

**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](mailto:GlynRhonwy@pins.gsi.gov.uk).

URN	Question to	Question
<b>1.</b>	<b>Development consent order (DCO), policy and other consents</b>	
	<p><b>DCO – matters arising from the applicant’s responses to the ExA’s drafting queries.</b></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 <a href="#">here</a>. This is followed by the reference of the relevant article/requirement of the draft DCO [APP-043]. Draft DCO v1 can be found <a href="#">here</a>.</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
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 "<i>... such as <u>re-internment</u> or cremation</i>"?</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?
	<b>DCO – other</b>	
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.

URN	Question to	Question
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	<p>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?</p> <p><b>At present, Gwynedd Council is content with the provisions within the DCO.</b></p>
	<b>Policy</b>	
1.27.	Applicant Gwynedd Council NRW Interested Parties	<p>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.</p> <p><b>Although the Council have no specific comments, it is considered that information regarding relevant Policy Framework have been adequately agreed under parts A1 and A2 of the SoCG.</b></p>

URN	Question to	Question
1.28.	Gwynedd Council NRW SNPA	<p>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, 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> <p><i>It is the Council's opinion that relevant policies and guidance on both a local and national level have been adequately referred to in the following documents: Local Impact Report, Statement of Common Ground, TCPA application's report to the planning committee. It is also considered that sufficient reference is also made within the applicant's submitted Planning Statement.</i></p>
1.29.	Gwynedd Council	<p>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.</p> <p><i>The Council has recently submitted the Joint Local Development Plan to the Welsh Government and the Planning Inspectorate in preparation for the Public Examination of the Plan. Planning Inspectors have been appointed but the exact date of the Examination has not yet been confirmed. Public consultation regarding the Focussed Changes to the Plan (i.e. the changes that are proposed to the deposit plan in response to representations received during the public consultation period last year) are on-going until 13 April, 2016.</i></p> <p><i>The Examination will remain open until the Inspector has submitted the Inspector's Report. The revised Delivery Agreement for the JLDP notes the anticipated adoption date of the Plan as being February 2017.</i></p>
1.30.	Gwynedd Council	<p>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?</p>

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		This document was commissioned by Gwynedd Council with the assistance of Welsh Government as the Council had identified Glyn Rhonwy as a Strategic Development Site. The Council instructed DTZ to prepare a development plan and implementation strategy. The report identified potential uses for the site, including a pump storage scheme. The report was supported by the Arfon area committee at the time. It is considered that only limited weight can be given to this document as no statutory status is attached.
1.31.	Gwynedd Council	<p>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?</p> <p>The Council have no comments to make regarding this matter, it is considered that the need case for the development has previously been made and accepted through the approval given for the TCPA application as well as within the context of NPS EN-1.</p>
	<b>Other consents</b>	
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> <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> <p>The Council considers that the relevant requirements as detailed are acceptable and are not aware for further requirements at this stage.</p>



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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&amp;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&amp;CPA consents.</p> <p>The Local authority generally agrees with comments made by the Applicant in relation to question 1.36. On the basis that these are alternative schemes that cannot co-exist, the legal analysis of the applicant is therefore agreed.</p>
<b>2.</b>	<b>General issues regarding the Environmental Statement (ES) and mitigation and management plans</b>	
	<b>General issues regarding the Environmental Statement</b>	
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].
2.4.	Applicant	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

URN	Question to	Question
		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> 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. 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. c) The level of significance that is considered a 'significant effect' in EIA terms.
2.5.	Applicant	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].
2.6.	Applicant	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: a) The sensitivity of the receptor likely to be affected. b) The 'worst case' scenario parameters used for the impact assessment. c) The magnitude of the potential impact. d) The significance of the impact before <u>and</u> after mitigation. e) Any professional judgement that has been applied and how this derives from established best practice or is otherwise justified.
2.7.	Applicant	Please clarify the overall significance of residual impact for each environmental topic.
2.8.	Applicant	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].
2.9.	Applicant	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? b) Please advise where the potential impacts of these works are assessed.
2.10.	Applicant	Is it necessary to secure measures to ensure the stability of the slate dams and mounds in the draft DCO [APP-043]?

URN	Question to	Question
	Gwynedd Council	Yes, the Council needs to be satisfied that the stability of the slate dams and mounds will be secure; it is considered that this can be achieved through agreement regarding the detailed design of permanent elements in accordance with requirement 5(3). It is also considered that the appointed reservoirs engineer will need to sign off the final design of the dams.
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> <p>The information provided in relation to this DCO application regarding UXO is far more detailed</p>

URN	Question to	Question
		than any investigations carried out by Gwynedd Council or its predecessor, Arfon Borough Council. Apart from a small percentage of information provided by the MOD, the details which are contained in Appendix 8.5 Zetica UXO Desk Study Report is new information to officers of the Council and appears to be comprehensive.
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.
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. a) The Council is content with the location of both sites shown for the proposed pumping station; both are shown within the red line boundary as detailed on drawing doc.2.02. The alternative location as shown is likely to be less disruptive to users of Y Glyn as it is further away from the existing roadway and car park when compared with the originally proposed location. No formal discussions have been held recently regarding this matter. 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? Yes, as confirmed under sections B-6 and B-7 in the SoCG.
2.20.	Gwynedd Council	The development boundary has been amended and the area increased since T&CPA approval.

URN	Question to	Question
		Are you content that the proposed land uses in additional areas are appropriate and justified? <b>Yes.</b>
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?
<b>General issues regarding mitigation and the mitigation and management plans</b>		
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 Gwynedd Council NRW	<p>a) Please could the applicant clarify the various management and mitigation roles identified in 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> <p><b>If appropriate individuals are appointed, the Council is unlikely to have any concerns; however, it reserves the right to comment further on receipt of further clarification.</b></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> <p><b>The Council have no comments to make at present; however, it reserves the right to comment further on receipt of further clarification.</b></p>

URN	Question to	Question
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	<p>Please provide a description of the hierarchy of mitigation and management plans to explain the relationship between them and how they are tied back to the draft DCO [APP-043]. An example can be found <a href="#">here</a>. 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.</p>
2.29.	Applicant	<p>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?</p>
2.30.	Applicant	<p>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].</p>
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>a) The Council consider that the matters have been adequately referred to within these documents; however, it reserves the right to comment further on receipt of further</b></p>

URN	Question to	Question
		<p>clarification/information.</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>b) The Council have no comments to make at present; however, it reserves the right to comment further on receipt of further clarification.</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> <p>c) It is considered that this is a matter for the Applicant to confirm.</p>
2.32.	Gwynedd Council NRW	<p>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?</p> <p>No.</p>
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>a) Yes unless representations are received which require further clarification.</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>b) Yes</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> <p>c) Yes</p>
<b>3.</b>	<b>Biodiversity and ecology</b>	
	<b>Habitats Regulation Assessment (HRA)</b>	

URN	Question to	Question
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 Glynllifon 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 Glynllifon 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 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?



