

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

**Request for further information schedule**

**Issued on 26 August 2016**

The following table sets out the Examining Authority's requests for further information to assist with the assessment of the application. **Responses should be received by the Examining Authority (ExA) by noon on 5 September 2016.**

The Planning Inspectorate's document references in this document [in square brackets] can be found on our website by following this link: [Examination Library](#). A schedule of abbreviations is provided at the end of this document.

Column 2 of the table indicates **to which parties each request for further information is directed**. The ExA would be grateful if all parties could respond to all requests directed to them. **Please start your response by quoting the request number.**

Request number	Request to	Request
<b>1.</b>	<b>Development Consent Order (DCO), policy and other consents</b>	
	<b>DCO</b> Article and Requirement references are to the Applicant's draft DCO revision 8 [REP7-001].	
1.1.	Applicant	Article 2(1) – Definition of 'Authorised Development' The Applicant has objected [REP7-007] to the proposed [PD-023] deletion of the words " <i>and any other development authorised by this Order</i> ". Is the Applicant suggesting that the " <i>authorised development</i> " is not fully described within Schedule 1 Part 1 – Authorised development, noting that this includes the catch-all of " <i>works as may be necessary or expedient for the purposes of the authorised development</i> "?
1.2.	Applicant	Article 2(1) – Definition of 'the land plans' a) The 'Order land' is defined as the land coloured pink on the land plans and described in the Book of reference (BoR). The special category land is coloured pink on the land plans but no

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		<p>longer described in the BoR. This is potentially confusing and unnecessary. Please could the Applicant expand on its reasoning [REP7-007] for special category land to be retained on the land plans [and address potential confusion with the Book of Reference [REP5-032] and the potential application of Article 19?</p> <p>b) Could the applicant also identify where, in the documents to be certified, there are residual references to the special category land that would necessitate reference to the land plans "for information"?</p>
1.3.	Applicant Gwynedd Council	<p>Article 3 – Development consent etc. granted by the Order</p> <p>The Applicant has objected [REP7-007] to the proposed [PD-023] addition of paragraph (3), stating that the Order does not authorise associated development. This provision was included because of the flexibility requested by the Applicant in the definition of some of the authorised development, in particular the "works as may be necessary or expedient for the purposes of the authorised development" [REP7-001, Schedule 1, Part 1]. The ExA suggests that paragraph (3) [PD-023] is not added and that, instead, Schedule 1 Part 1 [REP7-001] is updated to "works as may be necessary or expedient for the purposes of the authorised development, subject to it being demonstrated to the satisfaction of the relevant planning authority that such works would not be associated development within the meaning of section 115 of the 2008 Act if the authorised development were to be carried out in England." Please could the Applicant and Gwynedd Council (GC) comment?</p> <p><b>The Council agrees to the suggested update.</b></p>
1.4.	Applicant	<p>Article 3 – Development consent etc. granted by the Order</p> <p>The Statement of Reasons [REP6-010] confirms that no CA of common land or open space is now sought under the order. For the avoidance of doubt it is suggested that a further paragraph is added to Article 3:</p> <p><i>"(3) This order does not authorise the suspension of, extinguishment of or interference with any rights of common registered under the Commons Registration Act 1965 or the Commons Act 2006"</i></p> <p>Please could the Applicant comment?</p>
1.5.	Gwynedd Council	<p>Article 15(5)(a) – Construction and maintenance of new or altered streets</p> <p>Is GC content that the undertaker will not take on the responsibilities of street authority?</p> <p><b>Yes</b></p>

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1.6.	Gwynedd Council Interested Parties	<p>Part 3 – Powers of acquisition</p> <p>Are GC and Interested Parties content that the following articles that were included in draft DCO version 6A [REP5-002] have now been deleted (article numbers quoted as in version 6A):</p> <ul style="list-style-type: none"> <li>• Article 19(3) and 19(4) (compulsory acquisition of land);</li> <li>• Article 22 (private rights);</li> <li>• Article 23 (2) and 23(4) (acquisition of subsoil only); and</li> <li>• Article 24 (acquisition of part of certain properties).</li> </ul> <p>Yes</p>
1.7.	Applicant	<p>Article 19 – Compulsory acquisition of land</p> <p>The ExA understands that the Applicant still intends to provide Plot 42 as replacement land for Plot 65, notwithstanding that there is no longer any legal obligation to do so, and that this will link with the replacement access land – see the Common, Access land and PRoW Strategy [APP-049, paragraph 3.4]. Please could the Applicant confirm that this remains correct and clarify how Plot 42 and the replacement access land mitigation land with the necessary rights is secured and will be secured for public access, so that it can be taken into account by the ExA?</p>
1.8.	Applicant	<p>Article 30(1) – Statutory undertakers</p> <p>c) The Applicant has objected [REP7-007] to the proposed [PD-023] insertion of “subject to the provisions of schedule 7” to paragraph 30(1), however the Applicant’s latest version of the draft DCO [REP7-001] includes this text, but then removes the similar text that was included in the Applicant’s previous version of the draft DCO [REP6-012] from paragraph 30(2). Please could the Applicant clarify?</p> <p>d) Part 1 of Schedule 7, paragraph 3 [REP7-001] says that Schedule does not apply where Part 3 of the 1991 Act applies. However, there is no equivalent in Part 2 of Schedule 7 [REP7-001]. Please could the Applicant clarify?</p>
1.9.	Applicant Gwynedd Council NRW	<p>Article 36 – Certification of plans etc</p> <p>a) The Applicant has stated [REP7-007] that it is unable to certify the Water Management Plan, Silt Management Plan, Biosecurity Plan or Excess Water Management Strategy as they may be amended as per the Environmental Permit application. However, these have all been included in the list of documents to be certified in the Applicant’s latest version of the draft DCO [REP7-</p>

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		<p>001]. The Applicant has later added [REP7-007] the CoCP and Pollution Prevention Plan to those as plans that “<i>will be finalised as far as possible but require the further input listed</i>”. Please could the Applicant clarify its intentions?</p> <p>b) These plans all include mitigation that has been agreed with various parties during the examination and therefore the ExA is minded to require the certification of the latest versions submitted during the examination and for those versions to be identified as such in the ExA’s recommended draft DCO. The Applicant is encourage to ensure that the Environmental permit is secured before the ExA’s Recommendation Report is submitted to the Secretary of State (this is likely to be around 8 December 2016), so that any amendments then proposed by the Applicant to the certified Code of Construction Practice, Water Management Plan, Silt Management Plan, Biosecurity Plan, Excess Water Management Strategy and Pollution Prevention Plan can then be considered by the Secretary of State and incorporated in the final DCO, as appropriate. Please could the Applicant, GC and NRW comment?</p> <p>No comment</p>
1.10.	Applicant	<p>Article 36 – Certification of plans etc Ref: ExA draft DCO [PD-023, comments following article 36].</p> <p>a) It is suggested that the CoCP [REP7-012], which includes mitigation that has been agreed with various parties during the examination, is added to the list of documents to be certified. Following from this it is proposed to remove the following, which form part of the CoCP [REP7-012] and are not currently separate documents, from the list of documents to be certified:</p> <ul style="list-style-type: none"> <li>• pollution prevention plan</li> <li>• landscape and reinstatement plan</li> <li>• emergency response and flood risk management plan</li> <li>• waste management plan</li> <li>• habitat management plan</li> <li>• breeding bird method statement</li> </ul> <p>Please could the Applicant comment?</p> <p>b) In order to place the identity and authenticity of the documents to be certified beyond doubt the ExA is minded to add the revision number and date of issue of the final versions of the relevant documents listed from 36(1)(g)-(x) during the examination to the document names.</p>

