on the baseline conditions will lead to a need for works that have not been assessed in the ES and/or are outside the scope of the draft DCO [APP-043] to deliver?</p> |
| 8.6. | Applicant NRW Gwynedd Council | <p>a) Please clarify the sensitivity attributed to private water supplies in the assessment.</p> <p>b) What gaps remain in information about private water supplies to residential properties and how will these be addressed?</p> <p>c) What confidence is there that that other surface water bodies, including any that are potentially used for private water supplies, are not hydrologically connected to the site?</p> <p>d) Please could NRW and GC comment?</p> |

| URN | Question to | Question |
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| 8.7. | Applicant NRW Gwynedd Council | a) Please comment on the potential for unexploded ordnance (including mercury and lead), copper or aluminium to contaminate water bodies, including consideration of slate dust. b) What is the potential for contaminated sediment in crevices in quarries 1 and 6? |
| Water resources – impact assessment | | |
| 8.8. | Applicant | Please clarify the impacts arising from the sealing of quarry 6 and the details of any further survey work in this location mentioned in the ES, including approvals and securing mechanisms. |
| 8.9. | Applicant | a) What is the potential for drainage pathways to be created by fracturing caused by blasting? b) What is the risk of mobilisation of existing sources of contamination, including consideration of changes in existing drainage pathways and of the impacts of blasting? |
| 8.10. | Applicant | a) Please clarify the potential for discharged water to result in temperature changes or nutrient enrichment in Llyn Padarn and address the concerns raised in relevant representations b) Please clarify the need for a water treatment facility and provide details of its size, location, associated impacts and how it's parameters should be secured in the draft DCO [APP-043]. |
| 8.11. | Applicant Gwynedd Council | a) What confidence is there that the quality and volumes of private water supplies potentially impacted by the development will be maintained and what is the justification for that? b) Please respond to relevant representation received from Mr and Mrs Neville E. Gray-Parry. |
| 8.12. | Applicant | Please clarify whether you intend to obtain any more information to more fully understand the likely impacts assessed on the hydrological connectivity with the Afon Rhythallt given the uncertainty regarding the area closest to the spillway infrastructure, how is it intended to obtain this information and how this is secured in the draft DCO [APP-043]? |
| 8.13. | Applicant NRW | Are any cumulative impacts anticipated with the construction of the grid connection, including water quality in Llyn Padarn and where the grid connection crosses the Afon Rhythallt? |
| Water resources – mitigation, residual impacts and significance | | |
| 8.14. | Applicant | What confidence is there that the mitigation measures will be successful in ensuring that the residual impacts are no worse than determined in the ES and what is the justification for that? |

| URN | Question to | Question |
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| 8.15. | Applicant | With reference to NPS EN-1 paragraph 5.7.10, for construction work that has drainage implications what provisions should be made in the draft DCO [APP-043] for drainage systems, including adoptions and maintenance? |
| 8.16. | Applicant | Please clarify the specific mitigation measures to avoid water contamination and silting to water bodies, including activities such as slate excavation and handling, grouting and the use of bentonite during construction. Include consideration of mitigation of potential impacts arising from contamination and silting from run-off from new slate dams, spoil heaps and access tracks constructed using slate waste during construction and operation. |
| 8.17. | Applicant | <p>a) Please clarify how run-off will be controlled during construction and indicate the type and extent of any temporary drainage measures.</p> <p>b) Please clarify the anticipated need for settlement lagoons, their size and location and the assessment of any impacts associated with their construction, operation and site restoration.</p> <p>c) What other mitigation measures are required to control soil erosion?</p> <p>d) How are these measures secured in the draft DCO [APP-043]?</p> |
| 8.18. | Applicant | <p>a) Please clarify the mechanism to ensure that that the detailed design of all surface water infrastructure, including the spillway and scour into the Nant-y-Betwys, is agreed in consultation with NRW.</p> <p>b) Can major discharges from quarry 1 into the Nant-y-Betwys be avoided during operation?</p> |
| 8.19. | NRW | Is NRW content with the measures to protect the Nant-y-Betwys, including from surface runoff and from the construction of access track crossings and should a minimum distance between the new slate mounds and the Nant-y-Betws be secured in the draft DCO [APP-043]? |
| 8.20. | Applicant | Please clarify the mitigation measures to avoid sediment disturbance during the construction activities in and adjacent to Llyn Padarn and comment on whether there is likely to be any residual disturbance. How are these secured? |
| 8.21. | Applicant | <p>a) How should impacts arising from the construction of the water treatment facility be mitigated?</p> <p>b) How are the design details assessed in the ES and the agreement on the final design secured in the draft DCO [APP-043]?</p> |

