

Glyn Rhonwy Pumped Storage Development Consent Order

Action points arising from the Issue Specific Hearing held on 17 May 2016

In the following table, 'Question No.' refers to the question number in the Agenda for the Issue Specific Hearing (*Doc Ref 3.01 Rev.0*) as issued by the ExA and discussed during the hearing. Written responses to the actions are to be submitted by Deadline 4 at 12 noon on Thursday 26th May 2016.

Action No.	Agenda Item No.	Action by	Action
1.	General	Applicant, Dr Jane Huuse and Cherry Bartlett	a) The applicant is to provide a written summary of its oral representations. b) Dr Jane Huuse and Cherry Bartlett are to provide written summaries of their oral representations.
2.	3.3	Applicant	Please could the applicant respond to the suggestion from Dr Jane Huuse [REP2-030] that ' <i>a baseline survey should be carried out above the Waunfawr Cattle grid as this would show the true magnitude of disruption this development would have on residents in cottages along this stretch of road</i> '? Gwynedd Council as the local Highways Authority does not feel that a baseline survey above the Waunfawr cattle grid would be of significant value. It is quite clear that there is some existing use of this section of unclassified road, predominantly for access and recreational use, however it is also quite clear the increase in construction traffic levels as projected by the applicant will be classes as a 'significant' increase.
3.	3.4	Applicant	Please could the applicant comment on whether the March 2015 traffic count data [REP3-023] included vehicles related to the 2015 pilot drilling campaign?
4.	3.6	Applicant	Evidence to be provided that there is no impediment with the Crown Estate regarding the s278 Agreement
5.	3.7	Applicant	What speed limit is proposed for construction traffic on this route and how is that limit secured? The Highways Authority recommend a 20mph advisory 'construction traffic' speed limit be used on signage for the route leading from the A4085 to the Groeslon cross roads, in addition to a schedule of other construction traffic warning signs. A 10mph limit is deemed to be too low and could lead to other traffic becoming frustrated and overtaking in inappropriate places. A 10mph limit could be signposted from the Groeslon crossroads up to Q1 as this section of highway is effectively a no through road, is subject to less passing traffic and becomes narrower and steeper as it ascends the hillside. Such measures could be proposed in further detail under the Construction traffic management plan.

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6.	3.8	Applicant	<p>a) How will the Construction Traffic Management Plan (CTMP) [REP3-007] ensure that the estimated construction traffic movements will not be exceeded?</p> <p>b) How will this be monitored for example?</p> <p>This is a matter for the applicant to consider and ensure that the number of vehicle movements are, logistically, kept to as minimum as necessary.</p>
7.	3.9	Applicant and Gwynedd Council (GC)	<p>a) Should timing restrictions of HGV movements during construction be secured in the draft DCO?</p> <p>b) Should a limit be placed on the number of HGV movements to and from Q1?</p> <p>c) Should records of HGV movements be maintained by the applicant and made available on request?</p> <p>d) Please could GC comment?</p> <p>It is recommended that the timings and limit of the numbers of HGV movements be included as part of the Construction traffic management plan which forms part of the Code of Construction Practice.</p>
8.	3.10	GC	<p>a) Please could GC comment whether the Ffordd Cefn Du highway improvements proposed in the applicant's submission at deadline 3 [REP3-025] accurately reflects their understanding and position in respect to the discussions regarding the s278 agreement?</p> <p>The Highways Authority is satisfied the document accurately reflects our understanding and position in respect to the discussions regarding the S278 agreement.</p> <p>b) Please could GC comment on whether the proposed s278 works would conflict with or prevent any of the measures outlined in the CTMP [REP3-007] or the Noise Management Plan (NMP) [REP3-006]?</p> <p>The S278 works are not considered to conflict with or prevent any of the measures outlined in the CTMP or the NMP. It is noted that the hours of construction vary between both the CTMP and NMP however the hours for highway improvement works do not extend beyond the normal construction hours. NMP: - Normal construction hours will be 07:00-19:00 Monday to Friday and 07:00-13:00 Saturday and no working on Sundays and Bank Holidays. CTMPO: - highway improvement works will take place during normal working hours (08:00 to 18:00 weekdays and 08:00 to 13:00 on Saturdays).</p>
9.	3.11	Applicant	<p>Consider response provided at Deadlines 2 and 3 pertaining to assessment/survey of vulnerable properties and clarify the applicant's position regarding surveys of vulnerable properties.</p>