URN	Question to	Question
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>
<b>Biodiversity and ecology – policy, scope, methodology and baseline</b>		
3.12.	NRW Gwynedd Council	<p>Are there any concerns on the scope of the assessment or on the methodology in the Ecology chapter of the ES [APP-074]?</p> <p><i>There are no concerns. The Council have worked alongside the developer to address all issues during the TCPA application and are satisfied that issues have been adequately addressed in the Ecology Chapter of the ES submitted with the DCO.</i></p>
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> <p><i>In this instance, Gwynedd Council considers that it is acceptable for a survey to be carried out post consent as a survey has already been carried out. The follow up survey is to fine tune mitigation measures which may be necessary, such as exclusion of bats from the tunnel, capturing the bats by licensed ecologists. This issue should be covered in the Bat Licence issued by NRW.</i></p>
3.14.	NRW	Are there any comments on the scope of the lichen surveys undertaken?

URN	Question to	Question
	<b>Biodiversity and ecology – impact assessment</b>	
3.15.	NRW Gwynedd Council	<p>a) Are NRW and GC satisfied with the impact assessment and the conclusions reached in respect to the significance of potential impacts?</p> <p>a) Gwynedd Council is satisfied with the impact assessment and the conclusions reached in respect to the significance of potential impacts.</p> <p>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?</p> <p>b) There are no concerns regarding the content of the cumulative impact and the approach that has been taken.</p>
3.16.	NRW Gwynedd Council	<p>a) Please comment on the applicant's assessment of potential impacts on bats due to blast induced noise, vibration and air over blasts.</p> <p>a) The Council agree with the conclusion in the ES (7.8.155). Based on existing studies on the effects of vibration on bats, it is considered that temporary ground borne vibration from drill and blast or TBM on the tunnels would be at a level unlikely to have a significant effect on roosting bats.</p> <p>b) Are there any suggestions for how the assessment could be improved?</p> <p>b) None</p>
3.17.	Applicant NRW	<p>a) Please clarify the potential impacts on fish in the Nant-y-Betws, including from changes in water flows, from contamination and from noise and vibration.</p> <p>b) Is NRW content with the assessment undertaken?</p>
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	<p>a) Is NRW content with the assessment of impacts on species for which breeding or other information is confidential?</p> <p>b) Are there any specific confidential matters that the ExA should be made aware of and explore during the examination?</p> <p>If any replies to this or other questions include information that is potentially exempt from release</p>

URN	Question to	Question
		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	<p>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?</p> <p>b) Please could GC and NRW comment?</p> <p>Comments have been made regarding this matter on the draft DCO, app. 32 – Trees Subject to Preservation Orders. The Applicant and GC have since agreed an amendment to the DCO to require written approval from GC prior to any works being undertaken.</p>
<b>Biodiversity and ecology – mitigation, residual impacts and significance</b>		
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].
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>a) The Council is satisfied with the suitability of mitigation measures for bats in relation to impacts from blasting – see 3.16 above</p> <p>b) Please comment on the need to mitigate impacts on badgers.</p> <p>b) Previous surveys have not found evidence of badgers although a small sett is located nearby. It is agreed that a survey should be conducted prior to construction for any new setts or any change in behaviour patterns that may have occurred in the intervening period. It is agreed that good practice is followed during construction, i.e. closing of holes excavated overnight. This is proportionate and adequate.</p> <p>c) Has sufficient protection been provided for trees and hedgerows and is this adequately</p>

URN	Question to	Question
		<p>secured in the draft DCO [APP-043]?</p> <p>c) The Council is satisfied with the mitigation measures proposed in the ES in relation to trees. However, there were concerns over DCO app. 32 which appeared to give carte blanche to clear protected trees for whatever reason during the lifetime of the project. GC has sought clarification from the Applicant on this matter – see 3.21 above. The Applicant and GC have agreed an amendment to the DCO to require written approval from GC prior to any works being undertaken.</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> <p>Pre-construction surveys give an updated view of the status of various species. These allow any changes in behaviours, location of nests, setts, travel paths etc that may have occurred in the intervening period since initial surveys to be assessed and mitigation to be adapted or fine-tuned accordingly. Monitoring allows mitigation measures to be assessed for effectiveness and altered or adapted if necessary.</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> <p>Requirements 6 and 12 in part 2 schedule 1 of the draft DCO requires a tree planting scheme and a tree-roots protection plan as part of the Habitat Management Plan (HMP) to be submitted to and approved by Gwynedd Council and NRW in writing prior to the commencement of construction. Requirement 6 requires the Applicant to comply with the HMP as approved.</p>

URN	Question to	Question
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?
<b>4.</b>	<b>Landscape and visual impacts</b>	
	<b>Landscape and visual impacts – policy, scope, methodology and baseline</b>	
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 its consistency with the Guidelines for Landscape and Visual Assessment 3rd Edition (GLVIA3).</p> <p>a) The scope of assessment on the TCPA application was considered acceptable, the Council is satisfied that the current methodology also meets the required standard.</p> <p>b) Do you agree with the methodology by which the degree of significance derives from the sensitivity and magnitude criteria?</p> <p>b) Yes.</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>c) It is the Council's opinion that consideration has already been given to the effect of the development on matters such as the national park and designated landscape; it is not considered that the DCO proposal differs from what has already been considered and ultimately approved.</p> <p>d) Please comment on the plans/projects included in the cumulative impact assessment.</p> <p>d) NRW provided comments in relation to the TCPA application having assessed that application in terms of its effect on the local landscape. Gwynedd Council are therefore content to rely again on the observations of NRW in this instance in relation to landscape and visual impact (this is also relevant to points a, b and c above).</p>
4.2.	Applicant	Please identify 'dark sky' status locations with the potential to be affected by the proposed

URN	Question to	Question
		development, their level of sensitivity and the assessments required to take them into account.
	<b>Landscape and visual impacts – impact assessment</b>	
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>a) <b>It is considered in this instance that the information provided is sufficient.</b></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>b) <b>The Council have no comments regarding this matter.</b></p> <p>c) Any comments on the assessment of visual impacts of the conveyors during construction and should the assessment consider the impacts arising from the movement of the conveyors?</p> <p>c) <b>The Council have no comments regarding this matter.</b></p> <p>d) Are NRW, GC and SNPA content with the assessment of impacts on geological landscapes?</p> <p>d) <b>Yes.</b></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> <p>e) <b>The Council is in agreement with the submitted information and are content to rely on the comments of NRW regarding this matter.</b></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)?