| URN | Question to | Question |
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| 8.22. | Applicant | Please respond to concerns regarding contamination water quality raised in relevant representations from Neale Lewis-Jones, Oggy East, Ann Lawton, Emily Wood, Stephanie Duits, Gethi Jones, Tania Scotland, Kate Lawrence, Dr Rebecca Williams and others. |
| 8.23. | Applicant | <p>a) Please provide details of water quality monitoring. Should the Afon Seiont be included?</p> <p>b) Clarify the action plan setting out measures to be taken if adverse or unusual results are identified and confirm how this is secured in the draft DCO [APP-043].</p> <p>c) Please address concerns raised in relevant representations regarding adequacy of monitoring.</p> <p>d) Clarify the need for the draft CoCP [APP-142] to refer to water quality monitoring in all relevant water bodies, including the Nant-y-Betwys.</p> <p>e) Please update the Water Management Plan provisions in the draft CoCP [APP-142] to address these points.</p> |
| 8.24. | Interested parties | Please could any interested parties that have commented on the proposed monitoring clarify their concerns and set out what changes they would like to see to the proposed approach? |
| 8.25. | NRW | Please comment on the proposed scope of the water monitoring. |
| 8.26. | Applicant | Please add the minimum measures relied on in the ES for mitigation by the pollution prevention plan and in the silt management plan to the draft DCO [APP-043]. |
| 8.27. | Applicant | With reference to the Schedule of Mitigation [APP-085], please clarify whether it is intended to 'comply with' or 'have regard to' CIRIA Document C650 and NRW Pollution Prevention Guidelines and whether CIRIA Document C650 should be referenced by the draft CoCP [APP-142]? |
| 8.28. | Applicant | <p>a) Should the silt management plan, as referenced in the draft CoCP [APP-142], include for measures for all relevant water bodies, including the Nant-y-Betwys?</p> <p>b) Should the draft CoCP [APP-142] refer to temporary drainage measures to locations in addition to any slopes disturbed by the construction works?</p> |
| 8.29. | Gwynedd Council NRW | <p>a) Do you agree with the applicant's assessment that compliance with the Water Framework Directive will be maintained?</p> <p>b) Could the upper and lower reservoirs be considered to be new water bodies?</p> |

| URN | Question to | Question |
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| | Flood risk | |
| 8.30. | Applicant NRW Gwynedd Council | <p>a) Are there any difference between the information provided within a 'Flood Consequences Assessment' (FCA), as provided by the applicant, and a 'Flood Risk Assessment', as required by EN-1?</p> <p>b) How has the FCA been updated from the version submitted for the T&CPA application?</p> <p>c) Please comment on the suitability of a qualitative assessment.</p> <p>d) What is the mechanism in the draft DCO [APP-043] for a quantitative assessment and for this to be approved?</p> <p>e) What comfort can be provided that the quantitative assessment will be approved?</p> |
| 8.31. | Applicant NRW Gwynedd Council | <p>a) Was the FCA [APP-131] based on NRW's latest flood risk data?</p> <p>b) Has the FCA considered the worst case scenario? Please confirm the parameters assessed.</p> <p>c) Do all parties agree that the FCA has factored in the relevant allowances for climate change?</p> |
| 8.32. | Applicant | <p>a) Please clarify the basis of the categorisations of magnitude of impact and of the sensitivities of receptors with reference to best practice guidance.</p> <p>b) Please clarify how the prescribed level of significance has been reached for each impact.</p> <p>c) The categorisations suggest that a 10 mm increase in flood level to 100 residential properties or a 50 mm increase in flood level to 10 industrial properties should be considered to be not significant. Please comment.</p> <p>d) Please reconcile the categorisations with policy requirements to ensure no increase in flood risk.</p> |
| 8.33. | Applicant NRW Gwynedd Council | <p>a) Please clarify the assessment of changes in peak rate of run-off due to loss of wooded areas and increases in areas of hard standing, slate dams and spoil heaps and any resulting impacts on flood risk.</p> <p>b) Is there any loss in usable flood water storage capacity of the quarries and workings?</p> <p>c) How will it be ensured that runoff rates to receiving water bodies are not increased?</p> <p>d) Please could NRW and GC comment?</p> |