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10.	3.12	Applicant	<p>a) Set out proposals for the community event proposed for the s278 agreement and give consideration to how Waunfawr residents, businesses and recreation participants could contribute to the finalisation of the detailed mitigation measures along the route, have an opportunity to comment on the proposals before they are finalised, receive feedback on how their concerns have been taken into account and participate in ongoing liaison.</p> <p>b) Set out measures to be provided on relevant public rights of way to accommodate horses and how this is secured.</p>
11.	4.3	John Harold	Provide a copy of the Snowdonia Society's 10 th March letter to the applicant regarding the grid connection.
12.	4.4	Applicant	How has provision been built into the CTMP [REP3-007] to manage cumulative impacts with the construction of the grid connection?
13.	5.3	Applicant	Consider whether the general principles of the Ordnance Management Strategy can be provided for the draft DCO.
14.	5.5	Jeff Taylor	Provide written submission on ordnance concerns pertaining to expert advice provided at the hearing and additionally.
15.	5.5	Applicant	Please could the applicant respond to the comments made by Jeff Taylor [REP3-030] regarding inventory discrepancies and the presence of chemical weapons?
16.	5.6	Applicant	Do the impact assessment and mitigation measures address the ordnance identified in the documents provided by Jeff Taylor [REP2-034, 035 and 036]?
17.	6.2	Applicant	<p>a) What is the risk of any exceedances of contamination limits in the water to be discharged not being identified before discharge? Consider</p> <p>b) Address matters raised by Snowdonia Society, including in relation to depth data for Q6 and initial concerns identified between the Applicant and Natural Resources Wales (NRW).</p>
18.	6.3	Applicant	<p>a) What length of sheet pile is anticipated to be required for the construction of the outfall in Llyn Padarn and how is it to be installed and extracted?</p> <p>b) What are the associated impacts and how have these been assessed in the Environmental Statement (ES)?</p>
19.	6.4	Applicant	Provide document referenced by the University College, London.

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20.	6.5	Applicant	<p>a) Please could the applicant clarify whether the potential for health or developmental problems linked to munition-related chemicals identified by Dr Dawn Wimpory [REP2-027] have been assessed?</p> <p>b) Are any special measures in addition to those set out in the discharge consent required to avoid these potential impacts?</p>
21.	6.6	NRW Applicant	<p>a) NRW to comment on the potential for fine particulates to leach to the Nant-y-Betws during construction or operation and on the relevant mitigation measures proposed by the applicant.</p> <p>b) Is NRW content with the 10m minimum distance from the slate mounds to the Nant-y-Betws specified in Requirement 5 of the draft DCO?</p> <p>d) Applicant to consider whether a minimum separation distance of 10m should be specified for the Q1 dam to the Nant-y-Betws.</p>
22.	7.4	Tony Grant	Summarise any concerns regarding the Environmental Liaison Officer following a review of the draft Code of Construction Practice.
23.	8.1 – 8.8	Applicant	<p>a) Provide the statement agreed with GC regarding limits and how they should be secured.</p> <p>b) Provide a detailed written response into these matters, ensuring that the agenda points are covered and addressing concerns regarding the need to limit the scope to relax limits in the future, durations of activities exceeding general limits and the potential for impacts to be major and significant.</p> <p>c) Provide list of management plans discussed at the hearing and provide an update to the plans as agreed with GC by Deadline 5 or earlier.</p>
24.	8.4	Michael Vitkovich Applicant	<p>a) Michael Vitkovich to submit the low frequency noise academic paper referred to.</p> <p>b) Applicant to address the concerns raised regarding low frequency noise, ground borne vibration, noise from ventilation systems etc highlighted by Michael Vitkovich and Tony Grant.</p>
25.	8.9	Applicant	<p>a) The applicant has stated [REP2-011] that <i>'should excessive noise levels occur due to untypical activities for a period of greater than 8 weeks, the noise impact will be considered as major'</i>. What is the likelihood of this occurring?</p> <p>b) Given the current uncertainties, for example regarding impacts due to blasting, should the impact during construction be considered major and significant?</p> <p>c) If so, how does the applicant intend to mitigate this?</p>