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		<p>Please could the Applicant comment?</p> <p>c) The relevant documents from 36(1)(g)-(x) are currently prefixed "outline", which ties with requirement 8. However, the documents to be certified do not (with the exception of the outline ordnance management strategy) currently include "outline" in their titles. Please could the Applicant either add the prefix "outline" to the titles used in submitted copies of these documents and to the CoCP [REP7-012] or suggest an alternative means of describing these documents in the draft DCO in article 36 and in requirement 8?</p> <p>d) Please could the titles of the following documents used in article 36 be made consistent with those used in the submitted copies of the documents:</p> <ul style="list-style-type: none"> <li>• change "air quality baseline monitoring plan" to "baseline air quality plan"</li> <li>• change "bio security plan" to "biosecurity plan"</li> </ul>
1.11.	Applicant	<p>Schedule 1, Part 1</p> <p>The Applicant appears to have misinterpreted [REP7-007, Schedule 1, Work No 4G] the request [PD-023, comment before further development table] to remove duplications between the further development table and the preceding works descriptions. It is not clear how the removal of duplication would remove flexibility. Please could the Applicant reconsider its, response?</p>
1.12.	Applicant	<p>Schedule 1, Part 1</p> <p>The Applicant has made a number of statements [REP7-007, Schedule 1, table and last paragraph] that appear to question the level of detail to which it is necessary to describe the Works, that how they are constructed should not be unduly constrained and the "the undertaking of minor or ancillary works with insignificant effects or beneficial effects" should not be prevented.</p> <p>The ExA is also concerned that the draft DCO [REP7-001] does not authorise any development that has not been addressed in the ES, that has not been consulted on and for which any necessary mitigation measures have not been agreed. Following from this the ExA is minded that it is appropriate to take particular care with the provisions for "works as may be necessary or expedient for the purposes of the authorised development".</p> <p>The Applicant [REP7-001] has suggested replacement the ExA's suggestion [PD-023] of "minor works" with "ancillary works" at the end of Schedule 1, Part 1. The Applicant has previously clarified [REP5-005, response to question 1.7] that "these works are the minor operations necessary to allow the authorised development to actually be constructed". "Ancillary works" could include an (unnecessarily) larger scale of works than that.</p>

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		<p>Taking account of the above, and noting the flexibility that also comes with the Applicant's use of the "Rochdale Envelope", the ExA is minded to update the end of Schedule 1, Part 1 of the draft DCO [REP7-001] as follows:</p> <p><i>"and further development within the Order limits comprising such other minor works as may be necessary or expedient for the purposes of the authorised development. Any further development under this Part 1 including the works listed in the table must not give rise to any materially new effects or to any effects that are materially more adverse from those assessed in the environmental statement."</i></p> <p>The ExA is also minded to replace the other instances of "... materially new or materially different environmental effects ..." in the draft DCO [REP7-001] with "... materially new effects or any effects that are materially more adverse...".</p> <p>Please could the Applicant comment?</p>
1.13.	Applicant	<p>Requirement 5 – Detailed design</p> <p>The Applicant has objected [REP7-007] to the proposal [PD-023] to insert new maximum parameters on the reservoir volumes. However, the suggested volumes are as assessed in the Environmental Statement and appear to be a key parameter for the proposed development. Please could the Applicant suggest text to be added alongside the figures of "1.3 million cubic metres" to refine the definition of this volume in a manner that is consistent with the Environmental Statement and any necessary allowances included in the Environmental Statement for freeboard, head, etc.?</p>
1.14.	Applicant	<p>Requirement 6 – Code of construction practice</p> <p>In response to the ExA's request [PD-023], NRW have clarified [REP7-042] the case for flood plans to be produced in accordance with the Reservoirs Act 1975, section 12A and that the creation of the plan is only required when the notice to do so is served by the Minister. On this basis the ExA is minded to include a Requirement in the draft DCO [REP7-001] for such a plan to be produced. Please could the Applicant suggest appropriate wording for this Requirement?</p>
1.15.	Applicant	<p>Requirement 8 – Compliance with outline plans</p> <p>a) With reference to Applicant's response [REP7-007, Schedule 1, Part 2, 8] to the ExA's draft DCO [PD-023], it is noted that the Applicant has not suggested any changes to the first part of the Requirement. Does the Applicant therefore accept the proposed wording?</p> <p>b) Does the Applicant have a suggestion as to how this could be made more aspirational, without</p>

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		undermining the provisions that have been consulted on and agreed during the examination?
1.16.	Applicant	<p>Requirement 8 – Compliance with outline plans</p> <p>With reference to Applicant’s response [REP7-007, Schedule 1, Part 2, 8(v)] to the ExA’s request [PD-023], it is noted that Applicant has addressed errors in the ES during the examination that could potentially effect mitigation measures, including in its responses to questions [REP2-011, response to questions 2.3, 7.5] [REP5-005, response to question 1.36]. The Applicant has also clarified [REP7-007, Schedule 1, Part 2, 8(v)] that the outline plans have evolved from and refine the mitigation measures set out in the ES. For the avoidance of doubt, please could the Applicant therefore suggest a mechanism by which, for the purposes of the plans listed under requirement 8, the outline plans to be certified under article 36 (certification of plans etc.) take precedence over measures described in the environmental statement?</p>
1.17.	Applicant	<p>Requirement 9 – Water management plan</p> <p>a) For consistency, please could the Applicant use references to paragraph and sub-paragraph suggested by the ExA [PD-023], for example 9(1) is a paragraph, 9(1)(i) is a sub-paragraph, etc?</p> <p>b) Please could the Applicant also check for consistency elsewhere in the Draft DCO [REP7-001]?</p>
1.18.	Applicant	<p>Requirement 9 – ‘Water Management Plan’</p> <p>Requirement 10 – ‘Operational Water Quality Monitoring’</p> <p>a) Please respond to the concerns expressed by NRW [REP7-042] [REP8-002] regarding confidence that monitoring will provide an adequate baseline and regarding potential conflict between the draft DCO [REP7-001] and the Environmental Permitting regime.</p> <p>b) Please update Requirements 9 and 10 accordingly and provide evidence to demonstrate that NRW is content with the changes. As referenced within the RIES [PD-024], water quality monitoring is a mitigation measure which supports the conclusion of the HRA.</p>
1.19.	Gwynedd Council	<p>Is GC content that the following requirements that were included in draft DCO version 5 [REP4-009] but have been deleted (requirement numbers as in version 5), are not necessary and that the relevant provisions in these deleted requirements have now been adequately secured through the documents to be certified under article 36(1):</p> <ul style="list-style-type: none"> <li>• Silt management plan (requirement 10);</li> </ul>