| URN | Question to | Question |
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| 8.34. | Applicant | With reference to paragraph 5.7.3 of EN-1, is there an opportunity for the development to reduce flood risk? |
| 8.35. | Applicant | Please respond to flood risk concerns in relevant representations from Ceris Meredith, Tammy Lewis-Jones, Garry Smith, Tony Grant, Jeff Taylor and others. |
| 8.36. | Applicant | <p>a) Please clarify the purpose of the Excess Water Management Strategy mentioned in the draft DCO [APP-043] and the impacts that it is intended to mitigate.</p> <p>b) Please add the minimum measures relied on in the ES for mitigation by the Excess Water Management Strategy to the draft DCO [APP-043].</p> <p>c) Please respond to the suggestion from NRW in their relevant representation that Article 17 of the draft DCO [APP-043] should refer to Requirement 20.</p> |
| 8.37. | Applicant | Please respond to the suggestion from NRW in their relevant representation that the discharge rate for pumping during the initial dewatering exercise should be specified within the CoCP. |
| 8.38. | Gwynedd Council NRW | <p>a) Any comments on the risks of a dam breach and emergency planning measures [APP-063]?</p> <p>b) Any specific matters that the ExA should be made aware of and explore in the examination?</p> <p>If any replies to this or other questions include information that is potentially exempt from release, that information should be submitted in a separate and clearly identified document.</p> |
| 9. | Air quality and other health impacts | |
| | Air quality – policy, scope, methodology and baseline | |
| 9.1. | Gwynedd Council SNPA | <p>a) Please comment on the relevance of Minerals Planning Policy Wales and Minerals Planning Guidance for the air quality assessment.</p> <p>b) Are there any other local policies that should be considered in the assessment?</p> |
| 9.2. | Gwynedd Council SNPA NRW | <p>a) Are GC, SNPA and NRW content with the scope, the methodology and the basis of the sensitivity and magnitude criteria used in the assessment?</p> <p>b) How should the air quality impacts from blasting be assessed?</p> |

| URN | Question to | Question |
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| | Air quality – impact assessment | |
| 9.3. | Applicant | Please clarify how development-specific dust generating activities in addition to those mentioned in the Minerals TAN are assessed, including the use of conveyors and the construction of the slate dams, spoil heaps, temporary storage mounds, roads and construction compounds. |
| 9.4. | Applicant | Please clarify how potential impacts from the concrete batching plant and from blasting the penstock and tailrace are assessed. |
| 9.5. | Applicant | Please comment on the potential emissions to air during the operational phase, including from plant, vehicles and maintenance activities and identify where the potential impacts are assessed. |
| 9.6. | Applicant | Please respond to the relevant representations regarding air quality and dust received from Ceris Meredith, Kristian James and others. |
| 9.7. | Gwynedd Council SNPA NRW | Are GC, SNPA and NRW content with the assessment of impacts on human and ecological receptors, including from traffic, during blasting, the use of conveyors and the construction of the slate dams, spoil heaps, temporary storage mounds, roads and construction compounds? |
| | Air quality – mitigation, residual impacts and significance | |
| 9.8. | Applicant | <p>a) Please clarify the specific mitigation measures proposed for each dust generating activity, including from blasting, the use of conveyors, slate crushing and the construction of the slate dams, spoil heaps, temporary storage mounds, roads and construction compounds and</p> <p>b) Please identify any restrictions on the locations of dust-generating activities such as slate crushing and temporary storage mounds.</p> <p>c) Please provide further detail of mitigation measures in the Air Pollution Control Management Plan and the Dust Management Plan to cover the measures identified above and in the ES [APP-081] and secure the minimum measures in these plans that are relied on in the ES for the mitigation in the draft DCO [APP-043] or in an update to the draft CoCP [APP-142].</p> |
| 9.9. | Applicant | <p>a) Please clarify the air quality baseline monitoring plan and monitoring to be undertaken during construction, including who is involved, how will results be interpreted and acted upon.</p> <p>b) How will the monitoring and dust deposition limits be secured in the draft DCO [APP-043]?</p> |

