

# SCOPING OPINION

## Proposed North Wales Connection



July 2016



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## EXECUTIVE SUMMARY

This is the Scoping Opinion ('the Opinion') provided by the Secretary of State in respect of the content of the Environmental Statement for the North Wales Connection project in Anglesey and Gwynedd, Wales.

This report sets out the Secretary of State's Opinion on the basis of the information provided in National Grid Electricity Transmission Plc's report entitled North Wales Connection Environmental Impact Assessment Scoping Report (May 2016) ('the Scoping Report'). The Opinion can only reflect the proposals as currently described by the Applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- landscape and visual effects;
- temporary and permanent impacts to agriculture;
- traffic and transport during construction; and
- disturbance/loss of ecological habitats.

Matters are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Secretary of State.

The Secretary of State notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations).



# 1 INTRODUCTION

## Background

- 1.1 On 23 May 2016, the Secretary of State received a Scoping Report submitted by National Grid Electricity Transmission Plc ('the Applicant') under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) ('the EIA Regulations') in order to request a scoping opinion for the proposed North Wales Connection ('the proposed development'). This Opinion is made in response to the request and should be read in conjunction with the Applicant's Scoping Report.
- 1.2 The Applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations, the proposed development is determined to be EIA development.
- 1.3 The EIA Regulations enable an Applicant, before making an application for an order granting development consent, to ask the Secretary of State to state in writing their formal opinion (a 'scoping opinion') on the information to be provided in the environmental statement (ES).
- 1.4 Before adopting a scoping opinion the Secretary of State must take into account:
- (a) *the specific characteristics of the particular development;*
  - (b) *the specific characteristics of the development of the type concerned; and*
  - (c) *environmental features likely to be affected by the development'.*
- (EIA Regulation 8 (9))*
- 1.5 This Opinion sets out what information the Secretary of State considers should be included in the ES for the proposed development. The Opinion has taken account of:
- the EIA Regulations;
  - the nature and scale of the proposed development;
  - the nature of the receiving environment; and
  - current best practice in the preparation of an ES.
- 1.6 The Secretary of State has also taken account of the responses received from the statutory consultees (see Appendix 3 of this Opinion). The matters addressed by the Applicant have been carefully considered and use has been made of professional judgement and

experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Secretary of State will take account of relevant legislation and guidelines (as appropriate). The Secretary of State will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application when considering the application for a development consent order (DCO).

1.7 This Opinion should not be construed as implying that the Secretary of State agrees with the information or comments provided by the Applicant in their request for an opinion from the Secretary of State. In particular, comments from the Secretary of State in this Opinion are without prejudice to any decision taken by the Secretary of State (following submission of the application) that any development identified by the Applicant is necessarily to be treated as part of the nationally significant infrastructure project (NSIP), or through a separate consent regime where required.

1.8 Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include:

- (a) a plan sufficient to identify the land;*
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment;*  
*and*
- (c) such other information or representations as the person making the request may wish to provide or make.*

*(EIA Regulation 8 (3))*

1.9 The Secretary of State considers that this has been provided in the Applicant's Scoping Report.

## **The Secretary of State's Consultation**

1.10 The Secretary of State has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 2. A list has also been compiled by the Secretary of State under their duty to notify the consultation bodies in accordance with Regulation 9(1)(a). The Applicant should note that whilst the Secretary of State's list can inform their consultation, it should not be relied upon for that purpose.

1.11 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2, along with copies of their comments at Appendix 3, to which the Applicant should refer in undertaking the EIA.



- 1.12 The Secretary of State has received a consultation response from Mechell Community Council written in the Welsh language. This is provided at Appendix 3 of this Opinion and covers the issues of the local tourist industry, house values and electromagnetic fields.
- 1.13 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.14 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Planning Inspectorate's website. The Applicant should also give due consideration to those comments in carrying out the EIA.

## Structure of the Document

- 1.15 This Opinion is structured as follows:
- **Section 1** – Introduction;
  - **Section 2** – The proposed development;
  - **Section 3** – EIA approach and topic areas; and
  - **Section 4** – Other information.
- 1.16 This Opinion is accompanied by the following Appendices:
- **Appendix 1** – Presentation of the environmental statement;
  - **Appendix 2** – List of bodies formally consulted; and
  - **Appendix 3** – Respondents to consultation and copies of replies.

## 2 THE PROPOSED DEVELOPMENT

### Introduction

- 2.1 The following is a summary of the information on the proposed development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.

### The Applicant's Information

#### Overview of the proposed development

- 2.2 The proposed development is for a new 400 kilovolt (kV) connection between an existing substation at Wylfa on Anglesey and an existing National Grid substation at Pentir in Gwynedd. The connection would facilitate the export of power from the proposed Wylfa Newydd Generating Station (which does not form part of the proposed development) to the National Grid.
- 2.3 There is an existing 400kV overhead electricity line which connects the existing Wylfa power station to the existing substation at Pentir. However a second connection is required as only 1,800MW of power generation can be allowed on any single overhead line and the Wylfa Newydd Generating station is proposed to have a total output of 2,800MW.
- 2.4 In summary, the proposed development would include:
- construction of approximately 30km of 400kV transmission line (including transpositions) between Wylfa and Pentir, which would primarily comprise overhead lines on pylons but would also include:
    - underground cables (locations have not been identified) installed by either direct burial/trenching, horizontal directional drilling (HDD), a cable tunnel or pipe jacking/micro-tunnelling;
    - crossing the Menai Strait - the options described in paragraph 2.6.8 of the Scoping Report are going under the Strait or integrating cable into the deck of the Britannia Bridge;
  - sealing end compounds (SECs) to provide the point of connection between overhead lines and underground cables, each approximately 70m x 40m with a terminal overhead line pylon approximately 13m high, a control room and a permanent access road;

- two tunnel head houses (if a tunnel option is used for crossing the Menai Strait) each approximately 20m x 20m and 7m high with a permanent access road;
  - upgrade works at the existing Wylfa substation and an extension to the existing substation at Pentir; and
  - enabling works, including laydown areas, construction compounds and highway works.
- 2.5 The precise route of the electrical connection and locations of the pylons have not yet been determined; therefore the Scoping Report presents a Scoping Study Area (also referred to in the Scoping Report as a 'Scoping Corridor') as illustrated on Figure 2.1. This encompasses all potential route options, search areas for SECs and cable crossing options. It includes all land to be used for construction accesses, laydown areas and construction compounds. The Scoping Report confirms that the proposed development is subject to further consultation and development.
- 2.6 Figure 2.1 of the Scoping Report identifies five search areas for the SECs on both the Anglesey side (three options) and Gwynedd side (two options) of the Menai Strait.
- 2.7 The locations of the tunnel head houses (if required) have not been determined at this stage.
- 2.8 Further details of the proposed development are provided in Section 2.6 of the Scoping Report.

*'Wider Works'*

- 2.9 In addition to the works detailed above, work is also required to strengthen the National Grid's existing electricity network between Pentir and Trawsfynydd in Gwynedd. These works would ensure that all the power generation in North Wales can be accommodated on the transmission system following the connection of Wylfa Newydd generating station. They are referred to by the Applicant as 'Wider Works' which do not form part of the proposed development and would be consented either as permitted development or under the Town and Country Planning Act 1990. A description of the Wider Works is provided in paragraph 1.3.9 and shown on Figure 17.1 of the Scoping Report.

**Description of the site and surrounding area**

*The Application Site*

- 2.10 The Scoping Study Area covers a corridor from Wylfa Power Station in the north of Anglesey to Pentir substation in the north of Gwynedd. The route generally follows that of the existing overhead line described above.

- 2.11 It is a predominantly rural area which encompasses a number of small settlements and individual houses/farmhouses, as well as a number of roads, watercourses, drains and ponds. The Scoping Study Area broadens at the southern end where it crosses the Menai Strait. Here, it encompasses larger settlements; a railway; and a number of roads including the A55, the Menai Bridge and the Britannia Bridge.
- 2.12 Eight Public Rights of Way (PRoWs), the Wales Coast Path, and National Cycle Routes 5, 8 and 566 pass through the Scoping Study Area.
- 2.13 The Anglesey Area of Outstanding Natural Beauty (AONB) overlaps (by approximately 500m) the eastern edge of the Scoping Study Area at Maenaddwyn.
- 2.14 Statutory and non-statutory ecologically designated sites within the Scoping Study Area and a 2km buffer surrounding the site are shown on Figures 6.1 and 6.2 of the Scoping Report. The following designated sites are located within the Scoping Study Area:
- Tre'r Gof Site of Special Scientific Interest (SSSI);
  - Llyn Alaw SSSI;
  - Corsydd Môn a Llyn / Anglesey and Llyn Fens Ramsar site;
  - Corsydd Mon / Anglesey Fens Special Area of Conservation (SAC);
  - Cors Erddreiniog SSSI;
  - Cors Erddreiniog National Nature Reserve (NNR);
  - Caeau Talwrn SSSI;
  - Coedydd Afon Menai SSSI;
  - Glannau Porthaethwy SSSI;
  - Y Fenai a Bae Conwy / Menai Strait and Conwy Bay SAC; and
  - Sgistiau Glas Ynys Mon SSSI (geological).
- 2.15 Within the Scoping Corridor there are 25 Scheduled Ancient Monuments (SAMs), 223 Listed Buildings (four Grade I, 17 Grade II\*, and 202 Grade II), two Registered Parks and Gardens (RPGs), four Conservation Areas, one Designated Wreck Site, one Registered Landscape of Outstanding Historic Interest (LoHI), and 651 non-designated heritage assets. Designated heritage assets are listed in Appendix 7.1 and shown on Figure 7.1 of the Scoping Report.
- 2.16 The Scoping Study Area crosses areas of Flood Zones 1, 2 and 3; these are shown on Figure 9.3 of the Scoping Report.
- 2.17 The Scoping Study Area falls entirely within the Western Wales River Basin District (RBD) and crosses the Alaw and Cefni Reservoir Catchment and Drinking Water Protected Areas.

- 2.18 The majority of the Scoping Study Area is underlain by an aquifer, as shown in Figure 8.3 of the Scoping Report.
- 2.19 The Scoping Study Area crosses a Coal Mining Report Area, Surface Coal Resource Area and Development High Risk Area to the east of Llangefni.
- 2.20 Agricultural land classification (ALC) within the Scoping Study Area varies from Grade 2 (very good quality) to Grade 5 (very poor quality). A number of land parcels within the Scoping Study Area participate in an Agri-Environmental Scheme (AES).
- 2.21 A number of potentially contaminative land uses have been identified in Section 5 of the Scoping Study Area (at the southern end around the Menai Strait); these are detailed in paragraphs 8.5.44-8.5.45 and illustrated on Figure 8.6-8.15 of the Scoping Report.

#### *The Surrounding Area*

- 2.22 Snowdonia National Park lies approximately 7km to the south-east of the existing Pentir substation. Mount Snowdon is approximately 16km from the proposed development at its nearest point.
- 2.23 Within Anglesey, the overhead line is located close to Plas Newydd RPG. Within Gwynedd, the overhead line is located immediately adjacent to Vaynol RPG.

#### **Alternatives**

- 2.24 Section 2 of the Scoping Report details how the proposed development has evolved and the alternatives that have been considered. It provides details of the following reports:
- Strategic options report (2012 and revised in January 2015);
  - Route Corridor Options Report (October 2012);
  - Preferred Route Corridor Report (January 2015); and
  - Wylfa to Pentir Options Report (October 2015).
- 2.25 The Scoping Report details how the environmental effects of alternative options were taken into consideration in all of these reports.

#### **Proposed access**

- 2.26 Temporary access tracks would be required to the site of each pylon base area. Access would be either from existing accesses (which may need to be widened) or temporary new accesses.

- 2.27 Where access routes cross watercourses, permanent or temporary culverts would be installed if existing bridges or culverts are unsuitable. Free-span bridges might be required in some locations.

### **Construction**

- 2.28 Construction of the overhead line is detailed in Section 2.7 of the Scoping Report. It is anticipated to commence in 2019 and be completed by 2025.
- 2.29 Construction would require the preparation of construction compounds and temporary access roads to each pylon site and the construction of temporary stone pads adjacent to each new pylon. Some temporary scaffolding would be required to protect roads, railways, PRowS and distribution network overhead lines which would be crossed by the new line.
- 2.30 Pylon foundations would be piled or excavated and would comprise steelwork encased in pre-mixed concrete. The steelwork for the pylons would be delivered in pre-constructed sections and assembled on site using a mobile crane. The wires (conductors) would be installed using a pulling machine at a pulling site, or using a helicopter where it is not possible to run the pilot wires from ground level.
- 2.31 Post construction, temporary access tracks and the working areas at the pylon site would be removed and soil restored to their previous condition.
- 2.32 Installation of the underground cables would be by direct burial (trenching); HDD; a bored tunnel with a diameter of approximately 4-5m; or pipe jacking/micro-tunnelling. These methods are detailed in Section 2.8 of the Scoping Report.
- 2.33 Low level directional lighting would be used where necessary during core working hours and for any works undertaken outside of the normal working hours.
- 2.34 Appendix 4.1 of the Scoping Report comprises a draft Construction Environmental Management Plan (CEMP). This outlines the contractors' approach to environmental management throughout the construction phase.
- 2.35 The draft CEMP identifies the core working hours as between the hours of 0700 to 1900 hours Monday to Saturday and between 0700 and 1700 hours on Sundays. Some works would be required outside of these core hours, for example activities that require continuous 24 hour operations such as tunnelling, HDD and test activities.
- 2.36 The number of jobs likely to be created during the construction phase has not been stated within the Scoping Report.

### **Operation and maintenance**

- 2.37 The life expectancy of the overhead line elements of the proposed development are:
- pylons - approximately 80 years;
  - conductors - approximately 60 years; and
  - insulators and fittings – approximately 25-50 years.
- 2.38 The overhead line would be annually inspected from the ground or by helicopter.
- 2.39 Refurbishment works could involve:
- replacement of conductors and earth wire;
  - replacement of insulators and steelwork that holds the conductors and insulators in place, and conductor fittings; and
  - painting or replacement of the pylon steelwork.
- 2.40 Temporary works including access routes and scaffolding to protect roads would be required for refurbishment activities.
- 2.41 Underground cables would have a life expectancy of 40-50 years and would be monitored via fibre optic cables installed within them. Cables within a tunnel would be visually inspected at least annually, with access gained from the tunnel head houses.
- 2.42 Maintenance checks of the tunnel head houses would be undertaken at intervals of 3, 6 and 12 months. The lifespan of the tunnel head houses has not been provided within the Scoping Report.
- 2.43 The SECs have a lifespan of approximately 40 years, with relays in the control building typically lasting 15 years. Refurbishment/replacement works at the SECs would take place when required.
- 2.44 The number of jobs likely to be created during the operational phase has not been stated within the Scoping Report.

### **Decommissioning**

- 2.45 If the connection is no longer required, the overhead line would likely be removed with much of the material taken for recycling. Similar access would be required as outlined for construction.
- 2.46 Any redundant underground cables would be removed, or left in-situ if it is considered that this would result in lesser environmental effects. Similar access and methods would be required as outlined for construction. Cables would be removed from the tunnel (if used) and the shafts backfilled; the tunnel would remain in-situ.

- 2.47 The SECs would be removed and taken for recycling at the end of their useful life.

## The Secretary of State's Comments

### Description of the proposed development

- 2.48 It is understood that at this stage in the evolution of the proposed development, the exact cable route and siting of specific infrastructure elements are not yet confirmed and therefore a broad indicative route corridor has been identified within the Scoping Report. The Applicant should ensure that the description of the proposed development for which an application is made is as accurate and firm as possible as this will form the basis of the environmental impact assessment. The description of the proposed development in the ES must be sufficiently certain to meet the requirements of Paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.
- 2.49 At this stage, Figure 1.1 of the Scoping Report does not differentiate between permanent and temporary land take. The Secretary of State would expect the description of the proposed development within the ES (including relevant figures) to clearly differentiate between land that is to be temporarily or permanently affected.
- 2.50 The Secretary of State recommends that the ES should include a clear and discrete description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:
- details of any site preparation required;
  - land use requirements, including (but not limited to) the locations and dimensions of;
    - accesses and bridges (temporary or permanent);
    - construction compounds;
    - any underground works (if required);
    - the individual pylons and associated works;
    - the SECs;
    - tunnel head houses;
    - works required to connect to the substations;
    - any landscaping works (e.g. mitigation around the SECs as noted in paragraph 2.9.6 of the Scoping Report);
  - details of the modifications required to existing substations at Wylfa and Pentir;
  - transport routes; and



- likely emissions – including water, air and soil pollution, noise, vibration, light, heat, radiation.
- 2.51 The Applicant should ensure that the project description is consistent across all technical topics.
- 2.52 As noted above, the Secretary of State would expect the ES to provide dimensions of the pylons to be constructed. This would include maximum heights and widths of the steel work itself, along with details of the foundations that would be required at each pylon location.
- 2.53 The Secretary of State acknowledges that some flexibility would need to be retained for micro-siting of pylons, but would expect the proposed locations to be identified within the ES along with any limits of deviation (LoD) required (both laterally and vertically, i.e. in terms of the depths of foundations). See below in this Opinion for further comments regarding flexibility.
- 2.54 Detailed information regarding the pylons will be important for ensuring a robust assessment of the 'worst' case scenario has been undertaken. This will be particularly relevant for the assessments of landscape and visual impacts; geology, hydrogeology and ground conditions and flood risk; and agriculture.
- 2.55 The Scoping Report refers to "*areas of potential line transpositions (i.e. the area between the lines considered for swap over)*", but does not provide any further details as to what these works would comprise and the potential locations. The Secretary of State understands that transpositions would be required because the existing 400kv single overhead line would be retained and in some locations it would be crossed by the proposed overhead line. To avoid the proposed and existing overhead lines from crossing one another, some new transmission line would be installed on existing pylons and some extant transmission line from the existing overhead line would be relocated to the proposed new pylons. The ES should identify where transposition would take place and the construction methodologies required.
- 2.56 The project description in paragraph 2.6.2 of the Scoping Report states that the Menai Strait would be crossed by installing underground cables. However, paragraph 2.6.8 of the Scoping Report refers to integrating the cables into the Britannia Bridge which the Secretary of State has assumed is the same as the "*bridge deck crossing*" method referred to in paragraph 9.7.14 and within the Scoping Report scoping summary tables. However, a clear description of this method has not been provided. If the bridge deck installation method is to be used, this information and an assessment of the likely effects should be provided within the ES.

- 2.57 The Secretary of State is aware that the Wales Bill<sup>1</sup> (June 2016) currently includes provision allowing for associated development to be included within applications for development consent for electric lines. If these provisions are enacted, and depending on the timeframes for this, it could enable the Applicant to include associated development within their DCO application. It would be for the Applicant to decide the appropriate content of their DCO application and consider and review any relevant legislative changes as and when they occur; when determining the DCO application the relevant Secretary of State will decide whether or not development should be treated as associated development. The Secretary of State notes that all works included within the DCO application should be reflected within the project description of the ES and appropriately assessed.
- 2.58 The ES should describe proposals for handling different types of topsoil and subsoil and provide details relating to their management and storage.
- 2.59 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and procedures for storing and transporting waste off site. All waste types should be quantified and classified. The Applicant's attention is drawn to the comments of Natural Resources Wales (NRW) (see Appendix 3 of this Opinion) in this regard.
- 2.60 The Secretary of State welcomes the inclusion of a figure identifying the locations of the Wider Works in the Scoping Report and recommends this information is also provided in the ES to assist readers in understanding the relationship between the proposed development and the Wider Works which are also necessary.

*Underground cables*

- 2.61 Paragraph 2.4.14 of the Scoping Report states that the 'Preferred Route Corridor Report' concluded that cables would be installed underground through the Anglesey AONB and across the Menai Strait. However, there is no further reference within the Scoping Report to undergrounding within the Anglesey AONB. The project description in paragraph 2.6.2 only refers to underground cables in relation to the Menai Strait and the landscape and visual scoping summary tables (Appendix 5.3 of the Scoping Report) have scoped in the operational effects of the overhead line within the AONB. The Secretary of State would expect the ES to clearly identify the locations of all underground cabling; to detail the temporary land take required; and to describe the chosen construction methodologies to be utilised.

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<sup>1</sup> <http://www.publications.parliament.uk/pa/bills/cbill/2016-2017/0005/17005.pdf>

- 2.62 In relation to the AONB, the Secretary of State would welcome the consideration of methods which would reduce the potential impact on this nationally important landscape designation.
- 2.63 The Scoping Report glossary explains that SECs are required for transitions between overhead line and underground cables; the Secretary of State assumes that if there will be undergrounding in the Anglesey AONB (as implied by paragraph 2.4.14 of the Scoping Report), SECs would be required at either end of such undergrounding. However, the Scoping Report only identifies search areas for SECs around the Menai Strait (Figure 2.1). The locations of all SECs should be clearly identified within the ES and the potential impacts assessed accordingly.
- 2.64 The Secretary of State is unclear as to exactly which "*undergrounding*" construction methods are options for crossing the Menai Strait. There are numerous references throughout the Scoping Report to "*if*" tunnelling is selected but there is no clear reference as to what the alternative option(s) is/are. Paragraph 9.6.4 refers to "*direct burial*" across the Menai Strait, yet paragraph 6.6.100 states that the "*direct burial of cables on the sea bed has been discounted as a crossing method*". For the purposes of this Opinion, the Secretary of State has therefore assumed that in addition to the option of integrating cables into the Britannia Bridge, the Menai Strait could be crossed by either direct burial (trenching in the sea bed or horizontal directional drilling) or tunnelling (bored tunnel or pipe jacking/micro tunnelling).
- 2.65 The Secretary of State notes that the crossing method is yet to be confirmed, however considers it would have been more helpful for consultees if the Scoping Report had clearly set out the options for crossing the Menai Strait in the project description and expects the construction methodology to be determined by the time of application. The Applicant should ensure that the chosen construction methodology is clearly identified and described within the ES, including the locations and dimensions across the length of the proposed development.

#### *Flexibility*

- 2.66 The Secretary of State notes the comments in section 4.4 of the Scoping Report regarding the 'Rochdale Envelope Approach' and reference to the Planning Inspectorate Advice Note 9 'Rochdale Envelope'. Whilst the statement at paragraph 4.4.7 of the Scoping Report that it "*is for the decision maker, in granting consent, to impose conditions to ensure that the further evolution of the design keeps within the parameters consented and assessed*" is noted, the Secretary of State still expects the Applicant to make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons.

- 2.67 At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.
- 2.68 In employing the Rochdale Envelope approach, the ES should clearly set out the parameters to be assessed and where flexibility is required, this should be justified.
- 2.69 The Applicant's attention is drawn to the joint comments of the Isle of Anglesey County Council (IACC) and Gwynedd Council (GC) ('the Councils') regarding the Rochdale Envelope approach in Appendix 3 of this Opinion.
- 2.70 It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the Applicant may wish to consider the need to request a new scoping opinion.

#### **Description of the application site and surrounding area**

- 2.71 In addition to detailed baseline information to be provided within topic-specific chapters of the ES, the Secretary of State would expect the ES to include a separate section that summarises the site and surroundings. The ES should identify the context of the proposed development, any relevant designations, and sensitive receptors.
- 2.72 In accordance with NPS EN-1, the ES should identify existing and proposed land uses near the project. The ES should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off-site mitigation or compensation schemes.
- 2.73 The Secretary of State notes that the northerly part of the Scoping Study Area encompasses the marine area at Cemaes Bay. The Secretary of State has assumed for the purposes of scoping that, due to the nature of the proposed development, the inclusion of marine areas in the northern part of the Scoping Study Area has resulted from a broadly drawn Scoping Study Area and that the proposed development would not encroach into the marine environment in this location.

### **Proposed access**

- 2.74 The ES should clearly identify the locations of all temporary and permanent accesses required for all phases of the proposed development. To inform the assessment process the ES should describe and illustrate the likely nature and characteristics (e.g. size, design, duration) of any structures or activities associated with these works.
- 2.75 The ES should also identify transport routes on the wider network for construction and operational traffic and also for any vehicles carrying abnormal indivisible loads (AIL). Any alterations required to the existing road network to accommodate any AIL should be identified.
- 2.76 The Scoping Report states that accesses used for construction may remain in place at the request of the landowner, following completion of construction. The ES should identify and assess the impact of accesses which would be removed after construction and which would be retained.

### **Alternatives**

- 2.77 The EIA Regulations require that the Applicant provide 'An outline of the main alternatives studied by the Applicant and an indication of the main reasons for the Applicant's choice, taking into account the environmental effects' (see Appendix 1 of this Opinion for further information on alternatives).
- 2.78 The Secretary of State welcomes the explanation within the Scoping Report of how environmental effects were taken into consideration when assessing alternative options during the evolution of the proposed development and recommends that this information is included within the ES. If relied upon to detail how alternatives have been considered, the optioneering documents referred to should be available either as an appendix to the ES or from an online resource. The ES should also detail how the Scoping Study Area presented within the Scoping Report is further refined to form the route alignment for which an application is made.
- 2.79 It would be useful if the ES contained figures identifying the locations of the strategic options and the route corridor options which are described in Sections 2.2 and 2.3 of the Scoping Report.

### **Construction**

- 2.80 The Secretary of State welcomes the descriptions of construction methodologies provided within the Scoping Report and recommends that similar detail is provided within the ES for the different elements of the proposed development. The Secretary of State would expect the following information to be provided:
- number of vehicle movements (both HGVs and staff);

- locations and sizes of construction compounds;
- types of plant and machinery;
- number of workers; and
- lighting requirements.

- 2.81 The Scoping Report identifies a 6 year construction programme. The ES should indicate when the main construction activities are proposed to take place and whether construction would be phased. If it is assumed that construction of an individual pylon would take a discrete amount of time, after which rapid reinstatement of that land would take place, the Secretary of State would expect the Applicant to demonstrate how this is secured within the DCO. If the Applicant is seeking flexibility during construction then the ES should assess a worst case of the entire route remaining as a construction site for the 6 year construction period.
- 2.82 The Secretary of State notes that some construction activities would require continuous 24 hour working. The locations and types of such activities should be identified within the ES. As above, if the Applicant is seeking flexibility during construction then the ES should assess a worst case of 24 hour working.
- 2.83 Paragraph 15.6.28 of the Scoping Report refers to working methods and techniques to protect topsoil which includes limiting soil operations to the months of April to September. The Applicant should ensure that this is taken into account in the project programme presented within the ES.
- 2.84 The Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) in relation to the proposed construction working hours.

### **Operation and maintenance**

- 2.85 Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as:
- the number of full/part-time jobs;
  - the operational hours and if appropriate, shift patterns;
  - the number and types of vehicle movements generated during the operational stage; and
  - maintenance activities.

### **Decommissioning**

- 2.86 The Secretary of State welcomes that decommissioning will be assessed within the ES.

## **3 EIA APPROACH AND TOPIC AREAS**

### **Introduction**

- 3.1 This section contains the Secretary of State's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 1 of this Opinion and should be read in conjunction with this section.

### **EU Directive 2014/52/EU**

- 3.2 The Secretary of State draws the Applicant's attention to EU Directive 2014/52/EU (amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment) which was made in April 2014.
- 3.3 Under the terms of the 2014/52/EU Directive, Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 16 May 2017.
- 3.4 Whilst transitional provisions will apply to such new regulations, the Applicant is advised to consider the effect of the implementation of the revised Directive in terms of the production and content of the ES.
- 3.5 On 23 June 2016, the UK held a referendum and voted to leave the European Union. There is no immediate change to infrastructure legislation or policy. Relevant EU Directives have been translated into UK law and those are unchanged until amended by Parliament.

### **National Policy Statements (NPSs)**

- 3.6 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendations to the Secretary of State and include the Government's objectives for the development of NSIPs.
- 3.7 The relevant NPSs for the proposed development are 'The Overarching NPS for Energy' (EN-1) and 'The NPS for Electricity Networks Infrastructure' (EN-5). These set out both the generic and technology-specific impacts that should be considered in the EIA for the proposed development. When undertaking the EIA, the Applicant must have regard to both the generic and technology-specific impacts and identify how these impacts have been assessed in the ES.
- 3.8 The Secretary of State welcomes that the Scoping Report has set out how the ES will comply with the relevant requirements of NPS EN-1 and EN-5 and recommends that this information is also provided

within the ES. The Secretary of State advises the Applicant to ensure that they have addressed all of the 'generic impacts' identified in Section 5 of EN-1 and the technology-specific advice in part 2 of EN-5. For clarity, where the Applicant determines that there is no potential for any of the effects detailed in the NPSs, this should be detailed in the ES to demonstrate that these effects have not been overlooked.

## **Environmental Statement Approach**

- 3.9 Paragraph 1.2.4 and Table 1.2 of the Scoping Report refer to a request for a scoping opinion under Regulation 13(2) of the "2016 EIA Regulations". The Secretary of State assumes that this is an error and should refer to Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended). Similarly, Chapter 5 'Landscape and Visual Assessment' makes reference to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 which are not the correct regulations for proposed development seeking a DCO. The Applicant should ensure that all DCO application documents including the ES refer to the correct primary and secondary legislation.
- 3.10 The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be established on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.
- 3.11 The ES should detail the assessment methodologies employed and clearly explain how judgements have been reached. Any departures from standard methodology for specific technical assessments should be identified.
- 3.12 The Secretary of State welcomes the approach to defining the significance of effect based on receptor sensitivity/value and magnitude of effect; however, a number of discrepancies are noted in how this would be applied. For example, Chapter 4 'Approach and Method' of the Scoping Report identifies four levels of example criteria for determining receptor value/sensitivity in Table 4.1 'Example Criteria to Assess the Sensitivity of Feature' (i.e. very high; high; medium; low/negligible); these do not equate to the four levels of sensitivity detailed in Table 4.3 'Classification of Effects' (i.e. high; medium; low; very low). The Applicant should take care to ensure that a consistent approach and terminology is used for the assessment within the ES. The Secretary of State has noted a number of similar discrepancies within the technical sections of the



Scoping Report and has made comments under the relevant topic headings below.

- 3.13 The Secretary of State welcomes that the future baseline will be identified within the ES for all technical topics. The Applicant should take care not to confuse the future baseline with the cumulative assessment.
- 3.14 The Secretary of State notes the categorisation of mitigation measures as Control and Management Measures, Mitigation by Design, or Mitigation Measures (as proposed in paragraphs 4.3.20-4.3.21 of the Scoping Report). The Applicant should ensure that all mitigation relied upon within the ES is secured and clearly deliverable either directly within the draft DCO through the description of the authorised development; by a direct requirement; through a management plan to be secured via a requirement; or via a separate but legally robust agreement.
- 3.15 If mitigation is to be secured as part of a management plan, the Applicant should ensure that sufficient detail of the mitigation measure(s) to be undertaken is provided within the ES, i.e. only referencing the required plans/strategies in the ES will not be sufficient. It would be useful for the ES to clearly cross-reference mitigation to the relevant draft DCO requirement or mitigation reference(s) within a draft management plan; this will give assurances that all mitigation proposed in the ES is capable of being adequately secured.
- 3.16 In this regard, the Secretary of State welcomes the proposal for a CEMP and that an initial draft has been provided in Appendix 4.1 of the Scoping Report. The Secretary of State expects the CEMP to evolve, in consultation with relevant consultees, during the pre-application stage as the detail of the proposed development becomes clearer and the EIA is progressed. A detailed draft of the CEMP should be provided with the application and the Applicant should ensure the CEMP is adequately secured within the draft DCO. The Applicant's attention is drawn to the comments of the Councils and NRW in relation to the CEMP (see Appendix 3 of this Opinion).
- 3.17 The Secretary of State welcomes the consideration of cumulative effects and the intention to use the Planning Inspectorate's Advice note 17. Table 4.6 of the Scoping Report identifies major developments to be considered in the inter-project cumulative effects assessment (CEA). This identifies Glyn Rhonwy Pumped Storage project as Tier 2; however, as a DCO application for this project has been made and is likely to be determined before submission of the application for the proposed development, the Secretary of State considers that this should be Tier 1.
- 3.18 In addition to the projects identified in the Scoping Report, the Secretary of State is aware from the Wylfa Newydd Project Scoping

Report<sup>2</sup> of a number of additional schemes in the vicinity which have the potential to interact with the proposed development. The Secretary of State recommends that the Applicant agrees the developments to be considered in the cumulative effects assessment with relevant consultees, including the local authorities and Natural Resources Wales (NRW).

- 3.19 The proposal to assess intra-project effects is also welcomed by the Secretary of State, as is the proposed 'Statement of Combined Effects' to consider the Wider Works which together with the proposed development form the project as a whole. Whilst the Wider Works will not form part of the DCO, it is important that the overall impacts of the project as a whole are assessed and the effects are understood (i.e. the NSIP and the Wider Works) as this will need to be considered by the Secretary of State.
- 3.20 The Secretary of State draws the Applicant's attention to the Councils' joint response on the importance of the Welsh Language being considered throughout the EIA process (see Appendix 3 of this Scoping Opinion).
- 3.21 The Secretary of State recommends that in order to assist the decision-making process, the Applicant may wish to consider the use of tables:
- (a) to demonstrate how the assessment has taken account of this Opinion and other responses to consultation;
  - (b) to set out the mitigation measures proposed - as well as assisting the reader, the Secretary of State considers that this would also enable the Applicant to cross-refer mitigation to specific provisions proposed to be included within the draft DCO;
  - (c) to identify and collate the residual impacts following mitigation on the basis of the specialist topics, inter-relationships and cumulative impacts; and
  - (d) to cross-reference where details in the Habitats Regulations Assessment (HRA) Report (where one is provided), such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

### **Consultation**

- 3.22 The information provided in the Scoping Report sets out the proposed approach to the preparation of the ES. Whilst early engagement on

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<sup>2</sup> Available on the Planning Inspectorate's webpage at <https://infrastructure.planninginspectorate.gov.uk/projects/wales/wylfa-newydd-nuclear-power-station/?ipcsection=docs>

the scope of the ES is to be welcomed, the Secretary of State notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the Secretary of State or the consultees.

- 3.23 The Secretary of State notes and welcomes the intention to finalise the scope of investigations in conjunction with ongoing stakeholder liaison and consultation with the relevant regulatory authorities and their advisors. The ES should clearly identify how pre-application consultation responses have been taken into account.

## **Environmental Statement Structure**

- 3.24 Section 4.5 of the Scoping Report sets out the proposed structure of the ES as:

- Introduction;
- Proposed Project Development and Alternatives;
- Proposed Project Description;
- EIA Consultation;
- EIA Process;
- Technical Chapters;
  - Landscape;
  - Visual;
  - Ecology and Nature Conservation;
  - Historic Environment;
  - Geology, Hydrogeology and Ground Conditions;
  - Water Quality, Resources and Flood Risk;
  - Traffic and Transport;
  - Air Quality and Emissions;
  - Construction Noise and Vibration;
  - Operational Noise and Vibration;
  - Socio-Economics;
  - Agriculture;
- Cumulative Effects Assessment;
- Statement of Combined Effects;
- Conclusions; and
- Technical Appendices.

- 3.25 The Secretary of State welcomes that a consistent structure will be applied to the technical chapters, as noted in paragraph 4.5.1 of the Scoping Report.
- 3.26 As noted above, the Secretary of State considers it would be useful to include a separate chapter setting out a description of the application site and the surrounding area.
- 3.27 The Applicant is reminded of the need to produce a non-technical summary (NTS) as part of the ES.

### **Matters to be Scoped In/Out**

- 3.28 Matters are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Secretary of State.
- 3.29 The Scoping Report has proposed to scope out a number of matters which are discussed below. Whilst the Secretary of State has not agreed to scope out all matters, this is on the basis of the information available at this time. This does not preclude the Applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES.
- 3.30 Where a topic is scoped out, either by agreement with the Secretary of State in this Scoping Opinion, or by the Applicant at a later time, the ES should still justify and evidence the approach taken in order to demonstrate that topics have not simply been overlooked. This should include, where relevant, reference to how the delivery of measures proposed to prevent/minimise adverse effects is secured through DCO requirements and whether relevant consultees agree on the adequacy of the measures proposed.