URN	Question to	Question
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>a) <b>The Council does not consider that providing a cable route overhead is acceptable in any form within the site of the proposed development or within the local vicinity. This opinion has been consistently given and the Council continues to be of the same opinion. Definitive grid connection details are not known at this stage.</b></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> <p>b) <b>The Council do not consider that the 'worse case scenario' of an overhead grid connection is an option in this instance due to the sensitivity of the area to this type of grid connection.</b></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.
<b>Landscape and visual impacts – mitigation, residual impacts and significance</b>		
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>a) <b>It is considered that the inclusion of appropriate provisions will be sufficient.</b></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>b) <b>Yes.</b></p>

URN	Question to	Question
		c) Should structures be subject to an independently reviewed design guide, approved by GC? c) No.
<b>5.</b>	<b>Historic environment</b>	
	<b>Historic environment – policy, scope, methodology and baseline</b>	
5.1.	Gwynedd Council Cadw	<p>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].</p> <p>Gwynedd Council as the Local Planning Authority are responsible for the development control aspect of historic buildings and conservation areas, and work closely with Cadw in dealing with statutory obligations such as planning application consultations. There is a service level agreement in place between the Local Planning Authority and Gwynedd Archaeological Planning Service (GAPS) to provide archaeological advice to meet its statutory obligations on the historic environment as the Council has no in house archaeological expertise, this appears to be accurately reflected in the draft DCO.</p>
5.2.	Applicant	<p>a) Please clarify the differences between the approved T&amp;CPA scheme and the DCO development and demonstrate how these have been considered in the assessment.</p> <p>b) Please clarify the scope of additional site walkover and survey information obtained since the T&amp;CPA approval and how this has been considered in the assessment.</p>
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	<p>a) Are there any comments on the assessment scope, methodology and baseline conditions?</p> <p>a) GAPS previously commented on the scope of assessment on the TCPA application, it is satisfied that it meets the required standard. (it is assumed that GAPS are also satisfied with the</p>



URN	Question to	Question
		<p>approach taken for the DCO application).</p> <p>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.</p> <p>b) It is not considered that an assessment of impact on the tentative WHS would be required since this area is not being considered for inclusion within the tentative inscription. However, Cadw should be consulted for a view on this.</p>
<b>Historic environment – impact assessment</b>		
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]?
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	<p>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>"?</p> <p>b) Please could GC and NRW comment?</p> <p>b) The ASIDHOL and its conclusions were agreed with GAPS. The only concern raised by GAPS has been that the assessment includes impacts on Glyn Rhonwy Quarry and the bomb store, even though the bomb store falls outside the red line boundary for the application and as such the proposal should not have a direct impact on this feature. Although some of the underground elements of the bomb store may well fall within the application area it is unclear which parts may</p>

URN	Question to	Question
		be affected and to what extent since no detailed survey of this site has been completed to date.
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?  The impacts appear to have been assessed adequately.
<b>Historic environment - mitigation, residual impacts and significance</b>		
5.17.	Gwynedd Council Cadw	a) Are there any comments on the mitigation measures proposed for all heritage assets? a) The general mitigation measures set out in Chapter 11 (11.8) seem appropriate but a detailed Written Scheme of Investigation (WSI) would need to be agreed in advance of any activity on site to ensure an appropriate archaeological programme is implemented. b) If not, please outline each concern and the steps you wish to see taken to deal with it. b) as above c) Are there any comments on the Written Scheme of Investigation [APP-135]? c) This WSI appears to be only in response to pre-construction GI surveys (assumed to be mostly already completed) and does not detail any of the scope of archaeological work required to mitigate the impacts of the proposed development. As such, there are no comments on this WSI.
5.18.	Applicant	a) Please clarify how micro-siting has been taken into account within the assessment and the proposed mitigation strategy?

URN	Question to	Question
		b) To what extent does the draft DCO [APP-043] provides flexibility for micro-siting?
5.19.	Applicant Gwynedd Council Cadw	<p>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?</p> <p>In order to comply with accepted archaeological standards, mitigation must comprise either preservation in situ or by record. As the archaeological resource is finite there are no other suitable or appropriate mitigation measures and mitigation must be taken into account in an assessment of residual impacts.</p>
5.20.	Applicant Gwynedd Council Cadw	<p>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?</p> <p>Such measures would normally be secured through condition or s106 in a TCPA context. GAPS would normally agree, monitor and ensure compliance with such mitigation and enhancement measures on behalf of the LPA and advise the LPA on discharging such conditions.</p>
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>a) Whilst archaeological mitigation by record is appropriate to mitigate impacts on individual sites and features, the opportunities for access, interpretation, etc set out in the Archaeological Compensation and Enhancement Strategy are seen as a way of addressing the wider impacts on the Historic Landscape. With this in mind, a draft Archaeological Compensation and Enhancement Strategy would be useful and Requirement 7 should be extended to include this detail. As noted above the WSI included in APP-135 relates to the GI works rather than the site wide archaeological mitigation programme. Perhaps a draft Site Wide Archaeological Strategy</p>

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		<p>should also be included here.</p> <p>b) Do GC or Cadw consider that a draft or outline Archaeological Compensation and Enhancement Strategy is required at this stage?</p> <p>b) See above</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>a) The archaeological monitoring required during top soil stripping would be undertaken as a Partial Watching Brief, the detail of which would need to be included within a detailed Written Scheme of Investigation or specification.</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> <p>b) As highlighted above, <u>the mitigation set out in the WSI (APP-135) relates only to the GI works and not to the site wide impacts of the proposed development.</u> The measures set out in APP-135 are adequate to mitigate the impacts of the GI works but a <u>more detailed 'site-wide' WSI for archaeological mitigation will be required.</u></p>
5.23.	Gwynedd Council Cadw	<p>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>"?</p> <p>As the specialist advisor, GAPS are not in a position to judge the value of the development or the significance of the benefits it might bring, nor would it be in a position to weigh these against the harm caused to the Historic Environment (although Gwynedd Council should be in a position to make these kind of value judgements). It is confirmed however that in GAPS's opinion (and irrespective of the benefits or otherwise of the proposal), the impacts on both individual historic assets and the wider historic landscape are not significant enough to recommend refusal of the application.</p>
<b>6.</b>	<b>Traffic and transport</b>	
	<b>Traffic and transport – policy, scope, methodology and baseline</b>	

URN	Question to	Question
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	<p>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?</p> <p>The Council is content with the level of information provided in order to understand how the development would affect local routes.</p> <p>The information relating to the proposed grid connection and how routes may be affected is still unclear. These matters are raised further under point 6.20</p>
6.3.	Applicant	<p>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.</p> <p>b) What will be the legal status of each section of the Llanberis-Waunfawr mountain road?</p> <p>b) Although not a question specifically asked of the Local Authority, it is confirmed that this road is an adopted unclassified road.</p>
6.4.	Applicant	<p>a) Were any especially sensitive areas identified for road traffic impacts and agreed with GC?</p> <p>b) Was the need for any specific traffic modelling considered and was this agreed with GC?</p>
6.5.	Gwynedd Council	<p>Is the scope of the baseline traffic surveys appropriate for the DCO development?</p> <p>The scope was agreed with the Highways Authority beforehand.</p>
6.6.	Applicant Gwynedd Council	<p>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.</p> <p>The Highway Authority does not have any comment regarding this matter as it is considered that the suggested methodology is acceptable.</p>
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]?