| URN | Question to | Question |
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| 9.10. | Gwynedd Council SNPA NRW | a) Are GC, SNPA and NRW satisfied with the mitigation measures proposed and secured in the draft DCO [APP-043] and in the draft CoCP [APP-142]? b) Are GC, SNPA and NRW satisfied with the monitoring proposed and how it is secured? |
| | Other health issues | |
| 9.11. | Applicant | Please clarify the assessment of other health impacts, including those arising from unexploded ordnance, electro-magnetic fields, vibration, air pollution, pollution of private water supplies, increases in pests and blasting and as mentioned in Public Health Wales' and Public Health England's relevant representations. |
| 9.12. | Applicant | Will the International Commission on Non-Ionizing Radiation Protection guidelines be adhered to? |
| 9.13. | Applicant | Please respond to the relevant representations regarding UXO and other health issues from Neale Lewis-Jones, Tammy Lewis-Jones, Oggy East, Thomas Jones, Derek Summers, Siobhan Evans, Ann Lawton, Gethi Jones, Mads Huuse, Christine Jordan, Tony Grant and others. |
| 9.14. | Applicant | What are the specific mitigation measures for each potential health impact and how will these be secured in the draft DCO [APP-043]? |
| 9.15. | Gwynedd Council | Does GC have any concerns regarding impacts on health? |
| 10. | Socio-economics, tourism and recreation | |
| | Socio-economics, tourism and recreation – policy, scope, methodology and baseline | |
| 10.1. | Gwynedd Council | a) Please comment on the robustness of the 2012 primary data collection for the assessment. b) Are there any concerns regarding updates to the 2012 baseline surveys? c) Is GC aware of any other data sources that the applicant should consider in their assessment? d) Does GC have any comments on the applicant's assessment methodology? |
| 10.2. | Applicant | How has the socio-economic assessment changed since the approved T&CPA application to consider the caravan park currently under construction close to the Order limits? |

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| 10.3. | Applicant | Please clarify the extent of consultation with accommodation providers, tourism attraction and recreational facilities, recreation participants and tourists undertaken to inform the assessment. |
| 10.4. | Gwynedd Council Interested Parties | Are there any concerns with the scope, methodology, basis of the sensitivity and magnitude criteria used in the assessment? |
| Socio-economics, tourism and recreation – impact assessment | | |
| 10.5. | Gwynedd Council | What are the social and economic benefits likely to be generated by the development and should it be possible for these benefits to be quantified? |
| 10.6. | Applicant | Please respond to the issues raised regarding the number of jobs potentially created in relevant representations from Huw Llewelyn Jones, Garry Smith, Cherry Bartlett, Haf Owen and others, including the comments on the accuracy of information provided pre-application. |
| 10.7. | Gwynedd Council | Please comment on the potential impacts on the availability of tourism accommodation during construction. |
| 10.8. | Applicant | Please respond to the tourism concerns received in relevant representations from Tom Hutton, Lynne Pugh, Mike Russell, Dr David Bellamy, Cherry Bartlett, Tony Grant, Dr Rebecca Williams, Elfyn Jones and others. |
| 10.9. | Applicant | a) Please confirm the sensitivity of receptors, magnitude of potential impacts and the significance of impacts on tourists, traffic, walkers, runners, cyclists, horse-riders, bird-watchers, rock-climbers, swimmers, participants in fishing, canoeing and other watersports in Llyn Padarn and the lagoons. b) Please advise the magnitude and significance of impacts on tourism and recreation facilities and businesses, including holiday accommodation and the caravan park currently under construction close to the Order limits. |
| 10.10. | Applicant Gwynedd Council | a) Are there any potential impacts on Llyn Padarn's bathing water status? b) Please comment on the possibility of entrapment or snagging on infrastructure in Llyn Padarn. |
| 10.11. | Applicant | Please respond to relevant representations from Graham Burns, Jason Ratchford, Tom Hutton, Chloe Raffery, Mike Russell, Emily Wood, Stephanie Duits, Dr Rebecca Williams, and others |