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		<ul style="list-style-type: none"> <li>• Construction traffic management plan (requirement 12);</li> <li>• Dust management plan (requirement 13);</li> <li>• Noise management plans (requirement 14);</li> <li>• Habitat management plan (requirement 15);</li> <li>• Land discovery strategy (requirement 16);</li> <li>• Air quality baseline monitoring plan (requirement 17); and</li> <li>• Archaeological compensation and enhancement strategy (requirement 18).</li> </ul> <p>Yes</p>
1.20.	NRW	<p>Requirement 11 – Drainage</p> <p>Is NRW content that its comments on drainage [REP5-049, question 1.16] have been addressed?</p>
1.21.	Gwynedd Council Applicant	<p>Requirement 13 – Construction hours</p> <p>a) The Applicant [REP7-007] has objected to a suggestion [PD-023] to restrict the hours permitted for tunnelling works at weekends and public holidays. Please could GC comment, with reference to its earlier comments [REP5-044, response to question 7.9(a)]?</p> <p>b) Please could the Applicant clarify how it considers that the suggestion conflicts with Requirement 1?</p> <p>a) Please note the earlier comment in REP5-044, No tunnelling work is permitted on public holidays or between 13.00 on any Saturday to 07:00 the following Monday morning, without the prior written approval of the relevant planning authority which is not to be given unless the undertaker is able to satisfy the relevant planning authority that noise generated by tunnelling during these times will not unduly affect local residents</p> <p>Gwynedd Council is of the opinion that the condition gives the applicant the opportunity to provide evidential support that the additional tunnelling working hours will not unduly affect local residents. Therefore we do not concur with the applicants objection and request that they validate their objection to this condition with supporting evidence. Please note that the revised Noise Management Plan suggest a night time level in contradiction to the planned restricted daytime working hours. Could the applicant please clarify</p>
1.22.	Applicant	Article 19 – Annual maintenance plans



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		Please add a footnote with reference to the Reservoirs Act.
1.23.	Applicant	<p>Schedule 3 – Streets for which a substitute is to be provided</p> <p>a) Further to the Applicant’s response [REP7-007] to the comments [PD-023], please could the Applicant ensure that the “informal footpath” is indicated clearly and with a consistent line type on the works plan and the access plan?</p> <p>b) Please could the depictions (line types and colours) used on both the access plans and works plans be consistent with Schedule 3?</p>
1.24.	Applicant	<p>Schedule 3 – Streets for which a substitute is to be provided</p> <p>Schedule 4 – Streets temporarily prohibited or restricted</p> <p>Please correct references to “Ffordd Cefn Du” and “Ffordd Clegir”, as requested by GC [REP7-045].</p>
1.25.	Applicant	<p>Schedule 7</p> <p>Please provide an update on responses received from BT and SP Manweb at Deadline 9 and then again at Deadline 10.</p>
1.26.	Applicant	<p>Please could the Applicant submit an updated version of its draft DCO [REP7-001] at Deadline 9, incorporating its responses to these rule 17 requests, together with a clean copy in Microsoft Word, a comparison version to revision 8, a comparison version to revision 0, a table of amendments and a validation report?</p>
	<b>Policy</b>	
1.27.	Applicant Gwynedd Council NRW	<p>In its Statement of Common Ground with the Applicant [REP4-004] GC agreed with the Applicant’s view at that time that NPSs EN-1, EN-3 and EN-5 were relevant to the application. The ExA’s preliminary view [PD9-007, question 1.27] was “<i>that policies in these NPSs, and particularly EN-1, are potentially important and relevant to this examination</i>”. Commenting on the ExA’s preliminary view, NRW stated [REP2-047, response to question 1.27] that “<i>EN-1, and possibly EN-5 appear to be relevant for the purposes of the Development</i>”.</p> <p>During the examination the Applicant later clarified [REP2-011, response to question 1.27] its view that “<i>EN-1 is considered to be the NPS of principal relevance to the proposed development</i>”, that EN-3 is not relevant as energy is required to pump water from the lower reservoir to the upper reservoir and therefore the proposed development does not constitute renewable energy</p>

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		<p>development; and that EN-5 is not relevant.</p> <p>Further to the clarifications provided during the examination the ExA is now minded to conclude that:</p> <ul style="list-style-type: none"> <li>• pumped storage does not fall within the scope of any NPS, for example although the contribution of pumped storage to a low carbon energy system is mentioned in paragraph 3.3.12, footnote 13 and paragraph 3.3.31 of EN-1, it is not covered by the scope set out in paragraph 1.4.2 of EN-1 and therefore does not fall within the scope of EN-1;</li> <li>• as pumped storage does not fall within the scope of any NPS, there is no designated NPS in effect for this kind of development and therefore the application should be decided against the criteria in s105 of PA2008;</li> <li>• with reference to s105 of PA2008, EN-1 should be considered important and relevant to the decision on this application because EN-1 specifically mentions the importance of pumped storage to a low carbon energy system and because the proposed development is a generating station with a capacity of over 50MW and the policies in EN-1 are devised specifically for generating stations and energy infrastructure of this scale;</li> <li>• EN-3 should not be considered important and relevant to the decision on the application because the proposed development is not renewable energy development and because pumped storage (or hydro power for that matter) is in the scope or EN-3 or mentioned in it; and</li> <li>• EN-5 covers energy networks and is not a focus of the examination as the grid connection is not included in the application.</li> </ul> <p>Do the Applicant, GC and NRW agree with this approach and, if not, please could they set out their alternative views and reasoning?</p> <p><b>Gwynedd Council agree with this approach</b></p>
	<b>Other consents</b>	
1.28.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, requests 1.1 and 1.2].</p> <p>a) Please could the Applicant provide a copy of the final signed s278 agreement and design drawings for the proposed highway improvements to Ffordd Cefn Du?</p> <p><b>a) Applicant to respond</b></p>