URN	Question to	Question
	<b>Traffic and transport – impact assessment</b>	
6.8.	Applicant	<p>a) Please provide a detailed justification of the significance of impacts identified in tables 12-23 to 12-25 [APP-079].</p> <p>b) Why have the magnitudes of impact been categorised at the particular levels?</p> <p>c) How do the magnitudes of impact relate to the identified increases in traffic flow?</p>
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	<p>a) Please clarify the impacts of temporary closures of Ffordd Clegir, including during blasting.</p> <p>b) How can these impacts be mitigated and how can this mitigation be secured?</p> <p>c) How are the temporary closures secured through the draft DCO [APP-043]?</p>
6.14.	Applicant Gwynedd Council	<p>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?</p> <p>a) The number, size and volume of vehicles would not be considered unreasonable along 'A' class roads. 'A' class roads lead to the site as far as the junction to Glynrhonwy from the A4086 and the village of Waunfawr on the A4085. From Waunfawr, the proposal to reconstruct/resurface and widen the minor road (where necessary) leading to Q1 is deemed the best solution to ensure a durable and adequate means of access for construction traffic.</p> <p>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?</p>

URN	Question to	Question
		b) Yes
6.15.	Gwynedd Council	<p>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.</p> <p>The minor road leading from the A4085 to Q1 in its present condition is considered unsuitable both to accommodate the proposed increase in heavy traffic and to accommodate the transportation of large modular units. However, swept path analysis has been undertaken by the developer to identify the location and extent of road widening works required to provide a suitable means of access. The Council as the Highways Authority is working towards an agreement with the Applicant regarding the proposed improvement works and will aim to deliver them within the development timescale.</p>
6.16.	Applicant Gwynedd Council	<p>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?</p> <p>The Highways Authority does not consider there to be potential for the site, or more specifically site Q1, to become a site visited by tourists.</p>
6.17.	Gwynedd Council	<p>Are there any comments on the assessment of traffic impacts during peak tourist periods, including the suitability of the baseline traffic surveys?</p> <p>The baseline traffic surveys have been undertaken during a neutral month, however the Traffic and Transportation Assessment states in paragraph 12.8.2 that a 25% increase has been applied to traffic numbers in order to apply a level of robustness. Recent traffic counts undertaken by the Highway Authority during a peak month only show a marginal increase over the neutral month counts, therefore the assessments are considered to be acceptable.</p>
6.18.	Gwynedd Council	<p>Please identify the degree of agreement with the specific applications of professional judgement in the traffic and transport assessment.</p> <p>The Developer has noted that professional judgement has been used in the assessments in accordance with IEMA guidelines. The Highways Authority is content that this guidance is a suitable baseline upon which to base any professional judgement on.</p>
6.19.	Applicant	<p>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.</p>

URN	Question to	Question
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>a) Yes, it is considered that these have been outlined sufficiently in the TIA (chapter 11).</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>b) Much of the construction work for the Caernarfon and Bontnewydd bypass will be 'offline' works and are not proposed to affect the local highway infrastructure significantly. Access to these offline sections is proposed from key access points such as the former Seiont brickworks at Caernarfon and directly from the A487 at Plas Menai. General access to the Glyn Rhonwy Pumped Storage development is proposed via the A487, A4086 and A4085</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> <p>c) The grid connection statement provided confirms that approximately 9.5km of underground cabling is required to connect to Pentir, however the specific route has yet to be finalised. The statement continues by stating that it's envisaged a route mostly through verges along the A4086 and A4244 would be utilised. The Highways Authority has only recently completed a major highway reconstruction project along a section of the A4086 which has since been protected by a Section 58 order. Similarly, First Hydro's Dinorwig Power Station occupies much of the verge space along the one side of the A4244. Although there are constraints present that may prevent placing cabling in the verge at various locations, there is scope to allow works to be undertaken within the protected highway. The section 58 order simply means that the degree of reinstatement would be higher than normal, i.e. either a half carriageway or full carriageway reinstatement would be stipulated rather than simply reinstating trench width only. The Highway Authority considers that further work will be needed in terms of an assessment of the route.</p>
<b>Traffic and transport - mitigation, residual impacts and significance</b>		
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</p>



URN	Question to	Question
		<p>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>a) Yes, with the exception of article 13. It is suggested that references to 'stopping up' be amended to 'temporary prohibit or restrict', where the references relate to closing roads for short periods under traffic management measures, rather than permanent extinguishments of highways.</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> <p>b) The Highways Authority would recommend the unnamed minor road referred to as Green Lane in the CTMP be renamed to a less generic name, such as Ffordd Cefn Du so as to have some local relevance. In addition, paragraph 3.9.3 stated alternative transportation methods are being explored, however no further details, nor what affect this could have on the projected traffic volumes and movements, are provided.</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	<p>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]?</p> <p>The travel plan should include operation traffic movements, if feasible. The Highways Authority does however acknowledge that much of the operational movements will require specific vehicle or safety measures, and the opportunity to minimise single occupancy car trips may be very limited.</p>
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> "?

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		Yes. Operation traffic levels, post construction, are considered to be negligible. The residual effect from the construction will be marginal road widening works on the minor road leading to Q1, which are considered to be necessary for access to undertake any future maintenance, but also proportionate in term of scale for the local area.
<b>7.</b>	<b>Noise and vibration</b>	
	<b>Noise and vibration – policy, scope, methodology and baseline</b>	
7.1.	Gwynedd Council	<p>Is GC satisfied with the baseline noise and vibration data and with the assessment methodology?</p> <p>Gwynedd Council is satisfied with the baseline noise and vibration methodology used and with the baseline noise and vibration data produced. Noise: Baseline noise data has been derived from surveys undertaken in 2012 supporting the original planning application and in 2015 in support of the new application. Survey methodology comprised a combination of unattended 24hr monitoring supplemented by shorter term attended monitoring. Baseline background values have then been selected by comparison of 2012 and 2015 long term unattended and short term attended monitoring with lowest monitoring values selected. No response was forthcoming to GC EHO response to 2015 baseline survey; however these queries have been addressed in the full noise and vibration assessment document. Vibration: no existing vibration sources identified, therefore ambient vibration levels not monitored.</p>
7.2.	Applicant Gwynedd Council	<p>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.</p> <p>A number of different policy and guidance documents are relevant for this development, and all should be utilised in ensuring that local residents and noise sensitive receptors are provided with the highest possible levels of protection from noise and vibration during both the construction and operational phases of this development. This development is located within existing historical slate mineral workings and the construction methods and techniques of the development are for the most part identical in nature to mineral workings. To this end, Gwynedd Council have sought and received agreement on the strictest noise limits from the developer as per Mineral Planning Guidance 11 (MPG11) and Mineral Technical Advice Note 1: Aggregate (MTAN1). In turn BS5228 Parts 1 &amp; 2 are relevant and important methodologies for noise and</p>