| URN | Question to | Question |
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| | | regarding impacts on recreation and educational activities in Llyn Padarn and respond to the relevant representation received from Elfyn Jones regarding impacts on climbing. |
| 10.12. | Applicant | <p>a) Please clarify the impacts of noise from blasting, including on PRoW, permissive routes and cycle routes, camping and caravanning sites and on events.</p> <p>b) What are the potential impacts of temporary closures of Fford Clegir on Brynteg Holiday Home Park?</p> |
| 10.13. | Gwynedd Council Interested Parties | <p>a) Are there any concerns with the assessment of impacts on tourists, recreation participant, local businesses or other relevant organisations?</p> <p>b) Please identify the degree of agreement with the specific applications of professional judgement used in the socio-economic assessment, tourism and recreation assessment?</p> |
| Socio-economics, tourism and recreation – mitigation, residual impacts and significance | | |
| 10.14. | Applicant | <p>a) Please clarify the measures to be taken to realise the social and economic benefits of the development, including employment, supply chain benefits and any intentions regarding the “<i>financial contributions for the benefit of local community</i>” mentioned in the Planning Statement [APP-057] and the ‘meet the buyer’ events.</p> <p>b) Has appropriate commitment been given to use local labour given the potential of benefits for socio-economics, traffic impacts and the availability of tourism accommodation?</p> <p>c) How will the measures be secured in the draft DCO [APP-043] or through other mechanisms?</p> |
| 10.15. | Gwynedd Council | Are the social and economic benefits that are likely to be generated by the development appropriately secured in the draft DCO [APP-043] or through another mechanism? |
| 10.16. | Applicant | <p>a) How would any potential adverse economic impacts on local residents, visitors, businesses and other organisations most directly affected by the project be mitigated?</p> <p>b) How will these measures be secured in the draft DCO [APP-043]?</p> |
| 10.17. | Applicant | <p>a) Please clarify how blasting activities and loss of access to Fford Clegir, PRoW, open space and informal routes will be communicated to the local community, tourists and other recreation participants.</p> <p>b) How will these measures be secured in the draft DCO [APP-043]?</p> |

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| 10.18. | Applicant | Are there suitable public footways between the development and bus stops on the A4086? |
| 10.19. | Applicant | Please could the extent of open space, informal routes and the temporary or permanent access restrictions, potential impacts and associated mitigation measures be illustrated on a drawing? |
| 10.20. | Applicant | Please summarise the measures proposed to enhance accessibility and confirm how these will be secured in the draft DCO [APP-043] or through other mechanisms. |
| 10.21. | Gwynedd Council Interested Parties | a) Are there any concerns regarding the provision of alternative PRoW routes or the maintenance and enhancement of accessibility, including for tourism and recreation activities such as walking, running, horse riding and cycling? b) Any concerns regarding PRoW diversions, temporary closures or replacement of access land? |
| 10.22. | Applicant | Please respond to PRoW and access concerns in relevant representations from Graham Fitch, Tom Hutton, Chloe Rafferty, Tammy Lewis-Jones, Elfyn Jones and others. |
| 10.23. | Applicant | How will mitigation measures for recreation and tourism be secured in the draft DCO [APP-043] or through other mechanisms? |
| 10.24. | Gwynedd Council Interested Parties | Are there any concerns with the socio-economics, recreation and tourism mitigation measures proposed and secured in the draft DCO [APP-043] or through other mechanisms? |
| 11. Compulsory acquisition (CA) and funding | | |
| Compulsory acquisition | | |
| 11.1. | Applicant | With reference to the need to establish that there is a compelling case in the public interest for compulsory acquisition: a) What assessment has been made of the effect upon individual affected parties and their private loss that would result from the exercise of compulsory powers in each case? b) Which factors have been placed in the balance and what weight has been attributed to them? c) What degree of importance has been attributed to the existing uses of the land proposed to be acquired? |