### **Landscape and Visual Effects**

- 3.31 The Landscape and Visual Scoping Summary Table (Appendix 5.3 of the Scoping Report) proposes to scope out a number of potential impacts.
- 3.32 The Secretary of State agrees that the following can be scoped out:
- operational visual effects on World Heritage Sites (WHSs) from direct cable burial and HDD as there would be no significant visual effects during operation;
  - operational effects of direct cable burial on Snowdonia National Park as there would be no significant visual effects during operation;
  - operational effects of HDD, pipe-jacking and a bridge deck on all receptors as all works would be located underground;

- operational effects on ancient woodland for all sub-components of the proposed development on the basis that any trees would have been removed, if required, in the construction phase;
- decommissioning effects on ancient woodland for HDD, direct burial, SECs, substations and the overhead line on the basis that any trees would have been removed, if required, in the construction phase. However, the Secretary of State notes that decommissioning effects on ancient woodland have remained scoped in for a bridge deck, pipe jack, and tunnelling on the basis that there is the potential for tree removal. It is unclear why these effects have been scoped out for some elements of the proposed development and not for others and advises that the ES should clearly explain the different approaches taken for different project elements;
- visual effects on WHSs during construction, operation and decommissioning from a tunnel, substation, pipe-jacking, HDD, a bridge deck, and SECs, due to the distance of these features from the project. Chapter 5 of the Scoping Report has not identified any specific WHSs. However, Table 4 of Appendix 3.1 of the Scoping Report details local plan policies which identify the Castle of Beaumaris, Caernarfon Castle and Town Walls as WHSs. The locations of these WHSs have not been identified within the Scoping Report, however the Secretary of State understands that they are located some distance from the proposed development and therefore agrees that these effects can all be scoped out.

3.33 The Secretary of State does not agree that the following can be scoped out:

- all visual effects on the Anglesey Coastal Path from the construction, operation and decommissioning of the Wylfa and Pentir substations, justified on the basis of the distance of these features from the project. The Secretary of State notes from Figure 5.1 (Sheet 1 of 5) of the Scoping Report that the 'Wales Coastal Path' (which it has assumed is the same as the Anglesey Coastal Path) runs in proximity to the Wylfa Power Station, which is the location for the Wylfa substation works. Similarly, the Wales Coastal Path appears to be located approximately 1km from the Pentir substation area (Sheet 5 of 5). On this basis, the Secretary of State considers that there could be potential effects on the users of the Coastal Path and does not agree that it can be scoped out at this stage.

### **Ecology and Nature Conservation**

3.34 Paragraph 6.6.69 of the Scoping Report scopes out surveys "*for other mammal species such as brown hare, polecats and dormouse*". It is understood from the Councils' response (see Appendix 3 of this Opinion), that dormouse are not found in Anglesey and are very

unlikely to be present in the vicinity of the proposed development in Gwynedd and as such the Councils consider that these can be scoped out. The Secretary of State agrees this can be scoped out however recommends that this explanation is provided within the ES.

### **Historic Environment**

3.35 The Secretary of State agrees that the following can be scoped out:

- direct disturbance to archaeological remains, historic buildings and structures, and historic landscapes and parks and gardens during the operational phase of the overhead line, the Wylfa and Pentir substation works, and the cable SECs, on the basis that routine maintenance will not result in significant disturbance to the ground;
- direct disturbance to archaeological remains, historic buildings and structures, and historic landscapes and parks during the operational phase in relation to direct cable burial, HDD, tunnelling, pipe jacks, and the bridge deck, on the basis that ongoing monitoring will not involve disturbance to the ground. In relation to direct cable burial, it is also assumed in the Scoping Report that any excavation required for maintenance or repair will be within the Applicant's cable easement and that any necessary archaeological mitigation would have been enacted during the construction phase; the Secretary of State agrees that this can be scoped out, provided the archaeological mitigation is explained in the ES and secured in the DCO;
- changes in the setting of archaeological remains, historic buildings and structures, and historic landscapes and parks during the operational phase in relation to direct cable burial, HDD, pipe jacks, and the bridge deck. This is on the basis that above-ground kiosks located at cable joints are small structures and not expected to result in significant effects to the settings of any assets;
- direct disturbance to archaeological remains, historic buildings and structures, and historic landscapes and parks and gardens during the decommissioning phase of the bridge deck, according to the justification provided in Appendix 7.2 that removal of the cable would not be expected to cause any significant additional disturbance.

### **Water Quality, Resources and Flood Risk**

3.36 Paragraph 9.7.14 proposes to scope out potential impacts from the construction of bridge deck crossings, however Appendix 9.2 proposes to scope in potential effects on water quality, water resources and flood risk. On the basis that no information has been provided regarding the construction methodology or precise locations of the bridge deck crossing, the Secretary of State does not agree this can be scoped out at this stage.

- 3.37 Paragraph 9.7.15 and Appendix 9.2 of the Scoping Report propose to scope out potential impacts on water quality, resources and flood risk resulting from the operation of bridge deck crossings. The Secretary of State agrees that this can be scoped out on the basis that the infrastructure would be suspended above ground level and there would be no likely significant effects.

### **Traffic and Transport**

- 3.38 It is proposed in Appendix 10.1 of the Scoping Report that all potential operational traffic and transport related effects of the Wylfa and Pentir substation works, the cable SECs, the direct cable burial, HDD, the tunnel (including the tunnel head houses), the pipe jack, and the bridge deck are scoped out. Section 10.7 of the Scoping Report justifies this by explaining that traffic movements in the operational phase would be limited to infrequent repair and routine maintenance works and that any effects are considered to be negligible. On this basis, and given the nature of the proposed development, the Secretary of State agrees that these matters can be scoped out, but advises that the forecast number of traffic movements is indicated in the justification provided in the ES for scoping this matter out.

### **Operational Air Quality**

- 3.39 The Scoping Report proposes to scope out operational air quality effects as operation is not anticipated to generate dust or emissions from vehicles or energy generation plant in sufficient quantities to have a significant effect.
- 3.40 Appendix 11.1 states that operational vehicle movements are not likely to be above the 500 light duty vehicle and 100 heavy duty vehicle criterion described in guidance for when a detailed assessment is likely to be required.
- 3.41 On this basis, and given the nature of the proposed development, the Secretary of State agrees that operational air quality can be scoped out. However, should it be determined at a later stage that operational vehicle movements are likely to exceed the criterion set out in guidance, an assessment of operational air quality effects should be provided in the ES.

### **Operational Noise and Vibration**

- 3.42 Paragraph 13.6.2 of the Scoping Report explains that overhead lines do not produce any significant sources of vibration; the Secretary of State agrees that this can be scoped out.
- 3.43 Paragraph 13.7.3 of the Scoping Report explains that there would be no large items of rotating plant at the substations. The Secretary of State notes the proposal for the anti-vibration pads for transformers

and reactors, which it considers will go towards mitigating potential vibration impacts; however the proximity of receptors is critical in understanding the potential for impacts. With the relative uncertainty of the location of the transformer and reactors, the Secretary of State does not agree to scope this out at this stage. However, it is acknowledged that as the proposal is further refined it could be acceptable to scope this out.

- 3.44 Paragraph 13.6.3 of the Scoping Report states that underground cables and cable sealing ends do not make operational noise or cause vibration and that noise from access tracks and tunnelling works is associated with the construction phase. However, paragraph 13.5.27 states that *"the SEC is considered to be part of the overhead line for the purposes of the operational noise assessment"*. As such, the Secretary of State is unclear whether the Applicant is proposing to scope in or out operational noise from the SECs. Therefore, the Secretary of State agrees to scoping out potential noise and vibration from underground cables, access tracks and tunnelling works, but not from the SECs.
- 3.45 Paragraphs 13.6.15-13.6.18 of the Scoping Report propose to scope out noise from pylon fixtures and fittings on the basis that they would meet National Grid Technical Specifications. As the project is still being developed and refined and there are newer technologies available such as the T-pylon, the Secretary of State considers that it is premature to scope this out of the EIA at this stage.
- 3.46 Paragraph 13.6.19 of the Scoping Report identifies insulators as a source of noise on the existing overhead line, primarily due to salt deposition. However, it further states that the most appropriate type of insulator will be considered during detail design and therefore the Applicant proposes to scope out insulator noise from the assessment. However, on the basis that there are noise issues on the existing line (which would remain) and as no evidence has been provided within the Scoping Report to demonstrate that salt deposition would not be an issue on the proposed line, the Secretary of State does not agree to scope this out. The Secretary of State also considers with newer technologies being available, it is not appropriate to scope out noise from pylon fittings, including insulators. In this regard, the Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) regarding the need to present a qualitative assessment of insulator noise.
- 3.47 Paragraphs 13.6.24 and 13.7.4 of the Scoping Report propose to scope out operational switchgear noise as *"switchgear operations already occur at Wylfa and Pentir substations and the Project is not likely to result in an increase in switchgear noise. Modern switchgear of the Sulphur Hexafluoride (SF<sub>6</sub>) type operates with a dull 'thud' which may be just audible at the site boundary"*. The Secretary of State agrees this can be scoped out of the assessment as significant effects are not likely to occur.



- 3.48 Operational noise from substation auxiliary plant (including standby diesel generators) is proposed to be scoped out from the assessment by the Applicant in paragraph 13.6.25 and 13.7.4 of the Scoping Report. This is because such plant does not run continuously and is housed in a building or outdoor acoustic enclosure; therefore noise is seldom discernible beyond the substation perimeter fence. The Scoping Report states that if present, emergency generators would be tested for a few minutes on a weekly basis during daytime working hours only. The Secretary of State notes that there is some potential for generators to work for longer periods of time in the event of outages which could cause noise impacts. Without guarantees that this would not occur and further information on the likely noise levels, the Secretary of State does not agree that sufficient information has been provided at this stage to be able to scope this out of the EIA.
- 3.49 Paragraphs 13.6.29 and 13.7.4 of the Scoping Report proposes to scope out noise and vibration effects from routine maintenance activities which would be infrequent, slight, temporary and unlikely to result in noise or vibration disturbance. On the basis that non-routine repairs (i.e. extensive refurbishment) would be addressed in the Construction Noise and Vibration assessment and unlikely to generate significant effects, the Secretary of State agrees maintenance activities can be scoped out of the operational noise and vibration assessment.

### **Electric and Magnetic Fields and Electromagnetic Compatibility**

- 3.50 Chapter 16 'Electric and Magnetic Fields' (EMFs) of the Scoping Report contains the Applicant's justification for scoping out EMFs from the EIA. The Scoping Report states, that in accordance with NPS EN-5, the proposed development would comply with current public exposure guidelines and as such would not require further mitigation or result in likely significant effects. The Applicant states that the commitment to complying with EMF regulations, guidelines and practices is set out in National Grid's 'Public Position Statement'.
- 3.51 On the basis that evidence is provided demonstrating that the specifications for the overhead line, SECs and underground cable (including tunnel head housing) comply with regulatory thresholds, and that significant effects are unlikely the Secretary of State agrees that EMFs can be scoped out of the EIA. The Secretary of State welcomes the proposal to include a separate EMF document with the DCO application which will satisfy the requirements of NPS EN-5 and include evaluations of the EMFs that would be produced. This document should consider both the overhead transmission line and any cables that are undergrounded and should take into account the International Commission on Non-Ionizing Radiation Protection guidelines (1998), as detailed in NPS EN-5.
- 3.52 Similarly, the Secretary of State agrees that the electromagnetic compatibility (EMC) issues (ie interference with television or radio)

can also be scoped out on the basis that the Applicant has obtained a Certificate of Conformity under the EMC Directive. However, the Secretary of State has been unable to locate Appendix B to the Scoping Report, which is stated to include this certificate; this should be provided within the ES to provide evidence of conformity. It would also be helpful to demonstrate in the ES that the specification of the overhead line, SECs and underground cable proposed for the project meets the requirements of the EMC Directive.

### **Socio-economics**

- 3.53 It is proposed in Appendix 14.2 of the Scoping Report that effects on house prices are scoped out for all components and all stages of the proposed development. This is on the basis that it is not a material planning consideration because of the difficulty in assigning effects to individual projects taking into account the number of projects planned for Anglesey, and that changes in the economic status of wider economic issues (such as recession, etc) are also likely to have a bearing on property prices. On this basis, the Secretary of State agrees that this matter can be scoped out of the EIA.

## **Topic Areas**

### **Landscape and Visual Assessment (see Scoping Report Chapter 5)**

- 3.54 The Secretary of State notes and welcomes that consultation on the proposed approach and methodology has been undertaken with the IACC and GC and that the location of the viewpoints for the visual assessment will be discussed and agreed with both Councils.
- 3.55 Table 5.1 'Compliance with NPS requirements' of the Scoping Report incorrectly references the Wales Technical Advice Note (TAN) 8 as providing advice on design, rather than TAN 12. Reference is made elsewhere in Section 5.2 to TAN 12 and also to Planning Policy Wales (PPW), although neither are included in the References section of this chapter. Care should be taken to ensure that references to legislation, policy, and sources of advice and guidance on which the Applicant relies for the purposes of the assessment are correctly identified in the ES.
- 3.56 Table 5.2 'Consultation responses' of the Scoping Report states that Gwynedd Council suggested to the Applicant that three years has previously been accepted by the Planning Inspectorate as constituting a temporary effect. The Secretary of State advises that each project should be considered on its own merits and that it is for the Applicant to define and agree with relevant consultees and explain what they consider to constitute a temporary effect, relevant to the particular effect and receptors(s) under consideration.

- 3.57 The landscape and visual constraints for the study area are shown on Figure 5.1 of the Scoping Report (six sheets covering the five connection route sections). However, as a result of the large scale of the figures, only a limited area beyond the Scoping Corridor is shown and not all features referenced in the text are visible on the figures. The Applicant should ensure that relevant ES figures are of a sufficient scale to identify features referenced in the ES text and include a key where relevant.
- 3.58 With reference to the zone of theoretical visibility, the ES should describe the model used, and provide information on the area covered, the timing of any survey work and the methodology used.
- 3.59 The diagram (page 96 of the Scoping Report) illustrating the approach that will be taken to the categorisation of effects from major to negligible, identifies four sensitivity values of high, medium, low and low. It is assumed that the double use of 'low' is an error; however the figure is also inconsistent with the description of landscape values provided in paragraph 5.6.38 as high, medium-high, medium, medium-low and low; and the description in paragraph 5.6.50 of the magnitude of landscape effects as very large, large, medium, small and very small. Similarly, sensitivity values for visual receptors are categorised in paragraph 5.6.87 as very high, medium-high, medium, and low; but as very high, high, medium, and low in Table 5.7. The Applicant should ensure that the methodology and terminology used for the assessment is applied and described consistently throughout the EIA and in the ES.
- 3.60 Although it is stated in paragraph 5.6.19 that the effects of the existing overhead line combined with the potential effects of the proposed overhead line, (which would run broadly parallel to the existing line) will be considered in the LVIA, Footnote 21 states that they could be presented as cumulative effects. The Secretary of State advises that as the existing overhead line forms part of the existing baseline it should be considered in that context, not as a development to be considered in the cumulative LVIA.
- 3.61 It is also suggested (in Footnote 22) that a consistency of image between the existing and proposed new pylons could be achieved by constructing new pylons of a similar height, specification, colour and form as the existing pylons. However, no information is provided in the Scoping Report either on the existing pylons or the potential design of the new pylons. As detailed above in this Opinion, the Secretary of State would expect to see details, including the maximum parameters, of these components and other project infrastructure identified in the ES. The Secretary of State advises discussing design options for the proposed pylons with relevant consultees.

- 3.62 In accordance with NPS EN-1, potential effects of light pollution during construction on views and visual amenity should also be considered in the LVIA.
- 3.63 The text within Chapter 5 of the Scoping Report has focussed on the potential landscape and visual effects of the overhead line, SECs and tunnel and head houses. However, the Secretary of State notes and welcomes from Appendix 5.3 that the ES will also assess other components of the proposed development, including: substation works; direct cable burial; HDD; pipe jacking; and the bridge deck.
- 3.64 Although the overhead line is included in the Scoping Report as a component potentially affecting landscape character and views, pylons themselves are not specifically referenced; for the avoidance of doubt, the Secretary of State considers that the assessment should include both the line itself and the pylons.
- 3.65 There is limited information provided in relation to the potential mitigation measures, other than broad references in this chapter to onsite and offsite planting and in paragraph 2.7.3 of Chapter 2 to native or ornamental planting and hard landscaping. Details of planting schemes should be provided within the ES, and if planting is to be relied upon for mitigation, the ES should set out anticipated growth rates to demonstrate that mitigation is achievable within the time periods specified in the ES.
- 3.66 The Secretary of State welcomes that the assessment will cross-reference to other relevant topics, such as ecology and nature conservation and the historic environment, including in relation to potential effects of proposed mitigation measures.
- 3.67 The Applicant's attention is drawn to the comments of IACC and GC, particularly in relation to consideration of visual effects on residential receptors; the setting of the Anglesey AONB; infrastructure either side of the Menai Strait (such as the SECS); and potential mitigation measures such as landscaping. The Applicant should also note NRW's comments, particularly in relation to potential impacts on the Anglesey AONB (see Appendix 3 of this Opinion).
- 3.68 The Applicant's attention is drawn to the comments of Snowdonia National Park Authority, particularly in relation to potential impacts on the National Park, the Anglesey AONB and the Llyn AONB, which is not mentioned in the Scoping Report, other than in Table 1 of Appendix 3.1 which summarises local planning policies.

**Ecology and Nature Conservation (see Scoping Report Chapter 6)**

- 3.69 Table 6.2 of the Scoping Report refers to the Marine Management Organisation (MMO) in relation to licensing for European protected

marine species. The Applicant is reminded that NRW would be the relevant licensing body for proposals in Wales.

- 3.70 Section 6.4 of the Scoping Report identifies the Scoping Study Area, which comprises: the main Scoping Corridor; an additional 2km for some habitats and species (which have not been specified); and a 10km buffer for bats. The DCO application will be for a refined scheme, with a smaller red line boundary. The Scoping Report has not defined what the study area within the ES would be. These should be clearly defined within the ES and sufficiently broad to enable the ecology of the wider area to be understood in addition to the route alignment itself. The ES should justify the chosen study areas, for example with reference to relevant guidance documents, and be agreed with NRW and the Council's where possible.
- 3.71 The Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) regarding the need to consider priority species and habitats listed under Section 42 of the Natural Environment and Rural Communities Act 2006.
- 3.72 The Secretary of State notes from the Councils' comments (see Appendix 3 of this Opinion) that Glynllifon SAC is located approximately 10km south west of the Scoping Study Area and for which lesser horseshoe bats are a feature. Given that the SAC is located close to the 10km study area detailed in the Scoping Report, the Secretary of State recommends that the SAC is considered for inclusion in the assessment on a precautionary basis.
- 3.73 The Scoping Report does not identify the timings or study areas for the surveys undertaken to date, or those proposed. As such, it is difficult to comment on the appropriateness on such surveys. The ES should provide this detail.
- 3.74 The Scoping Report notes that access has been limited for some of the ecological surveys undertaken to date. The Applicant should ensure that they have sufficient survey information to support the ecological assessment and is advised to discuss this with NRW and the Councils. In this regard, the Applicant is reminded of the potential to use section 53 of the Planning Act 2008 to apply to the Secretary of State for access to land.
- 3.75 The Secretary of State draws the Applicant's attention to the detailed comments within Section 6.5 of the Councils' response, specifically in relation to survey methodology. The Applicant is advised to address these matters during the pre-application stage and ensure they are reflected within the ES.
- 3.76 The Secretary of State notes the comments of the Councils that Anglesey supports a strong population of polecats and recommends that the Applicant discusses the need for surveys for polecats with

the Councils and NRW. The Applicant should also explain why no further surveys would be undertaken for brown hare.

- 3.77 Paragraph 6.6.83 of the Scoping Report states that "*due to the large extent of the Scoping Corridor, and number of remaining route options, it is proposed to undertake only representative transects in order to index breeding bird populations for one season during spring 2016*". By the time the application is made, the route alignment should be accurately determined and not so wide-ranging to represent different route options. The Secretary of State would expect sufficient survey data to be available for the final route alignment and recommends that the approach to surveying for breeding birds, including the locations of vantage points, is agreed with NRW and the Councils. The Applicant's attention is drawn to the comments of NRW and the Councils (see Appendix 3 of this Opinion) regarding vantage points.
- 3.78 With regard to the terrestrial invertebrate surveys, the ES should clearly explain what 'suitable habitats' would comprise.
- 3.79 Paragraph 6.6.100 of the Scoping Report states that direct burial of cables on the seabed has been discounted. However, as noted above in this Opinion, the Secretary of State is unclear as to the options for crossing the Menai Strait and in assuming a worst case scenario for intertidal and subtidal ecology, has considered the potential for burial by trenching methods. The Secretary of State notes the comments of the Councils (see Appendix 3 of this Opinion) that "*other methods remain which could have significant effects on the intertidal and subtidal habitats of the SAC*". The Secretary of State considers that a proportionate approach should be undertaken to assessing potential impacts on the intertidal and subtidal environment which is relevant to the chosen crossing method and the location of works.
- 3.80 The Scoping Report has provided limited details regarding potential impacts on the marine environment, specifically within the Menai Strait. For example, the ES should consider the potential for noise and vibration impacts on marine receptors from construction.
- 3.81 The Secretary of State welcomes the descriptions of the terms 'significant' and 'not significant'. Where professional judgement is used to make these decisions, these must be clearly rationalised within the ES.
- 3.82 The Secretary of State welcomes the proposed assessment of collision risk within the ES. Consideration should be given to feeding and hunting grounds, migration corridors and breeding grounds. The Applicant should also give consideration to the mitigation measures suggested in NPS EN-5 and explain within the ES how these have been taken into account.

- 3.83 The Scoping Report identifies a number of areas of ancient woodland within the Scoping Study Area however does not identify a value for this receptor within Table 6.5. The Applicant should ensure that an assessment of the potential impacts on this biodiversity resource is presented within the ES in line with paragraph 5.3.14 of EN-1.
- 3.84 The Scoping Report identifies a large number of designated sites in the vicinity of the proposed development. The ES should clearly set out the potential impacts on these sites. In relation to SSSIs, further information is provided in Section 4 of this Opinion and the Applicant's attention is drawn to the comments of NRW in Appendix 3 of this Opinion.
- 3.85 The Applicant's attention is drawn to the comments of NRW (see Appendix 3 of this Opinion) regarding the need to consider biosecurity. With this in mind, the Applicant should also have due regard to section 5.6 of NPS EN-1.
- 3.86 The Scoping Report has not provided any details on potential mitigation or enhancement within the chapter; the ES should provide this detail. The Applicant should have due regard to paragraph 5.3.18 of EN-1 and ensure that the ES demonstrates how such mitigation measures have been incorporated into the proposed development.
- 3.87 In considering the potential impacts of noise, vibration and air quality impacts on ecological receptors, appropriate cross reference should be made to other relevant chapters of the ES.
- 3.88 The Secretary of State notes the possible need for an Appropriate Assessment in view of the proposed development site's location in relation to a number of European sites and refers the Applicant to Section 4 of this Opinion for further information on this.

### **Historic Environment (see Scoping Report Chapter 7)**

- 3.89 Paragraph 7.5.6 identifies that there is one Registered Landscape of Outstanding Historic Interest (LOHI) within the Scoping Corridor and paragraph 7.5.26 states that land within the Dinorwig LOHI is included in Section 5 of the corridor. Figure 7.2 is entitled 'Dinorwig LOHI Character Areas' and appears to identify six LOHIs, four of which extend into the Scoping Corridor. The Secretary of State assumes that these are sub areas within the Dinorwig LOHI, however recommends that this is clarified within the ES and accompanying figures. The Applicant's attention is drawn to the comments of the Councils in relation to this point (see Appendix 3 of this Opinion).
- 3.90 Although WHSs are identified in Footnote 32 of the Scoping Report as heritage assets, no further reference is made to WHSs in this chapter or its accompanying figures and appendices. The Secretary of State notes that WHSs are referenced in the Landscape and Visual Assessment chapter and recommends that cross-reference is made

from the ES Historic Environment topic chapter to the location in the ES of information about WHSs that may be affected by the proposed development.

- 3.91 It is stated in paragraph 7.6.11 of the Scoping Report that currently there is no Welsh guidance on the assessment of effects on the setting of heritage assets in Wales, though it is anticipated that such guidance will be issued during the course of the EIA. Therefore, subject to the issue of any guidance in Wales, the Applicant proposes to undertake the assessment according to the approach set out in equivalent English guidance. The Applicant's attention is drawn to Welsh Government's comments that the guidance will be issued in draft form in summer 2016 (see Appendix 3 of this Opinion). The title of the English guidance is not provided in the text or the list of references contained in the chapter. The guidance on which the Applicant relies for the purposes of the historic environment assessment should be specified and an explanation for the approach taken should be provided in the ES.
- 3.92 No reference is made in this chapter of the Scoping Report to the approach that would be taken to dealing with any unrecorded heritage assets, such as archaeological features, that are discovered during construction of the proposed development. Details of how this matter would be addressed should be provided in the ES topic chapter. The Applicant's attention is drawn to the comments of the Councils about the potential for discovery of unrecorded archaeological features along the overhead line route (see Appendix 3 of this Opinion).
- 3.93 The Secretary of State welcomes the ongoing consultation with key stakeholders, and that the final selection of assets to be included within the settings assessment will be agreed with Cadw, IACC, and GC.

**Geology, Hydrogeology and Ground Conditions (see Scoping Report Chapter 8)**

- 3.94 The baseline for the ES should explain and justify the extent of the study area. This will be important to ensure that the impacts are considered over a sufficiently wide area.
- 3.95 The Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) regarding information sources to inform the baseline environment.
- 3.96 Table 8.10 of the Scoping Report has identified Source Protection Zones (SPZs) as an example receptor, however the Scoping Report has not identified whether or not SPZs are present within the Scoping Study Area. The ES should identify any SPZs around potable groundwater abstractions.



- 3.97 Limited information has been provided in the Scoping Report regarding the baseline conditions under the Menai Strait. The Secretary of State would expect the ES to include a detailed baseline description and a robust assessment of the potential impacts of crossing the Strait.
- 3.98 Table 8.10 of the Scoping Report identifies four levels of sensitivity of receptors; however Table 8.12 identifies only three levels of 'value' in the matrix used to define significance. The Applicant should ensure that this discrepancy is resolved within the ES.
- 3.99 The Secretary of State notes the potential for using piling to construct the pylon foundations. The ES should detail the depth of the piled foundations and the construction methodology to be utilised for these activities as these could have implications for ground conditions and groundwater. If piling would take place around areas of contaminated land, the ES should assess the likely effects and if necessary provide mitigation measures that would be required to protect sensitive receptors e.g. groundwater. Where piling works are proposed close to existing structures (e.g. buildings or bridges) the ES should also assess whether these might be affected by changes in the stability of the land.
- 3.100 The Scoping Report identifies the potential for shallow mining areas to be present within the Scoping Study Area; the potential effects on such areas have not been considered in section 8.7 but should be assessed in the ES and any necessary mitigation measures identified.
- 3.101 The ES should give due consideration to the potential impacts of undergrounding the cables on geology, hydrogeology and ground conditions. The ES should detail how any excavated soil would be stored on site during the cable laying process and any necessary mitigation measures. Appropriate cross reference should be made to the Agriculture topic chapter of the ES.
- 3.102 If tunnelling is the chosen option for crossing the Menai Strait, information should be provided on the storage and disposal of spoil from these works. The Secretary of State advises that a Material Management Plan may be an appropriate method to control significant effects. The Applicant should ensure that the plan includes sufficient detail to demonstrate efficacy and it will need to be adequately secured.
- 3.103 The Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) regarding the need to consider seismic risk, particularly on the tunnel structures.
- 3.104 The relationship with other topic areas such as, for instance, water quality, water resources and ecology should be considered and appropriate cross-reference made within the ES.

**Water Quality, Resources and Flood Risk (see Scoping Report Chapter 9)**

- 3.105 The Secretary of State welcomes the definition of study areas within the Scoping Report and notes the two-tiered approach of a 'Local Hydrological Study Area' (LHSA) and a 'Wider Hydrological Study Area' (WWSA). However, the WWSA has not been as clearly identified as the LHSA and it would be useful for a figure to be provided showing the extent of the WWSA. The final study areas used in the EIA should be agreed with consultees, including NRW and the IACC and GC as the lead local flood authorities. The ES should justify the study areas chosen.
- 3.106 The Secretary of State welcomes the clear identification of Water Framework Directive (WFD) bodies within the Scoping Report and the proposal for the production of a separate WFD compliance assessment to form an appendix to the ES. The assessment should identify whether the proposed development could prevent any mitigation measures or actions intended to achieve good ecological status/good ecological potential from being implemented. Further comments regarding WFD can be found in Section 4 of this Opinion.
- 3.107 The Scoping Report presents average rainfall estimates for the period of 1961-1990; this data is therefore over 25 years old and the Secretary of State queries whether more up-to-date data is available. Should data of this age be used, the ES should justify its appropriateness and the Applicant is advised to agree its use with relevant consultees.
- 3.108 The Secretary of State welcomes the consideration of the future baseline which will take into account potential changes in climate, land use and any measures implemented under the WFD.
- 3.109 With regard to the Applicant's proposed approach to diatoms and macroinvertebrates, as detailed in paragraph 9.6.9 of the Scoping Report, the Secretary of State notes that the requirements of the WFD will not necessarily perfectly align with that of EIA. If there is the potential for significant effects (direct or indirect) on these receptors, then they should be assessed accordingly within the ES. Such an assessment may be appropriately placed in the ecology chapter of the ES.
- 3.110 The Secretary of State welcomes the provision of a Flood Consequence Assessment (FCA) that will accord with NPS EN-1. The FCA should form an appendix to the ES and should clearly demonstrate and evidence how the sequential and exception tests can be passed.
- 3.111 The Scoping Report states that the Scoping Study Area crosses several areas of Flood Zone C2. In accordance with NPS EN-1, the ES should therefore demonstrate that the proposed development will not

result in a net loss of floodplain storage and will not impede water flows.

- 3.112 The Secretary of State welcomes that drainage impact assessments would be provided where significant areas of new and permanent impermeable surfaces would be developed. The Scoping Report states that this would most notably be at the SECs and location of the works to the existing substations. The Applicant should give consideration to providing such an assessment for the tunnel head houses (should a tunnel be chosen). In accordance with NPS EN-1, the drainage system should comply with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010; this should be demonstrated within the assessments.
- 3.113 Paragraph 9.6.34 of the Scoping Report states that "*it is not proposed to quantify the drainage impact of temporary aggregate-surfaced access roads and construction compounds used for the construction of the Project*". However, the Secretary of State is concerned that the 6 year construction period is not 'temporary' and considers that this approach should be discussed and agreed with the relevant consultees.
- 3.114 The Secretary of State notes the screening assessment for potential impacts on designated sites in Appendix 9.1 of the Scoping Report and advises that this information is also provided in the ES to demonstrate that sites screened out of the assessment have not simply been overlooked.
- 3.115 The Secretary of State welcomes the consideration of design mitigation early on the design phase of the proposed development, including the incorporation of sustainable drainage elements; details of which should be provided in the ES. In relation to bridges, where certain designs are proposed to minimise morphological disturbance and conveyance effects, the Applicant should ensure that any such designs are appropriately secured within the DCO application (e.g. as part of the authorised development within the draft DCO, through a DCO requirement, or through a management plan that would be subject to a DCO requirement).
- 3.116 Similarly, any control management measures and bespoke mitigation should be appropriately controlled through the draft DCO. The Scoping Report states that agreed measures would be specified in a CEMP as the project develops; the Secretary of State notes the draft provided in Appendix 4.1 of the Scoping Report and would expect a refined draft to be provided with the application documents. Similarly, a draft of the Water Management Plan referred to in paragraph 9.7.25 of the Scoping Report should be provided.
- 3.117 The Secretary of State notes the presence of reservoirs within the Scoping Study Area; the ES should appropriately assess the potential

impacts on these waterbodies. The Applicant is advised to consult Dŵr Cymru in relation to these receptors.

**Traffic and Transport (see Scoping Report Chapter 10)**

- 3.118 The Secretary of State welcomes the confirmation in this chapter that the Applicant will provide with the ES a Construction Traffic Management Plan, a Traffic Assessment, a Travel Plan, a CEMP, and a PRow Management Plan. As previously noted, where mitigation is relied upon within the ES to avoid an adverse impact and is proposed to be included within a plan to be secured by the draft DCO, the Secretary of State would expect a sufficiently detailed but draft version of the plan to be provided with the application.
- 3.119 The Secretary of State notes that although the Department for Transport's 'Guidance for Transport Assessment' has been superseded by 'Transport Evidence Bases in Plan Making' the Applicant proposes to use the former guidance on the basis that many local authorities continue to advise that it should be relied upon. The Councils are content with this approach as being a starting point for agreement of the scope with highway authorities (see Appendix 3 of this Opinion). The Secretary of State recommends that the Applicant engages further with the Councils on the assessment methodology and clearly explains in the ES the reasoning for departing from any extant guidance.
- 3.120 The inclusion of figures in the Scoping Report showing the location of PRowS is welcomed. The Secretary of State suggests that all PRowS included in the assessment are identified by a name/number on the corresponding figures submitted with the ES. The Applicant's attention is drawn to the comments of the Councils in relation to identifying features and quantitative baseline information (see Appendix 3 of this Opinion).
- 3.121 Paragraph 10.4.1 of the Scoping Report has identified the study area for scoping as comprising the project Scoping Corridor and a further Zone of Influence (ZoI) specifically relevant to traffic and transport; as shown in Figure 10.3. By the time of application, the red line boundary for the proposed development is expected to have been refined; the ES should detail the study area used in the assessment and explain the basis upon which the ZoI has been determined. The Secretary of State recommends that the study area (including the ZoI) is discussed and agreed with relevant consultees.
- 3.122 It is stated in paragraph 10.6.4 of the Scoping Report that many of the environmental effects associated with traffic (e.g. noise, vibration, visual, air pollution, dust and dirt, ecological, and heritage and conservation impacts) will be considered in detail in other technical assessments (e.g. Chapters 5, 6, 7, 11, and 12 of the ES), so will not be covered in the traffic and transport chapter. The Applicant should ensure that the location of information relevant to

traffic and transport impacts contained in other technical chapters is clearly identified in the traffic and transport chapter.

- 3.123 The values used to describe the sensitivity of a receptor and the magnitude of an impact, combined in Table 10.13 to determine the significance of an effect, do not reflect the values identified in Tables 10.12 and 10.14, respectively. This should be rectified within the description of the assessment methodology in the ES.
- 3.124 A number of the cells within Table 10.13 of the Scoping Report identify two descriptors for the level of significance. Where this is the case, the ES should clearly explain and justify the final level of significance which is concluded.
- 3.125 According to paragraph 10.6.26 of the Scoping Report, it appears that slight, moderate, large, and very large effects are considered to represent a significant effect. It is not clear if this is intended and the Secretary of State advises that the Applicant ensures that the methodology, criteria and values used for this assessment are clearly and consistently described in the ES chapter.
- 3.126 The Secretary of State notes that there may be a requirement for movement of Abnormal Indivisible Loads (AILs) on the public highway network in relation to pylon and overhead line construction and tunnelling. Worst case forecasts of the likely numbers and frequency of AIL movements should be provided in the ES along with forecasts of other traffic movements generated as a result of the project.
- 3.127 Should the bridge deck method be utilised, the ES should assess the implications of the disruption that the construction phase could bring to users of the Britannia Bridge and should detail the mitigation measures that would be implemented to minimise this.
- 3.128 The Applicant's attention is drawn to the comments of the Councils and Welsh Government in Appendix 3 of this Opinion in relation to traffic and transport.

### **Air Quality and Emissions (see Scoping Report Chapter 11)**

- 3.129 The Secretary of State welcomes the proposed consultation with the IACC and GC to discuss the air quality assessment.
- 3.130 Paragraph 11.5.9 of the Scoping Report states that *"it may be necessary to undertake a baseline survey to monitor existing air quality conditions in the study area"*. The Applicant's attention is drawn to the comments of the Councils (see Appendix 3 of this Opinion) which advises that a year of NO<sub>2</sub>, dust deposition or total suspended particulate and particulate matter monitoring should be undertaken.
- 3.131 Section 11.4 of the Scoping Report identifies the study area for dust as being *"the nearest human and/or ecologically sensitive receptors"*

*in all directions of any potentially dust generating construction activity...or public roads that link directly to construction site accesses*". However, Appendix 11.1 refers to dust sensitive receptors as those being located within 350m of the construction works or 200m of a road link that experiences cumulative additional traffic flow; the Secretary of State assumes these distances are based on IAQM guidance (Guidance on the assessment of dust from demolition and construction, 2014), and EPUK guidance. The ES should clearly and consistently identify the study area and any departures from the guidance that is referred to should be clearly explained and justified. The Secretary of State also recommends that the study areas are agreed with IACC and GC.