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		<p>b) Please could the Applicant set out the changes to the s278 agreement and drawings that have been made in response to feedback received from local residents at the open event and does GC consider it reasonable for any further changes to be made?</p> <p>b) Gwynedd Council recently requested revisions to the drainage design and are awaiting revised drawings for inclusion in the S278 agreement.</p> <p>c) Please could the Applicant provide a copy of the road safety audit requested by GC, provide evidence that this has been accepted by GC and demonstrate how relevant road safety measures are secured either through the s278 agreement or through the draft DCO [REP7-001]? inclusion in the S278 agreement.</p> <p>c) The level of Road Safety audits required have been agreed with the Applicant. It is understood the audits will be carried out soon.</p>
1.29.	Applicant NRW	<p>Ref: Applicant's [REP7-004] and NRW's [REP7-042] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 1.6].</p> <p>a) Please could the Applicant and NRW provide an update on its discussions regarding the withdrawn Environmental Permits in respect of discharge activities?</p> <p>b) Please could the Applicant provide an update regarding the resubmission of the Environmental Permit applications?</p> <p>c) Please could NRW comment on whether the Applicant has made valid applications and advise when it anticipates that the applications will be determined?</p> <p>d) Please could the Applicant and NRW provide responses to (a), (b) and (c) by Deadline 9 and then again by Deadline 10?</p>
1.30.	Applicant	<p>a) Further to NRW's comments [REP8-002], please could the Applicant provide an updated copy of the minutes that it previously submitted [REP7-004, Appendix 1.6] of its 21 July 2016 meeting with NRW's permitting team?</p> <p>b) Please could the Applicant either provide evidence that the updated minutes have been agreed by NRW or provide a copy of the submission of comments and amendments to the minutes referred to by NRW [REP8-002]?</p>
<p><b>2. Environmental Statement, management plans and strategies - general</b></p>		

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2.1.	Gwynedd Council NRW	<p>a) Please could GC and NRW confirm their agreement (or otherwise) with the content of all of the most recent versions of the outline and draft management plans and strategies provided by the Applicant to date, and highlight any matters that are yet to be agreed:</p> <ul style="list-style-type: none"> <li>• Code of Construction Practice [REP7-012]</li> <li>• Water Management Plan [REP7-014][[]]</li> <li>• Silt Management Plan [REP7-016]</li> <li>• Biosecurity Plan [REP7-018]</li> <li>• Construction Traffic Management Plan [REP7-020]</li> <li>• Outline Ordnance Management Strategy [REP7-022]</li> <li>• Baseline Air Quality Monitoring Plan [REP7-024]</li> <li>• Dust Control and Air Quality Management Plan [REP7-026]</li> <li>• Construction Noise Management Plan [REP7-028]</li> <li>• Operational Noise Management Plan [REP7-030]</li> <li>• Materials Management Plan [REP7-032]</li> <li>• Land Discovery Strategy [REP7-034]</li> <li>• Archaeological Compensation and Enhancement Strategy [REP7-036]</li> <li>• Excess Water Management Strategy [REP6-009]</li> <li>• Health and Safety Plan [REP5-017]</li> </ul> <p>b) Please could the Applicant provide evidence to demonstrate GC's and NRW's agreements with any updates to these plans that the Applicant submits before the close of the examination?</p> <p>a) Gwynedd Council have agreed with the contents of The Construction Noise Management Plan with the applicant; but seek clarification as to why noise time noise limits are referred to in the appendices of the document. There should be no need for night time noise levels given that the Noise Management Plan Revision 2 Sept 2016 refers to working hours as 07:00 – 19:00 hrs daytime hours and weekdays (Mon –Fri), and 07:00 – 13:00 Sat, no working Sundays and Bank Holidays.</p>

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		<p>Gwynedd Council are happy with the Baseline Air quality Management Plan, The Outline Ordnance Management Strategy and the Dust Control and Air Quality Management Plan, Code of Construction Practice, Water Management Plan, Silt Management Plan, Biosecurity Plan, and Construction Traffic Management Plan.</p> <p>No response has been received from consultees with regard to the other documents.</p>
2.2.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 2.1].</p> <p>a) Is GC satisfied with the Applicant's response regarding the reprofiling of existing slate mounds in Work 1G and Work 4C and does it consider that the landscaping proposals secured in the draft DCO [REP7-001] via the Landscape and Reinstatement Strategy as set out in the CoCP [REP7-012] are appropriate in this regard?</p> <p>Yes</p> <p>b) The Applicant has referred to related potential impacts on Landscape. Please could it demonstrate how other relevant potential impacts, for example on local biodiversity as mentioned by GC [REP7-044], have been considered?</p>
2.3.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 2.8].</p> <p>Please could the Applicant reconcile it's response that the outline management plans and strategies should refer to "Gwynedd Council" with GC's suggestion that they should refer to the "relevant planning authority" and with the draft DCO's [REP7-001] reference to the "relevant planning authority"?</p>
2.4.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 2.11].</p> <p>a) Please could the Applicant demonstrate how the CoCP [REP7-012] addresses the matters raised by GC regarding trafficking on unstripped ground?</p> <p>b) The Applicant's updates to the CoCP [REP7-012] regarding the storage of vegetation, topsoil and subsoil and trafficking on unstripped ground do not adopt the same working as the 2012 T&amp;CPA approval [APP-086, conditions 10 and 56]. Is GC content with the Applicant's suggested</p>

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		<p>wording?</p> <p>Yes</p>
2.5.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 2.12].</p> <p>a) Please could the CoCP [REP7-012] specifically refer to the need to include measures to promote natural growth throughout the site, using the same wording as the T&amp;CPA approval [APP-086, condition 7]?</p> <p>b) Is GC content with the Applicant's suggesting wording regarding the restrictions on materials used to form the new slate tips [REP7-012, Section 4.3]?</p> <p>Yes</p>
<b>3.</b>	<b>Biodiversity, ecology and geological conservation</b>	
3.1.	Applicant	<p>Ref: Applicant's [REP7-004] and NRW's [REP7-042] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 3.2].</p> <p>Please provide a copy of NRW's approval of the amended European Protected Species License for lesser horseshoe bats.</p>
3.2.	Applicant	<p>Ref: Applicant's [REP7-004] and NRW's [REP7-042] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 3.4].</p> <p>a) Please clarify where the Habitat Management Plan [REP7-012] requires that consultation will be undertaken with NRW with regards to the Reptile Method Statement and that it will be submitted to the relevant planning authority prior to the commencement of works? If this is not currently included in the Habitat Management Plan section of the CoCP [REP7-012, section 4.6], please update the plan accordingly using a form of wording that makes clear that these are firm commitments – i.e. not "it is intended to", for example.</p> <p>b) Please update the Habitat Management Plan section of the CoCP [REP7-012, section 4.6] to address NRW's comments [REP7-042] that they would expect the minimum measures to include the need for the translocation methodology to follow best practice guidance, and that a competent ecologist would need to oversee the works.</p>

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3.3.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 3.6].</p> <p>With respect to trees and vegetation, please could the commitment in the Habitat Management Plan section of the CoCP [REP7-012, paragraph 4.6.9] that "<i>any opportunities for enhancement will be identified</i>" be strengthened by requiring the opportunities to be discussed with the local planning authority and for it to be agreed with them which enhancement measures will be taken forwards? Please update the Habitat Management Plan section of the CoCP [REP7-012] accordingly.</p>
3.4.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 3.10].</p> <p>The Applicant appears to have misinterpreted request 3.10 (b) [REP7-004]. Please could the specific relevant mitigation measures required to address the risks of Nuttall's waterweed in Llyn Padarn being disturbed during construction or operation and the risks of it being abstracted to the reservoirs, either during the initial filling or in the future, be described more fully in the Biosecurity Plan [REP7-018]?</p>
3.5.	Applicant	<p>Please could the Habitat Management Plan section of the CoCP [REP7-012, section 4.6] be updated to include the Implementation Timetable requested by NRW [REP7-042]?</p>
<b>4.</b>	<b>Historic environment</b>	
4.1.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 4.4].</p> <p>Please amend the Archaeological Compensation and Enhancement Strategy [REP7-036] to confirm that a statement will be made within the final strategy to confirm the position at that time regarding the tentative WHS, i.e. for it to be agreed with the relevant planning authority whether the conclusions reached during the examination remain relevant and whether no specific mitigation measures are still required.</p>
4.2.	Gwynedd Council Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 4.5].</p> <p>a) Is GC satisfied that the Archaeological Compensation and Enhancement Strategy [REP7-036,</p>