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| | | <p>d) What regard has been had to the provisions of Article 1 of the First Protocol and Article 8 to the European Convention on Human Rights?</p> <p>e) What assessment/comparison has been made of alternatives to compulsory acquisition, including modifications to the scheme, in each case?</p> |
| 11.2. | Applicant Affected Persons | <p>a) Please provide a table summarising the discussions and correspondence that has taken place between the applicant and each affected person relating to the acquisition of land or rights in land, permanent or temporary for each relevant plot. The table should identify the affected person, the nature of their interest (eg owner, tenant or easement) and rights affected, include a summary of the current position, any outstanding matters and when it is anticipated that consent will be obtained. The information will be published on our website, so commercial and/or confidential details need not be given.</p> <p>b) Where interests have not yet been acquired by agreement, what steps have been taken to reach agreement with a view to avoiding the need for the exercise of compulsory powers and why has agreement not been secured?</p> |
| 11.3. | Affected Persons | <p>a) Does any affected person (person whose land or rights in land would be affected if an order were granted) have any outstanding concerns regarding the extent and nature of compulsory rights identified in the application, or the case made (need) for the acquisition of those rights?</p> <p>b) Is it considered that any areas of land whose acquisition is proposed by the applicant are not needed for the development?</p> |
| 11.4. | Applicant | <p>a) Please identify all land and rights acquisitions required <u>outside</u> the draft DCO [APP-043] before the proposed development can become operational, including those related to highways, PRow, common land, deregistration and the provision of exchange land.</p> <p>b) Please provide, in tabular form, an update on progress towards these, including those already secured. The table should identify the relevant parties, location of the land, the land or rights sought, why these are required, include a summary of the current position, any outstanding matters and when it is anticipated that consent will be obtained. The information will be published on our website, so commercial and/or confidential details need not be given.</p> <p>c) What comfort can be provided that the acquisitions will be obtained in acceptable and predictable timeframes and with all the necessary rights?</p> |

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| 11.5. | Applicant | Please update the Book of Reference (BoR) with any additional s59(2)(d) persons identified by the applicant that should be included in Category 1, 2 or 3. |
| 11.6. | Applicant | Please update the BoR with any persons to be included in Category 3, including but not limited to any relevant persons in relation to: a) The eight potential blight plots and areas identified in the Funding Statement [APP-046]. b) The private water supplies identified in table 9-2 [APP-076]. c) The 11 receptors identified who may experience significant noise impacts [APP-080]. d) The 24 sensitive air quality receptors identified in table 14-12 [APP-081]. |
| 11.7. | Applicant | Please provide an update to Part 5 of the BoR to include the identification of areas comprising special category land or replacement land, in accordance with Regulation 7 of the Infrastructure Planning (Applications - Prescribed Forms and Procedure) Regulations 2009. |
| 11.8. | Applicant Statutory Undertakers | a) Please justify why the acquisition of ownership interests in the subsoil of Plots 4 and 7 is legitimate, necessary and proportionate. b) Please set out the reasonable alternatives that have been explored. c) Are there any implications for statutory undertakers? |
| 11.9. | Applicant Statutory Undertakers | a) Is there any apparatus belonging to statutory undertakers within the order limits? b) Would any rights and/or apparatus belonging to statutory undertakers be compulsory acquired, interfered with or require removal under the powers in the draft DCO [APP-043]? |
| 11.10. | Applicant | Please justify how Plot 22, when burdened with the Order right, will be no less advantageous than it was before to its' owners, other persons with rights over it, and the public. |
| 11.11. | Applicant Gwynedd Council | a) Please could the applicant and GC comment on whether a right of public access under the Countryside and Rights of Way Act 2000 would count as a 'right, trust or incident' for the purposes of s131(4) of PA2008. b) Could the applicant clarify the mechanism by which the replacement land will be made subject to the same 'rights, trusts and incidents' as the land to be taken? |
| 11.12. | Applicant | a) Where is the obligation on the applicant to acquire Plot 42 as replacement land? |