- 3.132 The ES should clearly define what would comprise a *"potentially dust generating construction activity"*.
- 3.133 The Secretary of State notes that the relative sensitivity of ecological receptors to air quality impacts, as shown in Table 11.11 and paragraph 11.6.4 of the Scoping Report, would be medium-low. However, the IAQM 2014 guidance identifies ecological receptors as being of high sensitivity, for example locations with an international designation. The Secretary of State therefore advises the Applicant to reconsider the relative sensitivities of receptors.
- 3.134 The IAQM 2014 guidance also states that the distance of ecological receptors should be considered 50m from the site boundary; however paragraph 11.6.5 of the Scoping Report refers to 50m from a *"construction activity"*. Any departures from guidance should be clearly explained and justified.
- 3.135 The ES should fully assess the potential impacts of air pollution and dust on protected sites. Appropriate cross-reference should be made to the Ecology chapter. The Applicant's attention is drawn to the comments of NRW in this regard (see Appendix 3 of this Opinion).
- 3.136 With reference to construction dust, the Scoping Report refers to describing scales of risk (high, medium and low), however does not clearly set out how these will be determined (i.e. by combining the sensitivity of receptors with the impact magnitude as detailed in the IAQM guidance). Furthermore, it is unclear how the significance of effect (as described in Table 11.12 of the Scoping Report) will be determined. The assessment methodology should be clearly set out in the ES.
- 3.137 The Secretary of State welcomes the consideration of construction-related vehicle emissions. Should a quantitative assessment be required, the Applicant should discuss the modelling with IACC and GC. It is unclear what a qualitative assessment would comprise, should one be undertaken; the ES should set out the methodology used.

- 3.138 Paragraph 10.7.17 of the Scoping Report has identified the potential for non-road transport to be used. If this is the case, the air quality assessment should consider the potential impacts of emissions from other transportation methods.
- 3.139 It is unclear what level of energy generation would necessitate a quantitative assessment of energy plant emissions; this should be agreed with IACC and GC.
- 3.140 Air quality and dust levels should be considered not only on site but also off site, including along access roads, local footpaths and other PRowS.
- 3.141 Consideration should be given to appropriate mitigation measures and to monitoring dust complaints.

**Construction Noise and Vibration (see Scoping Report Chapter 12)**

- 3.142 The ES should justify the chosen study areas and detail whether these are based on any specific guidance. The Applicant is directed to the comments of the Councils in Appendix 3 of this Opinion in this regard.
- 3.143 The Secretary of State welcomes that the Applicant intends to agree the methodology for the proposed noise surveys, including the survey locations with IACC and GC. Any baseline noise surveys for the construction phase assessment should be designed to complement those required for the operational phase assessment. The Councils have provided comments on the surveys in Appendix 3 of this Opinion.
- 3.144 The Scoping Report states that the assessment would be undertaken in accordance with BS 5228-1:2009+A1:2014. The Applicant's attention is drawn to the comments on the Councils (see Appendix 3 of this Opinion) regarding the application of this standard.
- 3.145 Table 12.1 of the Scoping Report identifies the receptors to be considered and their sensitivity, but is limited to human receptors only. The Secretary of State should ensure that cross-reference is made to the ecology chapter of the ES so that potential impacts on ecological receptors are appropriately assessed. This should include any potential impacts on marine species in relation to the Menai Strait crossing and on freshwater species within any watercourses to be crossed.
- 3.146 Paragraph 12.6.7 of the Scoping Report states that predictions of sound levels from existing road traffic would be undertaken so it should not be necessary to carry out baseline monitoring along access routes. The Secretary of State recommends that this approach

is agreed with IACC and GC and that the ES clearly details how any predictions have been made.

- 3.147 The ES should provide the details of any modelling used to predict the noise levels from construction works and construction traffic.
- 3.148 Paragraph 12.7.7 of the Scoping Report states that assessments of noise and vibration from underground cable routes would only be undertaken if sensitive receptors are located very close and/or any prolonged or unusual works are required. The Secretary of State recommends that it is agreed with IACC and GC where such an assessment would be required.
- 3.149 The assessment should consider the potential for noise from the tunnel ventilation fans and pumping equipment.
- 3.150 Paragraph 2.7.11 of the Scoping Report identifies the potential for helicopters to be used during the construction phase; the potential noise impacts of this activity should be considered within the ES. In undertaking the assessment, the Applicant should describe the circumstances under which this construction method would be employed.
- 3.151 The assessment should consider the potential impacts of noise and vibration on the special qualities of the Anglesey AONB.
- 3.152 The methodology within the Scoping Report does not explain how significant effects will be determined; this should be clarified within the ES.
- 3.153 Noise impacts on people should be specifically addressed and particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays (including when 24 hour working is required). This also applies to operational noise and vibration which is discussed separately below.
- 3.154 The ES should assess the impacts of noise and vibration on protected species and detail any required mitigation and/or compensation. Cross reference should be made to the Ecology chapter.

### **Operational Noise and Vibration (see Scoping Report Chapter 13)**

- 3.155 The Applicant's attention is drawn to the detailed comments of the Councils (see Appendix 3 of this Opinion) in relation to the baseline survey and assessment methodology. The Applicant is advised to discuss and agree the operational noise study area and the requirements for detailed baseline surveys with IACC and GC.
- 3.156 The Scoping Report explains that a uniform night-time noise background ( $L_{A90}$ ) of 30dB is proposed as the baseline noise levels for all sections of the overhead line, the substations, SECs and tunnel



head houses unless surveys, if required, confirm this value should be higher. BS 4142:2014 suggests background sound level measurements should be undertaken when new sound sources would be introduced; therefore should background surveys not be undertaken, this should be justified within the ES. The Secretary of State recommends that the approach to determining the baseline should be agreed with IACC and GC.

- 3.157 The Scoping Report states that detailed noise modelling would be undertaken for *“receptors where the magnitude of impact is likely to be classified as significant”*. The ES should explain how effects on such receptors have been determined as likely to be significant and the Applicant is advised to agree these with IACC and GC.
- 3.158 With reference to paragraph 13.5.21 of the Scoping Report, the Secretary of State considers that if there is the potential for impacts on non-residential receptors to be significant (i.e. moderate), then they should be assessed within the ES.
- 3.159 The significance matrix in Table 13.4 of the Scoping Report identifies four levels of impact magnitude, whereas Table 13.3 defines five levels of impact magnitude. The Applicant should avoid such inconsistencies within the assessment and present a robust approach within the ES.
- 3.160 The ES should explain how the mitigation measures detailed in paragraph 2.9.12 of NPS EN-5 have been considered for the proposed development.
- 3.161 Consideration should be given to monitoring noise complaints, both during construction and when the development is operational.

#### **Socio-Economics (see Scoping Report Chapter 14)**

- 3.162 The Secretary of State welcomes the commitment to ongoing consultation with relevant stakeholders to inform the assessment and preparation of the ES topic chapter.
- 3.163 It is stated in paragraph 14.6.26 of the Scoping Report in relation to assessing the significance of socio-economic effects that the magnitude of an impact will be valued as high, medium, low and negligible, and the sensitivity of a receptor as high, medium or low, and that these will be used to determine significance. However reference is made in paragraph 14.6.29 to using Table 4.3 in Chapter 4 to classify the effects, which uses values of high, medium, low and very low, for both sensitivity of receptor and magnitude of impact. Care should be taken in the ES to ensure that the approach to determining significance is clearly and consistently set out.
- 3.164 It is stated in paragraph 14.8.1 of the Scoping Report that the cumulative effects of the proposed development will be considered

together with other known permitted developments that are planned to be constructed within the Regional Area of Influence study area during the same period of time. The Applicant is referred to Planning Inspectorate Advice Note 17, and Section 4 of this Opinion, which provide advice on developments that should be considered in a CEA, which encompasses a wider range of developments than permitted developments alone.

- 3.165 The Secretary of State notes that paragraph 14.5.26 of the Scoping Report identifies mussel operators as a socio-economic receptor that could be affected by Section 5 of the project route. The Applicant should give consideration to the inclusion of effects of the project on water quality as a potential intra-project effect.
- 3.166 The Applicant's attention is drawn to the comments of the Councils in Appendix 3 of this Opinion in relation to the socio-economic assessment.

**Agriculture (see Scoping Report Chapter 15)**

- 3.167 The Secretary of State notes that the 1977 ADAS data represents the most recent ALC data available for the Scoping Study Area and welcomes that a targeted scheme of ALC assessment would be undertaken to inform the siting of permanent and temporary infrastructure. The ES should include a figure identifying the ALC grade(s) along the route.
- 3.168 Paragraph 15.6.13 states that it is not necessary to carry out a detailed soil survey along the entire route, however the Secretary of State considers that the surveys should be designed with due consideration of any undergrounded sections of cable. Similarly, the assessment of impacts on ALC should consider the effects of undergrounding, in addition to those from positioning of equipment (e.g. SECs, tunnel head houses, and pylons). The methodology for defining the ALC baseline should be agreed with the relevant consultees.
- 3.169 The ES should quantify the area of best-most versatile land that would be lost, both temporarily and permanently.
- 3.170 The Secretary of State welcomes the commitment to obtain data on Agri-Environment Schemes within the application site, along with detailed and location specific information on farming operations, existing soil conditions, field land drainage and services and organic farming practices. Should this information not be available to the Applicant for the whole application site, the ES should identify any limitations to the assessment that may result.
- 3.171 The assessment of impacts on agricultural land use should consider the potential effects within the undergrounded sections. For example, the ES should identify whether there would be any restrictions on

agricultural activities (e.g. ploughing) over underground cables once the proposed development is operational. Any agricultural restrictions around pylons and underneath transmission lines should also be identified.

3.172 Table 15.2 of the Scoping Report identifies sensitivity levels from 'negligible' to 'high'; however the matrix in Table 15.4 identifies sensitivity levels from 'very low' to 'high'. The Applicant should ensure consistent terminology is used within the ES.

3.173 The ES should detail how the Applicant would ensure successful reinstatement of land temporarily affected during the construction phase. The draft CEMP confirms that pre-condition surveys (including a photographic record, written description and topographical survey) would be carried out of all land affected by works and welcomes this approach. This information should be provided within the ES.

3.174 Paragraph 14.1.2 of the Scoping Report refers to a "*Land Use and Agriculture chapter of the ES*", however the Scoping Report only covers potential impacts on agriculture. The Secretary of State considers that the ES should consider the potential impacts of the proposed development on all land uses. With this in mind, the Secretary of State advises that the Applicant to give consideration to widening the scope of this chapter to consider land use in the wider context, bearing in mind Section 5.10 of NPS EN-1.

#### **Statement of Combined Effects (see Scoping Report Chapter 17)**

3.175 The ES should identify the construction programme of the Wider Works in order that the potential for combined effects can be understood.

#### **Any Other Topic Area (not identified in the Scoping Report)**

3.176 As noted in the Secretary of State's comments on the project description, it is not entirely clear how the Menai Strait would be crossed. Therefore, the Secretary of State cannot rule out potential impacts on users of the Menai Strait if direct burial (i.e. trenching) takes place, for example (but not limited to) in relation to navigation, fisheries and recreational users. The Applicant is advised to consider the potential for such effects to occur, dependent on the final construction methodology chosen.

3.177 The potential height of structures associated with the power lines means that a range of bodies may need to be consulted including local aerodromes, the Civil Aviation Authority, the Ministry of Defence and any other local emergency air support units.

3.178 Table 9.1 of the Scoping Report states that the resilience of pylon design to aspects of climate change including wind, storms and

higher temperatures is addressed in National Grid's published 'Climate Adaptation Report' (2010). This report should be cross-referred to as relevant and consideration also given to the resilience of other elements of the proposed development susceptible to likely impacts from climate change.

## 4 OTHER INFORMATION

- 4.1 This section does not form part of the Secretary of State's opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the Secretary of State has identified which may help to inform the preparation of the application for the DCO.

### Pre-application Prospectus

- 4.2 The Planning Inspectorate offers a service for applicants at the pre-application stage of the nationally significant infrastructure planning process. Details are set out in the prospectus 'Pre-application service for NSIPs'<sup>3</sup>. The prospectus explains what the Planning Inspectorate can offer during the pre-application phase and what is expected in return. The Planning Inspectorate can provide advice about the merits of a scheme in respect of national policy; can review certain draft documents; as well as advice about procedural and other planning matters. Where necessary a facilitation role can be provided. The service is optional and free of charge.
- 4.3 The level of pre-application support provided by the Planning Inspectorate will be agreed between an applicant and the Inspectorate at the beginning of the pre-application stage and will be kept under review.

### Preliminary Environmental Information

- 4.4 Consultation forms a crucial aspect of environmental impact assessment. As part of their pre-application consultation duties, applicants are required to prepare a Statement of Community Consultation (SoCC). This sets out how the local community will be consulted about the proposed development. The SoCC must state whether the proposed development is EIA development and if it is, how the applicant intends to publicise and consult on PEI. Further information in respect of PEI may be found in Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping.

### Habitats Regulations Assessment (HRA)

- 4.5 The Secretary of State notes that the Scoping Study Area crosses the Anglesey and Llyn Fens Ramsar site, Anglesey Fens SAC, and the Menai Strait and Conwy Bay SAC and that there are a number of other European sites in proximity to the proposed development.

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<sup>3</sup> The prospectus is available from:  
<http://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

- 4.6 The Applicant's attention is drawn to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (The APFP Regulations) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site or potential SPA which may be affected by a proposal.
- 4.7 It is the Applicant's responsibility to provide sufficient information to the Competent Authority (CA) (the Secretary of State) to enable them to carry out a HRA if required and the Secretary of State therefore welcomes the proposal to submit an 'Information to support a Habitats Regulations (HRA) screening assessment'. The submitted information should be sufficient for the competent authority to make an appropriate assessment (AA) of the implications for the site if required by Regulation 61(1) of the Habitats Regulations.
- 4.8 The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the CA of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the CA.
- 4.9 When considering aspects of the environment likely to be affected by the proposed development; including flora, fauna, soil, water, air and the inter-relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development.
- 4.10 Further information with regard to the HRA process is contained within Planning Inspectorate's Advice Note 10 available on the National Infrastructure pages of the Planning Portal website.

### **Plan To Agree Habitats Information**

- 4.11 A Plan may be prepared to agree upfront what information in respect of Habitats Regulations the Applicant needs to supply to the Planning Inspectorate as part of a DCO application. This is termed an Evidence Plan for proposals in England or in both England and Wales, but a similar approach can be adopted for proposals only in Wales. For ease these are all termed 'evidence plans' here.
- 4.12 An evidence plan will help to ensure compliance with the Habitats Regulations. It will be particularly relevant to NSIPs where impacts may be complex, large amounts of evidence may be needed or there are a number of uncertainties. It will also help applicants meet the requirement to provide sufficient information (as explained in Advice Note 10) in their application, so the Examining Authority can recommend to the Secretary of State whether or not to accept the application for examination and whether an appropriate assessment is required.

- 4.13 Any applicant of a proposed NSIP can request an evidence plan. A request for an evidence plan should be made at the start of pre-application (e.g. after notifying the Planning Inspectorate on an informal basis) by contacting NRW.

### **Sites of Special Scientific Interest (SSSIs)**

- 4.14 The Secretary of State notes that a number of SSSIs are located close to or within the proposed development. Where there may be potential impacts on the SSSIs, the Secretary of State has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.
- 4.15 Under s28(G), the Secretary of State has a general duty ‘... to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest’.
- 4.16 Under s28(I), the Secretary of State must notify the relevant nature conservation body (NCB), NRW in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the Secretary of State must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.
- 4.17 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the Secretary of State. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(I) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

### **European Protected Species (EPS)**

- 4.18 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to a European Protected Species (EPS) is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests in Regulation 53 of the Habitats Regulations. Therefore the Applicant may wish to provide information which will assist the decision maker to meet this duty.

- 4.19 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the Applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.
- 4.20 Applicants are encouraged to consult with NRW and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NRW whether any issues have been identified which would prevent the EPS licence being granted.
- 4.21 Generally, NRW are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NRW will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NRW will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NRW consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The Applicant is responsible for ensuring draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NRW.
- 4.22 Ecological conditions on the site may change over time. It will be the Applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals.
- 4.23 In Wales, the focus is on evidencing the demonstration of no detriment to the maintenance of favourable conservation status (FCS) of the population or colony of EPS potentially affected by the proposals. This approach will help to ensure no delay in issuing the licence should the DCO application be successful.
- 4.24 In Wales, assistance may be obtained from NRW's Species Teams. These Teams provide advice on a range of issues concerning EPS including advice on compensation site design, measures to mitigate incidental capture/killing, evidencing compliance and post project



surveillance. The service is free of charge and entirely voluntary. Species Teams can be contacted via NRW's Enquiry Service<sup>4</sup>.

## Other Regulatory Regimes

- 4.25 The Secretary of State recommends that the Applicant should state clearly what regulatory areas are addressed in the ES and that the Applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.
- 4.26 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the Secretary of State will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The Applicant is encouraged to make early contact with other regulators. Information from the Applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the Secretary of State.

## The Environmental Permitting Regulations and the Water Resources Act

### Environmental Permitting Regulations 2010

- 4.27 The Environmental Permitting Regulations 2010 (EPR 10) require operators of certain facilities, which could harm the environment or human health, to obtain permits from NRW. Environmental permits can combine several activities into one permit. There are standard permits supported by 'rules' for straightforward situations and bespoke permits for complex situations. For further information, please see the Government's advice on determining the need for an environmental permit<sup>5</sup>.
- 4.28 NRW's environmental permits cover:

- Industry regulation;

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<sup>4</sup> Further information is available from: <http://naturalresources.wales/apply-and-buy/protected-species-licensing/european-protected-species-licensing/?lang=en>

<sup>5</sup> Available from: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

- Waste management (waste treatment, recovery or disposal operations);
- Discharges to surface water;
- Groundwater activities; and
- Radioactive substances activities.

4.29 Characteristics of environmental permits include:

- They are granted to operators (not to land);
- They can be revoked or varied by NRW;
- Operators are subject to tests of competence;
- Operators may apply to transfer environmental permits to another operator (subject to a test of competence); and
- Conditions may be attached.

### **The Water Resources Act 1991**

4.30 Under the Water Resources Act 1991 (as amended), anyone who wishes to abstract more than 20m<sup>3</sup>/day of water from a surface source such as a river or stream or an underground source, such as an aquifer, will normally require an abstraction licence from NRW. For example, an abstraction licence may be required to abstract water for use in cooling at a power station. An impoundment licence is usually needed to impede the flow of water, such as in the creation of a reservoir or dam, or construction of a fish pass.

4.31 Abstraction licences and impoundment licences are commonly referred to as 'water resources licences'. They are required to ensure that there is no detrimental impact on existing abstractors or the environment. For further information, please see NRW's guidance form on applying for a full, transfer or impounding licence<sup>6</sup>:

4.32 Characteristics of water resources licences include:

- They are granted to licence holders (not to land);
- They can be revoked or varied;
- They can be transferred to another licence holder; and
- In the case of abstraction licences, they are time limited.

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<sup>6</sup> Available from: <https://naturalresources.wales/apply-for-a-permit/water-abstraction-licences-and-impoundment-licences/apply-for-a-water-abstraction-or-impoundment-licence/?lang=en>

### **Role of the Applicant**

- 4.33 It is the responsibility of applicants to identify whether an environmental permit and / or water resource licence is required from NRW before an NSIP can be constructed or operated. Failure to obtain the appropriate consent(s) is an offence.
- 4.34 NRW allocates a limited amount of pre-application advice for environmental permits and water resources licences free of charge. Further advice can be provided, but this will be subject to cost recovery.
- 4.35 NRW encourages applicants to engage with them early in relation to the requirements of the application process. Where a project is complex or novel, or requires a Habitats Risk Assessment, applicants are encouraged to "*parallel track*" their applications to NRW with their DCO applications to the Planning Inspectorate. Further information on NRW's role in the infrastructure planning process is available in Annex A of the Planning Inspectorate's Advice note eleven (working with public bodies in the infrastructure planning process)<sup>7</sup>.
- 4.36 When considering the timetable to submit their applications, applicants should bear in mind that NRW will not be in a position to provide a detailed view on the application until it issues its draft decision for public consultation (for sites of high public interest) or its final decision. Therefore the Applicant should ideally submit its application sufficiently early so that NRW is at this point in the determination by the time the Development Consent Order reaches examination.
- 4.37 It is also in the interests of an applicant to ensure that any specific requirements arising from their permit or licence are capable of being carried out under the works permitted by the DCO. Otherwise there is a risk that requirements could conflict with the works which have been authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.

### **Health Impact Assessment**

- 4.38 The Secretary of State considers that it is a matter for the Applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the Applicant should have regard to the responses received from the relevant consultees regarding health,

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<sup>7</sup> Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

and in particular to the comments from the Health and Safety Executive and Public Health England (see Appendix 3 of this Opinion).

- 4.39 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

### **Transboundary Impacts**

- 4.40 The Secretary of State has noted that the Applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.

- 4.41 Regulation 24 of the EIA Regulations, which inter alia require the Secretary of State to publicise a DCO application if the Secretary of State is of the view that the proposal is likely to have significant effects on the environment of another EEA state and where relevant to consult with the EEA state affected. The Secretary of State considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.

- 4.42 The Secretary of State recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

## **APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT**

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

- (a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but*
- (b) that includes at least the information required in Part 2 of Schedule 4.*

*(EIA Regulations Regulation 2)*

The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

The Secretary of State advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The Secretary of State recommends that the ES be concise with technical information placed in appendices.

### **ES Indicative Contents**

The Secretary of State emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

Schedule 4 Part 1 of the EIA Regulations states this information includes:

*17. Description of the development, including in particular—*

- (a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
- (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
- (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*

*18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.*

*19. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.*

*20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:*

- (a) the existence of the development;*
- (b) the use of natural resources;*
- (c) the emission of pollutants, the creation of nuisances and the elimination of waste,*

*and the description by the applicant of the forecasting methods used to assess the effects on the environment.*

*21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.*

*22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.*

*23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.*

*(EIA Regulations Schedule 4 Part 1)*

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the Secretary of State recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

*24. A description of the development comprising information on the site, design and size of the development*

*25. A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects*

*26. The data required to identify and assess the main effects which the development is likely to have on the environment*

*27. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and*

*28. A non-technical summary of the information provided [under the four paragraphs of Schedule 4 part 2 above].*

*(EIA Regulations Schedule 4 Part 2)*

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Secretary of State considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

## **Balance**

The Secretary of State recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Secretary of State considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

## Scheme Proposals

The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The Secretary of State is not able to entertain material changes to a project once an application is submitted. The Secretary of State draws the attention of the Applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

## Flexibility

The Secretary of State acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

The Rochdale Envelope principle (*see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The Applicant's attention is drawn to the Planning Inspectorate's Advice Note 9 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.

The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the Applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form



of the structures and of any buildings. Lighting proposals should also be described.

## Scope

The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

### Physical Scope

In general the Secretary of State recommends that the physical scope for the EIA should be determined in the light of:

- The nature of the proposal being considered;
- The relevance in terms of the specialist topic;
- The breadth of the topic;
- The physical extent of any surveys or the study area; and
- The potential significant impacts.

The Secretary of State recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

### Breadth of the Topic Area

The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

## Temporal Scope

The assessment should consider:

- Environmental impacts during construction works;
- Environmental impacts on completion/operation of the proposed development;
- Where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals); and
- Environmental impacts during decommissioning.

In terms of decommissioning, the Secretary of State acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The Secretary of State encourages consideration of such matters in the ES.

The Secretary of State recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The Secretary of State recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

## Baseline

The Secretary of State recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

The Secretary of State recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed

with the relevant statutory bodies and appropriate consultees, wherever possible.

The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

## **Identification of Impacts and Method Statement**

### **Legislation and Guidelines**

In terms of the EIA methodology, the Secretary of State recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the Secretary of State recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

### **Assessment of Effects and Impact Significance**

The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).

As a matter of principle, the Secretary of State applies the precautionary approach to follow the Court's reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

The Secretary of State considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The Secretary of State recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The Secretary of State considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

The Secretary of State recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The Secretary of State recommends that a common format should be applied where possible.

### **Inter-relationships between environmental factors**

The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

The Secretary of State considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

### **Cumulative Impacts**

The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- Projects that are under construction;
- Permitted application(s) not yet implemented;
- Submitted application(s) not yet determined;
- All refusals subject to appeal procedures not yet determined;
- Projects on the National Infrastructure's programme of projects; and
- Projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment will be crucial in this regard.

The Secretary of State recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.

For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

### **Related Development**

The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

The Secretary of State recommends that the Applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

### **Alternatives**

The ES must set out an outline of the main alternatives studied by the Applicant and provide an indication of the main reasons for the Applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

Matters should be included, such as inter alia alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The Secretary of State advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

### **Mitigation Measures**

Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set

out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

The Secretary of State advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

### **Cross References and Interactions**

The Secretary of State recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the Applicant in compiling the required information.

### **Consultation**

The Secretary of State recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the Applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 'Interpretation') to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the Applicant intends to consult on the preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in

accordance with Section 47 of the Planning Act, this could usefully assist the Applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

## Transboundary Effects

The Secretary of State recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Secretary of State recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note 12 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website<sup>8</sup>.

## Summary Tables

The Secretary of State recommends that in order to assist the decision making process, the Applicant may wish to consider the use of tables:

**Table X:** to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

**Table XX:** to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

**Table XXX:** to set out the mitigation measures proposed, as well as assisting the reader, the Secretary of State considers that this would also enable the Applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

**Table XXXX:** to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

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<sup>8</sup> Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## **Terminology and Glossary of Technical Terms**

The Secretary of State recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site. A glossary of technical terms should be included in the ES.

## **Presentation**

The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

## **Confidential Information**

In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Planning Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

## **Bibliography**

A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

## **Non Technical Summary**

The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.



## APPENDIX 2 – LIST OF BODIES FORMALLY CONSULTED

Note: the Prescribed Consultees have been consulted in accordance with the Planning Inspectorate’s Advice Note 3: EIA Consultation and Notification (version 6, June 2015)<sup>9</sup>.

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Welsh Ministers	Welsh Government
The Health and Safety Executive	Health and Safety Executive
The relevant fire and rescue authority	North Wales Fire and Rescue Service
The relevant police and crime commissioner	North Wales Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llandygai Community Council
	Llanberis Community Council
	Llanddeiniolen Community Council
	Llanrug Community Council
	Y Felinheli Community Council
	Pentir Community Council
	Caernarfon Community Council
	Bangor Community Council
	Rhosyr Community Council
	Bodorgan Community Council
	Llanfihangel Ysgeifiog Community Council
	Bodffordd Community Council
	Llanddyfnan Community Council
	Cwm Cadnant Community Council
Rhosybol Community Council	
Llanidan Community Council	

<sup>9</sup> Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Scoping Opinion for  
North Wales Connection

	Llanddaniel Fab Community Council
	Llangristiolus Community Council
	Llangefni Town Council
	Penmynydd Community Council
	Tref Alaw Community Council
	Mechell Community Council
	Llannerch-y-Medd Community Council
	Llanfair-Mathafarn-Eithaf Community Council
	Llaneugrad Community Council
	Pentraeth Community Council
	Amlwch Community Council
	Menai Bridge Town Council
	Llanfair Pwllgwyngyll Community Council
	Moelfre Community Council
	Llaneilian Community Council
	Llanbadrig Community Council
	Cylch-y-Garn Community Council
The Equality and Human Rights Commission	Equality and Human Rights Commission
Royal Commission On Ancient and Historical Monuments Of Wales	Royal Commission On Ancient and Historical Monuments Of Wales
The Natural Resources Body for Wales	Natural Resources Wales
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Cardiff Marine Office
The Marine Management Organisation	Natural Resources Wales

The Scottish Fisheries Protection Agency	Marine Scotland Conservation
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Gwynedd Council - Highways and Municipal Department
The Relevant Highways Authority	Isle of Anglesey County Council - Highways and Transportation Service
The Passengers Council	Transport Focus
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee
The Coal Authority	The Coal Authority
Office of Rail and Road	Office of Rail and Road
Approved Operator	Network Rail Infrastructure Ltd
The Gas and Electricity Markets Authority	OFGEM
The Water Services Regulation Authority	Ofwat
The relevant waste regulation authority	Natural Resources Wales
The relevant internal drainage board	Natural Resources Wales
Trinity House	Trinity House
Public Health England, an executive agency of the Department of Health	Public Health England
The relevant local resilience forum	North Wales Resilience Forum
The Crown Estate Commissioners	The Crown Estate
The Natural Resources Body for Wales	Natural Resources Wales
The relevant local health board	Besti Cadwaladr University Local Health Board
The National Health Service Trusts	Health Protection Team Public Health Wales
The National Health Service Trusts	Welsh Ambulance Services Trust
The National Health Service Trusts	Velindre NHS Trust

The Office for Nuclear Regulation (the ONR)	The Office for Nuclear Regulation (the ONR)
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<b>RELEVANT STATUTORY UNDERTAKERS</b>	
The relevant NHS Trust	Health Protection Team Public Health Wales
The relevant NHS Trust	Welsh Ambulance Services Trust
The relevant NHS Trust	Velindre NHS Trust
The relevant local health board	Besti Cadwaladr University Local Health Board
Railways	Network Rail Infrastructure Ltd
Railways	Highways England Historical Railways Estate
Dock and Harbour authority	Isle of Anglesey County Council (Amlwch Port)
	Caernarfon Harbour Trust
	Dickies International (Port Penrhyn)
Pier	Isle of Anglesey County Council (Menai Bridge Pier)
	Bangor City Council (Bangor Pier)
	Isle of Anglesey County Council (Beaumaris Pier)
Lighthouse	Trinity House
Hydraulic Power	First Hydro Company
Civil Aviation Authority	Civil Aviation Authority

<b>RELEVANT STATUTORY UNDERTAKERS</b>	
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
The relevant Environment Agency	Natural Resources Wales
The relevant water and sewage undertaker	Dwr Cymru (Welsh Water)
The relevant public gas transporter	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	LNG Portable Pipeline Services Limited
	National Grid Gas Plc
	National Grid Gas Plc
Scotland Gas Networks Plc	

<b>RELEVANT STATUTORY UNDERTAKERS</b>	
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
The relevant electricity generator with CPO Powers	Horizon Nuclear Power Wylfa Limited
	First Hydro Company
	Energetics Electricity Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Peel Electricity Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	SP Manweb Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
The relevant electricity interconnector with CPO Powers	East West Cable One Limited

<b>SECTION 42 CONSULTEES</b>	
Local Authorities	Isle of Anglesey County Council
	Gwynedd Council
	Snowdonia National Park

<b>SECTION 42 CONSULTEES</b>	
	Authority
	Powys County Council
	Powys County Council
	Denbighshire County Council
	Ceredigion County Council
	Conwy County Borough Council

<b>NON-STATUTORY CONSULTEES</b>
Cadw
Welsh Language Commissioner
Trafnidiaeth Canolbarth Cymru (TraCC)
Ministry of Defence
Royal National Lifeboat Institution





## **APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES**

Bodies who replied by the statutory deadline:

Cyngor Cymuned Llanddaniel Community Council
Denbighshire County Council
Health and Safety Executive
Isle of Anglesey County Council and Gwynedd Council (joint response)
Mechell Community Council
Natural Resources Wales
Public Health England
Snowdonia National Park Authority
The Coal Authority
Welsh Government



**From:** Dr Sara Roberts, Clerc [mailto:cyngor.cymuned.llanddaniel@gmail.com]  
**Sent:** 20 June 2016 20:54  
**To:** Environmental Services  
**Subject:** Ref 160524\_EN020015\_3890527 Response to Scoping Report

I am writing on behalf of Cyngor Cymuned Llanddaniel Community Council, regarding a letter we received as a consultation body to be consulted by the Secretary of State before adopting its scoping opinion regarding the National Grid and North Wales Connection, reference Ref 160524\_EN020015\_3890527. We would like to inform the Secretary of State that we would like the following to be considered in an environmental statement relating to the project:

the impact on:

Health

Culture

The Environment

Tourism

Agriculture and farming

Business

With thanks,

Sara Roberts (Clerk)



**From:** Ian Weaver [mailto:[ian.weaver@denbighshire.gov.uk](mailto:ian.weaver@denbighshire.gov.uk)]  
**Sent:** 01 June 2016 12:21  
**To:** Environmental Services  
**Subject:** DCO application by National Grid Electricity Transmission plc for the North Wales Connection

For the attention of Hannah Pratt

Hannah,

You have notified Denbighshire County Council as a consultation body in connection with this scheme. The communication dated 24<sup>th</sup> May 2016 relates to a Scoping Opinion request.

We appreciate being informed of the project and for the invitation to comment on the Scoping Opinion request.

We have considered the location and elements of the proposals as contained on the project website, and on the basis of our current understanding of the likely implications on Denbighshire, I can confirm that we do not propose to engage in the future Examination of the scheme, and do not intend to register as an interested party in this process, so we do not have any comments on the Scoping Opinion request.

Whilst we understand you have procedural obligations to notify potentially interested parties at stages in the Examination process, it would be appreciated if you could remove us from your contact list to save future circulation of email and hard copy material.

Regards.

Ian Weaver

Prif Swyddog Cynllunio  
Principal Planning Officer

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd/  
Planning and Public Protection Service

Cyngor Sir Ddinbych /  
Denbighshire County Council

Caledfryn, Ffordd y Ffair, Dinbych, LL16 3RJ /  
Caledfryn, Smithfield Road, Denbigh, LL16 3RJ

Ffon/Phone 01824 706727  
E-bost/E-mail [ian.weaver@denbighshire.gov.uk](mailto:ian.weaver@denbighshire.gov.uk)

Rydym yn croesawu gohebiaeth yn Gymraeg a ni fydd unrhyw oedi wrth ymateb i ohebiaeth a dderbyniwyd yn Gymraeg.

We welcome correspondence in Welsh and there will be no delay in responding to correspondence received in Welsh.



HID Policy - Land Use Planning  
NSIP Consultations  
Building 2.2, Redgrave Court  
Merton Road, Bootle  
Merseyside, L20 7HS

Your ref: EN020015  
Our ref: 4.2.1.5187

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

FAO Hannah Pratt  
The Planning Inspectorate  
Temple Quay House  
Temple Quay,  
Bristol  
BS1 6PN

Dear Ms Pratt

14<sup>th</sup> June 2016

**PROPOSED NORTH WALES CONNECTION (NATIONAL GRID) (the project)  
PROPOSAL BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as amended) – Regulations 8 and 9**

Thank you for your letter of 24<sup>th</sup> May 2016 regarding the information to be provided in an environmental statement relating to the above project.

National Grid Electricity Transmission PLC has developed a proposal for 400kV electricity transmission reinforcements in North Wales to connect planned new nuclear electricity generation on Anglesey and Irish Sea offshore wind

HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

With reference to National Grid plan titled *Figure 1.1 Location Plan, North Wales Connection*, the proposed project/development will pass over Major Accident Hazard Pipeline(s) but does not fall within the consultation distances of any current Major Hazard Installations.

Despite passing over Major Accident Hazard Pipeline(s) the project in its current form does **not** meet HSE Land Use Planning criteria that would lead to an Advise Against response.

However, if prior to the granting of a development consent order for this proposed development, Hazardous Substances Consent is granted for a Major Hazard Installation or there is notification of a Major Accident Hazard Pipeline within or in the vicinity of the development, the HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC



is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

As there are no licensed explosive sites in the vicinity of the above scoping request, we have no comment to make in this regard.

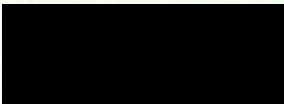
**Electrical Safety**

No comment.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)  
NSIP Consultations  
2.2 Redgrave Court  
Merton Road  
Bootle, Merseyside  
L20 7HS

Yours sincerely,



Dave Adams  
CEMHD4 Policy



# SWYDDOGOL / OFFICIAL



Dr. Gwynne Jones  
Prif Weithredwr  
Chief Executive

CYNGOR SIR YNYS MÔN  
ISLE OF ANGLESEY COUNTY COUNCIL  
Swyddfa'r Sir  
LLANGEFNI  
Ynys Môn - Anglesey  
LL77 7TW

Gofynnwch am - Please ask for: Vicky Jones

☎ (01248) 752102 📠 (01248)750839

E-Bost-E-mail: gwynnejones@ynysmon.gov.uk

Ein Cyf - Our Ref. WGJ/VLJ

Eich Cyf - Your Ref.

20 Mehefin / June 2016

Dear Secretary of State,

**Re: Isle of Anglesey County Council & Gwynedd Council's formal response to the National Grid North Wales Connection Project – Scoping Response to North Wales Connection EIA Scoping Report**

The Councils (Isle of Anglesey County Council and Gwynedd Council) welcome the opportunity to review and appraise the Scoping Report provided by National Grid.

Notwithstanding the fact that National Grid are seeking the Councils' views and comments on the Connection Project, I take this opportunity to reiterate the previously held stance of Elected Members as regards to no additional electricity transmission lines and cables are constructed across Anglesey, the Menai Strait and Gwynedd.

As host authorities to the Project, the Councils recognise their key role in assessing the proposals as they evolve during National Grid's pre-application consultation process. The means by which the scheme is evaluated in the ES will be a key source of evidence to inform the Councils' understanding of the proposals and confidence in the Scoping Report is an important element of this.