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		vibration from the construction phases of this development. This is true both at this early stage and as noise and vibration management plans are drafted and further noise and vibration assessments carried during the detailed design stages of the development.
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. a) Along with audible noise and ground vibration, air overpressure is a characteristic of blasting and comprises the pressure wave below 20Hz produced by the blast. Although inaudible, it can cause doors, windows and ornaments within a property to rattle and may give the impression that the whole building is shaking. This effect may be greater within older properties with older and looser fitting windows and doors. Well designed blasting operations rarely produce air overpressure at levels greater than 125dB(Lin) and research shows that levels approaching and exceeding 150-170dB is required to cause damage to windows within a property with levels above 180dB required for any form of structural damage to occur. Air overpressure however does play an important part in annoyance from blasting operations due to its effect on windows and doors and the impression it creates of significant ground vibration shaking the property. As such a misleading judgement can be formed by individuals exposed to such blasting activities as to the true cause of the effect they experience within a property. b) Can suitable limits be identified for noise, vibration and air overpressure from blasting? b) Air overpressure is very difficult to predict at any given position due to it being highly dependent on variable factors such as temperature, cloud cover, humidity, wind speed, wind direction and a lot less on topography between the blast and receiver and as such can be highly directional in nature. Guidance contained within BS6472-2 should be followed and further

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		discussion on suitability of setting an air overpressure limit is required between GC and the developer. Vibration limits have already been agreed between the developer and GC and also follow MTAN1 and BS6472-2. Audible noise from a blast can also be difficult to predict and unlike air overpressure, is influenced more by ground conditions and topography. Audible noise monitoring of blasting can also be influenced by the effects of air overpressure. Good blasting design and management to reduce air overpressure and vibration to within acceptable limits will in turn greatly reduce audible noise from blasting. Good education and communication of blasting activities with receptors and the wider community is very important in reducing the impact from blasting.
7.8.	Gwynedd Council SNPA NRW	<p>a) Are GC, SNPA and NRW content with the scope, methodology, basis of the sensitivity and magnitude criteria used in the assessment?</p> <p>a) Gwynedd Council are satisfied with the basis of the sensitivity of receptors criteria and magnitude of effect criteria used within the noise and vibration assessment for both construction and operational noise. All appear to have sound basis within guidance documents (BS5228-1, BS5228-2, MTAN1/MPG11, DMRB and BS4142).</p> <p>b) How should the noise, vibration and air overpressure impacts from blasting be assessed?</p> <p>b) The noise and vibration assessment does not appear to address magnitude of criteria for blasting vibration and air overpressure and should be given further attention. Blasting vibration limits have been agreed and included in previous planning consent and are derived from MPG11/MTAN1 and BS6472-2. Further discussion as to setting of limits and suitability of a condition for air overpressure is required.</p>
	<b>Noise and vibration – impact assessment</b>	
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>

URN	Question to	Question
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>a) Gwynedd Council is content with the assessment of noise and vibration impacts from construction activities for this development as included in the noise and vibration assessment Ch13 to the ES. We believe further work is required on the impact of vibration and air overpressure from blasting activities associated with this development. Both noise and vibration from both construction and blasting activities will require further detailed assessment during the detailed design stage when further information becomes available from the PC for inclusion in the Noise Management Plan to the CoCP.</p> <p>b) Please identify the degree of agreement with the specific application of professional judgement used in the noise and vibration assessment.</p> <p>b) Gwynedd Council are generally in agreement with the professional judgement used within the noise and vibration assessment.</p>
<b>Noise and vibration - mitigation, residual impacts and significance</b>		

URN	Question to	Question
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> <p>a),b),c) Gwynedd Council expects the detailed information regarding consultation, communication, monitoring and complaints procedures to be included within the Noise Management Plan as required under the Code of Construction Practice which in turn is included within Section 6 of Part 2 to Schedule one of the draft development Consent Order [APP-043]. Should construction noise and vibration limits be exceeded, procedures to identify, monitor and mitigate such exceedances should be in place and also contained within the Noise Management Plan. Gwynedd Council expects to be fully consulted on the drafting of the relevant Noise and Vibration sections of the Code of Construction Practice and the Noise Management Plan. Noise and vibration conditions previously agreed and included within the 2012 Planning Consent should be incorporated into the NMP within the CoCP.</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	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.

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		<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>a)&amp;b) It is the understanding of Gwynedd Council that all works outside working hours will be limited to works underground. As such, limits on working hours, vibration and noise from tunnelling activities specifically have been agreed and included in the 2012 Decision Notice and will be incorporated into the draft DCO [APP-043] by means of the CoCP and NMP. It is anticipated that further detailed information regarding extent of works outside working hours will be forthcoming from the applicant during the detailed design phase which in turn will allow an application for and drafting of a S61 COPA74 consent.</p> <p>c) Are appropriate restrictions are in place in Requirement 16(2) of the draft DCO [APP-043]?</p> <p>c) Requirement 16(2) of the draft DCO [APP-043] seems to be very general in its scope to allow the extension of working hours for specified activities or elements for specified days. It is recommended that this requirement be more detailed in nature to include under what circumstances such an extension of hours etc. is permitted e.g. for emergency works or for works over running normal working hours due to unforeseen circumstances.</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>
7.21.	Gwynedd Council Interested Parties	<p>Have sufficient measures have been taken to avoid or minimise nuisance from construction traffic noise and vibration at residential properties?</p> <p>Mitigation measures to reduce the impact of noise and vibration from construction traffic have been included in the CH13 Noise and Vibration and include limiting vehicle speed and careful planning of deliveries to the site throughout the day to reduce impact. Ensuring road surfaces are as smooth as possible is also very important especially when the access roads pass very close to receptors as on the access route to Q1. A draft CTMP has been prepared and presented as part of the CoCP and should be expanded to include a survey of road surface condition on access routes to identify areas which may require resurfacing to ensure a smooth surface as referred to in the noise and vibration assessment. Further mitigation measures will be identified in the NMP and CTMP.</p>