| URN | Question to | Question |
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| | Gwynedd Council | <p>b) Could the applicant clarify the mechanism for designating Plot 42 as open space?</p> <p>c) Given that Plot 42 is not currently surrounded by open space, do the applicant and GC consider that it has value as access land if the agreement of the 64.8 acres of Countryside and Rights of Way Act 2000 replacement land and its' designation does not go ahead?</p> <p>d) How can the value of Plot 42 as open space be ensured?</p> <p>e) What relevant provisions should be secured in the draft DCO [APP-043]?</p> |
| 11.13. | Gwynedd Council Interested Parties | Are there any comments on the equivalence of the open space forestry land that is proposed to be exchanged for open space pasture land? |
| 11.14. | Applicant | Please justify that each plot of replacement land will be no less advantageous than it was before to its' owners, other persons with rights over it, and the public. |
| 11.15. | Applicant | <p>a) Please provide detailed justification of the necessity of the plan size of the dam for the upper reservoir and the plan size and location of the adjacent slate waste tip, given the implications for the acquisition of Plots 43 and 56.</p> <p>b) Please detail the consideration of alternatives to have steeper slopes to the dam and tip, other forms of dam construction, other locations for the slate waste or export of the waste offsite.</p> <p>c) Is the acquisition of ownership interests in the full extent of land included in Plots 43 and 56 legitimate, necessary and proportionate?</p> |
| 11.16. | Applicant | Paragraphs 11.7-9 of the Statement of Reasons (SoR) [APP-045] note that CA may be sought if parties are in breach of agreements for voluntary acquisition. How is CA justifiable when an agreement is in place and what alternative mechanisms are available to resolve a breach? |
| 11.17. | Applicant Interested Parties | <p>a) Please identify all temporary closures and possessions, including Fford Clegir.</p> <p>b) Should there be time limits for the temporary use of land?</p> <p>c) How are relevant provisions secured in the draft DCO [APP-043]?</p> |
| 11.18. | Gwynedd Council Interested Parties | <p>Are there any comments or concerns with respect to:</p> <p>a) The nature, extent and scope of land, rights and other compulsory powers sought, including access for maintenance, temporary possession, powers to override easements and rights under streets?</p> |

| URN | Question to | Question |
|--------|---------------------------------------|--|
| | | <p>b) Whether the powers sought are required for the development to which the development consent relates, whether they are legitimate, necessary and proportionate and whether reasonable alternatives have been explored sufficiently?</p> <p>c) Whether there is a compelling case in the public interest that justifies interference with the human rights of those affected?</p> <p>d) Special category land, including authorisations to acquire Crown land, statutory undertakers land or to interfere with statutory undertakers' equipment?</p> |
| 11.19. | Gwynedd Council Interested Parties | <p>a) Have potential impediments to the development been properly identified and managed?</p> <p>b) Are there concerns that any matters either within or outside the scope of the draft DCO [APP-043] for the development to become operational may not be satisfactorily resolved, including acquisitions, consents, resources or other agreements?</p> <p>c) Should triggers be required to secure any acquisitions, consents or other matters before CA should be permitted under the draft DCO [APP-043]?</p> |
| | Funding | |
| 11.20. | Applicant | Please could the applicant provide a copy of the latest audited company accounts for Snowdonia Pumped Hydro Limited and for its parent company, The Quarry Battery Company Limited? |
| 11.21. | Applicant | What is the estimate of total funding required for the development to become operational (including compensation for CA) and how was this figure calculated and independently verified? |
| 11.22. | Applicant | How was the estimate of funding required for CA calculated and independently verified? |
| 11.23. | Interested Parties | <p>a) Are there any justifiable concerns that the applicant will not be able to secure the funding required for the development?</p> <p>b) Is there evidence to suggest that the funding level identified for CA may be insufficient to meet all the CA liabilities?</p> |
| 11.24. | Applicant | <p>a) How will the applicant ensure that the CA monies will be available within the statutory periods when compensation becomes payable?</p> <p>b) Can there be a mechanism in the draft DCO [APP-043] for the CA liabilities to be guaranteed by the parent company, The Quarry Battery Company Limited?</p> |