The Councils' response includes the detailed review of the EIA Scoping Technical Chapters set out in Appendix A), the key points from which are summarised below: The Councils do not consider that National Grid has to date adequately considered the relative benefits and costs of the option to underground the element of the Project on Anglesey and onwards to Pentir in Gwynedd, and has so far failed to demonstrate that the option currently being promoted is the most suitable taking into account the relevant assessment criteria. This is a major concern to the Councils and further work is needed to properly consider the alternative options. The Councils wish to be involved in this work and for it to be reported in the ES.

In addition, National Grid will need to engage with the Councils in pre-application discussions in respect of Town and Country Planning Act applications supporting any "Associated Development", and the 'Wider Works' referenced by National Grid in association with the mainland infrastructure upgrades required outside the DCO

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application. A clear consenting strategy for all elements of the project, including Associated Development and Wider Works should be provided. The EIA will need to cover all elements of the wider project and the manner in which inter-related and cumulative effects assessment has been undertaken should be clear and unambiguous.

It is important that the consenting strategy for all elements of the Project and Wider Works are addressed within the ES or separately in a Memorandum of Understanding with the Councils and other relevant stakeholders.

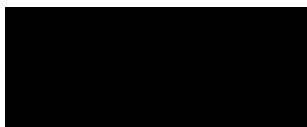
It is also essential that all elements of the project are adequately consulted upon, particularly where certain elements of the project, such as the Menai Crossing are less well defined than others. The consultation strategy should be monitored and updated to ensure that stakeholders and the public are given sufficient opportunity to influence the project. In addition, the Councils would recommend that National Grid provide sufficient clarity on the impact of consultation upon design such that its value can be considered pre and post DCO submission.

The Councils have previously expressed concern relating to project definition, clarity around consenting strategy, and ensuring that the on-going consultation strategy facilitates adequate community and wider stakeholder engagement on mitigation and control measures.

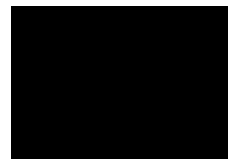
The Councils are also keen to work with National Grid on the development of the ES, and in particular the identification and detail of the relevant baselines for the various topic areas, assessment methodologies and conclusions, the approach to the Rochdale Envelope and mitigation. The Councils consider that this could effectively be done through an EIA Evidence Plan process during the preparation of the application and ES to ensure that these matters are properly considered and included in the application and draft DCO.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,



Dr Gwynne Jones  
Chief Executive



Gareth Jones  
Senior Manager Planning,  
Environment and Public  
Protection (Interim)

encs.

*cfi Project Manager (Major Projects), Project Management Office*

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Dr. Gwynne Jones  
Chief Executive  
Prif Weithredwr

CYNGOR SIR YNYS MÔN  
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Ein Cyf - Ein Cyf. WGJ / VLJ  
Eich Cyf - Eich Cyf.

20 Mehefin 2016

Annwyl Ysgrifennydd Gwladol,

**Yng: Ymateb ffurfiol Cyngor Sir Ynys Môn a Chyngor Gwynedd i Brosiect Cysylltiad y Grid Cenedlaethol ar gyfer gogledd Cymru - Ymateb i Adroddiad Sgopio'r Aseiad o'r Effaith ar yr Amgylchedd (AEA) mewn perthynas â Chysylltiad Gogledd Cymru**

Mae'r Cynghorau (Cyngor Sir Ynys Môn a Chyngor Gwynedd) yn croesawu'r cyfle i adolygu a gwerthuso'r Adroddiad Sgopio a baratowyd gan y Grid Cenedlaethol.

Er bod y Grid Cenedlaethol yn ceisio barn a sylwadau'r Cynghorau ar y Prosiect Cysylltiad, rwyf yn achub ar y cyfle hwn i ail-gadarnhau'r safiad a fynegwyd gan yr Aelodau Etholedig, sef na ddylid codi mwy o linellau a cheblau trawsyrru trydan ar draws Ynys Môn, y Fenai a Gwynedd.

Fel yr awdurdodau y mae'r Prosiect wedi ei leoli yn eu hardaloedd, mae'r Cynghorau yn cydnabod eu rôl allweddol o ran asesu'r cynigion wrth iddynt esblygu yn ystod proses ymgynghori'r Grid Cenedlaethol cyn iddynt gyflwyno'r cais. Bydd y modd y mae'r cynllun yn cael ei werthuso yn y DA yn ffynhonnell allweddol o dystiolaeth i lywio dealltwriaeth y Cynghorau o'r cynigion a'u hyder yn yr Adroddiad Sgopio.

Mae ymateb y Cynghorau yn cynnwys adolygiad manwl o Benodau Sgopio Technegol yr AEA (Atodiad A), ac mae'r pwyntiau allweddol wedi eu crynhoi isod: Ym marn y Cynghorau, nid yw'r Grid Cenedlaethol hyd yma wedi ystyried yn ddigonol fanteision a chostau cymharol yr opsiwn i osod ceblau dan y ddaear ar gyfer yr elfen o'r Prosiect a fydd yn croesi Ynys Môn ac ymlaen i Pentir yn Gwynedd, ac wedi methu hyd yn hyn â dangos mai'r opsiwn sy'n cael ei hyrwyddo ar hyn o bryd yw'r un mwyaf addas gan gymryd i ystyriaeth y meini prawf asesu perthnasol. Mae hyn yn pryderu'r Cynghorau yn fawr ac mae angen gwneud gwaith pellach i ystyried yn briodol yr opsiynau amgen sydd ar gael. Mae'r Cynghorau'n dymuno bod yn rhan o'r gwaith hwn ac iddo gael ei adrodd arno yn y DA.

Yn ogystal, bydd angen i'r Grid Cenedlaethol ymgysylltu â'r Cynghorau mewn trafodaethau cyn cyflwyno cais mewn perthynas â cheisiadau dan y Ddeddf Cynllunio Gwlad a Thref sy'n cefnogi unrhyw "Ddatblygiad Cysylltiedig", a'r "Gwaith Ehangach" y cyfeirir ato gan y Grid Cenedlaethol mewn perthynas â'r gwaith y byddai'n rhaid ei wneud i uwchraddio'r seilwaith ar y tir mawr y tu allan i'r cais DCO. Dylid darparu strategaeth gydsynio glir ar gyfer pob elfen o'r prosiect, gan gynnwys Datblygiadau Cysylltiedig a Gwaith Ehangach. Bydd angen i'r AEA gynnwys pob elfen o'r prosiect ehangach a rhaid i'r modd y cafodd yr asesiad o'r effeithiau rhyng-gysylltiedig a chronnol eu hasesu fod yn glir ac yn ddiamwys.

Mae'n bwysig bod y strategaeth gydsynio ar gyfer pob elfen o'r prosiect a'r Gwaith Ehangach yn cael sylw yn y DA neu ar wahân mewn Memorandwm o Gyd-ddealltwriaeth gyda'r Cynghorau a chydranddeiliaid perthnasol eraill.

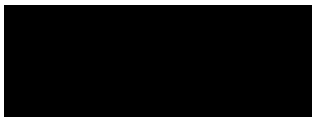
Mae hefyd yn hanfodol bod ymgynghoriad digonol yn cael ei gynnal ar bob elfen o'r prosiect, yn enwedig lle nad yw rhai elfennau o'r prosiect, megis Croesi'r Fenai, wedi cael eu diffinio cystal ag eraill. Dylai'r strategaeth ymgynghori gael ei monitro a'i diweddarau i sicrhau bod chydranddeiliaid a'r cyhoedd yn cael digon o gyfle i ddylanwadu ar y prosiect. Yn ogystal, byddai'r Cynghorau yn argymhell bod y Grid Cenedlaethol yn darparu digon o eglurder ar effaith ymgynghoriad ar ddyluniad cynllun o'r fath i'r graddau y gellir ystyried ei werth cyn ac ar ôl cyflwyno DCO.

Mae'r Cynghorau eisoes wedi mynegi pryder ynghylch y diffiniad o'r prosiect, eglurder o ran y strategaeth gydsynio, a sicrhau bod y strategaeth ymgynghori barhaus yn hwyluso ymgysylltiad cymunedol digonol ac ymgysylltiad ehangach gyda chydranddeiliaid ar fesurau lliniaru a rheoli.

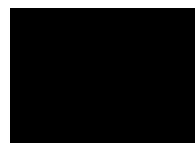
Mae'r Cynghorau hefyd yn awyddus i weithio gyda'r Grid Cenedlaethol ar y gwaith o ddatblygu'r DA, yn enwedig o ran nodi'r gwaelodlinau perthnasol a'u manylder ar gyfer y gwahanol feysydd pwnc, methodolegau asesu a chasgliadau, yr ymagwedd at y 'Rochdale Envelope' a lliniaru. Mae'r Cynghorau o'r farn y gellid gwneud hyn i bob pwrpas drwy broses Cynllun Tystiolaeth AEA yn ystod y gwaith o baratoi'r cais a DA er mwyn sicrhau bod y materion hyn yn cael eu hystyried a'u cynnwys yn y cais a'r DCO drafft yn y modd priodol.

Mae croeso i chi gysylltu gyda mi petai angen mwy o wybodaeth arnoch.

Yr eiddoch yn gywir,



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## Appendix A

### **Isle of Anglesey County Council and Gwynedd Council**

#### **North Wales Connection Project**

#### **Scoping Response to North Wales Connection EIA Scoping Report**

**20.06.2016**



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## Executive Summary

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### Introduction

The North Wales Connection Project, as proposed by National Grid, consists of approximately 40km of 400kV grid infrastructure and supporting buildings between Wylfa and Pentir (the Proposed Project) within the administrative boundaries of Isle of Anglesey County Council (IACC) and Gwynedd Council (GC). The Proposed Project is classed as a Nationally Significant Infrastructure Project (NSIP) and will require a Development Consent Order (DCO) application to the Secretary of State (SoS). As part of the DCO application, National Grid are required to prepare an Environmental Impact Assessment (EIA). As part of the EIA process, National Grid are formally consulting on an EIA Scoping Report to agree the scope of environmental topics to be assessed in the Environmental Statement (ES).

This report sets out the consultation response from IACC and GC (hereafter ‘the Councils’) to the request made by National Grid for a Scoping Opinion from the Secretary of State pursuant to Regulation 8(1) of the Environmental Impact Assessment Regulations for National Grid’s North Wales Connection Project.

The report sets out a technical commentary on the methodologies proposed in the National Grid Scoping Report as well as the information that the Councils consider should be supplied in the ES to be submitted in support of the DCO application pursuant to the Planning Act 2008.

The Councils welcome the opportunity to review and appraise the Scoping Report provided by National Grid. As host authorities to the development, the Councils recognise their key role in assessing the proposals as they evolve in response to National Grid’s pre-application consultation process. The means by which the scheme is evaluated in the ES will be a key source of evidence to inform the Councils understanding of the proposals and confidence in the Scoping Report is an important element of this.

### Engagement to Date (Including Strategic Options)

In 2012, National Grid began informal consultation on the range of connection options to connect the Horizon Wylfa Newydd Power Station, and a number of other proposed energy generation projects to the National Grid. The Scoping Report refers solely to the grid connection needs associated with the Horizon Wylfa Newydd Project, and the Councils seek clarity on the status and influence of other generation projects on the Project. It is expected that a complete Needs Case will be updated for the Proposed Project, including the commitment to back check the strategic options identified. This should include local context for the project associated with the requirement to connect local generation projects to the network, and be drawn upon to inform the EIA.

Following consideration at Full Council (IACC) in December 2015 it was resolved that National Grid’s Strategic Option 3 (if taken forward), would require further mitigation via undergrounding and this should be fully explored by

National Grid. The Scoping Report appears not to have provided further information regarding the potential for undergrounding (with the exception of the Menai Strait), and the Councils note that the potential for further undergrounding is excluded from the project definition. The Councils consider this an important omission which should be addressed through further stakeholder consultation and within the ES.

To date, National Grid have undertaken informal consultation delivered through technical briefing meetings with stakeholders, and rounds of public consultation (Stage 1 October 2012, and Stage Two October 2015), on which the Councils have provided formal representations. The Councils note that minimal reference is made in the Scoping Report to the outcome of these consultations to date, including representations submitted by IACC and GC which are relevant to Scoping the Project. In 2016 technical engagement meetings have been undertaken in relation to some, but not all key topic disciplines. The Councils seek clarity on a programme of further stakeholder engagement prior to DCO submission.

In May 2016, the Councils submitted to National Grid their comments on the final draft Statement of Community Consultation (SoCC). Whilst National Grid have addressed some of the Councils' comments and amended the final SoCC accordingly, there are areas of concern which have yet to be sufficiently acknowledged and addressed. Of particular importance is the definition of which elements of the project are considered part of the NSIP, and which other elements might be subject to Town and Country Planning Act 1990 (TCPA) applications and providing evidence for the consultation zone boundary. The term Associated Development is used within this response to refer to any elements of the Project (excluding the Wider Works) that are not to (or might not) be included within the DCO application and will therefore need to be consented under either the TCPA or some other consenting mechanism. It is important that the consenting strategy for all elements of the Project and Wider Works are addressed within the ES or separately in a Memorandum of Understanding with the Councils and other relevant stakeholders.

It is essential that all elements of the project are adequately consulted upon, particularly where certain elements of the project, such as the Menai Crossing are less well defined than others. The consultation strategy should be monitored and updated to ensure that stakeholders and the public are given sufficient opportunity to influence the project. In addition, the Councils would recommend that National Grid provide sufficient clarity on the impact of consultation upon design such that its value can be considered pre and post DCO submission.

## **Approach to Consenting and EIA**

The Councils have previously expressed concern relating to project definition, clarity around consenting strategy, and ensuring that the on-going consultation strategy facilitates adequate community and wider stakeholder engagement on mitigation and control measures.

National Grid will need to engage with the Councils in pre-application discussions in respect of Town and Country Planning Act applications supporting Associated Development, and the 'Wider Works' referenced by National Grid in association with the mainland infrastructure upgrades required outside the DCO application. A clear consenting strategy for all elements of the project, including Associated Development and Wider Works should be provided. The ES will need to set out a clear and unambiguous approach to the assessment of all elements of the wider project within the assessment of inter-related and cumulative effects.

National Grid should acknowledge the potential for the Proposed Project to fall under transitional arrangements for changes made to the EIA Directive which are expected to be transposed into UK legislation in 2017. The EIA Directive places greater emphasises on assessing the impacts of climate change and health impacts. Dependent upon the date when the new regulations come into force, National Grid will, where applicable, be required to incorporate the new requirements from the Regulations within the EIA work that leads to the preparation of the ES.

National Grid state that both Welsh Language Impact Assessment and Health Impact Assessment will be undertaken and used to inform the Socio-Economic Assessment of the EIA. However, The Scoping Report does not set out a detailed methodology for Welsh Language Impact Assessment and Health Impact Assessment. These assessments should be undertaken regardless of statutory requirements. Welsh Language and culture needs to be viewed by National Grid as a 'golden thread' running through all of their proposals, including the potential impacts and any mitigation.

The Scoping Report does not identify a preferred route location or construction methodology for crossing the Menai Strait. It is expected that further consultation / stakeholder engagement meetings will be required, particularly relating to crossing Menai Strait and mitigation strategy. If a cable tunnel of 4-5m is required as per the potential Menai Strait crossing set out by National Grid there will be a significant amount of spoil arising, which will require '*numerous lorry movements*' (Section 2.8.14 of the Scoping Report) and associated environmental effects. A spoil management plan, including traffic movement, environmental and community considerations should be provided for consultation.

The Councils also wish to be engaged on a clear tiered strategy of mitigation options, including embedded, primary, and secondary measures. Such details should be consulted on and secured as necessary through a Requirement to the DCO or Section 106 Obligations.

It should be noted that matters should not be scoped out unless specifically confirmed as being scoped out by the Secretary of State in the Scoping Opinion. In relation to the Rochdale Envelope, the Councils expect National Grid to adopt a worst-case scenario approach when assessing environmental impacts and clearly explain the assumptions that have been made to establish the worst-case.

## **Review of the EIA Scoping Technical Chapters**

The Councils wish to ensure for each topic discipline that the approach to establishing baseline conditions, assessment of significance of effect and the

identification of appropriate mitigation, compensation or enhancement is agreed during the pre-application consultation stage as part of the preparation of the ES. Sufficient opportunity for consultation on detailed project impact assessment and mitigation should be provided, and will support alignment in the interest of driving towards Statements of Common Ground (SoCG).

### **Landscape and Visual**

The methodology presented in the scoping report for assessing effects on landscape and visual receptors appears broadly adequate, with some further clarifications required in respect of visual impacts, particularly on residential amenity and receptors greater than 500m from the route corridor. Clarification is required as to how the effects as a result of the medium term and permanent loss of vegetation will be presented. The Councils would welcome further consultation on further baseline information including maps and value assessments, and the methodology for assessing cumulative effects.

### **Ecology and Nature Conservation**

There is no indication of the timing of ecology surveys and the survey areas within the Scoping Report. Further information and justification of survey methodologies are required with maps and figures showing defined survey locations. Meaningful commentary on the scope and adequacy of baseline assessment is not possible without the maps and further details on survey methodologies for all ecological receptors. Although the assessment methodology proposed will follow CIEEM guidance, there are concerns that when translated into EIA the significance of effects at a local level are easily misinterpreted. Further dialogue with the Councils would be welcomed.

There is no information regarding the approach and scope for ecological mitigation or enhancement within the scoping chapter. Further consultation is required on the methodology proposed for the assessment of cumulative effects.

### **Historic Environment**

In general, the approach to the scoping and assessment of effects on the historic environment is considered appropriate for the purposes of Scoping. The Councils would however welcome further engagement to discuss the emerging EIA and National Grid's commitment to back-check the implications of any changes in project definition to ensure that effects are adequately assessed.

Further dialogue would be expected in relation to mitigation, enhancement and compensation opportunities to be secured by way of Requirements and Obligations. This should be considered in the context of engagement on landscape and visual mitigation including off-site mitigation planting where appropriate.

### **Geology, Hydrogeology and Ground Conditions**

There is no confirmed construction methodology for crossing the Menai Strait. As such, the study area and EIA approach may be subject to change and refinement as the project undergoes further design and development. Further consultation

will be required, particularly with respect to the as-yet undefined areas of the project such as the Sealing End Compounds and any tunnelling and associated works and impacts.

### **Water Quality, Resources and Flood Risk**

It is noted that baseline data is being gathered and it will be important to ensure that missing data will be collected at an appropriate level of detail through site walkovers and investigations. Whilst the Councils consider the assessment methodology set out largely appropriate, further refinement is required to reflect the potential significance of impacts on receptors which are classed as medium sensitivity. Consultation on the route location and construction methodology for crossing the Menai Strait will be required, particularly in regards to flood risk.

### **Traffic and Transport**

The proposed scope and approach to the traffic and transport assessment is considered to be appropriate and sufficiently extensive to allow the full range of traffic and transport environmental effects to be identified and assessed. The Councils consider that number of clarifications are required in respect of the presentation of baseline data, including Public Rights of Way (PRoW) and public transport, the consideration of seasonality, a road safety audit, and evidence to justify scoping in or out potential operational effects. The potential impacts of a significant volume of spoil arising from the Menai Strait tunnel crossing proposal require further consideration.

### **Air Quality and Emissions**

The general approach to the assessment of impacts in respect of air quality and emissions appears appropriate, albeit with further quantitative evidence required to confirm the scoping in or out of sensitive receptors. Further consideration should be given to the assessment of air quality and traffic impacts potentially associated with the Wider Works as part of the cumulative inter-project assessment and assessment of combined effects.

### **Construction Noise and Vibrations**

The study areas identified for assessing construction noise and vibration are a matter of concern and require further justification. Due to the possible severity of impact from construction noise and vibration on residential amenity it is vital that these matters are adequately addressed by the applicant within the ES in a manner agreed with the Councils.

### **Operational Noise and Vibrations**

The Councils have some fundamental concerns with regard to the method by which the scoping report seeks to establish criteria for the assessment of operational noise. The Councils suggest that further consideration is given to the proposed “scoping out” of consideration of some of the sources of noise, to ensure that a suitable evidence base is provided to justify the approach set out.

## **Socio-Economics**

In general, the proposed approach to the socio-economic assessment as set out in the Scoping Report is considered to be appropriate. The Councils advise however that further consideration could be given to the approach to the identification of receptors, the scope and purpose of business and tourist surveys, and the approach to measuring and assessing the potential effect on tourism and tourist industry employment.

## **Agriculture**

The proposed approach to assessment of effects on agriculture appears to be in accordance with the relevant legislation, guidance and best practice. The Councils seek clarity on whether this chapter will also cover wider land uses and if so an accompanying methodology would be required for these non-agricultural resources.

## **Electric Magnetic Fields**

National Grid have proposed that Electromagnetic Fields (EMF) and Electromagnetic Compatibility (EMC) be excluded from the EIA on the basis that no significant likely effects are anticipated. However, there is no obvious justification for excluding the assessment of EMFs. It is recommended that an assessment of EMFs be incorporated into the EIA and also used to inform the Health Impact Assessment.

## **Conclusions**

The Councils review of the Scoping Report has identified a number of areas requiring further clarification, and potential omissions from the Scope of the ES including the consideration of Welsh language, EMF and health. Matters should not be scoped out unless specifically confirmed as being scoped out by the Secretary of State in the Scoping Opinion. The Scoping out of potential receptors during the assessment process requires a robust evidence base to be presented in the ES. Clarification is required in respect of emerging baseline information and assessment methodology, particularly in respect of residential amenity, tourism, ecology and construction and operational noise impacts which appear less well defined than other topic disciplines.

A common theme across all topic disciplines is a further clarification is required regarding the assessment of cumulative effects, particularly in respect of intra-project effects, which should be underpinned by a clear and coherent project definition including Associated Development and Wider Works (associated with the mainland infrastructure upgrades required outside the DCO application). National Grid will need to engage with the Councils in pre-application discussions in respect of Town and Country Planning Act applications supporting Associated Development, and the Wider Works.

Further dialogue would be expected in relation to the emerging EIA outcomes and associated mitigation, enhancement and compensation opportunities to be secured by way of Requirements and Obligations. The Councils also wish to be engaged on a clear tiered strategy of mitigation options, including embedded, primary, and

secondary measures. The Councils expect the Construction Environmental Management Plan (CEMP) to be a live document, which will be consulted upon and updated in view of the emerging outcomes of the EIA, alongside a number of detailed method statements to secure environmental control measures.



# 1 Introduction

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## 1.1 Scope and Context of Evaluation

The following review of the North Wales Connection Environmental Impact Assessment (EIA) Scoping Report sets out the consultation response from Isle of Anglesey County Council (IACC) and Gwynedd Council (GC) (together the Councils) to the request for a Scoping Opinion from the Secretary of State pursuant to Regulation 8(1) of the EIA Regulations and for the information that should be supplied in the Environmental Statement (ES) to be submitted in support of the Development Consent Order (DCO) application.

This report provides a review of the North Wales Connection Scoping Report, produced by National Grid, including a detailed review of the information and data provided within. This review confirms the additional material and assessment approach which would be expected by the Councils within the Environmental Statement.

Due recognition has been given to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the Infrastructure EIA Regulations) and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2012 (hereafter referred to as the EIA Regulations), Planning Inspectorate Advice Note 7, Preliminary Environmental Information, Screening and Scoping (PINS, 2015,) and the Department for Communities and Local Government's (DCLG's) EIA Planning Practice Guidance (DCLG, 2014).

The Councils welcome the opportunity to review and appraise submissions made by National Grid relating to the proposed project defined as follows;

- Substation upgrade works at Wylfa;
- Approximately 30km of new overhead line (OHL) between Wylfa and the existing substation at Pentir;
- Underground section across the Menai Strait;
- Two new sealing end compounds (SECs) and potentially tunnel head houses either side of the Menai Strait; and
- An extension to the substation at Pentir.

As host authorities to the Proposed Project, the Councils recognise their key role in assisting the Secretary of State's assessment of the proposals. This role will continue throughout National Grid's consultation process as the design of the Project evolves.

## 1.2 Summary of Consultation to Date and Key Issues

Since 2012, National Grid have undertaken informal consultation delivered through technical briefing meetings with stakeholders, and rounds of public consultation (Stage 1 October 2012, and Stage Two October 2015), on which the Councils have provided formal representations. The Councils note that minimal reference is made in the Scoping Report to the outcome of these consultation

stages, including representations submitted by IACC and GC which are relevant to Scoping the Project. National Grid should set out a timeline of consultations undertaken and how the representations made by the Councils will be addressed in the EIA.

National Grid asked as part of the Stage Two consultation for general feedback about the work conducted to date, including the Strategic Options Report (SOR) and selection of a preferred corridor. This is highly relevant to the definition of the Project as well as the methodologies to be employed in the Environmental Impact Assessment. IACC's previous feedback to National Grid from December 2015 is attached alongside the Scoping Response.

### 1.2.1 Strategic Options

The North Wales Connections SOR was first published by National Grid in 2012 and updated in January 2015. National Grid outlined and assessed six Strategic Options including sub-sea connection options to Deeside, Pembroke and Pentir, an overhead line between Wylfa and Pentir, and works to strengthen the existing network between Pentir and Trawsfynydd. The Strategic Options assessed in 2015 included the addition of the 'hybrid route', which comprised an overhead line between Wylfa and Valley, and a sub-sea connection to west Gwynedd.

National Grid assessed each Option, concluding that Strategic Option 3, an overhead line between Wylfa and Pentir with associated mainland upgrades, would provide the most appropriate balance between technical requirements, its economic duties, and its duty to have regard to amenity and mitigate impacts.

The Councils commissioned an independent assessment, and provided a representation to National Grid on the North Wales Connections Strategic Options Report. The Council's position is included in their response to National Grid's Stage Two Consultation in December 2015. Following consideration at Full Council (IACC) it was resolved that Strategic Option 3 (if taken forward), would require further mitigation via undergrounding and this should be fully explored. The Council considered that undergrounding the entire route from Wylfa to Pentir would have a similar cost to the 'hybrid route' but brings the substantial advantage of no longer term visual intrusion. The potential route alignment options for an underground solution, in consideration of environmental and socio-economic effects are yet to be fully explored by National Grid. The Scoping Report appears not to have provided further information regarding the potential for undergrounding (with the exception of the Menai Strait), and it is disappointing to see the potential for further undergrounding excluded from the project definition. The Councils do not consider that National Grid has to date adequately considered the relative benefits and costs of the option to underground the element of the Project on Anglesey, and has so far failed to demonstrate that the option being promoted is the most suitable taking into account the relevant assessment criteria. This is a major concern to the Councils.

National Grid must demonstrate that the primary preferred option is technically feasible, and is in fact capable of being delivered (including technical considerations under the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) in respect of the crossing of the Menai Strait. Should it be identified that the preferred Strategic Option is not feasible, there will be a requirement to re-visit the Strategic Options Report (SOR), and all route options development. It is recommended that this is resolved prior to DCO submission. This is also highly relevant to the scope of the Environmental Impact Assessment which will need to have sufficient detail to provide for potential departures from the preferred option as noted above.

### **1.2.2 Route Corridor Selection**

In regards to the Route Corridor Selection Report there are a number of issues previously identified by IACC and GC in informal consultation, which do not appear to be addressed in the document. Mitigation options have been seemingly discounted within the document at an early stage, without the provision of evidence to support the conclusions drawn. The Councils would expect to see evidence to assess the relative performance of the route options, considering appropriate environmental, social and economic parameters, in addition to demonstrating how the preferred route corridor is most likely to comply with Planning Policy, and environmental legislation, including the Habitat Regulations in consideration of alternatives.

Reference is made within the Route Corridor Selection Report to additional supporting activities and analysis such as review of compliance with socio-economic strategies and guidance, bird strike analysis, landscape and visual assessment with the use of ZTVs and photomontages, review of compliance with planning policies, and further technical investigation of the Menai Strait, but was not provided for consultation at this stage. Without sight of this information, it is difficult for the Councils to comment on the adequacy of the decision making process leading to the route corridor selection.

### **1.2.3 Route Selection**

As identified by the Councils in informal consultation, it is unclear how the boundaries of the orange route corridor have been determined. Section 8.1.6 of the Route Options Report clarifies that this boundary of the orange route corridor is not considered an absolute constraint, and that routes outside this could be considered. Likewise, the 100m corridors identified in the Route Options Report are not set boundaries, and do not account for the limits of deviation that may be specified within the DCO. Care should be taken to ensure that options outside corridors initially identified for consultation are fully consulted upon, and that potential constraints are adequately considered throughout the appraisal process (including within the Environmental Impact Assessment). It also follows that adequate baseline characterisation should address reasonable anticipated departures from the orange route corridor to ensure that the Environmental Statement supporting the DCO submission is sufficiently robust.

Further baseline information should be provided in respect of the supporting activities referred to in Section 8.5 of the Route Options Report. In particular, IACC have previously identified concerns about the potential impacts of route alignment on the Anglesey Fens Special Area of Conservation (SAC) and Anglesey and Llyn Fens Ramsar site, and expect to be consulted on the detailed baseline characterisation of this important site, including the potential for indirect hydrological impacts on habitats.

### **1.2.4 National Grid Scoping Meetings**

The Councils have provided early feedback to National Grid on their approach to Scoping in a number of stakeholder engagement meetings held by National Grid in 2016. The extent to which the Councils comments have been addressed is limited at this stage, and is detailed in the relevant technical sections below. Not all technical disciplines have been subject to informal dialogue in 2016 prior to National Grid publishing the Scoping Report. The topic areas which have not been subject to this engagement include Geology, Hydrology and Ground Conditions, Water Quality, Resources and Flood Risk, Air Quality and Emissions, Agriculture, and Electric and Magnetic Fields.

## **1.3 Councils' Recommendations for Further Engagement**

Whilst it is acknowledged that 'Adequacy of Consultation' under the Planning Act 2008 will be primarily judged by reference to the Statement of Community Consultation (SoCC), IACC and GC are concerned that the current consultation strategy is overly complex and lacks coherence. The Councils have, in written submissions to National Grid, raised a number of issues with the consultation undertaken to date, and highlight particular concerns associated with the lack of project definition at the Menai Strait crossing on which meaningful consultation can be undertaken.

In May 2016, the Councils submitted to National Grid their comments on the final draft SoCC. Whilst National Grid have addressed some of the Councils comments and amended the draft SoCC accordingly, there are areas of concern which have yet to be sufficiently acknowledged and addressed. Of particular importance is the definition on which elements of the project are considered part of the NSIP, and which might be subject to Town and Country Planning Act 1990 applications and providing evidence for the consultation zone boundary.

It would be beneficial for National Grid to take note of these issues and seek further engagement with the Councils in their resolution. The Councils detailed comments on how that should be achieved are set out in section 2.1 below.

National Grid will need to engage with the Councils in pre-application discussions in respect of Town and Country Planning Act applications supporting Associated Development, and the 'Wider Works' referenced by National Grid in association with the mainland infrastructure upgrades required outside the DCO application. A clear consenting strategy for all elements of the project, including Associated Development and Wider Works should be provided. The EIA will need to cover

all elements of the wider project and the manner in which inter-related and cumulative effects assessment has been undertaken should be clear and unambiguous.

Sufficient opportunity for consultation on detailed project impact assessment and mitigation should be provided, and will support alignment in the interest of driving towards Statements of Common Ground (SoCG). The Councils wish to be engaged on a clear tiered strategy of mitigation options, including embedded, primary, and secondary measures. Such details should be consulted on and secured as necessary through the Requirements of the DCO / Planning Conditions for applications made under TCPA or Section 106 Obligations as appropriate. A consistent and coherent approach to mitigation across all elements of the project is critical and can only be achieved if the details and timing of all proposed works are fully understood by the Councils.

Key to linking the Strategic Options engagement with the project level engagement is the commitment from National Grid to 'back-check' the Strategic Options throughout the pre-application and application stages. This should seek to address the information gaps identified at Strategic Options stage and to provide an evidence base for the preferred option selected for the DCO application. This is particularly relevant in reviewing 'mitigation costs' as referenced in the SOR, for example mitigation measures with the crossing of the Menai Strait. The Councils have requested further information and engagement at each stage of the options appraisal process, which incorporates information on alternatives and back-checking to reflect the hierarchy of local needs in reference to sub-sea options, undergrounding the route from Wylfa to Pentir, and hybrid alternatives that explore a mixture of undergrounding and overhead line or alternative technology options.

The construction works for undergrounding the Menai Strait section and the proposed new line present opportunities for local employment and local sourcing. The Councils expect to see an undertaking by National Grid to maximise these opportunities for local people and businesses and to provide support through education and skills training and supply chain development. Such commitment would be consistent with agreements made by National Grid for the Hinkley Point C Connections Project.

## **2 Commentary on information within the Introduction and Proposed Project Description (Sections 1 and 2)**

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### **2.1 The Project and Consenting Strategy**

The Councils have previously expressed concern relating to project definition, clarity around consenting strategy, and ensuring that the on-going consultation strategy facilitates adequate community and wider stakeholder engagement on mitigation and control measures.

In response to the Councils concerns regarding lack of clarity of project definition, National Grid have now sought to define ‘the Proposed Project’ and ‘Wider Works’. It is noted however that the project is expected to evolve and the project definition may change. It is essential that all elements of the project are adequately consulted upon, particularly where certain elements of the project, such as the Menai Crossing are less well defined than others.

In light of the evolving nature of the Proposed Project it is vital that the consultation strategy is monitored and updated to ensure that stakeholders and the public are given sufficient opportunity to influence the project. In addition, the Councils would recommend that National Grid provide sufficient clarity on the impact of consultation upon design such that its value can be considered pre and post DCO submission.

The National Grid proposals will include works to be secured under the DCO submission to the Planning Inspectorate (determined by Secretary of State) and those to be determined by IACC and GC as Local Planning Authorities under the provisions of the Town and Country Planning Act 1990. It is unclear at this stage how the timing of those applications is envisaged by National Grid. At this stage, the scoping report submitted by National Grid gives the impression that all elements of the scheme between Wylfa and Pentir will be submitted as part of the DCO application. The point has been put to National Grid that a formal agreement on the division between the DCO and the TCPA applications will be required, and the Councils are awaiting a draft memorandum of understanding from National Grid.

It should therefore be noted that in order to assist PINS, the Councils’ response to the scoping exercise is being made on the basis that all elements of the project that may require planning permission or development consent are being included within the DCO application. However, no formal agreement has yet been reached on either the principles that will govern the division of any elements of the scheme between those development control regimes, nor has National Grid yet provided the details of its proposals to enable the Councils to assess those details. The Councils must therefore reserve their position on whether or not it is appropriate for all elements of the project that may require planning permission or development consent to be included within the DCO application until a Memorandum of Understanding (MoU) can be agreed with National Grid. It is critical that National Grid continues to engage with the Councils and other

relevant stakeholders in seeking to agree both the principles that are to be applied to these matters, and how such principles are to be applied to the specific elements of the proposed works.

The Department for Communities and Local Government (CLG) document: Planning Act 2008: Guidance on associated development applications for major infrastructure projects provides helpful information on the relationship between Associated Development and the NSIP in Wales. The Councils would encourage National Grid to explain the relationship of the Proposed Project to Associated Development and Wider Works without delay as this clearly has a capacity to influence the scope and approach to the Environmental Impact Assessment.

PINS will also note that paragraph 1.3.10 conflicts with paragraph 17.1.2. The latter confirms that the "Wider Works" will be the subject of separate applications under the TCPA. The former indicates that certain elements of the wider works might be consented under permitted development rights.

It is not clear whether these works are considered by National Grid to form part of its wider project for EIA purposes. National Grid refers in paragraphs 4.3.31 to these being "works to the wider network required facilitate the connection of Wylfa", which indicates that they could be part of the project and therefore requiring EIA. If such works do require EIA, then permitted developments rights may not be available for such works.

National Grid needs to address this point as a matter of urgency and explain why these works should not be considered as part of the wider project so that the stakeholders can confirm whether they agree with this approach – this will require further detail about these works and the potential for interaction with the main connection works.

## **2.2 Environmental Impact Assessment (EIA) Assessment Process**

The Councils note the helpful tables included by National Grid outlining compliance with The Planning Inspectorate Advice Note Seven: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping and Regulation the EIA Regulations. PINS will have noted that the reference within table 1.2.4 to Regulation 13(2) of the 2016 EIA Regulations is not correct. The correct reference is to Regulation 8 of the 2009 EIA Regulations (correctly introduced at paragraph 1.1.6), which it is acknowledged are substantially the same.

National Grid should acknowledge the potential for the project to fall under transitional arrangements for changes made to the EIA Directive. Dependent upon the date when the new Regulations come into force, National Grid will, where applicable, need to incorporate the new requirements from the Regulations within the EIA work that leads to the preparation of the North Wales Connections Project Environmental Statement.



National Grid should consider and engage the Councils on the implications of any future potential changes likely to be made to the EIA Regulations and how this might affect the scheme.