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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>a) Limits for both construction and operational noise and vibration should be finalised by further discussion and based on further noise and vibration assessments during the detailed design phase of the development and the drafting of the Noise Management Plan for the development.</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>b) Please read answer to question URN 7.22 a) above.</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>c) Noise and vibration limits previously agreed in the 2012 Decision Notice and reflected in the Ch13 Noise and Vibration provides a good level of protection to sensitive receptors. Further noise and vibration assessments will be undertaken at the detailed design phase when further information is available. This is to further ensure that construction and operational noise meet those agreed noise and vibration limits and ensure that the present uncertainties are fully taken into consideration and mitigated if necessary.</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>d) Gwynedd Council do not foresee that noise and vibration limits will not be secured and do not envisage that alternative mitigation and controls will be required.</p> <p>e) How are these measures secured in the draft DCO [APP-043], or how should they be?</p> <p>e) All noise and vibration limits, conditions and mitigation measures should be secured in the draft DCO[APP-043] by inclusion within the NMP and CTMP of the CoCP.</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>



URN	Question to	Question
		<p>Question URN 7.23 is considered identical to Question URN 7.17 in respects of construction phase noise and vibration. Please refer to answer provided to question URN 7.17 for construction noise. With the majority of the completed scheme being located below ground, the potential for operational noise from the finished development mainly comes from the surface operations of the above ground power house and associated ventilation, switchgear, transformers and workshop. Detailed information of noise from these sources is not available at present and will be presented in greater detail at the detailed design phase and included within the Noise Management Plan (NMP) forming part of the CoCP. The applicant does not foresee that mitigation of surface noise sources will be an issue and further investigations and assessment will be required. Operational noise limits have been agreed in Condition 47 of the 2012 Decision Notice and will be transferred into the draft DCO [APP-043] by means of the NMP. Operational vibration has not been identified as a potential issue with the completed development and has not been addressed in Ch13 Noise and Vibration Assessment. This may warrant further investigation and assessment to ensure there are no issues at the detailed design phase and included within the NMP.</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>a)&amp;b) Gwynedd Council are satisfied with mitigation measures identified to date within Ch13 Noise and Vibration Assessment. Further finer details for noise and vibration mitigation measures to be implemented will be included within the NMP and CTMP to be prepared and included within the CoCP. Gwynedd Council expects to be fully consulted on the drafting of the NMP and CTMP.</p> <p>c) How should the noise, vibration and air overpressure impacts from blasting be mitigated?</p> <p>c) Noise, vibration and air overpressure impacts from blasting should be mitigated by implementing BPM, good blasting design and monitoring of blasting noise, vibration and air overpressure. Further details of such mitigation measures to be included in detail within the NMP section of the CoCP.</p>
<p><b>8. Water resources and flood risk</b></p>		

URN	Question to	Question
	<b>Water resources – policy, scope, methodology and baseline</b>	
8.1.	Applicant	Please respond to the comments made by NRW in their relevant representation.
8.2.	Applicant	a) Please provide an update on progress in obtaining Reservoirs Act 1975 consents. b) What comfort can be provided that the parameters of the dam design assessed in the ES will be consented?
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	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. <b>a) Gwynedd Council do not have any specific comment with regard to this matter at present, but would reserve the right to comment further following receipt of responses from others such as NRW and any other relevant body.</b> 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. <b>b) Gwynedd Council do not have any specific comment with regard to this matter at present, but would reserve the right to comment further following receipt of responses from others such as NRW and any other relevant body.</b> 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]. <b>c) No comment at this stage.</b> 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

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		<p>d) Gwynedd Council do not have any specific comment with regard to this matter at present, but would reserve the right to comment further following receipt of responses from others such as NRW and any other relevant body.</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> <p>e) The risk is not known at this stage; therefore the Council have no comments to make.</p>
8.6.	Applicant NRW Gwynedd Council	<p>a) Please clarify the sensitivity attributed to private water supplies in the assessment.</p> <p>a) The sensitivity attributed to the receptors in the private water supplies assessment may be explained and clarified by the Applicant</p> <p>b) What gaps remain in information about private water supplies to residential properties and how will these be addressed?</p> <p>b) Any gaps that could remain in information about private water supplies - single domestic supplies are not required to be included on the Local Authority's private water supply register by law. We would hope that any of these supplies were identified during the consultation undertaken by Quarry Battery in 2012 and then again by Snowdonia Pumped Hydro in April 2015 in the form of a letter and questionnaire sent to households in the area. Gwynedd Council is eager to see the full results of this consultation.</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>c) The potential that other surface water bodies, including any that are potentially used for private water supplies are not hydrologically connected to the site may be addressed by the Applicant's hydrologist.</p> <p>d) Please could NRW and GC comment?</p> <p>d) Any further information required by the Applicant concerning private water supplies further to the consultation with Deiniol Gwyn Jones in 2012 can be made readily available by contacting David A Williams, Public Protection. Since 2012 further risk assessments of relevant private water supplies in the area (outlined on drawing no. GR_151005_9.1_v9) may have been carried out under the Private Water Supplies (Wales) Regulations 2010.</p>

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8.7.	Applicant NRW Gwynedd Council	<p>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.</p> <p>a) Please refer to previous comments given to question 2.13</p> <p>b) What is the potential for contaminated sediment in crevices in quarries 1 and 6?</p> <p>b) Gwynedd Council are content to rely on the observations of others such as NRW, however, the Council's own Public Protection Unit may be able to advise further if required.</p>
<b>Water resources – impact assessment</b>		
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	<p>a) What is the potential for drainage pathways to be created by fracturing caused by blasting?</p> <p>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?</p>
8.10.	Applicant	<p>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</p> <p>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].</p>
8.11.	Applicant Gwynedd Council	<p>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?</p> <p>a) The Council is unable to comment on what confidence there is that the quality and volumes of private water supplies potentially impacted by the development will be maintained and that this should be addressed by the Applicant.</p> <p>b) Please respond to relevant representation received from Mr and Mrs Neville E. Gray-Parry.</p> <p>b) The Private Water Supply serving Bryn Bras Castle (property of Mr &amp; Mrs E. Gray-Parry) has not been identified as being a PWS which could be affected by the scheme. Mr &amp; Mrs E. Gray-Parry refer to their water being supplied from the Parciau Gleision area which has been included in the list of PWS. In turn it is therefore recommended that their supply is also included and assessed so as to ensure that the supply is not affected by the construction of the development.</p>

URN	Question to	Question
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?
<b>Water resources – mitigation, residual impacts and significance</b>		
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?
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>

URN	Question to	Question
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-Betwys 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	a) How should impacts arising from the construction of the water treatment facility be mitigated? b) How are the design details assessed in the ES and the agreement on the final design secured in the draft DCO [APP-043]?
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	a) Please provide details of water quality monitoring. Should the Afon Seiont be included? 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]. c) Please address concerns raised in relevant representations regarding adequacy of monitoring. 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. e) Please update the Water Management Plan provisions in the draft CoCP [APP-142] to address these points.
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

URN	Question to	Question
		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>a) Gwynedd Council do not have any specific comment with regard to this matter at present, but would reserve the right to comment further following receipt of responses from others such as NRW.</p> <p>b) Could the upper and lower reservoirs be considered to be new water bodies?</p> <p>b) Gwynedd Council do not have any specific comment with regard to this matter at present, but would reserve the right to comment further following receipt of responses from others such as NRW.</p>
	<b>Flood risk</b>	
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&amp;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> <p>Gwynedd Council are content to rely on the observations of NRW, as statutory consultee, in relation to flooding matters. We would however wish to reserve the right to respond further following receipt of all responses.</p>
8.31.	Applicant	a) Was the FCA [APP-131] based on NRW's latest flood risk data?