| URN | Question to | Question |
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| 11.25. | Applicant Gwynedd Council | What are the potential risks of the development failing to be completed and should measures be incorporated into the draft DCO [APP-043] to provide financial and legal certainty that unpredicted impacts arising from a partially constructed development could be mitigated? |
| 11.26. | Applicant Gwynedd Council | Should the provision for potential blight exposure be included in the amount guaranteed under Article 26 of the draft DCO [APP-043] in respect of payment for compensation? |
| 11.27. | Applicant Gwynedd Council | Should the ability for the amount guaranteed in respect of payment of compensation to be changed be agreed by Gwynedd Council or by the Secretary of State? |

| Abbreviations | | | |
|----------------------|---|------------------|---|
| ALA 1981 | Acquisition of Land Act 1981 | LIR | Local Impact Report |
| AP | Affected Person | LPA | Local Planning Authority |
| AONB | Area of Outstanding Natural Beauty | LVIA | Landscape and Visual Impact Assessment |
| BoR | Book of Reference | MW | Megawatts |
| BPM | Best Practicable Means | NRW | Natural Resources Wales |
| BS | British Standard | NPS | National Policy Statement |
| CA | Compulsory Acquisition | NSER | No Significant Effects Report |
| CoCP | Code of Construction Practice | NSIP | Nationally Significant Infrastructure Project |
| COPA | Control of Pollution Act 1974 | PA2008 | The Planning Act 2008 |
| CRoW | Countryside and Rights of Way Act 2000 | PINS | The Planning Inspectorate |
| CTMP | Construction Traffic Management Plan | PM | Preliminary Meeting |
| DCO | Development Consent Order | PPV | Peak Particle Velocity |
| EIA | Environmental Impact Assessment | PRoW | Public Rights of Way |
| EM | Explanatory Memorandum | RIES | Report on the Implications for European Sites |
| EN-1 | Overarching National Policy Statement for Energy | RR | Relevant Representation |
| EPA | Environmental Protection Act 1990 | SAC | Special Area of Conservation |
| EPS | European Protected Species | SI | Statutory Instrument |
| ES | Environmental Statement | SoCG | Statement of Common Ground |
| ExA | Examining Authority | SoS | Secretary of State |
| GAPS | Gwynedd Archaeological Planning Services | SNPA | Snowdonia National Park Authority |
| GC | Gwynedd Council | SPA | Special Protected Area |
| GLVIA3 | Guidelines for Landscape and Visual Assessment 3rd Edition | SSSI | Site of Special Scientific Interest |
| HGV | Heavy Goods Vehicle | TAN | Technical Advice Note |
| HMP | Habitat Management Plan | T&CPA | Town and Country Planning Act 1990 |
| HRA | Habitats Regulation Assessment | TPO | Tree Preservation Order |
| IAQM | Institute of Air Quality Management | UXO | Unexploded Ordnance |
| ICNIRP | International Commission on Non-Ionizing Radiation Protection | WFD | Water Frameworks Directive |
| IP | Interested Party | WR | Written Representation |
| ISH | Issue Specific Hearing | WWII | World War II |