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		<p>paragraph 1.1.4] now addresses their concerns regarding approval, monitoring and sign off?</p> <p>a) It is confirmed that the August 2016 changes to the Archaeological Compensation and Enhancement Strategy 1.1.4 addresses concerns regarding approval. This will allow us to ensure that monitoring and sign off is agreed in advance.</p> <p>b) Please could the Applicant provide the additional comments that it referred to [REP5-006, page 6-1] from Cadw and any responses to those?</p>
4.3.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 4.6].</p> <p>Whilst it is appreciated that a detailed Archaeological Compensation and Enhancement Strategy cannot be provided at this stage, it is important that the principles of the final strategy are clearly articulated in outline form and agreed. In light of GCs response, please could the Applicant update the (outline) Archaeological Compensation and Enhancement Strategy [REP7-036] to set out the minimum content of the plan/elements that it will need to consider when drafting the final strategy?</p>
4.4.	Applicant Gwynedd Council NRW	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 4.7].</p> <p>Reflecting the Applicant's response, please could the Archaeological Compensation and Enhancement Strategy [REP7-036] be updated to confirm that all contractors will be expected to follow standards and guidance provided by the Chartered Institute for Archaeologists?</p> <p>The Archaeological Compensation and Enhancement Strategy does not make reference to the CIfA standards and guidance but as with 4.2a the standards will be agreed in advance and compliance can be built in to the monitoring procedure.</p>
4.5.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 4.8].</p> <p>a) Please could the Archaeological Compensation and Enhancement Strategy [REP7-036] be updated to set out that following a pre-construction assessment of the stability of the tailpond dam by the Panel Engineer acting under the Reservoir Act 1975, it will be necessary to satisfy the relevant planning authority that there will be no impacts on the bomb store and it will be necessary to agree requirements for a watching brief and any structural surveys of the bomb store with the relevant planning authority?</p> <p>b) Please could the applicant provide evidence that GC are content with the updates to the</p>



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		<p>Archaeological Compensation and Enhancement Strategy [REP7-036], with respect to the bomb store?</p> <p>c) Please could GC comment?</p> <p>a) The Archaeological Compensation and Enhancement Strategy has not been updated to make specific reference to the bomb store. Specific reference would be preferable in this respect. However, as with 4.2a &amp; 4.4 (above) this will be a requirement in order to gain approval from Gwynedd Council and Gwynedd Archaeological Planning Service. There should therefore be a mechanism to ensure that this element is properly considered.</p>
<b>5.</b>	<b>Traffic and transport</b>	
5.1.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 5.1].</p> <p>a) Please could the Applicant secure its suggested mitigation of liaising with local stakeholders to minimise disruption arising from the potential temporary closure of Ffordd Clegir by selecting appropriate times for these works to take place [REP5-005] in the Construction Traffic Management Plan (CTMP) [REP7-020]?</p> <p>b) Please could the Applicant summarise any consultations that it has had to date with relevant residents on the potential need to close Ffordd Clegir and how the outcomes of those consultations are reflected in the impact assessment and proposed mitigation measures?</p>
5.2.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 5.2].</p> <p>Please could the CTMP [REP7-020] be updated to confirm the minimum notice period required for notification of abnormal loads and can the Applicant provide evidence that this has been agreed with GC?</p>
5.3.	Applicant Gwynedd Council	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, requests 5.4 and 5.5].</p> <p>a) Further to the submission from Jane and Mads Huuse, [REP8-004, slides 14 and 15] please could the Applicant and GC review and agree an update to the process and periods proposed in the CTMP [REP7-020, section 2.12] in order to minimise the period during which any potential exceedances of predicted construction traffic movements could occur?</p>

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		<p>a) The revised CTMP has already been approved by Gwynedd Council on the 5th August 2016</p> <p>b) The CTMP [REP7-020, paragraph 2.12.3] states that the strategy will set out reductions “<i>where possible</i>”, which is not a firm commitment. The ES considered that the Applicant had assessed vehicle movements conservatively by adding on an extra 25% to the numbers predicted. In there a reason why a cap cannot be based on these calculations, and thereby ensure that the movements permitted in the DCO are not more than those assessed in the ES?</p> <p>b) Applicant to reply</p> <p>c) Please could the Applicant and GC comment on the whether it is possible for measures to be proposed at the offset to reduce and control overall movements in a proactive manner (and thereby ensure that they are within the limits assessed in the ES) rather than a reactive manner (which deals with any movements in excess of those considered in the ES after the event)?</p> <p>c) Applicant to reply</p>
5.4.	Applicant	<p>Ref: Applicant’s [REP7-004] and GC’s [REP7-044] responses to ExA’s rule 17 request of 20th July 2016 [PD-025, request 5.6].</p> <p>Please could the CTMP [REP7-020, paragraph 2.8.3] be updated to require that in the case of an alleged incident involving a construction related vehicle on Ffordd Cefn Du that is not reported by a Driver, the Contractor will undertake an investigation into whether the incident was likely to have been caused by construction traffic, as well as the lessons learnt investigation currently proposed?</p>
5.5.	Applicant	<p>Ref: GC’s [REP7-044] response to ExA’s rule 17 request of 20th July 2016 [PD-025, request 5.9].</p> <p>Please respond to GC’s suggestions and update the CTMP [REP7-020] to include:</p> <ul style="list-style-type: none"> <li>• restriction of hours to avoid school times, particularly in the mornings;</li> <li>• requirement for a commitment for construction vehicles on Ffordd Cefn Du to give way to other road users to be written in codes of practice for the Contractor; and</li> <li>• a record of complaints of non-compliance to be kept by the Applicant’s Public Liaison Officer.</li> </ul>
5.6.	Applicant	<p>The response [REP7-004] to question 5.13 (b) of the ExA’s rule 17 request dated 20<sup>th</sup> July 2016 [PD-025] appears to be incomplete. Please clarify.</p>
5.7.	Applicant	<p>Please respond to the matters raised regarding construction traffic on Ffordd Cefn Du in representations from Cherry Bartlett [REP7-046], Christine Jordan [REP7-047], Dr Mads Huuse</p>