## 2.3 Project Background

Within the Project Background, National Grid start to outline the needs case for the project in terms of National Policy. It is expected that a complete Needs Case for the project will be updated for the Project as set out previously, drawing upon National Grid's previous Needs Case reports, including the commitment to back checking. This should include local context for the project associated with the requirement to connect local generation projects to the network, and be drawn upon to inform the EIA.

Whilst the introductory section of the Scoping Report provides some contextual background, it fails to adequately capture and summarise the informal consultation undertaken by National Grid as set out in Section 1.2 of this Report. It would be helpful for National Grid to provide a timeline of the project to date, including key design decision making aligned with consultation phases.

## 2.4 Characteristics of the Proposed Project

The Councils note that a wide scoping corridor has been defined, to incorporate all anticipated elements of the Project. National Grid should also consider whether this adequately includes for the potential for offsite planting and wider environmental mitigation and enhancement which may be proposed as the EIA is progressed. The project is currently defined as;

- Construction of a 400 kV overhead line including transpositions (approximately 30km in length) between Wylfa and Pentir;
- Underground cables (Menai Strait crossing);
- Sealing End Compounds (required for transition between overhead line and underground cable);
- Tunnel Head Houses (required if tunnel option is used for crossing the Menai Strait);
- Construction of a tunnel or ducts in which to install cables;
- Substation upgrade works at Wylfa and an extension to the existing substation at Pentir; and
- Enabling works, including laydown areas, construction compounds and highway works.

It is noted that the project is subject to further consultation and development and the Councils expect that this will include additional mitigation including undergrounding and habitat mitigation and enhancement, which should be subject to adequate consultation.



Section 2.4.14 of the Scoping Report states that further investigation is required to ascertain the best technology and location to cross the Menai Strait and Anglesey Area of Outstanding Natural Beauty (AONB). This element of the project therefore lacks definition at this stage and therefore restricts the extent to which the Councils can meaningfully engage on the Scope of the EIA for this element of the project. The Councils would recommend additional and focussed engagement in this respect.

Section 2 helpfully provides an outline of construction, maintenance and decommissioning activities. The Councils seek to ensure that these are fully considered in the EIA, particularly where such activities have the potential to give rise to impacts on local communities. An outline construction programme including details of construction phasing would be expected as part of the ES, to provide underpinning assumptions for the EIA, and incorporate environmental mitigation where required. Further issue specific commentary from the Councils is provided in regards to the Construction Environmental Management Plan (CEMP) in Section 5 of this Report. The Scoping Report does not set out how decommissioning will be considered and assessed within each topic discipline and the Councils request that further consideration is given to potential assessment needs.

Section 2.7 describes the overhead line, but provides no meaningful description of the sort of development that is being proposed. As a for-instance, no description of the type of pylon to be used is provided (T-ylon or lattice?). One could reasonably expect a scoping report to provide at least an outline of the nature and extent of the proposed development. There is an absence of description for the overhead line, substation works, and cable sealing compounds.

In Sections 2.7.20, 2.8.24 and 2.8.26-28 the Councils are concerned that this connection can and should only be used for Wylfa. The circumstances in which decommissioning will take place should be clearer and any consent should be tied to both the development and decommissioning of the Wylfa Newydd.

In Section 2.8.10 little detail is provided regarding land reinstatement following completion of construction. Ensuring that the land is reinstated as quickly and effectively as possible is a concern of the Councils and they will expect to see further detail regarding this in the ES, secured through the Code of Construction Practice or other relevant plan secured through the DCO. The Councils note in 2.8.12 the reference to possible trenchless construction techniques and it will expect the ES to identify where such techniques may be used across the cable route and for a commitment to these to be secured in the DCO.

In relation to the width of the cable corridor at 2.8.4, what is the justification for the 65m cable corridor? The Councils expect to see a detailed engineering justification to ensure that environmental impacts are being properly mitigated.

The Councils also seek to highlight at this stage that it is not clear what consideration will be given to effects arising from the management of spoil. If a cable tunnel of 4-5m is required as per the potential Menai Strait crossing set out by National Grid there will be a significant amount of spoil arising, which will require '*numerous lorry movements*' (Section 2.8.14 of the Scoping Report). A spoil management plan, including traffic movement, environmental and

community considerations should be provided for consultation. Stakeholder engagement will be required to establish the most appropriate way of dealing with the arisings.

## **3 Review of Legal and Policy Framework**

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### **3.1 Overview**

Chapter 3 of the Scoping Report sets the relevant legal and policy framework for the proposed project.

Section 3.1 of the Chapter provides a summary of National Grid's duties which are placed upon them by the Electricity Act 1989 and policies which have been developed to ensure a consistent approach to National Grid projects.

The duties placed upon National Grid provide important context to the project. This section explains that when a power generator applies for a connection to the national transmission system, the generator has a statutory obligation to offer a new, or modify an existing connection. National Grid are also duty bound to develop and maintain an efficient, co-ordinated and economical system and consider the amenity impacts of its work.

The Chapter references National Grid's contractual obligation to Horizon Nuclear Power to connect the Wylfa Newydd Power Station by 2024/2025. However, the Councils are aware of a number of other connection agreements referred to in National Grid's previous Needs Case documents in connection with the North Wales Connection Project and seek clarity of whether this remains the case. It is expected that the ES will be accompanied by an updated Needs Case assessment which provides clarity on the status and influence of other projects on the proposed DCO application.

The remainder of the Chapter presents the relevant policy framework for the project which includes:

- The Planning Act (2008);
- National Policy Statements (NPS) (EN-1 and EN-5);
- National (Welsh) Planning Legislation and Policy; and
- Local Policy (including a list of policies at Appendix 3.1).

The framework set is considered to be accurate at the time of production of the Scoping Report and appropriate for setting the context for the project.

### **3.2 National Policy Framework**

The Chapter makes clear the framework for examination and determination of applications for Development Consent Orders (DCO) as detailed within the Planning Act 2008. The NPS's are presented as the overarching policy documents against which the proposals will be considered, however, regard is also given to Welsh policy in order to provide context for the Environmental Statement.

National Grid omit to include reference to paragraph 3.7.10 of EN-1, which is highly relevant to the Project (emphasis added):

*3.7.10 - In the light of the above, there is an urgent need for new electricity transmission and distribution infrastructure (and in particular for new lines of 132 kV and above) to be provided. The IPC should consider that the need for any given proposed new connection or reinforcement has been demonstrated if it represents an efficient and economical means of connecting a new generating station to the transmission or distribution network, or reinforcing the network to ensure that it is sufficiently resilient and has sufficient capacity (in the light of any performance standards set by Ofgem) to supply current or anticipated future levels of demand. However, in most cases, there will be more than one technological approach by which it is possible to make such a connection or reinforce the network (for example, by overhead line or underground cable) and the costs and benefits of these alternatives should be properly considered as set out in EN-5 (in particular section 2.8) before any overhead line proposal is consented. This paragraph should be referenced to earlier comments in section 1.2 above.*

Although the Scoping Report makes reference to the Section 4.1 of NPS EN-1, the remainder of Section 4 contains wider assessment principles which are of relevance to the project and the Councils would expect National Grid to set out how the DCO application proposes to accord with the applicable ‘assessment principles’ as follows:

- Environmental Statement;
- Habitats and Species Regulations;
- Alternatives;
- Criteria for ‘good design’ for energy infrastructure;
- Climate change adaptation;
- Pollution control and other environmental regulatory regimes;
- Safety;
- Common law, nuisance and statutory nuisance;
- Health; and
- Security considerations.

The Councils note that the Scoping Report makes no reference to Section 5 of EN-1 which identifies ‘generic impacts’ which must be considered in an ES accompanying a DCO. Again, it would be useful for National Grid to clearly identify how the DCO application proposes to consider these generic impacts and signpost to relevant parts of the ES and/or supporting documentation.

Along similar lines, Part two of NPS EN-5 provides additional technology specific advice on impacts of electricity networks which is not referenced within

the Scoping Report. It would be useful if the applicant could identify how the DCO application proposes to consider this advice.

### 3.3 Local Policy Framework

The Scoping Report makes reference to the local policy framework in order to provide context for the ES and includes as Appendix 3.1 a useful table of relevant policies with a signpost to where these would be covered within the ES. Nonetheless, it is considered that more policies than indicated are of relevance to socio-economic matters.

Given the timing of the proposed DCO application it can reasonably be expected that the Joint LDP will be in place by the time the Secretary of State makes his or her decision on the DCO application. It might therefore be expected that regard ought to be had to the emerging Plan for more than simply informing the existing baseline. At the time of writing the Scoping Report the submitted Plan for Examination is the Deposit Plan as amended by Focus and Minor Changes. This is not reflected in Appendix 3.1. This Appendix would also benefit from inclusion of relevant policies included in the various extant plans that promote development which seeks to maintain or strengthen the well-being of the Welsh language. In this respect Appendix 3.1 isn't consistent with section 14 of the Report.

The Councils welcome the recognition given to the importance of the Welsh language and its well-being to communities, which includes an intention to undertake a Welsh Language Impact Assessment. Section 3 of the Report, which provides an overview of national policy, would benefit from reference to the Planning (Wales) Act which raises the profile of the language as a material planning consideration.

The Councils welcome the recognition given to the importance of the Welsh language and its well-being to communities, which includes an intention to undertake a Welsh Language Assessment. Section 3 of the Report, which provides an overview of national policy, would benefit from reference to the Planning (Wales) Act which raises the profile of the language as a material planning consideration.

Paragraph 3.4.10 “... *UDP 2005 considered by the Council to be a material consideration...* ” is misleading as the statement implies that others may not regard as a material planning consideration. The Council received an Official Order from the Welsh Assembly Government confirming that the deposit plan of 2001, as amended by the Inspector's Report along with associated recommendations can be given weight as a material consideration in dealing with current planning applications.

Paragraph 3.4.12 should also refer to the Focussed Changes approved by the Councils in January 2016. The Deposit Plan as amended by the Focussed Changes

represents the latest version of the Plan, which is being examined by the Planning Inspector appointed to determine the Plan's soundness.

Appendix 3.1 on Local Planning Policy has little or no reference to the Socio-Economics Chapter:

- Table 2, Strategic Policy 4 - Policy D1, Policy D4, Policy D15, Policy D22, Policy D23, Policy D31 - relevant to Chapter 14
- Table 3. The report in several places recognises the role of the tourism sector. The well-being of key natural and historic environment resources are crucial to maintain the area's status as a visitor destination. Therefore, a number of Local Plan polices are also relevant to Chapter 14, e.g. General Policy 1, Policy 30, Policy 31
- Table 4 - The report in several places recognises the role of the tourism sector. The well-being of key natural and historic environment resources are crucial to maintain the area's status as a visitor destination. Therefore, a number of UDP polices are also relevant to Chapter 14, e.g. GP1, PO8, EN2
- Table 5 - As maintaining and enhancing key natural and historic environment resources are crucial to maintaining the area's status as a visitor destination a number of additional policies are relevant to Chapter 14, e.g. PS15, AMG1, PS17, AT1

Section 4.1 of Appendix 3.1 makes reference to the Menai Strait Local Plan. The Local Plan has replaced the Menai Strait Local Plan as did the Gwynedd UDP. Therefore, there is no need for this reference.

Section 6.2 of Appendix 3.1 refers to the adoption of the Deposit Plan in 2017. It should be noted that the Councils have agreed amendments to the Deposit Plan in January 2016, i.e. Focussed Changes. Therefore, the Deposit Plan as amended by the Focussed Changes represents the 'final' Plan, which is now subject to Public Examination. Table 5 makes no reference to Policy PS1 Welsh Language as amended by Focus Change NF15.

## 4 Review of Approach to EIA

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### 4.1 Overview of EIA Scoping

Chapter 4 provides a useful overview of the EIA framework and purpose of Scoping. The Councils acknowledge that Scoping is an iterative process, as set out in Section 4.2.2. In this respect it is important that National Grid seek to maintain dialogue with stakeholders to establish common ground on the approach to assessment including;

- Methodologies for baseline studies;
- Assessment methodology for evaluating the significance of effects;
- Methods for incorporating mitigation, including primary (embedded) mitigation, secondary mitigation, compensation and enhancement; and
- Means by which stakeholders will be engaged and consultation comments addressed.

It should be noted that matters should not be scoped out unless specifically confirmed as being scoped out by the Secretary of State in the Scoping.

### 4.2 Overview of the EIA Process

The use of generic assessment tables in Section 4.3 of the Scoping Report for the definition of value/sensitivity, magnitude and significance should be applied with caution. For value / sensitivity in Tables 4.1 and 4.3 the descriptions are not consistent. The Councils consider that those in Table 4.3 should be used. It is expected, as noted by National Grid, that topic specific methods will be derived based on the relevant guidance, standards and best practice specific to the assessment discipline.

Section 4.3.19 helpfully differentiates mitigation in terms of;

- Control and Management Measures;
- Mitigation by Design;
- Mitigation Measures;
- Compensation Measures.

This could be expanded on further to clarify the potential role of offsite mitigation, and enhancement opportunities which may be important aspects of the evolving project design. It should be noted that archaeological mitigation does not fall neatly into these descriptions. Whilst preservation in situ of below ground archaeological remains can sometimes be ensured by avoidance (Design), preservation by record of below ground archaeological remains affected by ground disturbing work is a more complex procedure involving excavation, post-

excavation, reporting, publication and dissemination of results, usually through public engagement, education or other means. Also, setting impacts on archaeological sites or monuments are not easily mitigated - planting or screening is rarely appropriate. In such cases National Grid will need to consider access, interpretation, management and conservation of monuments in order to help reduce harmful impacts on the setting of sites or monuments.

In the Section 4.3.12 "*Effectiveness of mitigation – is the mitigation proven to be effective*"? - this is not part of the magnitude of effect and should be applied after determining the significance without mitigation.

If the measures to be contained within the draft CEMP provided with the scoping report (Section 4.3.4) are to be relied on as measures integral to the project when assessing the scope of its likely significant effects, it can be assumed that compliance with the CEMP will form a requirement of any development consent. This is not expressly stated, but the Councils assume that to be the case. This also refers to "environmentally sensitive design and siting being assumed". The Councils do not consider that this is something that can be assumed and expects the ES to demonstrate in detail how this has been done through the design process.

The approach to cumulative assessment appears appropriate, and the Councils would expect to be consulted on the long list and short list of other developments for consideration under 'inter-project' effects.

Table 4.6 of 'Other Developments' should be kept under review until an agreed cut-off date within the EIA Programme. The list omits for example the Morlais Tidal Demonstration Zone Project which was subject to Scoping in 2015. The Council should be afforded the opportunity to review the list of cumulative developments against a Zone of Influence for each topic discipline, which is not currently provided in the Scoping Report. This would be sought within the ES.

The Councils would particularly note the complexity of cumulative assessment with respect to the Wylfa Newydd Project, and other Energy Island schemes. The Council will seek a high degree of clarity from National Grid as to the assessment parameters drawn from other projects. The relationship between what is defined as the 'Project', Wider Works and Associated Development and how they are considered throughout the intra-project assessment should be clearly set out. In particular, the Councils would wish to ensure that the potential effects on sensitive community receptors, particularly during the construction and decommissioning stages, are carefully considered.

It is important that the zone of assessment of 'Wider Works' within the intra-project assessment is carefully considered, and the Councils would welcome further dialogue to understand the proposed approach.

Under Table 4.6 - Major Developments to be considered in the Inter-Project CEA, and the list of projects to be cumulatively assessed should be agreed with the Councils.

For the purpose of the proposed workshop in Section 4.3.29 the Councils would like to be included in the consideration and identification of "shared receptors" for



the purposes of determining likely intra-project effects during the development of the ES.

Section 4.3.30 states National Grid will exclude residual impacts of negligible significance from the intra-project CEA, however, particular attention should be given to whether these effects could be accentuated within specific vulnerable groups. What could otherwise be considered negligible may be accentuated if individuals are particularly sensitive to such effects.

The Councils would wish to ensure that in approaching the project from the perspective of a 'Rochdale' envelope (consistent with PINs Advice Note 9) due consideration is also made of the worst case environmental case in each assessment process reconciling the range of project options with the topic under consideration. Using the worst case environmental case as the basis for assessment ensures that the mitigation measures are developed commensurate with the worst case environmental effects. It is important the Rochdale envelope and its implications on the EIA are clearly defined, and informed by on-going dialogue with the Councils. The Councils urge caution where potential effects are scoped out, before the limits of deviation are fully defined, or defined with a large degree of flexibility at this stage.

It is also noted that the discussion on the Rochdale envelope is very brief in the scoping report. The Councils will be the bodies dealing with the discharge of details under requirements in the DCO and it is important that National Grid takes account of the experience of the operation of other DCOs in this respect. In particular, the Councils are keen to achieve a proportionate balance which allows a 'buildable' consent, with an appropriate mechanism for the approval of details. This needs to be compliant with EIA requirements and allow affected communities and other stakeholders to understand properly during consultation and at the point of submission/examination the range of outcomes which the DCO, if granted, is intended to allow. The Council are keen to work with the applicant on this complex and important set of issues which has implications across the ES and other application documents and therefore encourages continued engagement on this issue.

National Grid is requested to engage with the Councils during the preparation of the ES and agree the details of the baseline environment that the EIA is to be based on.

### **4.3 The Environmental Statement (ES)**

The Councils notes that the list of assessment topic disciplines is in line with contemporary Nationally Significant Infrastructure Projects (NSIPs).

The inclusion of the Agriculture assessment chapter is welcome, given the context of the rural project setting. This chapter could however be expanded to consider 'land use' in its wider context, or alternatively an additional 'land use' chapter provided within the ES. The Councils would encourage National Grid to reflect on this approach.

The impact of emissions on climate change has not been included in the Scoping Report. As set out in Section 2.2 of this Report, the EU Directive on EIA, through which Climate will become an EIA report chapter, will be transposed into UK law in 2017 and so the emerging guidance on the contents of the climate chapter is relevant. EIAs will be expected to consider;

- The impact of this particular Project on global climate change: the carbon footprint of the construction and operational phases, including embedded carbon. The carbon footprint will benchmark the Project against other projects and thereby drive mitigation; and
- Adaptation of the Project required due to climate change. This will include flood risk assessment and ecological impacts as well as the consideration given to the change in climate during the design phase.

National Grid state that both Welsh Language Impact Assessment and Health Impact Assessment will be undertaken and used to inform the Socio-Economic Assessment of the EIA. The Councils envisage that National Grid provide a Health Impact Assessment irrespective of whether or not this is regarded as a statutory requirement. This is seen as essential to allay legitimate concerns from the general public, and to be very much in the spirit of the new Well-being of Future Generations (Wales) Act 2015. The Councils request that they are consulted on detailed methodology for the proposed assessments as soon as possible, in order to ensure adequate opportunity for engagement with a view to establishing common ground.

The Scoping Report does not set out a detailed methodology for Welsh Language Impact Assessment nor Health Impact Assessment. Welsh Language and culture needs to be viewed by National Grid as a ‘golden thread’ running through all of their proposals, including the potential impacts and any mitigation. This approach and the importance of the Welsh Language has recently been endorsed by the Secretary of State within the scoping opinion issued in relation to the Wylfa Newydd project in April 2016 (see paragraph 3.152 in particular). The Welsh Language Impact Assessment should be cross-referenced with the Environmental and Health Impact Assessments.

The Scoping Report does not refer to Habitats Regulations Assessment (HRA) scoping and it is noted that National Grid propose to consult upon an HRA Screening Assessment Document with Natural Resources Wales (NRW). The Councils wish to be kept informed of HRA matters, and have in previous engagement highlighted the need for thorough consultation in regards to a HRA Evidence Plan. The Councils are concerned that surveys have already commenced in the absence of an agreed Evidence Plan, and that the potential for further surveys will be constrained by the Project programme for DCO submission.

#### **4.4 Draft Construction Environmental Management Plan (Appendix 4.1)**

The Councils welcome the provision of a draft Construction Environmental Management Plan (CEMP) as Appendix 4.1 to the Scoping Report. The CEMP

identifies best practice environmental measures which National Grid commit to as an integral part of the project. It is expected that the CEMP will be updated and refined during the design of the project, to incorporate design evolution and EIA, including additional mitigation identified during the EIA. National Grid note that the CEMP reflects proven methods on National Grid projects. It is important that these are kept under review in line with lessons learned from other major infrastructure projects.

The CEMP will be updated, as noted in Section 1.3 in line with emerging best practice and environmental legislation. The Councils would expect such updates to be agreed with the Council throughout pre-application and post application stages prior to construction, the mechanism for which would be secured through DCO Planning Requirement.

It is not clear at present that the scope of the CEMP will be developed to include for the consideration of impacts identified with the EIA. The CEMP for Hinkley Point C Connection Project contained the following appendices to manage scheme effects;

- A Public Right of Way Management Plan;
- A Construction Traffic Management Plan;
- An Outline Waste Management Plan;
- A Biodiversity Mitigation Strategy;
- An Outline Written Scheme of Investigation (for Archaeology);
- A Noise and Vibration Management Plan.

The Councils therefore expect these detailed control documents to be developed in consultation with the Councils prior to submission of the DCO, as supporting documents or appendices to the CEMP/ES.

## **4.5 Construction Working Hours**

It is expected that construction working hours will be refined in view of the outcomes of the EIA, particularly in the vicinity of sensitive community receptors to disturbance from construction associated with traffic, noise and localised environmental impacts. This is a key matter for the Councils and further engagement would be sought with National Grid on this.

National Grid proposed core construction working hours between the hours of 0700 and 1900 on weekdays and 0700 to 1700 at weekends. It is not clear why this differs from the commitments made at Hinkley Point C Connection Project in respect to weekend working hours which were limited to 0800 to 1700 for no more than two consecutive working weekends in one local authority area. The Councils wish to understand in particular the likely effects of weekend working in relation to local socio-economic and tourism impact, and what control measures might be employed to minimise effects. The Councils would also expect

limitations on noisy activities (such as piling) during working hours to be further defined.

The CEMP proposes that there may be circumstances in which activities take place outside core working hours. It is expected that these circumstances will be clearly defined and include exclusions for noisy activities, such as cable cutting. The CEMP also notes that deliveries may take place outside core working hours. It is expected that a plan for mitigation of traffic impacts will be detailed in a Transport Management Plan, to be developed in consultation with the Councils. Such a plan is likely to include scheduling of deliveries and specified hours under which deliveries will be permitted to take place.

## **4.6 Mitigation for Noise and Air Quality Impacts**

Table 2.1 outlines general mitigation commitments that will be secured during the construction stage. This includes detailed measures for noise and air quality mitigation. These are intended to represent generic best practice and should be supplemented with project-specific measures in accordance with the findings of the EIA.

## **4.7 Pollution Control**

The commitments to pollution control, inspections and incident procedures including a Pollution Incident Control Plan are welcomed by the Councils. It is expected that these measures be developed in consultation with Natural Resources Wales and secured by way of DCO Requirement.

## 5 Landscape and Visual Assessment

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This section details the Councils response on landscape and visual matters related to Chapter 5 of the Scoping Report.

### 5.1 Legislation and Policy Context

The Scoping Report contains a comprehensive list of legislation, policies and guidance in line with related discussions at meetings between the Councils and National Grid. At the scoping meeting on 21st January 2016 it was recommended that the Scoping Report should refer to the following additional documents:

- AONB Management Plan;
- Supplementary Planning Guidance (SPG) Gwynedd Landscape Strategy;
- SPG Anglesey Landscape Strategy;
- SPG Cumulative Assessment;
- Anglesey Trees Hedgerows and Woodland Strategy.

The Scoping Report refers to all but the last two in this list and their inclusion would be recommended. The Councils also request that National Grid clarify whether it has or will make reference to the Anglesey Trees Hedgerows and Woodland Strategy. As a point of correction the Anglesey Trees Hedgerows and Woodland Strategy is not an SPG.

5.2.2 Table 5.1 (5.9.5) makes reference to where LANDMAP will be used to inform the assessment of landscape sensitivity as part of the LVIA in Section 5.7, however, this does not appear to be explained under Section 5.7. LANDMAP is used primarily to inform landscape character.

5.2.2 Table 5.1 (5.9.12) - The setting of the AONB and Snowdonia National Park should be separated from the sensitivity assessment.

5.2.2 Table 5.1 (5.9.14) makes reference to the approach to assessing potential effects on LANDMAP aspect areas and SLAs explained in Section 5.7 however, this does not appear to be explained under Section 5.7.

5.2.2 Table 5.1 (5.9.23) The approach to mitigation does not appear to be explained under Section 5.8

5.2.2 Table 5.1 (2.8.2) The approach to mitigation does not appear to be explained under Section 5.8 which covers cumulative effects.

### 5.2 Consultation

As highlighted in Section 1.2 of this report, informal consultation has been underway between the Councils and National Grid since 2012. Several workshops and document submissions took place during the early stages around briefing notes and corridor options. These are not referenced within the Scoping Report. It

is anticipated that the outcome of early stage consultation will be captured within the ES.

A draft of the Scoping Report was provided for review and discussion at a subsequent meeting with National Grid and their consultants in January 2016 followed by a briefing meeting on the final Scoping Report in May 2016. The Councils comments during these meetings appear to have been largely addressed, with remaining matters of on-going dialogue set out below.

5.3.1 Table 5.2 - NRW have requested that where such features are located in a designated landscape, the sensitivity of people using them should be treated as high rather than moderate.

5.3.1 Table 5.2 - The approach to assessing visual sensitivity does not appear to be explained under Section 5.7

5.3.1 table 5.2 - A residential amenity assessment will need to cover all potential impacts, visual being one. It is not clear in the Scoping Report if this topic is covered under another chapter, and if not, then it should be fully explained in Chapter 5. Judgements will need to be made whether impacts on residential amenity would result in harm.

## 5.3 Study Area

The study area identified in the Scoping Report is adequate for the scoping study. As the project design develops and the route corridor becomes more defined, especially around the Menai crossing, the Study area will also need updating. It is imperative that this is responsive to design development and the results of data assembly through the EIA process.

The principle set out in the scoping report, of Landscape and visual studies focusing on 5km from all receptors and up to 10km for selected sensitive receptors is adequate. The range of receptors within this latter 10km study area is yet to be agreed.

## 5.4 Baseline Environment

The scoping report identifies landscape designations on plans at Figure 5.1. There are no plans showing the Landscape Character Areas (LCAs), nor any showing proposed viewpoint locations and PRowS.

The report text covering the landscape character and visual baseline is helpful, but brief and does not assess the value of any receptors.

In Section 1 (Wylfa to Rhosgoch) there is no reference of the AONB setting and the Mynydd Mechell Special Landscape Area (SLA) within the scoping corridor and the direct impact through the route alignment.

An important feature of Section 1(Wylfa to Rhosgoch) is the relatively sparse tree cover and it is important to note hedgerows and cloddiau being important landscape features.

In paragraph 5.5.26 it states that long distance panoramic views are afforded from Parys Mountain, a popular landmark and historical landscape, however, it omits to mention the AONB setting.

In Section 5.5.30 there should be reference to the Parciau SLA or the AONB setting.

In Sections 5.5.43 and 5.5.50 there should be reference to Malltraeth Marsh and the surrounding SLA.

In paragraph 5.5.59 there should be reference to Southern Anglesey Estateland SLA, important woodlands, topography and the setting of Snowdonia National Park.

## **5.5 Proposed Assessment Method**

### **5.5.1 Landscape Assessment**

The methodology presented in the scoping report for assessing effects on landscape receptors appears adequate.

### **5.5.2 Visual Assessment**

The methodology presented in the Scoping Report for assessing effects on visual receptors is broadly adequate, with the exception of the following points.

In Section 5.6.10 – IEMA’s report, State of Environment Impact Assessment Practice in the UK (Ref 5.9) the final bullet point should be fully quoted i.e – “Feedback from scoping and consultation often including views from the local community”.

For the approach to assessing effects of two overhead lines in paragraph 5.6.20, the wirescapes effect should be included amongst the ‘factors which will be considered’.

In Section 5.6.53 and Section 5.6.104 (reversibility – landscape effects and visual effect), 60 years + should be considered permanent in LVIA terms.

In footnote 25 (referenced to paragraph 5.6.59) it should be noted that it is the location which affords the view to the recipient, location cannot change but viewer opinion can be variable. PRow and dedicated cycle routes affords the opportunity of view.

In Section 5.6.60 with reference to the three categories of viewpoint in GLVIA3 it should be noted that extent should be considered and duration can be variable.

In Section 5.6.66 (Zone of Theoretical Visibility (ZTV) Mapping) – it should be noted in the last paragraph that bare ground is the preferred option and the norm.

Contrary to the statement in paragraph 5.6.61, the visual amenity of private receptors including residents in dwellings is often included in LVIA and should be



in this case. That is not to say that representative views from nearby or similar publicly accessible land cannot be used as a basis for assessment.

In Section 5.6.93 it states *“In considering the size/scale of change, the presence of any filtering of a view by vegetation, landform or buildings is taken into consideration as the filtering of even part of a development can reduce the scale of change on the view. Consideration is given to the extent of filtering by vegetation in ‘full leaf’ and during winter”*. It should be noted that in LVIA terms the worst case scenario prevails for winter views.

It is understood that the visual amenity of all residents within 500m will be assessed as part of the Residential Amenity Assessment (RAA).

At paragraphs 6.17, 6.33 and 6.36, GLVIA3 is clear on the inclusion and typically highly susceptible nature of residents at home. As with any other receptor type, the scope of assessments on residential visual amenity should be agreed with the Councils.

As typically highly sensitive receptors, it is considered important that the visual amenity of all residents likely to receive any significant visual effects are assessed. For those within 500m the magnitude of change will be assessed in the RAA. Depending on the structure of the ES and the need to avoid double counting of effects, it may be appropriate to include a summary or at least a cross reference to the RAA in the LVIA where sensitivity is combined with the magnitude and significance of visual effects assessed.

For residential receptors beyond 500m, thus not included in the residential amenity assessment, it is considered that there may still be the potential for them to receive significant visual effects. It is for the assessor to scope these receptors in or out of the assessment. If residential receptors beyond 500m are to be assessed, they could be grouped where appropriate and assessed using representative views.

The assessment of sensitivity of residential visual receptors does not appear to be covered in the visual assessment methodology. For instance it has been excluded from the visual sensitivity criteria at Table 5.7. Nor does it appear to be included in the RAA. The Councils seek clarity from National Grid as to how and where the sensitivity and overall significance of effects on people in their homes will be provided.

The Councils will offer comments on the scope of the visual assessment once they have been presented with the selection of and rationale for visual receptors to be assessed including those potentially affected recreational users of the AONB.

### **5.5.3 Residential Visual Amenity**

The methodology for assessment of potential effects on residential visual amenity is broadly adequate and in line with guidance in GLVIA3.

Points of clarification are:



- It is not clear why the methodology text in Appendix 5.2 refers to magnitude of change, but Table 1 refers to the scale of change. As previously stated, scale is only one factor used in determining magnitude;
- It is not clear why the residential visual amenity assessment only considers magnitude of change and not sensitivity and overall significance like all other environmental topics.
- Judgements on overbearing should be considered if warranted with reference to paragraph 5.6.62 and Appendix 5.2.2 “*the assessment will not make judgements on... material harm to living condition*”. Harm in this context in planning terms is considered as overbearing.

## 5.6 Potential Effects

The Scoping Report helpfully and broadly sets out the temporal scope of the assessment from construction through to decommissioning. It also broadly defines the assessor’s approach in terms of considering duration and reversibility.

There is no commentary regarding the likely significant landscape or visual effects as a result of the project.

In Section 5.7.3 and with reference to the last bullet point relating to the effects on the landscape character and views during the operation of the 400kV underground cable crossing the Menai Strait. It is too early in the process for assumptions on the effects on landscape character and views being ‘broadly neutral’ as this is dependent on the location of the sealing end compounds and any other associated infrastructure and an appropriate assessment being carried out.

Section 5.7.5 states that “*reversibility is a judgement about whether a particular landscape and visual effect is reversible in the long term*”, however, the key issues are the intent and duration of the development.

This section briefly mentions mitigation in so far as the approach to primary mitigation (GLVIA3 paragraph 4.21 to 4.22). On and off site planting is mentioned at paragraphs 5.7.14 and 5.7.15, but there is no description of the scope of the landscape measures which could be used to mitigate landscape and visual effects. Offsite mitigation planting unless secured by Section 106 cannot be guaranteed and should not be included as primary mitigation.

In Appendix 5.3, the landscape and visual scoping summary table is helpful in justifying briefly why some landscape receptors and views from them have been scoped out of the assessment. In the main these appear appropriate where for example intervening distance means there is no potential for landscape or visual effects to arise.

There is a concern regarding the scoping out of effects on Ancient Woodland as a result of the operation of the Project. At paragraph 5.7.6 construction effects are identified as short-term effects. Whilst it is appreciated that any direct effects on Ancient Woodland, and for that matter any other vegetation, would be as a result of the construction process, it is considered necessary to assess the loss of vegetation beyond the short-term construction period.

As part of the Project designated and undesignated vegetation will need to be removed. This fits into two categories;

- Some of it needs to be removed only to make way for construction can be replaced at completion; and
- Some of it will need to be permanently removed to make way for the development.

The first type will lead to medium term effects before replacement mitigation planting has established over a period of say fifteen years.

Loss of the latter type is likely to lead to permanent effects on the landscape and on views.

It is important that these effects as a result of the medium and long-term loss of vegetation are properly assessed in the ES.

The Councils will be able to offer comments on the scope of the visual assessment once this is available.

## **5.7 Cumulative Effects**

The proposed approach to and scope of the Cumulative Effects Assessment (CEA) appears adequate.

As suggested at paragraph 5.8.10 and 5.8.11, the magnitude of change and the criteria for significance for assessing cumulative effects differ subtly from those used in the primary effects assessments and will need to be agreed with the Councils.

The Councils would welcome consultation on National Grid's proposed assessment methodology for this when it is available. This will include a list of cumulative projects for consideration within the context to potential impact zones informed by Zone of Theoretical Visibility.

## **5.8 Combined Effects (see Chapter 17 of the Scoping Report)**

The proposed approach to and scope of combined effects on shared landscape and visual receptors is broadly adequate.

Where there are potential short to medium term effects on visual amenity of shared receptors, it is considered that there might also be the potential for effects on the elements, perceptual characteristics and overall character of the landscape as a result of the construction activities and vegetation loss. The Councils would anticipate National Grid addressing such effects within the Environmental Statement.

## 5.9 Summary

Further commentary regarding the scope and adequacy of baseline assessment is not possible without the maps and value assessments for all landscape and visual receptors. This material will need to be provided to the Councils.

There is still some concern regarding the assessment of visual effects on people in their homes. Whether the assessment be presented in the Residential Amenity Assessment or the LVIA, care must be taken to ensure the conclusions are easy for the reader to interpret and quantify. This raises two points:

- The Councils will require confirmation on how National Grid propose to set out how the sensitivity of resident's visual amenity and significance of effects on them will be presented, and
- The Councils require National Grid to confirm how they will be addressing potential effects on people in their homes further than 500m from the Project.

It is disappointing that there is no information regarding the strategic approach and scope for landscape mitigation (see Planning Inspectorate's Advice Note 7 *Environmental Impact Assessment: Screening, Scoping and Preliminary Environmental Information, July 2013 Version 4.*)

Clarification is required as to how the effects as a result of the medium term and permanent loss of vegetation will be presented

Further consultation is required on the methodology proposed for the assessment of cumulative effects.

## 6 Ecology and Nature Conservation

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The following provides the Councils response on Ecology and Nature Conservation matters in respect of Chapter 6 of the Scoping Report.

Section 6.1 of the chapter provides an introduction in which it refers to the chapter setting out the scope of methodology for the Ecological Impact Assessment (EcIA). However, in other areas of the chapter it refers to the Scoping within an Environmental Impact Assessment (EIA). It should be stated that the EcIA is part of the overall EIA processes and as such the ecological assessment will be reported in the Environmental Statement (ES).

### 6.1 Legislation and Policy Context

Section 6.2 sets out planning policy and legislation, including national and local planning policy. Table 6.1 sets out compliance with the National Policy Statement for Energy (EN-1) and for Electricity Networks Infrastructure (EN-5) and where compliance will be covered in the ES.

Biodiversity Action Plans are mentioned in paragraph 6.2.9, these have however been replaced by the UK Post-2010 Biodiversity Framework which focuses on the four individual countries of the United Kingdom and Northern Ireland. Priority species and habitats for Wales are now listed under Section 42 of the Natural Environment and Rural Communities Act 2006 (NERC Act). Local Biodiversity Action Plans (LBAPs) continue to provide a list of species and habitats of conservation significance for their relevant area. As a point of correction, 6.2.10 needs to include Anglesey's LBAP. The Section 42 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the Act, to have regard to the conservation of biodiversity in Wales, when carrying out their normal functions. Section 42 species are only partly considered later in the Scoping Report.

The NERC Act and Section 42 list are mentioned much later in the document in Section 6.6 Ecological Impact Assessment Methodology, paragraph 6.6.107; which seems out of place here.