URN	Question to	Question
	NRW Gwynedd Council	<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?  Gwynedd Council are content to rely on the observations of NRW, as statutory consultee, in relation to flooding matters. We would however wish to reserve the right to respond further following receipt of all responses.</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?  Consultation has been carried out with the Council's own Drainage Unit, no issues have been raised. We would however wish to reserve the right to respond further following receipt of all responses.</p>
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	a) Please clarify the purpose of the Excess Water Management Strategy mentioned in the draft



URN	Question to	Question
		<p>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>a) It is considered that this matter will be the subject of further discussions and agreement between the developer and NRW in the form of an Emergency Response and Flood Risk Management Plan (as referred to in APP – 063).</p> <p>b) Any specific matters that the ExA should be made aware of and explore in the examination? 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> <p>b) No.</p>
<b>9.</b>	<b>Air quality and other health impacts</b>	
	<b>Air quality – policy, scope, methodology and baseline</b>	
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>a) Whilst the development will not be operated as a quarry, the types of activities that will occur during construction are similar to quarrying activities. Chapter C of, “Minerals Planning Policy (Wales) Technical Advice Note, 1. Aggregates” and the Guidance on Assessing Environmental Impacts From Mineral Extraction both have relevance to air quality.</p> <p>b) Are there any other local policies that should be considered in the assessment?</p> <p>b) There are no Local Air Quality Management Areas (LAQM) under the Environment Act 1995 in the Local Authority area and no other local policies relating to air quality that should be</p>

URN	Question to	Question
		considered in the assessment.
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>a) The Local Authority is content with the sensitivity and magnitude criteria used in the assessment as summarised in section 14.11.4 of Ch.14 of the Environmental Statement.</p> <p>b) How should the air quality impacts from blasting be assessed?</p> <p>b) Air Quality impacts from blasting should be monitored by a suitably qualified/trained person with the use of automatic PM monitors which will give a real time reading. This person would be required to report any problems to the Local Authority. Further monitoring and assessment information and details associated with blasting activities is expected to be included within the Dust Management Plan produced as part of the CoCP.</p>
<b>Air quality – impact assessment</b>		
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	<p>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?</p> <p>Gwynedd Council is satisfied with the assessment of potential impact upon human receptors, including from traffic, during blasting, the use of conveyors and the construction of slate dams, soil heaps, temporary storage mounds, roads and construction compounds as summarised in</p>

URN	Question to	Question
		table 14-14 of the Environmental Statement.
<b>Air quality – mitigation, residual impacts and significance</b>		
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>
9.10.	Gwynedd Council SNPA 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>a) Gwynedd Council is satisfied with the mitigation measures proposed in the drafted DCO and the draft CoCP.</p> <p>b) Are GC, SNPA and NRW satisfied with the monitoring proposed and how it is secured?</p> <p>b) Gwynedd Council are satisfied with the monitoring proposed in dust management plan included as part of the CoCP and the draft DCO. We advise that particularly during the construction phase, the applicant should provide regular air quality updates to interested parties including the Local Authority.</p>
<b>Other health issues</b>		
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

URN	Question to	Question
		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? Gwynedd Council have no other concerns regarding impact on health with regard to Air Quality providing the Air Pollution Management Plan Secured through requirement 7 of the original Planning consent is adhered to.
<b>10.</b>	<b>Socio-economics, tourism and recreation</b>	
	<b>Socio-economics, tourism and recreation – policy, scope, methodology and baseline</b>	
10.1.	Gwynedd Council	<p>a) Please comment on the robustness of the 2012 primary data collection for the assessment.</p> <p>a) The primary data collection for the 2012 Environmental Statement is considered thorough and robust using all the sources expected.</p> <p>b) Are there any concerns regarding updates to the 2012 baseline surveys?</p> <p>b) No. Although there is no additional primary data collection the methodology for the update is thorough and robust.</p> <p>c) Is GC aware of any other data sources that the applicant should consider in their assessment?</p> <p>c) No.</p> <p>d) Does GC have any comments on the applicant's assessment methodology?</p> <p>d) The Assessment Methodology appears reasonable and relevant to the proposal.</p>
10.2.	Applicant	How has the socio-economic assessment changed since the approved T&CPA application to

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		consider the caravan park currently under construction close to the Order limits?
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?  <b>No. The Methodology and Assessment criteria used are adequate.</b>
<b>Socio-economics, tourism and recreation – impact assessment</b>		
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?  <b>There are considerable employment benefits emanating from the Construction, Operational and Decommissioning phases. These can be quantified by estimate. It is anticipated that there will be considerable local involvement in both direct employment and in the supply chains. Gwynedd Council will seek to work with the Company to maximise the beneficial effects.</b>  <b>As part of the Terms of Sale of land from Gwynedd Council to the Company a Community Benefit Fund will be established for the benefit of Local Communities. This has been agreed in principle but the terms have not been settled and will be reviewed in the light of any further consent.</b>
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.  <b>The assessment of the impact appears thorough. The area has an extensive and established accommodation base, and the number of construction workers is unlikely to have a substantial impact on the availability of accommodation. Whilst the sourcing of local labour may reduce the demand for accommodation, any requirement is likely to have a temporary minor beneficial impact on a market which does not operate at full capacity throughout the year.</b>
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,

URN	Question to	Question
		Elfyn Jones and others.
10.9.	Applicant	<p>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.</p> <p>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.</p>
10.10.	Applicant Gwynedd Council	<p>a) Are there any potential impacts on Llyn Padarn's bathing water status?  a) No adverse effect is anticipated on the status or quality of the Bathing Water, the Bathing Water site or the Bathing Water sampling point on Llyn Padarn.</p> <p>b) Please comment on the possibility of entrapment or snagging on infrastructure in Llyn Padarn.  b) There appears to be minimal risk anticipated of entrapment or snagging on infrastructure that may be positioned on the bed lake at Llyn Padarn. Activities such as netting and trawling are not permitted and diving activities are not known to be undertaken in the proposed outflow/intake area. However, it will be necessary to gain a better understanding of the energy involved when water is being abstracted from Llyn Padarn to accurately assess potential water flows during periods of abstraction.</p>
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 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	a) Are there any concerns with the assessment of impacts on tourists, recreation participant, local businesses or other relevant organisations?