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26.	8.10	GC	<p>a) Please could GC comment on the noise, vibration, dust deposition and air overpressure limits proposed by the applicant?</p> <p>b) Please could GC comment on the enforceability of these limits?</p> <p>c) Can any further measures be taken to control the activities that might result in a breach of the limits, including through initial monitoring, trial blasts, etc..?</p> <p>Please refer to the Statement of Agreed Position on Matters of Noise, Vibration, Dust Deposition and Air Air Overpressure between Snowdonia Pumped Hydro Ltd and Gwynedd Council.</p>
27.	8.11	GC and NRW	<p>Are GC and NRW in agreement with the content of the draft NMP [REP3-006] and does this secure all further assessments needed to inform the content of the final NMP?</p> <p>Please refer to the Statement of Agreed Position on Matters of Noise, Vibration, Dust Deposition and Air O Air Overpressure between Snowdonia Pumped Hydro Ltd and Gwynedd Council.</p>
28.	8.12	NRW	<p>Do NRW have any further comments on the potential impacts of blasting on biodiversity and how these should be mitigated?</p>
29.	8.13	NRW	<p>a) Does NRW consider that any activities should be restricted at certain times of year in order to mitigate biodiversity impacts?</p> <p>b) If so, how should this be secured?</p>
30.	8.14	Applicant	<p>b) Please could the applicant suggest suitable wording for requirements in their next revision of the draft DCO?</p> <p>c) To help with the consideration of an alternative approach, please could the applicant also suggest suitable wording to secure these limits in a certified document where there is no mechanism for the limits to be relaxed?</p>
31.	9.1	GC	<p>GC [REP2-041] has noted the need for a detailed site wide Written Scheme of Investigation for archaeological mitigation. Is this sufficiently covered by draft DCO [REP3-106] Requirement 17?</p>
32.	9.2	GC	<p>Following recent comments from GC [REP3-028] on the impacts on archaeological monuments compared with the 2012 planning permission; does GC wish to provide further responses to the applicant's Assessment of the Significance of the Impact of Development on Historical Landscape (ASIDOHL), impact assessment or mitigation and enhancement measures?</p> <p>Comments regarding matters raised in items 9.1 and 9.2 respectively, have previously been submitted to the Inspectorate by Gwynedd Council in a separate e-mail dated 19.05.16</p>

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33.	10.1	GC	<p>a) With reference to the applicant's comparison document [REP2-003] are GC satisfied that the mitigation measures equivalent to the conditions of the 2012 planning permission have been adequately updated in the draft DCO and the draft and outline plans secured by the draft DCO to reflect the differences of the development from the 2012 scheme?</p> <p>a) Yes.</p> <p>b) With reference to condition 3 of the 2012 planning permission, is GC content that there is no longer a requirement for formal reviews of the operations every 5 years?</p> <p>b) Yes, provided that the provision for review is available, albeit in an amended form to the previous condition.</p> <p>c) Is GC satisfied that all of the equivalent and updated mitigation measures are adequately secured by the draft DCO?</p> <p>c) Yes, however it reserves the right to comment further on receipt of further clarification.</p>