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		[REP7-050] and Jane and Mads Huuse [REP8-004].
<b>6.</b>	<b>Noise, vibration and air overpressure</b>	
6.1.	NRW Gwynedd Council	<p>Ref: NRW's [REP7-042] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.1].</p> <p>Further to its responses to the SWQs [REP5-049, question 7.1], please could NRW and GC comment on the Applicant's response [REP5-005, question 7.1] regarding potential noise and vibration impacts on biodiversity from piling works in Llyn Padarn?</p> <p>The Applicant's response does not refer to the effects of piling works on biodiversity, and states that the recreational users of Llyn Padarn will be the closest receptors. Gwynedd Council agree that the effect will be localised and temporary in nature, and we are content to receive further details within the Detailed construction noise and vibration assessment. This document should include mitigation measures for biodiversity e.g 'soft starts' in order give animals the opportunity to escape the area; and restrictions on the timing and length of the piling.</p>
6.2.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request dated 20<sup>th</sup> July 2016 [PD-025, request 6.2].</p> <p>Please could the Construction Noise Management Plan (CNMP) [REP7-028, paragraph 4.3.2] be updated to clarify that, as well as agreeing the piling noise and vibration limits, the Piling Method Statement is to be submitted to and approved by the relevant planning authority in consultation with NRW?</p>
6.3.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.3].</p> <p>a) Does the Applicant remain confident that the post consent noise and vibration assessment will not identify any effects which go beyond the limits agreed with GC?</p> <p>b) Please could the Applicant provide the figures indicating the location of plant considered in the ES that it referred to [REP7-004, response to request 6.3(b)]?</p>
6.4.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.4].</p>

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		Please could it be clarified in the CNMP [REP7-028, paragraph 2.2.3] that, subject to permission being granted by landowners, the monitoring of noise levels at the front and rear of Glyn Peris Guest House will be carried out if its offer to carry out this work is accepted?
6.5.	Gwynedd Council	<p>The Applicant appears to have suggested [REP7-029, Appendix A] a higher daytime vibration dose value than suggested by GC [REP7-044, response to request 6.13]. Please could GC comment?</p> <p>British Standard 6472– 2008, Guide to evaluation of human exposure to vibration in buildings Part 1: Vibration sources other than blasting (BS 6472-1:2008), is recognised as the preferred Standard for assessing the human comfort criteria for residential building types.</p> <p>The range values within Section 6 Table 1 give the vibration dose values above which various degrees of adverse comment may be expected in residential houses, as taken from this Standard. 0.2 to 0.4 (1m/s1.75) is given for 16hr day in residential buildings would result in low probability of adverse comment 1m/s1.75, however as Adverse comment is possible between values 0.4 and 0.8 (m/s1.7), the lowest value was chosen.</p> <p>BS 6472-1:2008 recognises that if the work is undertaken in accordance with a well developed management plan some minor discomfort may be acceptable by receivers provided close controls are implemented. Gwynedd Council, given the duration of scheme and rural setting opted for the lesser of the permitted range within the aforesaid British Standard.</p> <p>The same table gives Nighttime 8 hour values 0.1 -0.2(1m/s1.75) for low probability of adverse comments and as such, in line with the above reasoning a nighttime condition of 0.1 (1m/s1.75) may be applied.</p> <p>In addition, The contractor shall employ the “best practicable means” as defined in are defined in Section 72 of the Control of Pollution Act 1974 and Section 79 of the Environmental Protection Act 1990 to minimise noise and vibration resulting from his operations and shall have regard to British Standard BS 5228: 2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites, British Standard BS 6472-1: 2008 Guide to evaluation of human exposure to vibration in buildings – Part 1: Vibration sources other than blasting</p>
6.6.	Gwynedd Council	<p>Ref: Applicant’s [REP7-004], GC’s [REP7-044] and NRW’s [REP7-042] responses to ExA’s rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.18].</p> <p>a) Is GC content with the applicant’s response [REP7-004, response to request 6.18] regarding</p>

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		<p>clarification of the daytime and night time limits on Saturdays, Sundays and Bank Holidays in the CNMP [REP7-028, appendix A]?</p> <p>b) Separate to any potential Section 61 COPA applications, is it necessary to set limits at all times, including outside construction hours?</p> <p>There is a lack of clarity in the Construction Noise Management Plan and associated appendices in respect of night time construction noise. The applicant has suggested daytime and night time noise limits that would be in line with guidance under MTAN 1, however the Construction Noise Management has been based on restricting working hours as defined in the Control of Pollution Act 1974 s60/61, and as stated in point 3.3.1 of the Noise Management Plan Revision 2 Sept 2016. 07:00 – 19:00 hrs daytime hours and weekdays (Mon –Fri), and 07:00 – 13:00 Sat, no working Sundays and Bank Holidays.</p> <p>Any works outside these hours would be subject to Prior Consent, and therefore Gwynedd Council seek to clarify why night time noise levels in Appendix A point 3. of the Noise Management Plan Revision 2 Sept 2016 are required.</p> <p>Please note our previous comment regarding tunnelling in point 1.21</p>
6.7.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.20].</p> <p>Please clarify the magnitude of ground vibration propagation losses anticipated over 400m and levels at receptors, on a worst case scenario of source vibration levels, ground conditions, etc.</p>
6.8.	Applicant	<p>Ref: GC's [REP7-044] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 6.22].</p> <p>Please could the CNMP [REP7-029, paragraph 3.4.1] be updated to clarify that the detailed construction noise and vibration assessment to be undertaken once the PC and blasting contractor have been appointed will encompass low frequency noise, ground borne vibration and ground borne vibration and noise?</p>
6.9.	Applicant	<p>Please respond to the matters regarding noise and vibration raised in the representations from Mike Vitkovitch [REP7-053], Tony Grant [REP7-054] and Jane and Mads Huuse [REP8-004].</p>
<b>7.</b>	<b>Water resources, contaminated land, flood risk and climate change</b>	

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7.1.	Applicant	Ref: NRW's [REP7-042] response to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 2.7]. Please provide evidence to demonstrate how the Excess Water Management Strategy [REP6-009] has addressed NRW's previous comments [REP4-035].
7.2.	Applicant	Ref: NRW's [REP7-042] response to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 7.1]. NRW has stated that the Applicant no longer intends to pursue a drain from quarry Q5 to quarry Q6 at this time. Please could the Applicant clarify why this is not being pursued, set out the options to maintain drainage of quarry Q5 and clarify the potential impacts of those options.
7.3.	Applicant	Ref: Applicant's [REP7-004] responses to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, requests 7.2 and 7.7]. a) Paragraph 4.4.31 of the Water Management Plan (WTMP) [REP7-014] states that 4 private water supplies will be monitored, whereas paragraph 2.5.3 and figure 1 indicate 3 locations. Please could this be clarified? b) Is there a possibility that it will be deemed necessary to monitor additional private water supplies once the site visits have been undertaken? If so, can the WTMP [REP7-014] be updated to put in place a mechanism to reconsider and agree this with GC? c) Glyn Peris Cottage is to the east of the proposed development, rather than the north west as quoted in the Applicant's response to request 7.7 [REP7-004]. Please could the applicant clarify how there is unlikely to be disturbance to the water catchment for Glyn Peris Cottage, given the extent of construction works proposed "upstream" of Glyn Peris Cottage? d) Has the decision not to monitor the private water supply at Glyn Peris Cottage (and indeed those other private water supplies identified but with no monitoring proposed) been discussed and agreed with the users of these supplies and is this incorporated into the mail shot / Environmental Liaison Officer follow up process?
7.4.	Applicant	Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 7.4]. Please could the WTMP [REP7-014] be updated to clarify that water quality monitoring will include the reservoirs?
7.5.	Applicant Gwynedd Council	Ref: Applicant's [REP7-004] responses to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 7.9].