URN	Question to	Question
		<p>a) No. The assessments appear thorough and taken on a case by case basis.</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> <p>b) Gwynedd Council is in full agreement with the judgement used.</p>
	<b>Socio-economics, tourism and recreation – mitigation, residual impacts and significance</b>	
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 "financial contributions for the benefit of local community" 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	<p>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?</p> <p>The Draft DCO (App-043) adequately secures those benefits as far as possible. Gwynedd Council will also seek to work with the company to secure local benefit. In particular, the investment is regarded as strategic and Gwynedd Council will work to maximise supply chains for local benefit. Other benefits, such as the Community Benefit fund, will be secured through the terms of sale should the scheme progress.</p>
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>
10.18.	Applicant	Are there suitable public footways between the development and bus stops on the A4086?

URN	Question to	Question
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	<p>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?</p> <p>a) The Countryside and Access Unit of Gwynedd Council supports the comments made by the British Horse Society which include that any furniture (gate or fence) installed on the temporary road A-L-K-B (and other paths also) should conform with the appropriate standards. It is not clear whether the applicant has considered the comments of the Society.</p> <p>b) Any concerns regarding PRoW diversions, temporary closures or replacement of access land?</p> <p>b) It is noted that the Draft DCO includes a schedule for all of the highways to be temporarily closed in relation to the development. These are listed under "Schedule 4 – Streets to be temporarily stopped up". Gwynedd Council's Countryside and Access Unit are anxious that there seems to be no reference in the Draft DCO to the roads/paths that are to be temporarily provided and would welcome clarification. The "Access Plan" does not appear to indicate any "replacement of access land"; it could therefore be assumed that no access land is to be provided as part of the development?</p>
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	<p>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?</p> <p>No. The mitigation measures appear on the whole to have been adequately dealt with.</p>
<b>11.</b>	<b>Compulsory acquisition (CA) and funding</b>	



URN	Question to	Question
	<b>Compulsory acquisition</b>	
11.1.	Applicant	<p>With reference to the need to establish that there is a compelling case in the public interest for compulsory acquisition:</p> <p>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?</p> <p>b) Which factors have been placed in the balance and what weight has been attributed to them?</p> <p>c) What degree of importance has been attributed to the existing uses of the land proposed to be acquired?</p> <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	a) Please identify all land and rights acquisitions required <u>outside</u> the draft DCO [APP-043]

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		<p>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>
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	<p>Please update the BoR with any persons to be included in Category 3, including but not limited to any relevant persons in relation to:</p> <p>a) The eight potential blight plots and areas identified in the Funding Statement [APP-046].</p> <p>b) The private water supplies identified in table 9-2 [APP-076].</p> <p>c) The 11 receptors identified who may experience significant noise impacts [APP-080].</p> <p>d) The 24 sensitive air quality receptors identified in table 14-12 [APP-081].</p>
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	<p>a) Please justify why the acquisition of ownership interests in the subsoil of Plots 4 and 7 is legitimate, necessary and proportionate.</p> <p>b) Please set out the reasonable alternatives that have been explored.</p> <p>c) Are there any implications for statutory undertakers?</p>
11.9.	Applicant Statutory Undertakers	<p>a) Is there any apparatus belonging to statutory undertakers within the order limits?</p> <p>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]?</p>

URN	Question to	Question
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	<p>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.</p> <p>a) "As section 2 of the <u>Countryside and Rights of Way Act 2000</u> ("the 2000 Act") gives a general <u>right</u> of access to the public (subject to restrictions found in Schedule 2), as opposed for example a mere permissive right, then such public right, on any reading, must be included as a "right..." for the purposes of section 131 (4) Planning Act 2008".</p> <p>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?</p>
11.12.	Applicant Gwynedd Council	<p>a) Where is the obligation on the applicant to acquire Plot 42 as replacement land?</p> <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>c) It is considered that the provision of open space is of vital importance; if the provision of the 64.8 acres is not made available, plot 42 must be provided under the same arrangements and designation including appropriate rights of way.</p> <p>d) How can the value of Plot 42 as open space be ensured?</p> <p>d) Refer to answer c.</p> <p>e) What relevant provisions should be secured in the draft DCO [APP-043]?</p> <p>e) Refer to answer c.</p>
11.13.	Gwynedd Council Interested Parties	<p>Are there any comments on the equivalence of the open space forestry land that is proposed to be exchanged for open space pasture land?</p> <p>The Council would consider that any replacement land would need to be provided on a 'like for like' basis with improvements to elements such as tree planting through the use of indigenous species where appropriate.</p>

URN	Question to	Question
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 Ffordd 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> <p>a) The Council are content that Council land which is referred to in the DCO, has also been included within a draft Exclusivity Agreement between GC and the Applicant; the terms are currently being discussed. We would however wish to reserve the right to respond further following receipt of all responses.</p> <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>b) Refer to answer a).</p> <p>c) Whether there is a compelling case in the public interest that justifies interference with the</p>

URN	Question to	Question
		<p>human rights of those affected?</p> <p>c) The Council have no comment regarding this matter.</p> <p>d) Special category land, including authorisations to acquire Crown land, statutory undertakers land or to interfere with statutory undertakers' equipment?</p> <p>d) The Council have no comment regarding this matter.</p>
11.19.	Gwynedd Council Interested Parties	<p>a) Have potential impediments to the development been properly identified and managed?</p> <p>a) As far as the Council is concerned, the current status is acceptable; we would however wish to reserve the right to respond further following receipt of all responses.</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>b) As far as the Council is concerned, the current status is acceptable; we would however wish to reserve the right to respond further following receipt of all responses.</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> <p>c) The Council do not consider whether triggers are required or otherwise, we'd respectfully request that it is as a matter for the Inspector to consider whether it is both appropriate and/or possible to include such matters within the DCO.</p>
	<b>Funding</b>	
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</p>

URN	Question to	Question
		meet all the CA liabilities?
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>
11.25.	Applicant Gwynedd Council	<p>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?</p> <p><i>It is acknowledged that there are always risks to developments not being completed. The Local Authority deals with this risk on all applications. It is accepted however that with a development of this nature that the risk may be greater, and we leave it as a matter for the Inspector to consider whether it is both appropriate and/or possible to provide financial and legal certainty as stated through the planning process.</i></p>
11.26.	Applicant Gwynedd Council	<p>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?</p> <p><i>The Council are content with the wording as suggested.</i></p>
11.27.	Applicant Gwynedd Council	<p>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?</p> <p><i>The Council does not have strong views in relation to this matter and would be content for either GC or the Secretary of State to deal with the matter.</i></p>

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