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34.	11.1	Any Interested Party	<p>Provide written comments, indicating whether you are satisfied that the necessary mitigation migration measures are covered appropriately, on the following documents at deadline 4:</p> <ul style="list-style-type: none"> • Schedule of Other Required Plans and Strategies [REP3-024] <p>The Council is satisfied and agrees with the contents of the report, there are no further comments to add.</p> <ul style="list-style-type: none"> • Code of Construction Practice [REP2-013] <p>The Council is satisfied and agrees with the contents of the report, there are no further comments to add.</p> <ul style="list-style-type: none"> • Common, Access Land and Public Rights of Way Strategy [REP3-005] <p>The Council is satisfied and agrees with the majority of the report, clarification is however required as to why the word 'option' is included in paragraph 3.1 in relation to a negotiated agreement, if there is agreement, can this simply be confirmed. It is also noted that for the purpose of clarification, the location of a permanent car parking area as referred to under paragraph 4.4, needs to be highlighted.</p> <ul style="list-style-type: none"> • Noise Management Plan [REP3-006] <p>Please refer to the Statement of Agreed Position on Matters of Noise, Vibration, Dust Deposition and Air O Air Overpressure between Snowdonia Pumped Hydro Ltd and Gwynedd Council.</p> <ul style="list-style-type: none"> • Construction Traffic Management Plan [REP3-007] <p>The Council is satisfied and agrees with the contents of the report, there are no further comments to add.</p> <ul style="list-style-type: none"> • Silt Management Plan [REP3-008] <p>No further comments.</p> <ul style="list-style-type: none"> • Water Management Plan [REP3-012] <p>We question the proposed sampling methods. We would also refer the applicant to:</p> <ul style="list-style-type: none"> • The Microbiology of Drinking Water (2002) Part 2. Environment Agency, Standing Committee of Analyst. • The Microbiology of Drinking Water (2002) Part 1. Water Quality and Public Health. Methods for the Examination of Waters and Associated Material • Practices and procedures for Sampling – Environment Agency, Standing Committee of Analyst. <p>All samples must be analysed in an Accredited laboratory as noted in The Private water Supplies Regulations (Wales) 2010 (The plan refers to English regulations). The plan does not make reference to notification of the Public Protection Department Gwynedd Council if there are any instances that affect any PWS, if there are any incidents of Category 1-3. We believe the Public Protection Department needs to be notified via e-mail of instances. The plan states that microbiological analysis of the water will not be tested. In Incident Table Category 1 incidents, they state "Supply of contaminated drinking water with levels of pollutants/pathogens exceeding toxicological limits known to cause serious health problems",</p>
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			<p>how can they deal with pathogens if they do not know that they are there? If there is an incident and they have to supply water to those using Nant y Betws stream such as Ty'n yr Onnen campsite will they have sufficient water to supply the campsite at busy times?</p> <ul style="list-style-type: none"> • Excess Water Management Strategy [REP3-013] <p>No further comments.</p> <ul style="list-style-type: none"> • Biosecurity Plan [REP3-021] <p>The Council is satisfied and agrees with the contents of the report, there are no further comments to add.</p> <ul style="list-style-type: none"> • Ffordd Cefn Du Highway Improvements [REP3-025] <p>The Highways Authority consider the mitigation measures outlined Deadline 3 – Ffordd Cefn Du Highway Improvements could be misleading. The written statement proposes bringing the junctions further out and temporarily changing the order of the priority from north-south to east-west to allow the construction route to be a through road. Drawing 'Figure 4: Crossroads Improvements' outlining these proposals still shows the priority as north-south rather than east-west as proposed. It is recommended that the drawing be amended to reflect the proposed change of priority.</p>
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35.	11.4	Applicant	<p>a) Should the final versions of the draft Code of Construction Practice (CoCP) [REP2-013] and other mitigation plans and strategies [REP3-024] [REP3-005] [REP3-006] [REP3-007] [REP3-008] [REP3-012] [REP3-013] [REP3-021] submitted during the examination be certified documents in Article 39 of the draft DCO?</p> <p>b) Should the draft CoCP be updated to reflect the mitigation plans and strategies that were submitted at deadline 3 and remove any duplicated information that is now included in the specific draft plans?</p>
36.	11.5	Applicant	Please could the applicant suggest a mechanism by which it can be ensured that the certified versions of the CoCP and other mitigation plans and strategies establish the minimum measures to be adopted in all later versions and that there is no mechanism by which these can be relaxed?
37.	11.6	Applicant	The ES will be a certified document and mitigation measures in it are referenced from the draft DCO. However, there are a number of discrepancies between the ES and the draft and outline CoCP and other mitigation plans, for example the timing restrictions on HGV movements mentioned in ES chapter 12.9.2. Please could the applicant suggest how discrepancies, including potential conflicts between mitigation measures mentioned in the ES with those subsequently developed during the examination, can be addressed?
38.	11.7	Applicant	<p>a) Please could the applicant provide a schedule of all plans/strategies required in the CoCP (requirement 6) and other plans (requirement 7) which sets out the status of any draft plans and which can be expected to be provided or updated during the course of the examination. This will assist the ExA with version control of the draft plans and knowing which versions should be tied into the final DCO.</p> <p>b) For future submissions of new/revised plans submitted, please could the applicant include an accompanying note summarising the changes made to the plans and the reasons for this?</p> <p>c) Please could the applicant provide a summary of the changes included in the draft CTMP submitted at deadline 3 [REP3-007]?</p>
39.	12.2	Applicant	Please could the applicant respond to comments regarding potential economic impacts in relevant representations from Glyn Peris Guest House [REP2-048], Concerned About Glyn Rhonwy [REP2-026], Lynn Pugh [RR-011], Tom Hutton [RR-012], Christine Jordan [REP1-018] and Dr David Bellamy [RR-034]?

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40.	12.4	Applicant and GCC	<p>a) With reference to section 4.13 of National Policy Statement EN-1, please could the applicant summarise the potential impacts on health, including consideration of traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests?</p> <p>b) Please could GC comment?</p> <p>Gwynedd Council have not been provided with a copy of the applicant's response to part a) of this item and therefore it is difficult for Gwynedd Council to comment on the applicant's summary. In respects of the National Policy Statement, the applicant should have full regard to its contents throughout the DCO process.</p>
41.	12.5-7	Applicant	Clarify where the agenda items have been addressed in previous responses and provide any further clarification as necessary.