This approach to the Section 42 list appears to reflect a misunderstanding concerning the primary of such lists over LBAPs and PINS is asked to provide National Grid with appropriate guidance on this matter.

### 6.2 Consultation

Table 6.2 provides Stage 2 consultation comments from stakeholders with response comments. Stakeholder comments are not all specifically answered leaving comments unaddressed.

An ecology focused stakeholder scoping update meeting was held on 11<sup>th</sup> May 2016 at the IACC Planning Offices in Llangefni on the Isle of Anglesey. During the meeting, further detail was given on the upcoming surveys and methodologies, including an indication of what options were being considered for Section 5 of the

Project (Menai Strait Crossing). Further actions which were discussed and taken down to be progressed included:

- The consideration of additional Schedule 42 (S42) species;
- The inclusion of Net Gains for the project e.g. County Wildlife Site bolstering; multi-discipline approach to achieve collective environmental improvements; and
- Section 5 stakeholder consultation is crucial for co-operative agreement of outcomes for both sides of the Menai Strait.

It was stated that additional details would be provided within the Scoping Report, although the extent to which these comments have been addressed is limited.

### 6.3 Study Area

The scoping study area is defined in Section 6.4, however it is not particularly specific in saying ‘*For some habitats and species and additional buffer of 2km has been added to the scoping study area to ensure that adjacent sensitive sites or species that could potentially be affected by the Proposed Project are identified*’, There are no details of which habitats or species this buffer has been applied to to allow us to provide comment. Bats are defined with a 10km buffer to assess effects, which is considered appropriate.

### 6.4 Baseline Environment

Section 6.5 provides an overview of the habitats within the Scoping Study Area, however no figure is provided showing the habitats mapped to date from the Phase 1 Habitat Survey and as described in the text. Furthermore, as access was limited within the Scoping Study Area, it is not clear how the Phase 1 Habitat survey was conducted and to what extent. The Council recommend further pre-application engagement to assist in establishing a common understanding of the baseline surveys undertaken. This data should be presented clearly within the ES. The habitats within each of the five sections are however described well.

Paragraph 6.5.5 refers to the search of bat related SACs within 10km. Glynllifon SAC is located approximately 10km south west of the scoping study area and therefore should be considered for inclusion. Glynllifon SAC south of Caernarfon is both a maternity and hibernation site for a large population of lesser horseshoe bat *Rhinolophus hipposideros*, comprising about 6% of the UK population.

Table 6.3 (a-e) provides the designations located within the Potential Zone of Influence of the Proposed Project. However, the details provided appear inconsistent. Table 6.3a for Section 1 of the Proposed Project lists (but provides no details) of some of the County Wildlife Sites (CWS) but not all, and CWS are not listed at all in the other tables for the other Sections. Furthermore, ancient woodlands are listed in the tables but not Local Nature Reserves (LNR).

Table 6.3d lists Corsydd Mor / Anglesey Fens SAC as being outside of the Scoping Area, however from Figure 6.1 it looks to be within the Study Area.

Paragraph 6.5.32 to 6.5.45 details the habitats within the Sealing End Compound (SEC) Search Areas, again there is no figure showing where these are, or reference to a figure where they are shown, as such difficult to comment.

It is not clear if Section 6.5 (para 6.5.46) is it referring to the existing baseline presented in the Scoping Report which is incomplete, or the baseline that will be presented in the ES.

## **6.5 Proposed Assessment Method**

Section 6.6 describes the survey methodologies to be applied for habitats and species for the EIA which have been informed by the high level desk study, Phase 1 Habitat surveys and intertidal/subtidal surveys.

The methodologies are described reasonably well, however there are no figures showing where certain detailed ecology surveys will be, or in most cases are currently being undertaken. This makes it difficult for the Councils to provide meaningful commentary whether the location and survey effort is appropriate to the Project and moreover the habitats within the Scoping Study Area.

Paragraphs 6.6.18 and 6.6.19 regarding great crested newt HSI and eDNA surveys are unclear to which ponds will be surveyed in 2016 and/or 2017. It is unclear whether all ponds will either be subject to HSI or eDNA and those which score highly or have a positive/inconclusive result, respectively will be surveyed for presence/likely absence. The Councils seek clarity on this matter.

Paragraph 6.6.40 states that suitable water bodies for water voles will be surveyed up to 50m either side of the mid-line of the Project. Depending on the width of the construction area and thus the potential disturbance area, National Grid should ensure that 50m either side of a mid-line sufficient to incorporate all of the areas potentially directly affected and indirectly affected through disturbance.

In Section 6.6.48 in terms of survey timing there needs to be clarification, as to when the surveys actually start, and whether adders affect the start time.

Paragraph 6.6.58 describes the Bat Activity Transects. The methodology states that static bat detectors will be left for at least five nights at a time, on up to three occasions. There is no commitment to how frequently transect and static bat detector recording will take place and the Councils request that further survey programme details are provided. BCT (2016) guidance recommends survey effort based on habitat suitability for bats, ranging between one transect survey visit and one location per transect, data to be collected on five consecutive nights per season (spring – April/May, summer – June/July/August, autumn – September/October) in low suitability habitat and up to two survey visits per month (April to October) and three locations per transect, data to be collected on five consecutive nights per month (April to October) in high suitability habitats. Further details are required to inform the survey effort required at various locations within the Scoping Study Area. A figure showing the transects and static bat detector locations should be provided for comment.

Paragraph 6.6.69 scopes out other mammal surveys including S42 species brown hare, polecats and dormouse, with no specific explanation. Dormouse are not

found in Anglesey, and it was also agreed, during the previous ecology focused stakeholder scoping meeting on 20<sup>th</sup> January 2016, that dormouse are very unlikely to be present in the vicinity of the project in Gwynedd, as such, the Councils consider that a case can be made for these to be scoped out. However, Anglesey supports a strong population of polecats in North Wales and as such this species should be considered, even if at a habitat suitability level. This potential lack of consideration of additional S42 species counteracts the agreement at the previous ecology focused stakeholder scoping meetings that S42 species would be taken into account. The Councils would seek clarity on what is being taken forward to assessment for these species.

Paragraph 6.6.70 to 6.6.82 describes the Vantage Point Surveys for birds, which appears to follow the guidance provided by Scottish Natural Heritage (SNH) for surveying wind farms (SNH, 2014). Paragraph 6.6.78 and 6.6.79 state there are currently 26 VPs based on a VP at approximately every 2km, however there is no reference to the selection being based on areas of potential higher collision risk, i.e. near large water bodies and wetter habitats, heathland or known flight paths. Furthermore, it is stated that the availability of access to the VP is intermittent or inconsistent, so presumably the data set will be incomplete.

A figure showing where the VPs are located and their respective viewshed should be provided for comment.

Paragraph 6.6.83 describes the breeding bird survey and refers to a 'survey area' where by the survey transect will aim to approach as much of the survey area to within 50-100m. It is unclear what the survey area is. A figure showing the survey areas and transects should be provided for comment.

Paragraph 6.6.83 also states that the survey will be carried out using the Common Bird Census (CBC) methodology. However, paragraph 6.6.88 states that three to five survey visits will be undertaken. The CBC methodology states ten survey visits.

Paragraph 6.6.90 describes the terrestrial invertebrates survey, where it states that it is likely that potential areas for survey will be limited to up to five (the SECs, head house locations etc.) as the majority of the works are not anticipated to affect invertebrates adversely. As well as concentrating on areas where habitat loss will be extensive, areas of higher botanical interests and those which have the potential to support rarer and important invertebrate populations should be considered where any habitat loss is proposed, especially if these areas are within designated sites. A figure showing the survey areas should be provided for comment.

Paragraph 6.6.94 describes the methodology for the dragonfly transects. It is unclear whether standard methodology has been applied and what guidance has been followed. A figure showing the proposed survey transects should also be provided for comment.

Paragraph 6.6.96 describes the methodology for the yellow water traps which reference to up to two visits will be considered at each location. However, there is no indication of how many locations or where they are likely to be. A figure showing the locations should be provided for comment.

Paragraph 6.6.97 describes the aquatic invertebrate surveys where it states that where a watercourse or water body is likely to be significantly impacted and existing baseline data are not available within 200m, if required, a one-off sample will be taken at the proposed crossing point and suitable sampling sites upstream and downstream using Environment Agency methodologies. This needs to be considered in the context of protected sites such as SACs and SSSIs and National Grid to provide justification for the proposed survey effort in this respect.

Paragraph 6.6.100 and 6.6.101 state that as direct burial of cables on the sea bed has been discounted as a crossing method, it is considered that no further survey work on intertidal habitats or subtidal fauna will be required. However, there is no detail on the extent of the intertidal biotope survey and subtidal fauna and biotope survey conducted to date to determine whether these were sufficient and whether more data is required. Further details on the methods, survey effort and area, and survey results are required to determine whether these surveys were indeed sufficient and have provided a data set appropriate for the DCO application and the statement to inform a HRA (for the Menai Strait and Conwy Bay SAC). Furthermore, although direct burial of cables may have been discounted, other methods remain which could have significant effects on the intertidal and subtidal habitats of the SAC.

Section 5 of the Project (Menai Strait Crossing) was also discussed at the most recent ecology stakeholder scoping meeting on 11<sup>th</sup> May 2016. This part of the project is seen as one of the principal receptors for the project, due to the European site designations and the fact it impacts on both IACC and GCC jurisdictions. Detailed consultation will be required to achieve a collaborative agreement for Section 5 with all stakeholders. This includes the Inshore Fisheries Conservation Authority (IFCA) with whom successful contact had not been made at the date of the meeting.

Further consideration of other trans-boundary receptors will also need to be made and agreed during the assessment stages in respect of bird activity across Countries. The Councils seek to be consulted on a proposed methodology for trans-boundary assessment.

Paragraph 6.6.102 to 6.6.124 describes the Ecological Impact Assessment Methodology, which broadly follows CIEEM (2016) guidance. Table 6.8 provides criteria used to define the magnitude of an impact which has attempts to compare CIEEM assessment of significance to the significance terminology used in other ES chapter, which presumably will be following EIA guidance. It is important to note that in accordance with the CIEEM guidelines, the actual determination of whether an impact is ecologically significant is made irrespective of the value of the receptor in question. In this respect, the CIEEM methodology differs from some other approaches to EIA and as such is difficult to compare and liken as has been done in Table 6.8. This has resulted in a significant effect at a local scale under CIEEM being translated/converted into a non-significant effect. Arguably the ecological assessment should try and stick to one of the assessment methodologies or provide justification of this conversion.

In Sections 6.6.107-108 on the Natural Environment and Rural Communities (NERC) Act, 2006 there needs to be specific lists of NERC S42 species and



habitats of conservation concern present in the survey areas, so that these can be taken into consideration in terms of NERC. It should also be noted that the new Wales Environment Act 2016 replaces NERC in Wales but for the time being uses the same species and habitats as S42.

## **6.6 Potential Effects**

Paragraph 6.7.1 lists the potential effects at construction, operation and decommissioning of the proposed development. These effects are then assigned to the construction operation and decommissioning of each sub component of the works, including; overhead line, substation works, cable sealing end compounds, cable direct burial, horizontal directional drill, cable tunnel, pipe jack and bridge deck. The potential effects seems reasonably assigned within this table and all effects are scoped in the EIA, unless stated as not applicable.

There is no information, however, regarding the approach and scope for ecological mitigation or enhancement within the chapter.

## **6.7 Cumulative Effects**

The approach to intra- and inter-project effects described in section 6.8 is appropriate and further described in Chapter 4, however further detail will be expected to be provided as part of the consultation process as the assessment process progresses.

## **6.8 Combined effects (see Chapter 17)**

The proposed approach to and scope of combined effects on shared ecology and nature conservation receptors is broadly adequate.

Table 17.1 in Chapter 17 describes the potential combined effects with regard to re-conducting, Bryncir Substation, 132Kv OHL, Glaslyn Estuary, Wern Y Garth SEC and Trawsfynydd Substation. The potential for combined effects for these seems appropriate, but should be updated and reconsidered when further ecological data is sought from detailed surveys and considered within the EIA.

With reference to Section 6.9.1 a Habitats Regulation Assessment (HRA) will need to consider combined effects with works at the Wylfa Newydd site for Horizon, whether the works are carried out at the same time or not.

## **6.9 Summary**

Meaningful commentary on the scope and adequacy of baseline assessment is not possible without the maps and further details on survey methodologies for all ecological receptors.

The study and survey areas, as well as survey effort and timing is not defined for many survey methodologies. Further information and justification of survey methodologies are required with maps and figures showing defined survey locations.

Concerns with the assessment methodology also remain, although the majority of the assessment broadly follows CIEEM (2016) guidance; where the CIEEM significance of effects has been translated into a general EIA significance of effects, which has resulted in local significant effects becoming non-significant.

There is no information regarding the approach and scope for ecological mitigation or enhancement within the scoping chapter.

Further consultation is required on the methodology proposed for the assessment of cumulative effects.

The Councils would welcome further dialogue to establish common ground on these key matters.

## 7 Historic Environment

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The following presents the Councils response on Chapter 7 of the Scoping Report relating to Historic Environment.

Cross referenced with Chapter 2 of the Scoping Report (Paragraph 2.4.8 - Proposed Project Description) it states that “*There were no potential effects on the historic environment that were considered to be differentiators between the route corridors*”. This statement needs to be qualified as it implies that there were limited Historic Environment issues, whilst in reality, it is more that there are significant historic environment effects common to all routes, including significant setting impacts and below ground archaeological impacts. It is also worth noting that the amount of assessment undertaken to inform the route options was minimal and was mainly based on existing records and the knowledge of stakeholders. This leaves areas where little existing survey data exists and areas of archaeological potential at risk at the point of decision making.

Cross referenced with Chapter 4 (4.13) of the Scoping Report, the iterative approach to assessment is welcomed as this follows the iterative approach to archaeological enquiry, however, it should be noted that archaeological evaluation (including both geophysical survey and intrusive trial trenching) is part of the assessment process and needs to be embedded into the process at the earliest possible stage in order to ensure that it informs decision making as well as mitigation.

### 7.1 Legislation and Policy Context

Section 7.2 describes the legislation and policy applicable to the Historic Environment. The Councils consider that the scope of this section is appropriate and that legislation and policy at a national, regional and local level has been identified, however, within NPS (EN1) 5.8.9 & 5.8.1-14 the scope of evaluation needs to be agreed as soon as possible to help update the baseline data and inform decision making. There have been very limited archaeological surveys along the route corridor to date and the potential for as yet unidentified significant archaeological remains is high. In addition, many of the known, undesignated sites along the route have had relatively little investigation and as such their significance is poorly understood at present. These areas require further evaluation in order to better understand their significance and any potential loss or harm to both the physical assets or their settings.

In paragraph 7.2.10 Policies 40 and 41 are noted as Conservation of Buildings whereas Policy 40 in reality Policy 40 refers to Conservation Areas which are not specific to buildings. There is an omission of the Ynys Môn Stopped UDP and relevant Policies EN10, EN11, EN12 and EN12

### 7.2 Consultation

As set out in Section 1.2 of the Report, National Grid have engaged stakeholders at pre-scoping consultation meetings in early 2016. The commentary adequately reflects the key responses provided by IACC and GC at the initial meeting on

20/01/2016. Issues raised at the subsequent Historic Environment Scoping Meeting held on 13/05/2016 have not been described or addressed.

The ES could also helpfully explain how comments provided by the Councils in the Stage 1 and Stage 2 informal consultation exercises have been considered and addressed.

### 7.3 Study Area

Section 7.4 describes the study area for the assessment, which comprises the Scoping Corridor for the Desk Based Assessment, and a study area of 2km from the Project for assets that may experience effects as a result of changes to their settings. It is stated that assets located at a distance further than this will be included due to their nature and relationship to other assets or as a result of consultation feedback. This approach is considered acceptable.

### 7.4 Baseline Environment

Section 7.5 describes the initial baseline conditions for the scoping corridor, describing at a basic level the number of designated and non-designated assets present within each section, as well as historic landscapes. Some assets are mentioned by name, with a basic description of their location, and the character of historic landscape areas is described at a basic level. A list of designated assets is provided in Appendix 7.1. The Councils consider that while high level, the information provided is sufficient for the Scoping Stage, however, Figure 7.1-7.3 omits to include two Grade II listed buildings from the above list, namely Melin Llanddyfnan and Plas Llanddyfnan. It would be useful for the Designated Assets list to include Listed Buildings curtilage objects or structures as well as identification numbers for both Listed Buildings and Parks and Gardens for Anglesey and Gwynedd.

In paragraph 7.5.2. it states – “*All designated heritage assets within the Scoping Corridor were identified using data obtained from the NMRW*”. The statement requires clarity and reference to the Cultural Heritage Scoping Meeting attended on the 20.01.16 where it was emphasised that in respect to LBs statutory protected curtilage objects or structures are not predetermined or identified. It is suggested to National Grid that Listed Estates Country Houses may have curtilage lodges that are not identified on the NMRW or GIS but that they need to ensure that these are not overlooked. National Grid agreed at the above January meeting to identify curtilage objects or structures within the Scoping Corridor. However, 7.6.6 Survey states “The Site Walkover will also be used to note the presence and condition of any previously unrecorded features of historic environment interest.”

In Section 1, Wylfa to Rhosgoch under 7.5.8 (Historic Landscape) it states “...but the historic landscape is dominated by the post-medieval period...” This depends on the knowledge and understanding of the individual appraising the landscape. The area is rich in relict prehistoric archaeological monuments many of which are highly visible and retain excellent intervisibility as well as other relationships with below ground remains, crop mark sites and as yet undiscovered archaeological

deposits. Reference should be made to the The Ancient Landscape of Môn Archaeological Survey undertaken by GAT report no (946).

In Section 1, Wylfa to Rhosgoch under (Other Recorded Assets) it should be noted there has been limited archaeological survey along the route corridor, particularly geophysical survey and intrusive techniques. As such, there is also good potential for new discoveries - particularly in Section 1. Sites may currently be unknown but through the process of evaluation might be determined to be nationally important and therefore give rise to as yet unrecognised significant effects. This is also relevant to Section 2 Rhosgoch to Llandyfrydog where there is good archaeological potential and a requirement for further work.

For the scheduled standing stones referenced in paragraph 7.5.19 it should be noted that some of these scheduled assets are significantly affected by the existing line and innovative mitigation measures need to be devised to help reduce the cumulative impact of further infrastructure.

In Section 4 B5110, north of Talwrn and west of Star under paragraph 7.5.23 (Other Recorded Assets) it should be noted that this is an example of a known site which could well be nationally important and requires further evaluation to better understand its significance. Other sites in this area show that there is good potential for further discoveries in the surrounding landscape and consequently a requirement for more investigation by evaluation.

In Section 5, west of Star to Pentir under section 7.5.28 (Designated Assets) it is recognised that this area (both sides of the Menai Strait) is one of the most sensitive in terms of settings of designated monuments. Monument management, access, interpretation, conservation etc should be considered to help reduce the impacts wherever undergrounding is not possible / not appropriate.

## **7.5 Proposed Assessment Method**

The Councils consider that the approach described is appropriate, subject to regular consultation to enable any new findings to be discussed and the methodology amended if required. The following points are raised:

In terms of the need for any further survey work as stated in section 7.6.7, archaeological evaluation by way of both magnetometer survey across the Limits of Deviation and targeted, intrusive trial trenching along the route will be required to inform the PEIR. This was highlighted at a meeting with National Grid on the 20th January 2016 and again at a meeting on the 13th May, 2016. It is also recommended that IACC's Senior Planning and Conservation Officer is included with GAPS in agreeing the scope and approach to field surveys.

In Section 7.6.9 (Settings Assessment), in order to apply appropriate weight to assets, intrusive evaluation will be required to determine the significance of an asset and the relevance of any setting assessment.

In Section 7.6.12, bare earth Zone of Theoretical Visibility (ZTV) must be used to inform setting assessment.

It should be noted in 7.6.15 the final selection of assets to be included within the settings assessment will be agreed with Cadw, IACC, Gwynedd Council and their archaeological advisors, GAPS.

In paragraph 7.6.16 in terms of the setting of the asset and the way it is appreciated, in this context consideration must be given to any proposed / potential measures to mitigate / reduce setting impacts i.e. the way an asset might be appreciated in the future post mitigation such as access, interpretation, etc

In paragraph 7.6.23 (magnitude of change) a positive change is unlikely although monument management, conservation, access, interpretation might be considered in this context.

Cross referenced with Chapter 4 of the Scoping Report (4.4 The 'Rochdale Envelope' Approach), this highlights the importance of undertaking archaeological evaluation by way of geophysical survey and intrusive trial trenching across the Limits of Deviation. Unless we have characterised the resource across the area which might be affected there will be limited scope for the project to evolve and the risk of significant archaeological discoveries becoming a constraint to the proposed development is increased.

Figures 7.1 -7.3 with reference to Scheduled Ancient Monuments (SAMs). Scheduled monument data is represented by polygons only rather than also having point data. This means that monuments with small areas such as standing stones (which there are many) are difficult to readily identify compared to all other assets.

## **7.6 Potential Effects**

Appendix 7.2 provides a section and sub-component level description of potential effects, and highlights where particular potential effects have been scoped out, together with a rationale. The Councils consider that the aspects scoped-in and out are appropriate based on the current understanding of the scheme, but would require further consideration in the event that these aspects of the scheme were to change during design development.

Cross referenced with Chapter 2 of the Scoping Report (Section 2.8.4 - 400kv Underground Cables) it should be noted that any direct burial of this type will have a major impact on potential below ground archaeological remains or deposits but will also have an adverse effect on landscape, particularly where underground works are within Registered Historic Parks and Gardens. In these areas, concerns have already been raised about untested techniques for reinstatement and National Grid have made it clear that they currently have little / no experience of reinstatement techniques within designed landscapes. Any technique must be tested and proven to work prior to being used within the registered areas. It may therefore not be appropriate to store any material along the working corridor prior to reinstatement since other techniques might be found to be more appropriate / sympathetic.

## **7.7 Cumulative Effects**

The approach to intra and inter project effects described in Section 7.8 is considered appropriate, however further detail will be expected to be provided as part of the consultation process as the assessment process progresses.

Cross referenced with Chapter 4 of the Scoping Report (4.3.22 Cumulative Effects Assessment) further assessments are required on the effects of the existing overhead infrastructure considered cumulatively alongside the proposed overhead line. There are many existing significant effects (which would be unacceptable within the modern planning policy context), particularly on the settings of monuments along the route of the existing infrastructure which will only be worsened by further infrastructure.

## **7.8 Combined effects (see Chapter 17)**

The proposed approach to and scope of combined effects appears appropriate in respect of the Historic Environment. Careful consideration should be given to the relationship between the Landscape and Visual assessment and the Historic Environment assessment, particularly when ‘scoping out’ any potential sensitive receptors.

## **7.9 Summary**

In general the approach to the scoping and assessment of effects on the Historic Environment is considered appropriate for the purposes of scoping. The Councils would however welcome further engagement to discuss the emerging EIA and to back-check the implications of any changes in project definition to ensure that effects are adequately assessed. Further dialogue would be expected in relation to the emerging EIA outcomes and associated mitigation, enhancement and compensation opportunities to be secured by way of Requirements and Obligations. This should be considered in the context of engagement on landscape and visual mitigation including off-site mitigation planting where appropriate.

## 8 Geology, Hydrogeology and Ground Conditions

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The following provides the Councils response on Geology, Hydrogeology and Ground Conditions in response to Chapter 8 of the Scoping Report.

### 8.1 Legislation and Policy Context

Section 8.2 of the Scoping Report lists a number of pieces of European and National legislation which are relevant to the project. These being:

- The Water Framework Directive (2000/60/EC);
- The Groundwater Directive (2006/118/EC);
- The Dangerous Substances Directive (2006/11/EC)1;
- The Priority Substances Directive (2008/105/ED);
- The Environmental Protection Act, 1990;
- The Environment Act, 1995;
- The Water Act 2003;
- The Water Resources Act 1991 (as amended);
- The Land Drainage Act 1991 (as amended);
- Contaminated Land (Wales) Regulations, 2006;
- Groundwater (England & Wales) Regulations, 2009;
- Environmental Damage (Prevention and Remediation) (Wales) Regulations, 2009 SI 995 (W. 81);
- The Environmental Permitting (England & Wales) Regulations 2010;
- The Water Environment (water Framework Directive) Regulations 2006.

This represents a comprehensive list of appropriate legislation.

In addition, the Scoping Report lists elements of the National Policy Statement (NPS) for Energy (EN-1) and National Policy Statement for Electricity Networks Infrastructure (EN-5) which are relevant.

NPS EN-1 Section 5.3.3 requires the ES to set out any effects the Project may have on designated sites of geological conservation importance, while Section 5.3.4 requires that the project demonstrates how opportunities are taken to conserve and enhance geological conservation interests. Section 5.3.7 requires that mitigation measures are applied to conserve geological conservation interests and, where significant harm cannot be avoided, mitigation and / or compensation measures should be sought. Section 5.10.8 requires effects and impacts on soil quality to be identified and for the previously developed land the risk posed by land contamination must be considered. The Scoping Report acknowledges that areas of geological interest will be identified in the baseline study and will be



reported in the Environmental Statement along with the likely adverse effects of the development, if any, and suggested enhancements / mitigation. With respect to potential ground contamination issues, a preliminary baseline assessment has been undertaken in accordance with the requirements of NPS EN-1 and this will be enhanced and reported in the ES, along with potential effects and mitigation. Based on the commentary in the Scoping Report it is clear that the intent is to appropriately consider the requirements of NPS EN-1 with respect to geology, hydrogeology and ground conditions.

With respect to NPS EN-5 Section 2.2.6 it is a duty of the license holder to have regard to preserving geological features of special interest. As indicated above, it is clear that the Scoping Report's intent is to identify and address the baseline for the Environmental Statement and identify relevant mitigation. It is understood that the preferred route corridor will consist of an overhead line which is partly intended to reduce the impact on geological interests. However, it is acknowledged that temporary infrastructure during the construction phase will potentially have a local impact, as well as for locations of Sealing Compounds, Tunnel Head Houses and so forth.

The Councils consider that the Geology, Hydrogeology and Ground Conditions section of the Scoping Report addresses the appropriate legislation and policy at a national, regional and local level

## 8.2 Consultation

Paragraph 8.3.1 of the Scoping Report confirms that National Grid has undertaken a Stage 2 Consultation and states that responses have been received from:

- Natural Resources Wales;
- The Coal Authority.

It is not clear how National Grid has taken into account other consultation responses which may have been received.

The Scoping Report indicates that comments from Natural Resources Wales have been taken into account with respect to groundwater and contaminated land. For groundwater, the route will pass through a Principal Aquifer which will require protection. National Grid confirm that the effects of the development on groundwater will be assessed further as part of the EIA and that it will take into consideration the GP3 Guidance for Groundwater Protection: Principles and practice.

Natural Resources Wales have highlighted that the route is likely to pass through areas of land which have been subject to potentially contaminated uses, and that appropriate risk assessment and remediation (where appropriate) will be required. National Grid acknowledge that the baseline has identified the potential for very localised existing contamination in the Scoping Corridor and that they will assess the potential impacts which will be reported in the Environmental Statement.

Commentary from the Coal Authority confirms that a small section of the proposed route corridor south-east of Llangefni will fall within a defined coalfield

which has recorded mine entries, the closest of which is 0.75m away. They also indicate that unrecorded shallow workings may be present. National Grid confirm that the Environmental Statement will address historic mining issues with a review of mine abandonment plans to assess the potential impact.

It is assumed that further consultation / stakeholder engagement meetings for the development will be required with respect to geology, hydrogeology and ground conditions as, while much of the overhead line works will be localised, other major infrastructure works will be required, particularly relating to the construction of Sealing Compounds, Tunnel Head Houses, the tunnel under the Menai Strait, and any temporary works such as enabling works and laydown areas. If a tunnel option is provided beneath the Menai Strait a significant quantity of waste soil and rock will be generated and which will require transport and subsequent deposition. Stakeholder engagement will be required to establish the most appropriate way of dealing with the arisings. Materials Management should be considered as part of the Environmental Statement.

### **8.3 Study Area**

The different nature of the potential geological, hydrogeological resources and potential sources of contamination means that the lateral and vertical extent of the Scoping Study Area will vary depending on each type of sensitive receptor and potential source of contamination. However, the study area identified in the Scoping Report appears generally adequate, but may require some amendment as the baseline study is progressed. As the project undergoes further design / development the route corridor is likely to be further defined, especially in the location of the Sealing Compounds and the Menai Strait crossing.

### **8.4 Baseline Environment**

Paragraph 8.5.1 outlines the sources of information which have been used to determine the geological and hydrogeological characteristics of the Scoping Corridor and to identify the potential effects of the Project. Generally the sources used will provide a broad coverage of the corridor but further necessary detail could be gained from additional information sources such as;

- British Geological Survey 1:10,000 scale maps and memoirs along with additional information from up to date mapping undertaken by the BGS;
- Available borehole logs from the BGS for investigations which may have been undertaken in the vicinity of the route corridor. This will provide additional details of soil material types, strata thicknesses, groundwater level etc. It is understood that some of this information has been identified and is currently being obtained as part of the ongoing baseline assessment;
- Mine working / abandonment plans and other details from the Coal Authority archives;
- Comprehensive environmental data which may be available within or additional to the Groundsure Enviroinsight Report, e.g. from Natural Resources Wales, Landmark Envirocheck; and

- A site walkover.

Figures 8.1 to 8.16 provide a useful summary of the drift and solid geology, hydrogeology, coal mining areas, and historic land use around the area of the Menai Strait. However, the ES will need to contain more detail and assessment both within the figures and text. Section 9 of the Scoping Report, covering water quality and surface water features will need to be incorporated into the assessment with respect to impact of potential contamination on those receptors.

The Scoping Report highlights the possible need to include further baseline data searches as an iterative exercise to fully inform the Environmental Statement as and when further assessment is deemed necessary. Certainly, development specific ground investigation will be required for scheme and detailed design of geotechnical / ground works as well as to provide information to assess the impact of potential contamination on various receptors.

The Scoping Report rightly states that there is unlikely to be a change to the majority of the baseline conditions between the time of the assessment and the commencement of construction. However, the report also identifies the additional receptor, i.e. the construction workforce, which may be impacted by any potentially contaminated soil and groundwater which may be encountered.

The Scoping Report does not mention seismic risks in relation to the project. It is understood that the seismic risk to the majority of the transmission line route is low. However, seismic activity on mainland North Wales may have an impact on tunnel structures such as that proposed under the Menai Strait and this should be considered by National Grid. Further consultation with the Councils is anticipated in this regard.

## 8.5 Proposed Assessment Method

The Scoping Report highlights the need to undertake further baseline studies as indicated in Section 8.6.1 of that report. Using this data, a combination of qualitative and quantitative risk assessment is proposed to assess the potential effects of existing ground conditions on the project.

For ground contamination issues the Scoping Report confirms that the source – pathway – receptor methodology will be used, presumably based on GPR3, CLR11 and the Guiding Principles for Land Contamination.

It would seem appropriate that, in the absence of specific guidance in relation to cable schemes for assessing soils, geology and hydrogeology, the potential effects on the geological environment would be best served by the guidance in the Design manual for Roads and Bridges (DMRB) Vol.11, Section 3, part 11. It would also seem appropriate to assess the significance of the potential effects on groundwater by reference to DMRB HD45/09 Part 10, Road Drainage and the Water Environment.

The geological / hydrogeological receptor sensitivity and value criteria (Section 8.6.5) and magnitude of effect (Section 8.6.6) provide a comprehensive classification framework. The framework leads into the determination of the

significance of effects of each receptor allowing the screening in or out of receptors.

The assessment methodology appears reasonable provided a comprehensive set of input data is available.

## **8.6 Potential Effects**

Section 8.7 of the Scoping Report provides a summary of the potential effects of the development under the headings of ‘Construction’, ‘Operation’ and ‘Decommissioning’, based on the current preliminary assessment, with the most sensitive receptors being designated geological sites, underlying aquifers, and uncontaminated soils and geology.

Appendix 8.1 of the Scoping Report consists of the Scoping Summary Table. The summary of receptors and potential effects is helpful but is also high level at present. All potential effects are currently scoped in with none scoped out. This table should be developed further when additional baseline data is presented and when the scheme is further developed.

## **8.7 Cumulative Effects**

National Grid are of the opinion that the receptors of effects related to the Geology, Hydrogeology and Ground Conditions chapter of the Scoping Report are unlikely to be affected by other sources of effects related to other topics. However, the interrelation of the other topic areas such as water quality, resources, ecology will need to be considered. It is essential that there is a close communication within and between technical disciplines to ensure a consistent approach.

It is agreed that inter project effects are not likely to be considered generally significant, although the scale of any tunnelling operations beneath the Menai Strait may still be a significant consideration within the EIA.

## **8.8 Combined effects (see Chapter 17)**

The proposed approach to and the scope of combined effects with respect to Geology, Hydrogeology and Ground Conditions is broadly adequate in that the assumption is that combined effects are highly unlikely. This is due to the generally localised nature of the development activities. However, consideration to potential dewatering operations should be made where tunnelling is required under the Menai Strait.

## **8.9 Summary**

In summary, the Scoping Study with respect to Geology, Hydrogeology, and Ground Conditions, appears to adequately address the appropriate legislation and policy at a national, regional and local level. Further consultation will be required, particularly with respect to the as-yet undefined areas of the project such as the Sealing End Compounds and any tunnelling and associated works and

impacts. The study area with respect to the subject area may be subject to change and refinement as the project undergoes further design and development.

While initial baseline studies have been undertaken to inform the basic geology within the route corridor, potential mining issues, aquifer designation, an indication of potentially contaminated land and sites of geological interest, it is acknowledged that further baseline studies must be undertaken to inform assessment, mitigation and design decisions.

## **9 Water Quality, Resources and Flood Risk**

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The Council has set out below the response on Water Quality, Resources and Flood Risk in respect of Chapter 9 of the Scoping Report.

### **9.1 Legislation and Policy Context**

It is noted that the key issues surrounding the water quality, resources and flood risk element of the proposed Project is addressed through the assessments of flood risk and Water Framework Directive (WFD) compliance. It will be important to ensure that these legislative elements remain aligned with the wider EIA.

The Scoping Report includes a comprehensive list of national and local legislation and policy to be considered during the Project EIA. The inclusion of the Welsh Government's Technical Advisory Note (TAN) 15 is important and further significance must be placed upon advice within this document. This relates to the prevention of the worsening of flood risk or contributing elements such as run-off through development, where possible redevelopment should attempt to reduce flood risk.

Where applicable, as the Project develops, it will be necessary to revisit local legislation and policy as documents become updated.

### **9.2 Consultation**

The list of prescribed consultees is noted and the inclusion of these four organisations (NRW, DCWW, IACC and GC) within the EIA process from the early stages will be key. Additionally, identification of non-prescribed bodies is important for the inclusion of local communities. Liaison with both prescribed and non-prescribed bodies during stakeholder group meetings to develop route options has already commenced. The ES could helpfully explain how comments provided by the Councils in the Stage 1 and Stage 2 informal consultation exercises have been considered and addressed.

It is expected that stakeholder engagement meetings will continue during the EIA process to allow stakeholders and consultees to provide their views and gain information on the Project.

### **9.3 Study Area**

The definition of a two tiered study area: Local Hydrological Study Area (LHSA) and Wider Hydrological Study Area (WHSA) is noted. It will be important not to concentrate efforts entirely upon the LHSA, recognising that hydrological elements can have a high degree of connectivity to surrounding elements.

The process of defining the LHSA adequately encompasses the WFD waterbodies within the Scoping Corridor and provides an appropriate buffer within the surrounding area for consideration of the impacts within a WFD context.

The definition of the WHSA and the connectivity with the LHSA is noted. The incorporation of sites that are potentially hydrologically connected to the Scoping Corridor is an important consideration. Particular attention must be paid to areas that have a high habitat/conservation value within the landscape such as Sites of Special Scientific Interest (SSSI).

## 9.4 Baseline Environment

It is noted that key datasets relevant to the Project have been obtained or requested. In the event of these datasets being unavailable it may be necessary to carry out more detailed site walkovers to collect information on missing data. This will also serve to support the desk-based assessment that has been or is due to be undertaken.

The extensive list of data sources demonstrates a wide ranging assessment. With regard to water quality, it will be necessary to not only consider the current and future WFD Ecological and Chemical Status, but also the type of water body. If the water body is classified as an Artificial or Heavily Modified Water Body then there will be associated mitigation measures within the relevant River Basin Management Plan (RBMP). It will be important to consider these mitigation measures as part of the baseline assessment.

The key datasets for the general baseline information have been provided. Use of local gauging stations is recommended for peak flow and rainfall estimates, although the use of the FEH CD-ROM V3 for SAAR values is noted. Liaison with NRW and local authorities to provide further information on licensed discharges will be beneficial for providing a comprehensive assessment of water resources within the LHSA.