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		<p>a) Please could the intention to secure culverts under the land drainage consent process be reflected in Other Consents and License Status Document [REP7-003]?</p> <p>b) Does GC agree that a separate draft DCO [REP7-001] Requirement is not necessary and the culverts can be secured via the land drainage consent process?</p> <p><b>Gwynedd Council are content that the two permanent crossings of Nant-y-Betws can be secured through the Land Drainage Consent process.</b></p>
7.6.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 7.11].</p> <p>a) Please update the Land Discovery Strategy [REP7-034] to address the concerns expressed by NRW [REP8-002] and provide evidence to demonstrate that NRW is content with the changes.</p> <p>b) Please either reinstate former Requirement 16 [REP4-009] relating to the Land Discovery as requested on a number of occasions by NRW [REP6-017] [REP7-042] [REP8-002] or, alternatively, demonstrate how each specification of the former Requirement 16 [REP4-009] is secured in the Land Discovery Strategy [REP7-034] and provide evidence to demonstrate that NRW is content that all matters have been addressed and that a specific draft DCO [REP7-001] Requirement for the Land Discovery Strategy is no longer required.</p>
7.7.	NRW	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 7.12].</p> <p>a) Is NRW satisfied with the updated Materials Management Plan submitted at Deadline 7 [REP7-032]?</p> <p>b) Is NRW satisfied that slate runoff is adequately covered in the Silt Management Plan [REP7-016]?</p>
7.8.	Applicant NRW	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 7.13].</p> <p>a) Please confirm whether the advice provided by NRW in their response to the SWQs [REP5-049, question 8.16] has been followed in the Flood Consequences Assessment (FCA) [APP-131]? The Applicant has not provided confirmation that this specific advice has been followed.</p> <p>b) Does NRW agree with the conclusions reached in the FCA [APP-131]?</p>

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<b>8.</b>	<b>Ordnance</b>	
8.1.	Applicant	<p>Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.1].</p> <p>Further to GC's response, please could a requirement for consultation with the HSE, subject to the HSE agreeing to participate, be included in the Outline Ordnance Management Strategy [REP7-022]?</p>
8.2.	NRW	<p>Ref: GC's [REP7-044] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.2].</p> <p>Further to GC's recent [REP7-044, response to request 8.2] and earlier comments [REP5-044, response to question 9.2(b)] and the Applicant's response [REP5-006] to queries raised by the Snowdonia Society [REP4-040] and Jeff Taylor [REP4-031], does NRW have any concerns regarding the extent of sampling and testing undertaken to date in quarry Q6, noting GC's comment [REP7-044, response to request 8.2] that the principal concern is the dewatering of quarry Q6 into the SSSI of Llyn Padarn?</p>
8.3.	Applicant Jeff Taylor	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.3].</p> <p>a) The letter from the MoD to the Applicant [REP7-004, Appendix 8.3] notes that the MoD are still working on this matter and have yet to provide a full response. Please could the Applicant clarify the likelihood of this information being submitted before the close of the examination?</p> <p>b) If there is the intention to provide this before the close of the examination, then please could it be accompanied by a statement from the Applicant which provides a response to all the points raised by the MoD, and confirms precisely how the proposed mitigation measures secured in the draft DCO and through the outline management plans would address any pertinent matters raised?</p> <p>c) The MoD's letter [REP7-004, Appendix 8.3] explains that non-conventional weapons were recovered from the quarry. Please could the Applicant clarify how this information will inform the health and safety protocols for the proposed development?</p> <p>d) Please could the Applicant respond to Jeff Taylor's comments [REP8-003] regarding a conflict between the MoD's letter to the Applicant [REP7-004, Appendix 8.3] and information provided to Dr Dave Preskett [REP7-048, page 4].</p> <p>e) The letter from MoD to Dr Preskett [REP7-048] provided by Jeff Taylor notes that the MoD are</p>



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		still working on this matter and have yet to provide a full response. Please could Jeff Taylor clarify the likelihood of this information being submitted before the close of the examination?
8.4.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.4].</p> <p>Please set out how each of Public Health Wales' recommendations related to the potential for health or developmental problems linked to munition-related chemicals arising from discharges to Llyn Padarn [REP7-004, Appendix 8.4] are secured in either a specific management plan or via the environmental permit.</p>
8.5.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.6].</p> <p>a) Please update the Outline Ordnance Management Strategy [REP7-022] with the additional details provided in response to the request.</p> <p>b) Does the Applicant intend to establish the correct contact/s at the local police station and include these in the final Ordnance Management Strategy? If so, please could this commitment be added to the Outline Ordnance Management Strategy [REP7-022]?</p>
8.6.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.7].</p> <p>Requirement 13 (2)(b) in the draft DCO [REP7-001] states that construction work can take place outside of normal working hours, "for the disposal of ordnance where such disposal is urgently necessary in the interests of health and safety or the protection of life or property". This conflicts with the information provided within the Outline Ordnance Management Strategy [REP7-022, paragraph 3.4.4] which states that any EOD operations would be conducted within normal working hours. Please could the Applicant clarify?</p>
8.7.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 8.8].</p> <p>The Outline Ordnance Management Strategy [REP7-022] has not been updated to clarify the timings of the works which may be undertaken prior to the approval of the plan (i.e. prior to the construction of the development). Please could the Applicant's response [REP7-004, response to request 8.8] be reflected in the Outline Ordnance Management Strategy [REP7-022]?</p>
8.8.	Applicant	Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request

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		<p>8.9].</p> <p>a) Please could the Applicant clarify whether the definition of 'commence' in the draft DCO [REP7-001] constrains the ability to undertake the initial ordnance surveys at the early stage suggested?</p> <p>b) The Applicant's response [REP7-004, response to request 8.9] refers to the removal of UXO prior to the start of construction works. Would the draft DCO [REP7-001] restrict such works prior to the commencement of the construction period, as the process of removal would have to be agreed through the final OMS, and the EOD facility would have to be constructed before certain removal works could take place?</p> <p>c) If this is the case please could the Applicant clarify how the potential scope of the UXO investigation and removal works would not have any knock-on implications on the construction timescales?</p>
8.9.	Applicant	Please respond to the matters regarding ordnance raised in the representation from Jeff Taylor [REP7-052].
<b>9.</b>	<b>Air quality</b>	
9.1.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 9.3].</p> <p>Please update the Baseline Air Quality Management Plan [REP7-024, paragraph 1.3.1] and the Dust Control and Air Quality Management Plan [REP7-026] to clarify that the summary report at the end of the baseline monitoring period will be submitted to the relevant planning authority.</p>
9.2.	Applicant	<p>Ref: Applicant's [REP7-004] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 9.5].</p> <p>a) Please clarify how action trigger levels will be calculated and how they will relate to baseline dust deposition rates and baseline air pollutant concentrations, include this clarification in the Dust Control and Air Quality Management Plan [REP7-026] and please provide evidence to demonstrate that GC is satisfied with the proposed wording.</p> <p>b) If the Applicant does not intend to define the trigger levels at this stage, it is unclear how the ExA can be confident that the trigger levels will be within the limits of those assessed in the ES. Please could the Dust Control and Air Quality Management Plan [REP7-026] be updated to</p>