The impact of climate change on flood risk requires further consideration. Section 9.5.16, refers to the Welsh Government document, 'Adapting to Climate: Guidance for Flood and Coastal Erosion Risk Management Authorities' (2011). It should be noted that guidance on which this document is based was updated by the Environment Agency in April 2016<sup>1</sup>. Long-term impacts beyond the time frame that estimates are available will need to be given consideration. Assessment of elements of the Proposed Project development will need to consider Upper End climate change allowances for fluvial flows and peak rainfall intensities. Use of the H++ scenario may also need to be considered where the consequences of design exceedance would be catastrophic.

In respect to water quality, the inclusion of the 'non-reportable' near-coast catchments for the Scoping Corridor (plus the 250m buffer) is noted. It is suggested that, in the absence of site-specific data, it cannot necessarily be assumed that they have the same or similar water qualities as adjacent WFD water bodies.

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<sup>1</sup> See:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/516116/LIT\\_5707.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/516116/LIT_5707.pdf)



Provision of the baseline information for each section of the route provides a coherent approach to the EIA/ES. Each section adequately provides details of the information available on key features. It is noted that many of the watercourses are not gauged meaning specific hydrological records are unavailable.

The identification of WFD information within the tables provided is beneficial, however the Section 5, Menai Strait to Pentir (Gwynedd), requires the identification the type of water body within Table 9.13 to determine if the river water bodies are designated Artificial or Heavily Modified Water Bodies. The flood risk elements for each section are covered with indication of the areas within Flood Zone 2 or Flood Zone 3.

## 9.5 Proposed Assessment Method

The requirement to collect additional data is noted. With regard to any undergrounding proposed it will be necessary to seek additional information and conduct detailed site walkovers to determine the impacts of the Project.

In relation to the identification of receptor types, it needs to be demonstrated that there is consideration of all WFD quality elements within the ES. Detailed consideration of hydromorphological elements of watercourses is currently omitted from the assessment. Where the proposed permanent and temporary construction works may permanently alter hydromorphological elements it will be necessary to determine a baseline within the scoping corridor in order to fully identify the potential impacts. Hydromorphological characterisation using fluvial audit techniques should therefore be considered in these circumstances.

It should be noted that clarification from the Court of Justice of the European Union (CJEU) on the interpretation of the WFD's key environmental objectives has implications for WFD assessment. The ECJ sees a deterioration of the status as soon as the status classification of at least one of the quality elements falls by one class, even if that fall does not result in a drop of the overall classification of the water body. However, if the quality element concerned was already in the lowest class, any deterioration of that element would constitute a deterioration of the status.

It is noted that flood consequences assessments will be produced, using existing data where available, and complemented by technical assessments where necessary, in close consultation with NRW. The identification of the water resources and flood risk receptors are noted. The list of Statutory National and International Designated Sites for Hydrology provided in Appendix 9.1 demonstrates a consideration of the importance of these sites in terms of hydrological connectivity. It would be helpful to note within the table in Appendix 9.1 if these receptors are considered in this chapter or in Chapter 8 Geology, Hydrogeology and Ground Conditions. The identification as a potential receptor is noted, enabling the effective screening in or out of these sites. The receptor sensitivity criteria and magnitude of change provide a comprehensive classification framework. However it is noted that the criteria for determining the classification of magnitude as 'high', 'medium' and 'low' is currently very subjective and would benefit from a more quantifiable criteria, for example



defining the increased depth of flooding associated with each magnitude of impact.

The significance threshold for the effects addressed within table 9.20 differ confusingly from the generic significance of effects of the table at 4.3 of the Scoping. At 9.20 different labels are used to describe the sensitivity of receptor which leads to a medium magnitude impact on a medium sensitivity receptor not being a significant effect, whereas in table 4.3 the opposite is the case.

No explanation is given to substantiate this confusing and misleading difference in methodology in this chapter.

## 9.6 Potential Effects

The scoping in and scoping out of receptors and their subsequently further inclusion in the EIA process in accordance with the proposed methodology is noted. The identification of likely water quality, resources and flood risk effects for the worst case scenario demonstrates a thorough assessment of any associated impacts which will need to be reviewed as the EIA process progresses and there is less uncertainty regarding the Proposed Project designs. It is important to note that consideration of the potential effects in future screening during the EIA process will require input from multiple technical disciplines to ensure a thorough approach. The decision to scope in many of the construction activities at this stage is noted with the premise that at a later stage these will be reviewed. The reviewing process has the potential to scope out a number of these construction activities in light of further clarity.

The potential effects with regard to operation of the Project will require further detail. It is noted that assuming Good Practice Mitigation Measures are followed and Design Principles are incorporated significant effects will be avoided. The location and mitigation of design features such as pylons and substations from a flood risk perspective will be an important consideration. The proposal of an underground cable across the Menai Strait will require cable sealing end compounds to be built, estimated to be one acre in size. Particular attention should be placed upon the siting of these compounds with regard to flood risk and if necessary appropriate mitigation measures should be incorporated into the design.

The decommissioning stage is noted to have similar effects to the construction phase and therefore the scoping in and out of activities will also be similar. Once decommissioning activities are known further assessment of this element can take place, until then it is agreeable that the activities will remain scoped in.

The summary table (Appendix 9.2) detailing the scoping in/out of specific design features in relation to the stage of the Project provides justification for the scoping out of certain elements. As previously noted, it is anticipated that there will be more elements that are scoped out as the project progresses.

The appropriate incorporation of design mitigation is noted. Permanent infrastructure associated with the Project is recommended to be located in low flood risk areas, if this is not possible it is recommended that appropriate mitigation will be incorporated. The priority of the use of bridges instead of

culverts is noted, however in the cases where this is not possible it will be appropriate to design culverts using best construction practices. This will involve aspects such as a naturalised bed, the incorporation of light wells where appropriate and keeping the culvert length as small as possible. Additionally, as part of the construction phase, the reinstatement of banks/river beds should be observed to adhere to best practice.

## **9.7 Cumulative Effects**

The topics considered most likely to be inter-related to water quality, resources and flood risk have been noted as groundwater and ecological receptors (with specific reference to the Menai Strait Crossing).

It is essential there is close communication within and between technical disciplines to prevent inefficiencies and compile a consistent approach. It is suggested that Chapter 8 Geology, Hydrogeology and Ground Conditions should consider all groundwater-related receptors (both water quality and resources) including groundwater dependent terrestrial ecosystems, for example wetland SSSIs that are groundwater-supported. This highlights the need for Chapters 8 and 9 to dovetail into each other to avoid unnecessary repetition or omissions.

The impacts of developments occurring within the same timescale as the Project have been duly noted and their cumulative impact has additionally been considered.

## **9.8 Combined effects (see Chapter 17)**

The potential for combined effects resulting from wider works is noted to have been scoped in on a precautionary basis. It is still acceptable to consider that construction effects could combine to have an impact upon single shared receptors but is subject to further review and potential alteration of this scoping in as the projects develop.

## **9.9 Summary**

The key features associated with the Water Quality, Resources and Flood Risk elements of the Project are featured within the Scoping Report. It is suggested that there is a focus upon the collaboration between other technical disciplines, in particular groundwater and ecology, to ensure a through and coherent approach is adopted. It is noted that key datasets have or will be gathered and it will be important to ensure that missing data will be collected at an appropriate level of detail through site walkovers and investigations. The methodology appropriately considers the receptors, their sensitivity and magnitude, and the significance of effects in a logical framework. However, it is suggested that if a receptor has a medium sensitivity and would be subject to a medium magnitude of change, that this is assessed as being a moderate significance of effect, scoped into future assessments. Currently, the assessment framework would result in such effects not being assessed as significant in EIA terms. It is nevertheless clear that a precautionary scoping in of design elements has been taken based on the limited

design information available. The expectation is that some of these elements will be scoped out as the project evolves and design/construction clarifications are made. Particular attention should be given to the choice of route design over/under the Menai Strait which could involve the placement of end sealing compounds as these may require mitigation measures tailored to this design feature with regard to flood risk.

## 10 Traffic and Transport

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The Council has set out below the response on Traffic and Transport in respect of Chapter 10 of the Scoping Report.

### 10.1 Legislation and Policy Context

The Scoping Report covers all of the main relevant areas of transport policy, most notably National Policy Statement EN-1. Table 10.1 sets out where the various requirements of NPS EN-1 will be covered in the ES. From this, it is noted that the following documents will cover the requirements:

- Transport Assessment (TA);
- Construction Traffic Management Plan (CTMP);
- Construction Environmental Management Plan (CEMP);
- Travel Plan (TP); and
- PROW Management Plan.

This suite of documents is considered to be comprehensive and adequate to address the requirements of NPS EN-1. What is not clear, however, is how these documents relate to the ES (i.e. it is not clear whether they will form appendices to the transport chapter). Confirmation on the approach in this regard would be helpful.

Other national policy documents are listed as requiring consideration but no details are provided on specific relevant policies or how these documents will inform the ES.

It is noted that, despite the Department for Transport (DfT) 'Guidance for Transport' being withdrawn in October 2014, that this document forms the basis for the scope of the TA. This approach is considered appropriate as the document continues to form the starting point for agreement of scope with highway authorities.

### 10.2 Consultation

The Scoping Report sets out the consultation undertaken to date. It sets out that consultation on traffic and transport matters will be with the respective Local Highway Authorities (LHAs) and the Welsh Government (WG). These bodies are considered to be appropriate.

The overall approach to consultation is to be supported, with early engagement in particular to discuss and agree the TA methodology. The Scoping Report adequately reflects pre-scoping stakeholder meetings held in 2016. The LHAs would recommend holding further public consultations, focusing specifically on Traffic & Transport issues (such as any proposed road closures, etc.), held at suitable venues per route section. The ES could also helpfully explain how

comments provided by the Councils in the Stage 1 and Stage 2 informal consultation exercises have been considered and addressed.

### **10.3 Study Area**

The study area is comprehensive. It includes the Proposed Project Scoping Corridor in addition to a further Zone of Influence (ZoI) which is associated with the Traffic and Transport chapter. It is recommended that the ZoI remains under review as necessary as further details of proposed routes are developed.

### **10.4 Baseline Environment**

A comprehensive qualitative description of the baseline conditions is presented for all modes.

It would be helpful for Figure 10.1 to be referred to in the descriptive sections to allow the reader to relate the descriptions to a plan. It would also be helpful if Figure 10.1, which is split over 6 pages had sub references (i.e. Figure 10.1a-10.1e). This would aid reference to the plan.

The above comments also apply to Figure 10.2.

It would be helpful of the PROW listed in Table 10.2, 10.4, 10.6, 10.8 and 10.10 were annotated on a Figure (10.2).

The above comment also applies to the bus routes in Table 10.3, 10.5, 10.7 and 10.9.

Whilst the section provides an appropriate level of detail on the qualitative baseline, information would also be expected in this section to describe the methodology of what additional information or surveys will be undertaken in order to provide the quantitative baseline information such as traffic flows, accidents and so forth.

### **10.5 Proposed Assessment Method**

As above, the methodology for quantifying and assessing the baseline should be defined. Further information on this methodology is presented in this section. However, additional information is required which should be agreed with the LHAs through the scoping process for the TA.

The methodology infers that baseline data will be collected along the proposed traffic routes once these have been defined. However, the baseline conditions along a route may affect its suitability for being chosen as a route in the first place. Consideration should therefore be given to a more comprehensive baseline data collection process to help inform the initial route choice.

There is no information on how traffic generation for the Proposed Project will be calculated and further detail and dialogue is required with the LHAs and National Grid.

The range of potential environmental effects is accepted as is the intention for those aspects for which there is a dedicated chapter of the ES to be considered outside of the traffic and transport chapter (e.g. noise and air pollution). It should be ensured that these chapters are consistent in approach to the traffic and transport chapter. The remaining six potential effects are considered to be appropriate.

The proposed strategy for screening the effects based upon percentage change in traffic (or HGVs) is generally accepted, though it should be noted that these percentages are only intended by IEMA as a guide and specifically relate to severance (though their application across other effects is commonplace).

ATC data is to be collected in June. The LHAs considers November to be a neutral month in particular for Anglesey. Consideration should be given to undertaking further analysis to understand the seasonality of traffic flows on the network. This may be through repeat surveys or by review of existing annual traffic profiles. The LHAs deems it necessary to understand the baseline conditions during the summer period at certain locations, but to also expand to cover school holiday periods, etc.

The assessment criteria as set out in Table 10.11 to assess the magnitude of impacts requires further discussions with the LHAs in terms of the assessment banding and how a number of effects will be assessed. With regards to highway safety, it is not only the existing accident record that is relevant. A road may have a low accident record but that may be due to low existing traffic (or HGV) flows. The risk of accidents may change significantly due to a change in the total flow or composition of flows. It is therefore recommended that a road safety audit be undertaken for any part of the route for which changes to the highway are proposed and that this should also include a more general audit/risk assessment of safety issues along the route (whether there are any proposed highway works or not).

Table 10.13 sets out the criteria for assessing significance based on the magnitude of impact and the sensitivity of the receptor. This approach is appropriate. It appears however that there is an error in the table. A moderate magnitude of impact on a low sensitivity receptor is identified as a slight effect. Although this has been shaded (indicating a significant effect) as other slight effects are not shaded (i.e. are not considered significant).

In 10.6.5, the LHAs would like to agree the assessment scope of the effects listed.

In Section 10.6.19 the LHAs considers the sentence of “*The assessment will also identify any “pinch points” on the network which may affect construction activities and access routes*” should be rephrased to - The assessment will also identify pinch-points on the network which may affect the highway and its users.

Under Mitigation in Section 10.6.28 the LHAs considers that all adverse effects will need to be reduced or removed and not just significant adverse effects.

It is unclear how the criteria in Table 10.14 will be used as this appears to be a duplication (albeit by a different methodology) to earlier Tables (10.13).

## 10.6 Potential Effects

The number and level of description of potential effects during construction is considered to be comprehensive and covers all of the major effects that would be anticipated.

Under the heading of general issues in 10.7.4, the LHAs would agree with this statement, subject to the particular access points being constructed to the required standard, at a suitable location on the highway network.

It should be noted in 10.7.8 that any construction and delivery vehicles selected for use within the Proposed Project should be of a size and weight that the highway network can safely accommodate.

Cross referenced with Chapter 2.7 of the Scoping Report, Proposed Project Description (400 KV Overhead Line – Construction) the LHAs will require assurances that temporary scaffolding will be erected over all PRoW as defined in the Definitive Map and request a Schedule for all temporary scaffolding. In Section 2.7.12 of the above chapter clarity is required on “*Once the overhead line is constructed, the temporary access tracks and working areas at the pylon site will be removed and the grounds reinstated by removing stones and trackways*”. Would this mean that the working areas would still be present in Section 1 whilst works have progressed to Section 4? Paragraph 2.7.13 of the above chapter states “*Accesses may remain in place following completion of construction at the request of the landowner*”. It should be noted that accesses will need to be reinstated to the previous condition/state following completion of construction. Should the landowner request the access remain open, then an application will have to be made via the TCPA process and/or consent from the LHAs.

With regards to tunnelling, the LHAs seeks early involvement in the creation of the Construction Traffic Management Plan (CTMP). Where the applicant states that tunnelling works could effect the local highway infrastructure, the LHAs deems it inevitable that these works will effect the local highway infrastructure.

It is proposed that operation effects are scoped out of both the ES and the TA as any effects are considered to be negligible. Whilst it is accepted that this will probably be the case, further information is required to support this such as the anticipated frequency of vehicle access required and details of vehicle sizes that may be required.

It is stated that decommissioning effects would be similar to, and most likely lower than those during construction, which would therefore represent a worst-case. This is considered to be acceptable by the Councils.

## 10.7 Cumulative Effects

A number of inter-project effects are identified with traffic and transport including air quality, noise and vibration, landscape and socio-economics. This list is considered to be appropriate, however, other major developments should be considered i.e. Rhyd-y-Groes Solar Panel Farm, Coleg Menai Llangefni

expansion and the Llangefni link road project. The inclusion of such schemes and possibly others should be discussed with the Councils.

Inter-project effects have only been considered for the construction phase. This is considered to be appropriate as the operation phase would generate minimal traffic flows and the decommissioning phase would be so far into the future that cumulative effects could not reasonably be foreseen nor assessed.

All but one of the major developments identified in Chapter 4 will be included within the assessment. The development to be excluded is the Skerries on the basis that this will generate minimal traffic on the highway network, with the majority of traffic to be marine-based. This approach is considered robust.

## 10.8 Combined effects (see Chapter 17)

All wider works have been scoped in to the assessment on Traffic and Transport. The assessment is therefore considered to be robust.

## 10.9 Summary

Overall the proposed scope and approach to assessment is considered to be appropriate and sufficiently extensive to allow the full range of traffic and transport environmental effects to be identified and assessed. There are a number of minor areas of clarification and/or correction recommended as follows:

- Confirmation on how the supporting documents such as the TA will be included/relate to the ES;
- Keep the ZoI under review as the project progresses until access routes are confirmed;
- Provide more reference to Figures 10.1 and 10.2 and provide separate titles for each sub figure (10.1a etc.);
- Present PROW and bus route information on figures;
- Consider a more comprehensive baseline data collection to help inform construction route choice;
- Ensure that seasonality of baseline traffic flows are understood by comparison against other (primary or secondary) data sources;
- Undertake a road safety audit for any part of the route for which changes to the highway are proposed (to include a more general audit/risk assessment of safety issues along the route whether there are any proposed highway works or not);
- Clarify the relationship between Table 10.13 and 10.14; and
- Provide further information to justify the scoping out of operational effects.



## 11 Air Quality and Emissions

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The following provides the Councils response to the Scoping Report in respect of Air Quality and Emissions.

### 11.1 Legislation and Policy Context

Section 12 sets out planning policy and legislation, including national and local planning policy. Paragraph 11.2.3 and reference 11.11 refer to Air Quality (Wales) Regulations 2010, whereas the later Air Quality Standards (Wales) Regulations 2010 should be referenced. However, the objective values in Table 11.1 are correct.

Table 11.2 sets out compliance with the National Policy Statement for Energy (EN-1) and for Electricity Networks Infrastructure (EN-5) and where compliance will be covered in the ES.

In Section 11.2.6, Under National Planning Policy (Planning Policy Wales, Edition 8 (2016)) Ref 11.14, The Councils are not aware that the overhead line will be subject to any specific pollution control regime and this comment does not appear relevant. Indeed, paragraph 3.1.8 of Planning Policy Wales also states that *"The Courts have held that perceived fears of the public are a material planning consideration that should be taken into account in determining whether a proposed development would affect the amenity of an area and could amount to a good reason for a refusal of planning permission"*. Consequently, fear and anxiety regarding possible effects from the overhead line should be considered as being relevant. This is also relevant to other subject areas such as Electric and Magnetic Fields (EMF).

### 11.2 Consultation

Section 11.3 describes the intended future consultation with the Environmental Services Department of both IACC and GC to discuss the method of the air quality assessment. This consultation could have been already been initiated, and it is noted that unlike other environmental disciplines, no pre-scoping stakeholder meetings have been held to date.

Stage 1 and Stage two informal consultation rounds did not contain technical consultation material relating to air quality and emissions.

### 11.3 Study Area

The scoping study area is defined semi-quantitatively in section 11.4. The study area used later in the scoping assessment is considered appropriate.

## 11.4 Baseline Environment

Section 11.5 provides monitoring data and Defra's modelled background concentrations for the area. The classification of the monitoring sites: rural, urban background, roadside, kerbside, should have been given routinely in the tables of monitoring data. However, all the reported concentrations are well within the air quality objectives, except the values for nitrogen dioxide (NO<sub>2</sub>) reported in Table 11.9 at Llanfair P. G. bypass and Fford Penrhos, Bangor. These are stated as being roadside locations adjacent to the A55, either side of the Menai Strait. As roadside locations the concentrations are not representative of concentrations where the public would be exposed over the relevant time period (one year). The IACC local air quality progress reports and updating and screening assessments mention that there are no parking restrictions in the layby near the A55 where the Diffusion Tube is located and it is possible that members of the public could be exposed for over 1hr and as such, the hourly objective value for NO<sub>2</sub> applies. Compliance with an annual average value of 60ug/m<sup>3</sup> is normally considered to be an indication that the hourly objective will not be exceeded. Consideration needs to be given to whether increased traffic from proposed major developments will cause NO<sub>2</sub> levels at this location to be increased.

Paragraph 11.5.9 discusses the potential need to undertake baseline monitoring of dust and NO<sub>2</sub>. A full year of NO<sub>2</sub> monitoring should be undertaken before construction starts as the relevant averaging time for the NO<sub>2</sub> air quality objective is one year. Similarly, a year of dust deposition monitoring or total suspended particulate (TSP) and particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>) at several of the most sensitive locations prior to construction would establish the baseline levels during each season of the year. It would be normal to initiate baseline monitoring at the scoping stage.

Table 11.7 makes no reference to PM<sub>10</sub> and PM<sub>2.5</sub> data available for Llangefni which is reported in IACC's Air Quality Reports.

## 11.5 Proposed Assessment Method

Section 11.6 describes the proposed assessment methodology which is appropriate. The following points should be noted:

- If non-road transport were to be used, such as rail or ships, the impact of those transport emissions should be assessed as part of the Project
- Paragraph 11.6.1 outlines qualitative and quantitative assessments and National Grid should provide details of the assessments and the seek agreement of the assessments with the Councils.
- National Grid should be aware in paragraph 11.6.12 that there is literary evidence to suggest that UK Air Quality Objectives for both NO<sub>2</sub> and PM<sub>2.5</sub> no-longer represent concentrations at which there are no adverse risk to health (WHO 2013, REVIHAAP).

- With reference to PM<sub>2.5</sub> in paragraph 11.6.4 it is believed that there is no safe limit for PM<sub>2.5</sub> and therefore, any increase has the potential to have an effect on health.
- Paragraph 11.6.8 refers to 2-way vehicle movements and AADT. To be clear, the limits of 100 and 500 are changes in AADT. If a lorry arrives at the site and then leaves the site on the same day that is a contribution of 2, to the limit of 100 HGV AADT.

The criteria proposed in Table 11.14 for assessing the impact of the Project compared to the air quality objective for hourly NO<sub>2</sub>, are acceptable. It could be clarified that the first two columns of the tables are equivalent, one expressed as a percentage and the other as a concentration, and that the concentration is the “process contribution” i.e. just the contribution from the Project, rather than the “predicted environmental concentration” i.e. the combined impact of the Project and background concentrations.

## 11.6 Potential Effects

For air quality objective values outlined in paragraph 11.7.5 it should be noted that these standards are now over 20 years old and National Grid should consider documents emerging from the WHO (e.g. REVIHAAP, 2013 - which was commissioned by the EU) which seem to suggest otherwise for both NO<sub>2</sub> and PM<sub>2.5</sub>.

Appendix 11.1 summarises the potential effects and whether they are scoped in or out. Construction traffic effects have been scoped out on the basis they are unlikely to exceed the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) thresholds for assessment. The assessment should provide the actual numbers so that the validity of this assumption can be checked by the Councils.

## 11.7 Cumulative Effects

Paragraph 11.8.5 describes potential for impact from other committed development. There will only be cumulative impacts on dust from nearby development as specified, but the potential for increased traffic may be from other development more than 350m from any of the Project construction sites. The impact of other committed development would be to raise the future baseline concentration due to road traffic and other transport sources and this should be taken into account.

## 11.8 Combined effects (see Chapter 17)

Section 17, Table 17.1, states that the construction works of the Wider Works are unlikely to share receptors with the Project, but there may be additional traffic impacts. The Councils consider the potential for additional traffic associated with Wider Works likely and therefore should be considered in the context of the inter-project assessment on air quality and emissions. If, at the assessment stage it is

found that the construction works of the Project and the Wider Works do in fact share receptors, the impact of each on the receptors should be assessed.

## 11.9 Summary

The general approach to the assessment of impacts in respect of air quality and emissions appears appropriate, albeit with further quantitative evidence required to confirm the scoping in or out of sensitive receptors. Further consideration should be given to the assessment of air quality and traffic impacts potentially associated with the Wider Works as part of the cumulative inter-project assessment and assessment of combined effects. The Councils would welcome the provision of a technical engagement forum in respect of air quality and emissions as part of the pre-application consultation programme, as no such consultation has been undertaken to date.

## **12 Construction Noise and Vibration**

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This section provides the Councils response related to Chapter 12 of the Scoping Report.

### **12.1 Legislation and Policy Context**

The Councils consider the references for noise and vibration from construction provided in this section of the Scoping Report appropriate at this time.

### **12.2 Consultation**

Section 12.3 describes the intended future consultation with the Environmental Services Department of both IACC and GC to discuss the method of the noise assessment. No responses have been received to date on the account that no topic specific engagement has been undertaken. No pre-scoping stakeholder meetings have been held to date.

Stage 1 and Stage 2 informal consultation rounds did not contain technical consultation material relating to construction noise and vibration.

### **12.3 Study Area**

The geographic study area is described in sections 12.4.1 to 12.4.3. For direct effects, the geographic scope is 100m from worksites/areas, with consideration being given to extending this to 500m where significant night-time works may occur, for example where tunnelling will be used (Menai Strait crossing). The proposed study area is less than that used for other recent construction schemes. No evidence is given to support the scope areas. Justification should be provided as to why the proposed study area is considered reasonable.

Section 12.4.3 sets out the geographical scope for off-site access roads. The scope of 100m is narrower than would be considered normal practice. The scope set out in DMRB implies that a corridor of 600m would be used for road traffic noise.

It is recommended that the spatial scope is extended to 600m with respect to roads, especially those servicing the tunnelling operations, unless a reasonable justification can be provided for reducing the spatial scope. Further consultation could then be held when further information is available e.g. the tunnelling site and spoil disposal plan has been developed.

### **12.4 Baseline Environment**

The proposed baseline scope in terms of length and likely requirements for surveying represents industry practice. However, the Councils suggest that at least two long term surveys should be carried out at locations which would be representative of the rural construction sites with the aim of obtaining information on the typical diurnal variation in noise levels. The surveys should be timed to enable evaluation of whether levels vary significantly between weekday and

weekend. The additional long term measurements would enable the short term measurements to be interpreted in a wider temporal context.

The long term measurements should be taken concurrently with the short term surveys in the same area.

## **12.5 Proposed Assessment Method**

The method set out does not explain how significant effects will be determined. It generally uses the term impacts, but does not explain how these are related to the identification of significant effects.

Table 12.1 sets out the receptors to be considered and their sensitivity. The Councils do not concur with the ranking of schools as low sensitivity. Also, the Councils would have anticipated that residential and hospitals would be in the same category. Places of worship appear to have been omitted.

Table 12.2 sets out to define “lower cut-off values” for construction noise impacts for residential developments, but includes ranges for moderate and minor categories. The Councils do not think that this table, along with sections 12.6.10 and 12.6.11 are a correct interpretation of BS5228, Annex E3.3, example 2 on which they are based, and would welcome further technical dialogue prior to DCO application to establish an agreed approach.

Table 12.4 sets out “guidance on effects of vibration levels”. The Councils do not think that this table (which derives from BS5228: Part 2) is an appropriate interpretation. A “high” magnitude of impacts would actually start somewhere between the 1.0mm/s and 10mm/s quoted in the table.

## **12.6 Cumulative Effects**

The proposed assessment scope appears reasonable, and will be subject to confirmation as more information becomes available.

## **12.7 Combined effects (see Chapter 17)**

The proposed assessment scope appears reasonable, and will be subject to confirmation as more information becomes

## **12.8 Summary**

The scoping assessment is thorough, and identifies the principal policy and legislative references. The geographical scopes are a matter of concern and require further justification. The Councils note with concern that it is not clear from the proposed assessment method how significant effects will be identified and consider that the proposed methodologies may underestimate effects.

## 13 Operational Noise and Vibration

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The following provides the Councils response on operational noise and vibration matters related to Chapter 13 of the Scoping Report.

### 13.1 Legislation and Policy Context

Section 13.2.2 sets out legislation for operational noise, which is considered largely appropriate. However, the Councils do not consider that The Noise Act 1996 or Control of Pollution Act are relevant to the *operation* of project.

In section 13.2.5 the applicant should be aware of an amendment to TAN11 which has been published *at the following web site:-*

*<http://gov.wales/topics/planning/policy/policyclarificationletters/2015/cl-01-15/?lang=en>* This amendment points out that *"Authorities should take into account the fact that the background sound levels in some areas are very low, and the introduction of noise-generating activities into such areas may be especially disruptive"*. Furthermore, section B17 states that *"Tonal or impulsive characteristics of the noise are likely to increase the scope for adverse effects and this is taken into account by the "rating level" defined in BS 4142."* Consequently, appropriate penalties should be applied to the 100Hz hum associated with overhead lines and transformers when determining the "rating level".

5.11.6 in Table 13.1 should be read in conjunction with NPS EN-5 Section 2.9.2 which recognises that *"all high voltage transmission lines have the potential to generate noise under certain conditions."* Furthermore, 2.9.7 states that *"audible noise effects can also arise from substation equipment such as transformers..."*. Section 3.6.12 of the Scoping Report confirms that this noise is likely to include a low frequency component (100Hz). Section 1.3 of BS4142:2014 states that the standard is not applicable to the assessment of low frequency noise and recommends the use of NANR45 - *Procedure for the assessment of low frequency noise complaints, DEFRA, 2011*.

### 13.2 Consultation

Section 13.3 describes the intended future consultation with the Environmental Services Department of both IACC and GC to discuss the method of the noise assessment. The proposal for a future workshop is welcomed.

Stage 1 and Stage 2 informal consultation rounds did not contain technical consultation material relating to noise and vibration.

### 13.3 Study Area

The initial study area is reasonable, and the way in which the scope would be focussed as increasing detail becomes available appears appropriate.

Cross referenced with Chapter 2 (Sections 2.8.21 & 2.8.22) of the Scoping Report, Proposed Project Description (Maintenance) and with Section 13.3.7, it should be noted that fans, pumps and transformers have the potential to generate



tonal and/or low frequency noise which have the capability of travelling further distances than more broadband or higher frequency noises. The noise assessment should consider these issues.

## 13.4 Baseline Environment

In paragraph 13.4.5 it states that *“Where the Project follows the route of the existing 4ZA overhead line, noise from this line will form part of the existing baseline”*.

The Councils disagree with this suggestion as it will result in "background creep". In the Councils opinion, the background noise should not include what is effectively the same specific sound source as that which is being added and the assumption associated with this statement is that the current overhead line noise is satisfactory. It is suggested that National Grid undertake a BS4142:2014 assessment for the current line to determine the available headroom. The concept of creeping background is well established and was the driving force for the introduction of Noise Abatement Zones under Section 63 - 67 of the control of Pollution Act 1974. They provided a means to control creeping background sound levels and to tackle unacceptable noise environments resulting from multiple sources of noise. BS4142:2014 is relatively vague on this issue and greater clarity is obtained from the IACC SPG on Wind Turbine Noise (another document referred to in TAN11) which states at paragraph 2.2.2 *"Particular care should be taken with planning surveys where there are other wind turbines in the area. The contribution to background noise levels of existing wind turbines has to be discounted in determining the background noise levels: the relevant background noise levels for the purpose of setting noise limits for a new installation are the levels with no existing wind turbines operating. Several approaches are described in section 5.2; one or a combination of these may be appropriate."* Consequently, we would argue that the same method should apply to overhead lines.

Section 13.4.10 of the Scoping Report identifies that baseline noise levels may reduce where transformers will be decommissioned. The implications of this are not explored at this Scoping Stage, however the Councils note that any noise limits used as design criteria for future transformers should take into account the likely reduced baseline noise levels. The Councils will want to agree the location of any noise monitoring locations and the equipment used, the duration of surveys and results obtained.

## 13.5 Proposed Assessment Method

The initial part of Section 13.5 sets out the relevant guidance, including TR(T)94, 1993. As this is not familiar guidance to the Councils it is requested that this is provided by National Grid, and a brief introduction to the document could form part of the discussion at forthcoming technical consultation meetings.

Section 13.5.3 to section 13.5.8 make reference to BS4142:2014. The use is not a proper interpretation of BS4142:2014, where context is critical. In these sections it appears that the authors seek to establish an absolute noise criterion for night-



time. Whilst the Councils do not have a fundamental objection to this concept, BS4142: 2014 is not the appropriate vehicle for setting such criteria. Further dialogue is required in this regard.

To establish appropriate absolute criteria requires examination of the evidence of what constitutes a level below which there would be no adverse effects. Such a criterion may differ between daytime and night-time. Therefore, appropriate evidence needs to be provided to support the criteria set out in sections 13.5.30 to 13.5.33, with clear indication of how the resulting criteria aligns NPS EN-1.

A combination of absolute criteria (to establish the lowest level at which adverse effects would occur) and difference criteria (as per BS4142:2014) are likely to be appropriate, to reflect the different ambient situations between the rural and urban locations within the proposed project scope. Amending this approach may have an impact on the baseline data gathering required to enable an appropriate assessment.

In Section 13.5.5 IACC finds no basis for assuming a 30dBLA90 baseline across the Island as the new revised BS4142:2014 has removed the suggestion of a lower background limit and merely states at 8.1 that *"Care is necessary in circumstances where background sound levels are low to ensure that self-generated and electrical noise within the measurement system does not unduly influence reported values, which might be the case if the measured background sound level are less than 10dB above the noise floor of the measuring system"*. Indeed, example 6 on page 32 includes a background noise level of 27dB in worked example 6 on page 32 and we can confirm that IACC has measured significantly lower background levels than this on the island. In TAN11 it states *"Authorities should take into account the fact that the background sound levels in some areas are very low, and the introduction of noise-generating activities into such areas may be especially disruptive"*

Section 13.5.10 states that more detailed baseline surveys may be carried out around existing substations where there are sensitive receptors. The Councils suggest that the need for such surveying should be determined via consultation.

Section 13.5.11 indicates that short duration noise measurements would be made, and that for night-time these would include measurements typically between 00.00 and 03.00 hours. The suggestion of a 5 - 15 minute measurement is considered wholly inadequate for the assessment of background noise and would introduce a great degree of uncertainty into the assessment process. Furthermore, this does not appear to follow the guidance in BS4142:2014. The Councils note that the quietest time of night is normally between 03.00 to 04.00 hours, and therefore this period should be included in night-time surveys. At substation and tunnel head house locations the Councils would expect to see longer term monitoring, to enable the diurnal variation in noise to be established, and the difference between weekday and weekend levels. Such monitoring should be carried out at the same time as short term monitoring, to allow the short term results to be interpreted in the context of the local noise environment.

Section 13.5.13 indicates that noise surveys would be carried out beside the public highway. The Councils note that survey locations should be representative of the receptor (or group of receptors) which they represent. It will not always be

appropriate to measure beside public highways as this can result in unrepresentative, elevated, baseline noise levels.

In paragraph 13.5.14, in relation to the approach and selection of appropriate locations National Grid will need to fundamentally review their noise assessment procedure and discuss the whole methodology with the Councils.

Section 13.5.17 indicates “*the predicted effects are calculated for night-time baseline conditions at the external façades of sensitive receptors; hence internal noise levels will be even lower due to attenuation across the façade*”. However, this is dependent on whether the noise contains a low frequency element, in which case Low Frequency Noise is notoriously difficult to attenuate and may also be subject to room modes.

Section 13.5.18 indicates that computer noise modelling will be carried out where “*the magnitude of impact is likely to be classified as significant*”. However, there is no explanation of how the magnitude of impact is arrived at to trigger the modelling.

Section 13.5.19 and Table 13.2 set out the receptors to be considered and their sensitivity. The Councils question the ranking of schools as low sensitivity and would have anticipated that residential and hospitals would be in the same category. Places of worship should also be considered for inclusion.

Section 13.5.30 to section 13.5.33 cover assessment criteria on which the Councils have provided the following high level commentary. Section 13.5.31 states that the criteria are consistent with BS4142: 2014, however, the Councils consider that what is presented is a probably a more precautionary approach, but as the consideration of context is not presented so it is not possible to confirm this.

Section 13.5.31 refers to TR(T)94 and its consistency with BS4142: 2014, and the Councils request further information on this guidance as set out above. It would appear that TR(T)94 is based on BS4142:1990. There have been two revisions since then and the newer version of BS4142:2014 has a far stricter assessment of tonal noise, which is likely to be applicable to overhead lines.

For the Table 13.3 (Magnitude of Effect – Operational Noise) the 5dB level should be the rated level taking into account the tonal assessment of BS4142:2014. The Councils disagree with the use of a 30dB(A) background.

In paragraph 13.5.36 it should be noted that BS4142:2014 is not a safeguard against nuisance and any Low Frequency Noise assessment should be based on NANR45.

The Mitigation by Design section sets out practical information on mitigation. The Councils would expect that a specification would be used for ventilation plant as suggested in section 13.5.37.