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		include a mechanism to ensure this does not exceed what was assessed in the ES and please provide evidence to demonstrate that GC is satisfied with the proposed wording?
9.3.	Applicant	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 9.7].</p> <p>a) Please could the need to agree the final blasting methods with the relevant planning authority be set out in the relevant management plan?</p> <p>b) Please could the applicant clarify the mitigation methods for dust deposition arising from blasting and ensure that these are secured in the Dust Control and Air Quality Management Plan [REP7-026]?</p> <p>c) Please could the process of considering alternatives to blasting be secured in the Dust Control and Air Quality Management Plan [REP7-026]?</p> <p>d) Where there is a risk that dust deposition limits could be exceeded during blasting, or other construction activities, please could the Dust Control and Air Quality Management Plan [REP7-026] set out a process for identifying alternative construction methods and for the decision on the preferred option to explicitly account for dust deposition impacts?</p> <p>e) Please could such a consideration of options be submitted to the relevant planning authority for approval before the relevant works progress?</p>
9.4.	Applicant	<p>Ref: Applicant's [REP7-004] responses to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 9.10].</p> <p>For the avoidance of doubt, please update the Dust Control and Air Quality Management Plan [REP7-026, paragraph 1.5.7] to clarify that the air quality monitoring data will be automatically provided to the relevant planning authority directly from the monitoring equipment in 'real time'. The paragraph currently states that the equipment has this facility, but does not state that it will be provided to the relevant planning authority.</p>
9.5.	Gwynedd Council	<p>Ref: Applicant's [REP7-004] response to ExA's rule 17 request of 20<sup>th</sup> July 2016 [PD-025, request 9.11].</p> <p>a) Please comment on the Applicant's statement that particulate matter size fraction PM2.5 is not suitable for use as a trigger criterion as it is an annual mean value.</p> <p>b) Should this metric be monitored?</p>

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		As the Air Quality Objective for PM2.5 does not come into legislation until 2020 Gwynedd Council are content with the monitoring of PM10.
<b>10. Other health impacts, safety and security</b>		
10.1.	Applicant	The Applicant [REP7-007, Schedule 1, Part 2, 5(6)] has not clarified the means by which adherence with ICNIRP guidelines is required [PD-023]. The Applicant has previously stated [REP5-005, response to question 11.1] that it would be secured in Requirement 5. However, this Requirement currently makes no reference to ICNIRP guidelines. Furthermore GC have stated [REP7-044, response to request 10.1] that non-ionizing radiation does not fall within its remit and as such would not be in a position to approve such matters as part of the detailed design. For the avoidance of doubt, please could the Applicant suggest how the commitment to comply with ICNIRP guidelines is explicitly secured by the draft DCO [REP7-001] and thereby clarify that this mitigation of potential health impacts is secured?
<b>11. Socio-economics, land use, accessibility, tourism and recreation</b>		
11.1.	Applicant	Paragraph 5.1.1 of TAN 20: Planning and the Welsh Language (2013) recognises that signs can have a very visible impact on the character of an area, including its linguistic character; and that they are also one method of promoting the distinctive culture of Wales, which is of significance both to the identity of individual communities as well as the tourism industry. Please could the Applicant clarify how the application supports TAN20, for example through the provision of bilingual signage during construction and operation, and please could it clarify how the relevant measures are secured?
11.2.	Applicant	Ref: GC's [REP7-044] response to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 11.1]. Please could the CoCP [REP7-012] be updated to require agreement with the relevant planning authority on the specification of both temporary and permanent public rights of way and compliance with BS5709 for gateways?
11.3.	Applicant	Ref: Applicant's [REP7-004] and GC's [REP7-044] responses to ExA's rule 17 request of 20 <sup>th</sup> July 2016 [PD-025, request 11.4]. Please suggest an update to the draft DCO [REP7001, Requirement 5] to secure mitigation for the

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		possibility of entrapment or snagging on the infrastructure in Llyn Padarn, incorporating GC's suggestions [REP7-044] and please provide evidence to demonstrate that the wording has been agreed with GC.
11.4.	Applicant	Please respond to the matters raised in the representation from Glyn Peris Guest House [REP7-051].
11.5.	Applicant	Please respond to the matters raised in the representation from Jane and Mads Huuse [REP8-004] regarding the proposed " <i>land swap</i> ".
11.6.	Applicant	<p>Please could the Applicant either provide an update to its Common, Access Land and Public Rights of Way Strategy [APP-049] to address any changes since the start of the examination, following voluntary agreements on land acquisitions for example, or otherwise provide a summary statement to address the following matters for common and access land:</p> <ul style="list-style-type: none"> <li>• changes proposed to temporary or permanent rights required for the construction or operation of the proposed development;</li> <li>• reasons for the changes and consideration of alternatives;</li> <li>• proposals to provide mitigation or exchange land;</li> <li>• consideration of the equivalence of mitigation or exchange land;</li> <li>• evidence that any mitigation or exchange land is secured and provided with the necessary rights; and</li> <li>• evidence that the necessary rights are not already in place for the proposed mitigation or exchange land.</li> </ul>
11.7.	Applicant	<p>a) Responding to a suggestion provided by the Snowdonia Society from the Open Space Society [REP4-039] about derestricting the forested land, the Applicant stated [REP5-006, page 10-12] that dedication under S16 CRoW Act is a separate process. In order to give any weight to the proposal to provide exchange or mitigation land for open space access land, the ExA needs to be satisfied that its dedication as access land under s16 will go ahead. Please could the Applicant comment?</p> <p>b) The draft DCO [REP7-001] describes Work 1H as authorised development (the small area of replacement land for the former Plot 65 required for highway purposes) but otherwise the only express references to Work 1H are in Article 19 and Requirement 14. Should Article 9 include a definition of "<i>access land</i>"?</p>

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		<p>c) Similarly, the draft DCO [REP7-001] does not contain provision for what is described in the Common, Access Land and Public Rights of Way Strategy [APP-049] as "<i>CROW Mitigation Land (64.8 Acres)</i>". How is this to be secured (and dedicated)?</p> <p>d) The Snowdonia Society stated [REP4-039] that the Ordnance Survey map shows the mitigation land as already access land. The Applicant has disagreed [REP5-006, page 10-11]. Please could the Applicant provide the relevant access land map or other evidence to support its view?</p>

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