## **13.6 Potential Effects**

The section on potential effects seeks to set the scope for the assessment by considering whether there will be potential effects. The Councils are concerned

that this section could scope out potential effects without providing sufficient evidence.

Points of particular concern in the Potential Effects section are:

- Section 13.6.2 – vibration – this will be dependent on the proximity of substations to sensitive receptors, which is not yet determined, so scoping it out without evidence could be considered premature;
- Section 13.6.10 – ‘crackle’, ‘buzz’ or ‘hum’ – It should be noted that BS4142:2014 has a stricter interpretation of tonality than earlier editions and any Low Frequency Noise assessment should be based on NANR45;
- Section 13.6.12 and 13.6.22 should be read in conjunction with previous comments about tonal assessments;
- Section 13.6.14 – states assessment will be worst case because it will assess “*against the quietest night-time background levels*”. The approach to assessment currently proposed would not assess against the quietest night-time conditions because, where the background noise levels are below 30dB(A), the intention as stated is to set the background equal to 30dB(A) in the assessment;
- Section 13.6.19 – It is stated that noise is “*minimised through the selection of the most appropriate type of insulator*”, which will be considered at detailed design stage. The Councils consider that insulator noise should be left in the scope, with a qualitative assessment made, backed up by evidence to demonstrate what classifications of insulators are low noise, to provide some assurance that final selection would be appropriate;
- Section 13.6.23 – Overview of Substation Operation Noise – National Grid should be aware that transmission noise can cause complaints and this has been the case previously with regards to the transformers at Wylfa;
- Section 13.6.25 – The Councils consider that auxiliary plant should not be scoped out at this stage. The levels should be included in the ES, along with details of testing regimes, so that a judgement can be made about whether effects may be significant once locations are confirmed.

The Councils comments above regarding concerns with the proposed scope apply also to the text in Appendix 13.1.

## 13.7 Cumulative Effects

The scoping report states that cumulative effects will be assessed on a case-by-case basis, and identified that there may be a small number of locations where local, inter project effects occur, which is appropriate given the nature of the Project.

For intra-project effects reference should be made to Section 3.1.4. of Planning Policy Wales (2016) which states that “*The effects of a development on, for*

*example, health, public safety and crime can also be material considerations, as, in principle, can public concerns in relation to such effects".* IACC has been advocating the use of Health Impact Assessment based upon the Guidance issued by the Wales Health Impact Assessment Support Unit.

### **13.8 Combined effects (see Chapter 17)**

Combined effects will be assessed and the scope in Chapter 17 appears reasonable, and the Councils would seek to be consulted on further detail as this becomes available.

### **13.9 Summary**

The Councils have some fundamental concerns with regard to the method by which the Scoping Report seeks to establish criteria for the assessment of operational noise. The reasoning should be further justified and clearly referenced back to NPS EN-1. The geographic scope described is appropriate, and a good description of the noise sources and their possible mitigation has been provided. The Councils suggest that further consideration is given to the proposed “scoping out” of consideration of some of the sources of noise, to ensure that a suitable evidence base is provided to justify the approach set out.

## 14 Socio-Economics

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The following provides the Council's commentary on Socio-Economic matters related to Chapter 14 of the Scoping Report.

In Section 14.1.2 it refers to the methodology used to assess impact on the Welsh language and communities. It should be noted that it has been agreed that a workshop will take place to consider the issues, evidence base and methodology, building on work being undertaken in relation to Wylfa Newydd. It is noted that in Section 14.2.6 it refers to TAN 20, which provides a useful indication of matters to be considered and demonstrates the language's well-being is dependent on a number of factors. There is a need for National Grid to engage and agree with stakeholders (including the Councils) the scope and methodology of the proposed tourism and business surveys ensuring any survey is robust and shows visitors what the potential impacts are likely to be.

Section 14.1.3 states that *'two separate assessments will be completed on wellbeing and Welsh language'*. From the outset, the Councils have stated the importance of the Welsh Language and Culture when considering both the positive and negative impacts arising from National Grid's North Wales Connection Project. Welsh Language and Culture is a golden thread running through all aspects and themes relating to any major development. These include (amongst others) lifelong learning & skills, job opportunities, tourism, health, welfare and social inclusion, community and social infrastructure. Welsh Language and Culture must not be compartmentalised and should be central to all National Grid's plans, strategies and decision making (recognising there is a requirement for a separate Welsh Language Impact Assessment). It is vital that the WLIA contain explicit statements expressing a commitment to providing the island with a long term legacy to mitigate against the impacts on the Welsh Language. The Councils are committed to continued collaboration, to further support the development of an impact assessment, to inform strategic decision making, to ensure opportunities are capitalised upon and negative impacts are adequately mitigated.

Article 3 of Directive 2011/92/EC – Environmental Impact Assessment [Ref 14.2.114.3] states that EIAs should *"identify, describe and assess in an appropriate manner, in the light of each individual case and in accordance with Articles 4 to 12, the direct and indirect effects of a project on: Human beings"*. The Councils believe that a Health Impact Assessment should be conducted for this project.

### 14.1 Legislation and Policy Context

Section 14 provides a comprehensive review of the legislation and policy of relevance to the assessment of socio-economic effects. This includes a high level review and summary of national and local planning policy as well as wider legislation such as the Well-Being and Future Generations (Wales) Act 2015.

The Section helpfully includes Table 14.2 which sets how the proposed assessment would comply with the requirements as set within National Policy Statements EN-1 and EN-5.

The Scoping Report fails to outline how the applicant will consider and comply with the requirements of the Well-Being of Future Generations (Wales) Act 2015 (in contrast to what's presented for the National Policy Statements for example). The Act is a major policy driver in Wales and National Grid must make every effort to create employment opportunities to overcome poverty. This section only refers to the Well Being of Future Generations - the Scoping does not detail how the ES will address these issues as part of the proposed development. With reference to NPS EN-1 Section 4.2.2 the Councils believe there is a requirement for a Health Impact Assessment particularly given the Welsh Government's Commitments to wellbeing within the legislative context.

In Table 14.2 - TAN Review, Tan 16 (2009) Sport, Recreation and Open Space [Ref 14.10] it should be noted that the impact of the development on these types of developments should be considered in terms of the wider determinants of health and having regard to vulnerable groups such as young adults and children. Particular attention should also be given to caravan and camping sites.

Section 14.2.14 highlights the importance of tourism to the area. It is important the Councils have an opportunity to input to the tourism surveys to ensure their validity and reliability which reflects the tourism sector in the area. There is a need for National Grid to engage with the Councils on suitable times of the year for conducting the surveys and a clear need to capture data from the various type of tourist that visit the area.

The Scoping Report in several places recognises the role of the tourism sector. Under the Gwynedd Structure Plan in Sections 14.2.23 and 14.2.24 there requires a reference to policies that relate to significant natural and historic resources eg AONB, whose well-being is crucial to maintain the area's status as a visitor destination.

Although not the principal policy framework for the determination of applications for DCO, the review of local policy reflects the adopted Development Plan for the local areas. Including reference to Policy A2 in the Gwynedd Unitary Development Plan would ensure consistency in recording which policies apply. On the basis that maintaining and enhancing local natural and historic environment resources is critical to maintaining the area's attractiveness and therefore the local economy, consideration of policies that would apply to these resources would also be beneficial. However, no consideration is given to the emerging Joint Local Development Plan being prepared by Gwynedd and Ynys Mon. This is now at Examination stage with the Inspectors Report expected in March 2017 and should therefore be afforded some weight and included as a relevant local policy consideration. In doing so, reference should be made to the Deposit Plan as amended by Focus Changes, which represent the Plan as submitted for Examination.

## 14.2 Consultation

The document sets out consultation undertaken to date in relation to the socio-economic assessment. However, it is not clear what further consultation may be planned (aside from surveys) to inform the baseline and/or assessment of socio-economic effects.

The ES could also helpfully explain how comments provided the Councils in the Stage 1 and Stage 2 informal consultation exercises have been considered and addressed.

## 14.3 Study Area

The socio-economic study areas are presented at Table 14.3 and appear appropriate for the receptors / impacts identified.

This section does not make clear how receptors (e.g. tourism within the regional area of influence) are to be identified and this is considered important in order to focus the assessment on those receptors likely to experience an effect. For example, not all tourism receptors within Anglesey and Gwynedd will be affected by the Project and therefore an explanation of receptor sifting may be required.

## 14.4 Baseline Environment

Section 14.5 identifies some broad categories of socio-economic receptors, sets out some baseline data for the population of the study area, and describes the proposed approach that will be followed to establish a more detailed baseline profile. The following comments can be made on the content and suggested approach:

- It could be acknowledged that data from the 2011 Census is now five years old, and that more recent socio-economic data sources (such as the ONS Annual Population Survey and Annual Survey of Hours and Earnings) could be used where appropriate;
- No mention is made of the use of Business Register Employment Survey (BRES) data. The Councils would consider this to be a useful dataset in identifying key sectors within a defined area and undertaking an initial sifting exercise to help identify those businesses that have an appropriate socio-economic value for further consideration;
- The interpretation and presentation of multiple deprivation data is currently somewhat unclear. The Councils suggest that some explanatory text is included to describe how multiple deprivation is measured and what these figures represent (i.e. comparative percentiles rather than percentage of the population);
- In the receptor list in Section 14.5.3 no mention is made of land use as a key receptor and the section implies that the socio-economic receptors have been identified, however, Section 14.6.8 suggests that receptors still need to be identified.

- In discussing future baseline, no mention is made of future land uses (e.g. allocated sites) that may be affected.
- In Sections 14.5.4 – 14.5.26 the summaries of each route sections (e.g. Section 5 West of Star to Pentir) do not make reference to key receptors such as schools.
- Section 14.5.6 refers to industries with the highest share of employment on Anglesey according to 2001 Census. There should be awareness of a high number of SMEs, self-employed or employing a small number of people.
- In paragraph 14.5.22, Malltraeth Marsh needs to be considered as a major receptor.
- In paragraph 14.5.26 there is a need to ensure the MOD are included with the TS Indefatigable Joint Training Centre as well as the Conwy Centre as an outdoor training centre.

In paragraph 14.5.30 Ref 14.14 it is important that National Grid recognises that Anglesey suffers disproportionately from high levels of unemployment, low wages etc. therefore it is important at an early stage to establish what the opportunities are within the Project for skills development and employment opportunities. As a point of clarity where the third paragraph refers to '*The Plan...*' it is assumed this refers to the development plan.

- With further reference to the section on Future Baseline (Section 14.5.31) and the recognition of the importance of tourism to the Anglesey economy and the significant role it plays. There is a need to adequately assess the perception impact of the development on the tourism industry and to measure the cumulative impact of all the major energy developments to ensure where possible no negative impact takes place on the economy as it's acknowledged in 14.5.30 that Anglesey's economic performance is below average across Wales. Further negative impacts on the tourism sector on Anglesey therefore could have further detrimental effects. There is a need to consider secondary and tertiary tourism products including restaurants/eating out as part of the wider tourism mix and not just attractions and accommodation.
- On future baseline and a focus on the Wylfa Newydd Project it is important in Section 14.5.33 to liaise with other key stakeholders.

Appendix 14.1 sets out further baseline data for the study area. This appears robust and appropriate to the scope of the proposed assessment. However, the comments regarding multiple deprivation data made above also apply here.

## 14.5 Proposed Assessment Method

Section 14.6 sets out the proposed assessment method. In general, this appears robust and appropriate. The following comments are made in relation to specific elements of the proposed assessment method, and are structured around the headings used within the Scoping Report.



For areas of designated employment land in Section 14.6.7 there needs to be consideration for other land use designations/ allocations, i.e. housing, mineral (noting that they are referred to in 14.7)

#### Identification of Receptors

The approach states that “*the baseline will help identify the socio-economic receptors present within the study areas identified for the assessment*”. However, this does not detail how receptors identified within the broad study areas will be filtered or sifted in order that the assessment is focussed on those receptors likely to experience a direct or indirect socio-economic effect (see comments above in relation to Section 14.5 of the Scoping Report). Further information would be particularly useful regarding the range of community facilities that will be considered, and how these receptors will be identified.

### 14.5.1 Survey Work (Tourism and Business)

#### *Business Surveys*

The Scoping Report proposes to undertake business surveys to “*gather opinions and perceptions of local businesses towards the project*”, suggesting that contact will be made with approximately 220 businesses across various sectors. There is uncertainty how the target of 50 businesses to complete the survey is a sufficiently robust and statistically valid sample. The proposed approach suggests a reliance on the businesses to provide a view on how the infrastructure may affect their operations. The Councils would welcome discussions with National Grid on the proposed methodology, the set questions and the overall objective of the survey.

The Councils would question the value in this approach in providing a quantifiable basis for assessment and consider that any survey work should focus instead on businesses most likely to experience an effect. These businesses could be identified from relevant data sources prior to any survey work being undertaken. Should surveys subsequently commence, we consider these should seek to establish the key characteristics of the businesses in question, enabling National Grid to then undertake an informed assessment of the likely effects on those businesses potentially affected.

The method as proposed will only provide a perceived response from the wider business community. No information is provided in relation to how these perceived effects will be dealt with through the assessment. The Councils therefore suggest that a more focussed approach to the business surveys, concentrating on those businesses that are potentially affected, may be more helpful.

#### *Tourism (Visitor) Surveys*

In paragraph 14.6.10 the approach to distinguishing between types of tourists should also include visitors who stay with family and friends.

The Scoping Report specifies that surveys will be undertaken at attractions with specific locations to be agreed with tourism organisations. The approach also outlines that “*Questions within the tourism survey will focus on understanding*

*how people's behaviour and spending may adjust through the introduction of the Project, during construction, operation and decommissioning”.*

Section 14.6.11 considers National Grid's approach to conducting face to face interviews. There needs to be clarity from National Grid on when face-to-face interviews with visitors will be undertaken and discussion in relation to methodology would be welcomed. The exact locations need to be agreed with the Councils and an opportunity to scrutinise the methodology along with the sample size. A Perception Survey would also be recommended to view people's perception of the proposed development and its impacts.

It is important that any visitor study outlined in Section 14.6.12 should consider what impact the proposed project will have on visitor perceptions to the area as a destination.

The Assessment Work in paragraph 14.6.19 needs to ensure National Grid engages and agrees with the stakeholders (including the Councils) the scope and methodology of the proposed employment impact assessment. The assessment will also need to address the supply chain impacts.

As with the proposed business surveys, the Councils consider such surveys should focus on attractions or tourism resources that have the potential to be affected by the Project (e.g. those that have a prominent view towards the proposed scheme or are located within close proximity to the infrastructure).

The value of such surveys in providing an evidence base that quantifiable conclusions can be drawn from is also questionable as the surveys will gather perceived views which will differ from individual to individual. The approach proposed suggests that the addition of National Grid infrastructure within the landscape will change visitors' behaviours and spending, but the Councils would suggest that this is only likely to be the case if visitors are utilising tourism facilities within close proximity to the line and/or have a particular dislike for this type of infrastructure. It is unclear how such surveys will be programmed to take account of appropriate seasonality with the pre-application programme for DCO submission.

### **14.5.2 Other Surveys**

The potential effect on the public rights of way (PRoW) network is mentioned within Section 14.7: Potential Effects, yet no reference is made within the Scoping Report to count surveys along key PRoW. We would consider such survey data important in establishing the importance of the PRoW effected. For example, a local footpath may be utilised by a large number of visitors and/or local people and therefore should be given increased importance within the assessment. The Councils would seek to be consulted further on the scoping and timing of such surveys.

## **14.6 Potential Effects**

Section 14.7 sets out potential effects that will be considered in the assessment.

The approach outlined does not make it clear that the assessment will consider the potential for both direct and indirect effects for all receptor types.

When discussing potential effects during each of the project phases, the third bullet point under ‘construction’ and the second bullet point under ‘operation’ may require further explanation. The bullets read as follows:

*“Indirect effect on employment arising from change in attractiveness of Anglesey as a tourism destination”.*

This potential effect is distinct from the previous bullet, which refers specifically to change in demand for temporary accommodation, and appears to suggest that the Project has the potential to affect the attractiveness of Anglesey as a tourist destination more broadly, potentially resulting in a decrease in employment within the tourism industry.

The Councils would question how this potential effect is to be assessed and quantified through the assessment and would point to guidance in EN-1 Section 5.12.7 which states *“The IPC may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS)”*. The Councils assume that any changes in demand for accommodation would be measured and assessed at the level of individually affected receptors.

In addition, it is considered that the potential effect on land use (e.g. local plan allocations) during operation of the Project should be considered and is currently not listed within Section 14.7.

Cross referenced with Chapter 2 of the Scoping Report (Sections 2.7.1 and 2.7.2, 400 KV Overhead Line – Construction) National Grid make no reference to the potential economic benefits linked to local companies, suppliers and the supply chain.

The scoping summary table included in Appendix 14.2 appears comprehensive and (with the exception of the point noted above regarding the potential effects arising from any change in the attractiveness of Anglesey as a tourist destination) appropriate for the purposes of the assessment.

The potential socio-economic issues to be addressed as part of the EIA during construction as listed in 14.7 should also include the following: A change (real or perceived) in the attractiveness of Anglesey as a tourism destination is a critical socio-economic issue during construction and operation. The reference to well-being of the Welsh language in connection with potential positive or negative changes to e.g. employment generation, impact on the tourism sector.

For mitigation measures the applicant should be engaging with stakeholders (including the Councils) as early as possible to identify suitable (appropriate and realistic) mitigation measures which address the unique socio-economic needs of Anglesey.

## **14.7 Cumulative Effects**

The approach to assessing the cumulative effects of the Project appears robust and comprehensive, distinguishing clearly between intra project effects and inter project effects. There is mention of an amenity assessment. Again, further information could be provided to clarify the definition of amenity, the scope of this assessment, and the methodology to be employed. Paragraph 14.6.24 also makes reference to an ‘amenity assessment’. However, limited information is provided in relation to the scope of this assessment and the assessment methodology to be applied. The Councils would seek to be consulted further on the scoping of such surveys.

## **14.8 Combined effects (see Chapter 17)**

The rationale for the assessment of combined effects is clearly established and distinguished from the assessment of cumulative effects. The potential combined effects for socio-economics set out in the summary table (Table 17.1) include potential indirect effects on businesses which could be affected by any downturn in the number of local visitors. In line with comments above, the Councils assume that any such effects would be measured and assessed at the level of individually affected receptors.

## **14.9 Summary**

In general, the proposed approach to the socio-economic assessment as set out in Chapter 14 of the Scoping Report is considered to be appropriate. There are some areas where the Councils would suggest that the approach could be strengthened further. In particular, further consideration could be given to the approach to the identification of receptors, the scope and purpose of business and tourist surveys, and the approach to measuring and assessing the potential effect on tourism and tourist industry employment.

## 15 Agriculture

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The following provides the Councils response to Chapter 15 of the Scoping Report in respect of Agriculture

Reference is made to the Land Use and Agriculture chapter of the ES, however the scoping report only covers Agriculture at this time. If land uses such as open space are not being covered by other chapters, it is recommended that the scope of this chapter is widened to include other land uses as well as agriculture.

### 15.1 Legislation and Policy Context

The applicant appears to have reviewed all the relevant legislation and policy, however without knowing the exact scope of this chapter there are some outstanding queries particularly in relation to NPS EN-1:

- NPS EN-1 section 5.10 also refers to the protection of other land uses including open space, green infrastructure and Green Belt. It is not clear if these will be considered within the Agriculture chapter or a different chapter;
- NPS EN-1 para 5.10.6 refers to the need to take account of proposed new developments or land uses. It is not clear if these will be considered within the Agriculture chapter or a different chapter;
- NPS EN-1 para 5.10.12 provides useful context in stating that underground and overhead lines can sometimes be considered as appropriate development within the Green Belt where there are no adverse effects.

If additional land uses are to be considered within this chapter, the review of relevant policy will also need to be widened.

### 15.2 Consultation

Consultation thus far has been limited to data requests from the Welsh Government, which is responsible for the Agriculture Environment Scheme (AES) within Wales.

Para 15.3.3 states that as the project progresses, further consultation will be required. It is recommended that this includes consultation with all potentially effected landowners to understand the ways in which land is used and potential mitigation measures. It is unclear as to what consultation with the Councils will be undertaken prior to DCO application and further clarity on a forward programme for engagement would be welcome.

## 15.3 Study Area

The study area comprises a 100m wide area around the route centreline, plus a 100m buffer to either side. Given that NPS EN-5 states that a 400kV underground line can disturb land up to 40m, the stated study area is considered appropriate.

## 15.4 Baseline Environment

Determination of the baseline environment has thus far been based upon secondary data sources (ADAS Provisional Agricultural Land Classification Sheet 1977, and Soil Survey of England and Wales 1984) and a site familiarisation visit. It is recommended that as the project progresses, further site visits and consultations are undertaken with individual landowners (see 16.2 above).

Certain gaps remain in the baseline data, including the exact location of AES land parcels and the confirmed location of BMV agricultural land.

It is noted that no baseline data is available for the proposed underground crossing of the Menai Strait as details are yet to be confirmed.

The assessment of the future baseline is still an important element of this chapter as approved planning consents could lead to the loss of agricultural land through change of use.

## 15.5 Proposed Assessment Method

The proposed methodology is split into six assessment categories:

- Agricultural land quality – the criteria for determining magnitude of change are based on best practice as set out in the former Town and Country Planning (General Development Procedure) Order 1995 and the soil surveying methodology will consist of a site walkover and soil survey to determine ALC grading;
- Agricultural land use – this category focuses on the impacts of temporary and permanent development on agricultural land, and it is acknowledged that arable land would be more sensitive to these operations than pastoral land. Particular attention should be paid to maintaining appropriate access to farmland, where the effects may extend beyond the boundary of the farmland;
- Landholding – this category focuses on the loss of agricultural land holdings, and it is recommended that the sensitivity of the resource takes into account factors such as the ability of the holding to absorb change and the availability of alternative holdings. The criteria for low magnitude in table 15.3 should be between 1% and 4% (not 1% and 5%) to avoid duplication between categories;
- Soil resources – this category focuses on the effects on soil resources through disturbance and landtake. It is assumed that soil sensitivity would be determined through the proposed surveys. The criteria for low magnitude in table 15.3 should be 49% to 5% (not 50% to 5%) to avoid duplication between categories;

- Drainage – this category focuses on the effects on agricultural land drainage. It is recommended that the assessment method and implementation of mitigation measures are aligned with the FRA to ensure a consistent approach to the assessment of water and drainage effects;
- Agri-Environment Schemes (AES) – this category focuses on the potential change of eligibility of land for AES. It is noted that the assessment will be closely aligned with the Socioeconomic and Ecological assessments.

It is noted that there is no defined criteria or policy guidance for several of the proposed methodologies, and it is recommended that regard is therefore had to other NSIP EIA examples to understand best practice in this category.

It is recommended that the assessment method also covers potential amenity effects, for example if a farm is affected by a combination of significant environmental effects this could have an adverse effect on livestock and the viability of the agricultural land.

## **15.6 Potential Effects**

The identification of potential effects is high level at this stage and is not attributed to particular locations or resources.

The scoping of effects as set out in Appendix 15.3 is considered appropriate at this stage. Further evidence based scoping is expected as the assessment is advanced.

## **15.7 Cumulative Effects**

The assessment of cumulative effects includes the assessment of intra and inter project effects. The intra project effects should include consideration of the potential amenity effects as discussed in section 15.5 above.

It is recommended that the inter project effects includes consideration of both planning consents and planning allocations to ensure all key developments are considered.

## **15.8 Combined Effects (see Chapter 17)**

At this stage no significant combined effects are considered likely as the ALC grade of agricultural land within the Wider Works areas is predominantly Grade 4 (poor quality) or Grade 5 (very poor quality).

## **15.9 Summary**

The proposed approach to assessment of effects on Agriculture appears to be in accordance with the relevant legislation, guidance and best practice. The Councils seek clarity on whether this chapter will also cover wider land uses and if so an accompanying methodology would be required for these non-agricultural resources.

## 16 Electric and Magnetic Fields

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National Grid has set out the legislative and policy context for the assessment of electric and magnetic fields in Chapter 16 of the scoping report and proposed that on the basis of compliance with legislation, the assessment of Electromagnetic Fields (EMF) and Electromagnetic Compatibility (EMC) be excluded from the EIA on the basis that not significant likely effects are anticipated.

This chapter of the Scoping Report therefore does not include a scope and methodology for the assessment of electric and magnetic fields.

It is accepted the impacts arising from EMC can be scoped out, providing that evidence is provided demonstrating that the specifications for the overhead line, sealing end compounds, and underground cable (including tunnel head housing) comply with regulatory thresholds.

National Grid propose that a stand-alone assessment of EMFs is provided alongside the EIA. The Councils are unclear on the justification for excluding the assessment from the EIA, given that EMF has previously been incorporated into the EIA for similar NSIPs (including Hinkley Point C Connections Project) and expect to be consulted on the scope of this assessment in further detail. It is also considered essential that the assessment of EMFs be incorporated into a Health Impact Assessment. The Councils envisage that National Grid provide a Health Impact Assessment irrespective of whether or not this is regarded as a statutory requirement. This is seen as essential to allay legitimate concerns from the general public, and to be very much in the spirit of the new Well-being of Future Generations (Wales) Act 2015.



## 17 Statement of Combined Effects

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National Grid propose to assess the impacts of the Wider Works through a Statement of Combined Effects which is to be appended as a chapter to the ES for the Project.

To date, insufficient detail has been provided to the Councils of the nature, scope and timing of these works in order to allow this proposed approach to be assessed, commented on, or agreed. Due to that failure on the part of National Grid to agree this mechanism with the Councils the Councils must reserve their position on his approach at this time until sufficient information can be provided.

In the absence of sufficient information, and the absence of an agreed position on the route to consent for the elements of the Project that are currently indicated as being included within the DCO application, the Councils are only able to comment at this stage that if any elements of the North Wales Connection Project (in its widest sense) that are currently considered to be consented as part of the DCO application subsequently fall to be consented as separate TCPA applications, there will be a mismatch between the way in which such elements will be considered under the EIA regime compared with these elements of the Wider Works. Both would be outside the DCO, but in the case of the former their effects will be considered in detail within the ES for the DCO, whereas the latter will only be considered as part of the assessment of combined effects proposed at this chapter 17.

The implications of such an approach would have to be considered on a case by case basis, and the Councils must therefore reserve their position until such a time as the scope of the applicant's DCO submission is settled and agreed with the Councils as part of the proposed MoU on the subject as referred to previously within this section.





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Ein Cyf - Our Ref. WGJ/VJ/NGS2  
Eich Cyf - Your Ref.

Matt Durham  
Senior Project Manager  
National Grid

16 Rhagfyr/December 2015

Dear Matt Durham

**ISLE OF ANGLESEY COUNTY COUNCIL RESPONSE TO THE NATIONAL GRID  
ON THE NORTH WALES CONNECTION PROJECT NON-STATUTORY STAGE 2  
CONSULTATION ON PREFERRED ROUTE OPTIONS**

**INTRODUCTION & BACKGROUND**

As host Authority, along with Gwynedd Council, for the proposed North Wales Connection Project by National Grid, the Isle of Anglesey County Council (the Council) takes the opportunity to provide detailed comments on the non-statutory consultation currently underway. The Council has treated this non-statutory consultation as that of a statutory nature and has undertaken a high level commitment to respond to National Grid. However, the nature and extent of the present consultation is limited by previous decisions that have been taken on strategic options relating to the connection project, in particular your decision to promote an overhead line connection from Wylfa to Pentir. In the Council's view this limits the effectiveness of the consultation.

The starting point for the Council remains your first stage of consultation in 2012. The response of the Council at that time was unequivocal in its preference for a HVDC sub-sea solution which would ensure no pylons would be erected on the island. It was clear at all times that the Council was keen to limit the environmental impact of the scheme and that was the basis of its response. At the same time the Council expressed its concern over the perceived bias on the part of National Grid in signalling its preference for an overhead line solution.

There was a delay in further public engagement due to changes in Connection Contracts and the need for 'back-checking'. Subsequently, National Grid sought stakeholder feedback on its preferred technology and route corridor options. The stance of the Council was the same, and driven by the same environmental objective, i.e. a preference for a HVDC sub-sea solution, which continued to be the case in the later announcement by National Grid on the preferred Route Corridor.

## OFFICIAL

The Council's response to the present consultation comprises two strands; its overarching comments on the strategic option that has been chosen for the connection project, and its high level comments on the specific route proposal currently being consulted on.

### **STRATEGIC POSITION**

As a precursor to your latest consultation the Council approached Horizon Nuclear Power, the developer of Wylfa Newydd, requesting its views on the viability of a HVDC sub-sea connection of its new nuclear power station to the National Grid mainland network. Its response was that such technology could give rise to fundamental uncertainty in respect of technical and commercial viability and risk issues. These concerns have been validated by Arup, as independent specialist consultants, through the Planning Performance Agreement (PPA) between the Council and National Grid.

As a consequence the Council accepts that a HVDC sub-sea solution (Strategic Option 1) is not a viable option. However, the Council understands that National Grid has committed to underground the Menai Straits section of the connection and expects that further information on this proposal will be provided before any final decision is taken.

Taking a logical and 'step by step' approach the Council next considered the Hybrid Option (Strategic Option 6). This option had certain merits e.g. avoiding the crossing of the Menai Straits. Although it resulted in new pylons, this was utilising an existing 132kv route, and it obviated the need to connect to the Pentir substation as this connection did not require a crossing of the Menai Straits. However, the Council is of the view that these merits are out-weighed by the need for a new much larger replacement overhead line from Wylfa to Valley, and the additional cost of undergrounding cables from the mainland landing point to the substation at Bryncir which the Council envisages would be a legitimate requirement of Gwynedd Council.

This iterative and pragmatic approach has brought into focus the option of a fully undergrounded connection between Wylfa and Pentir (referred to by National Grid as Strategic Option 3 – SO3 AC Cable) which had not been previously considered in detail by the Council. This has a similar cost to the Hybrid Option but brings the substantial advantage of no long term visual intrusion. In terms of technical viability the early indicators from experts in this field are that undergrounding along the whole length of the Orange Corridor route is likely to be technically feasible. Therefore the current position of the Council (endorsed by Full Council on 9<sup>th</sup> December (see below)) is that this option needs to be considered in further detail. The potential route alignment options for an underground solution, in consideration of environmental and socio-economic effects are yet to be fully explored. This would require specialist input through the PPA. The Council would also encourage National Grid to provide a reasonable informal consultation period (to be agreed between National Grid and the Council) for consideration of an underground proposal made by National Grid. There should be sufficient information to provide the Council with confidence that an underground solution has been properly considered by National Grid in accordance with a commitment to 'back-checking' the Strategic Options process for route selection.

## OFFICIAL

Following an extraordinary meeting of the Full Council on 9<sup>th</sup> December Members maintain the previously established and strong position in that no additional electricity transmission lines and pylons are constructed across Anglesey and the Menai Straits. You are therefore formally requested by the Council to commit to the further investigation of a fully undergrounded option across Anglesey. In the event that you are unwilling to make such a commitment the Council expects that you will provide full reasons for not doing so having regard to all relevant parameters, environmental and economic. Furthermore, as an amendment to the recommendation agreed during the extraordinary meeting, the Council requests that National Grid does not use or reproduce the logo of the Energy Island Programme on any of its public documents regarding the North Wales Connection.

### **SPECIFIC COMMENTS ON CURRENT CONSULTATION**

I first highlight a fundamental concern of the Council regarding National Grid's latest consultation. It is the considered view of the Council that this consultation is materially defective and premature. This is not just because the Option of a fully underground solution requires further work and so cannot effectively be consulted upon, but on account of the lack of detail on the proposals for the undergrounding of the Menai Straits section. This information is seen as essential for meaningful consideration of the Orange Corridor route options. This is especially the case for the location of the Sealing End Compounds which will be determined by the means and routing of the underground cabling. Furthermore, the recent announcement by the Welsh Government regarding a third Menai Straits crossing will need to be taken into consideration by National Grid.

The following 'High Level' comments on the consultation are therefore made against the backdrop of this serious concern regarding its deficient nature and prematurity. These comments have been derived from a detailed review of the consultation documentation by Officers from across the Council, as per the approach taken on the Horizon PAC1. Each comment has been given a RAG (Red, Amber, Green) 'traffic light' status with Red highlighting proposals which are contrary to not only established policies but also the resolved position of the Council, Amber signalling where additional information or further work is required, and Green where the Council is in agreement. Given these comprehensive comments the Council has not separately responded to the questions set out in your Consultation Feedback Form as they are addressed within our wider comments.

This detailed commentary and RAG status is set out in the Papers considered by the Full Council at its Special Meeting on 9<sup>th</sup> December 2015, of which this letter formed part, and is publicly available at <http://democracy.anglesey.gov.uk>

The Council (with Horizon Nuclear Power) has developed a Master Issues Tracking System which records changes in status on comments / issues agreed between the Applicant and the Council. It is the intention of the Council to replicate this system and utilise it for the eventual DCO Application to be submitted by National Grid. The Council do not yet have information (including programme) from National Grid setting out a clear consenting strategy that will enable planning for, and consideration of

applications made under the Town and Country Planning Act 1990, for Associated Development or other infrastructure that may be required to support the project.

## **HIGH LEVEL COMMENTS ON CONSULTATION**

### **PREMATURITY and DEFICIENCIES**

The prematurity of this consultation and its deficiencies including the lack of information on the proposals for undergrounding the Menai Straits have already been highlighted. This makes for a ‘fractured’ and unsatisfactory consultation and begs the question as to the need for feedback to be issued to the public prior to undertaking future consultation on the Menai Straits proposals in order for the public and key stakeholders to make meaningful comments on the overall proposals. You will be aware that it is important to avoid “consultation fatigue” arising from repeated consultations.

### **SOCIO-ECONOMIC**

The potential socio-economic implications of the proposed overhead line are seen by the Council as very substantial. Tourism is the largest sector of the Anglesey economy (generating over £260M annually) so the potential effects must be assessed against a robust baseline of local data and projected over a timeframe to be agreed with the Council. To this end the Council expects National Grid to undertake a detailed Tourism Impact Assessment which should include a visitor perception survey and the views of the tourism / accommodation providers. The potential impacts on communities affected by the project also need to be addressed utilising best practice techniques in community engagement. The Council would expect the Community Voice model to be adopted which has been successfully developed through a pilot in the Seiriol ward of Beaumaris, and is being rolled out in other communities on Anglesey. The Council would also expect further dialogue with National Grid on the scope of any studies and meaningful community engagement as soon as possible. In the event that National Grid is either unwilling or unable to proceed in this way the Council will expect to see full reasons provided in order to judge the reasonableness of the approach taken.

### **JOBS & SUPPLY CHAIN OPPORTUNITIES**

The construction works for undergrounding the Menai Straits section and the proposed new line present opportunities for local employment and local sourcing. The Council calls for an undertaking by National Grid to maximise these opportunities for local people and businesses and to provide support through education and skills training and supply chain development. Such commitment would be consistent with agreements made by National Grid for the Hinkley Point C Connections Project.

### **WELSH LANGUAGE**

Welsh Language and culture needs to be viewed by National Grid as a ‘golden thread’ running through all of their proposals, including the potential impacts and any mitigation. Accordingly the Council impresses upon National Grid the need for the Welsh Language to be central to its community engagement and therefore expects a Welsh Language Impact Assessment to be undertaken and cross referenced with the Environmental and Health Impact Assessments.

## **HEALTH IMPACT ASSESSMENT**

The Council envisages that National Grid provide a Health Impact Assessment irrespective of whether or not this is regarded as a statutory requirement. This is seen as essential to allay legitimate concerns from the general public, and to be very much in the spirit of the new Well-being of Future Generations (Wales) Act 2015.

## **CUMMULATIVE IMPACTS**

The implications of a new overhead line alongside an existing line must be considered, as should the potential impacts of other developments nearby both existing and planned. The cumulative impacts and potential for unforeseen effects to impact on communities is of particular concern to the Council, highlighting the need for early engagement with National Grid on a 'tiered strategy' for the mitigation and control of potential effects. This should be undertaken alongside a commitment to a scheme of Community Impact Mitigation, taking into consideration best practice from other Nationally Significant Infrastructure Projects. The Council would also expect National Grid to examine all opportunities to reduce cumulative effects through incorporating existing infrastructure into proposed mitigation strategies (eg undergrounding the existing line at the Menai Straits should be included in current proposals for undergrounding at the Menai Straits).

## **MITIGATION**

Much greater detail will be required on how National Grid intend to deal with adverse impacts of the development proposals. Wherever possible, the Council will be looking for adverse impacts to be avoided as an integral aspect of the design. Failing this, appropriate mitigation and control measures will need to be devised drawing on the feedback from an effective community engagement referred to above. Where it is not possible to fully mitigate effects, enhancement or compensation should be provided. It is of critical importance that sufficient and early engagement be undertaken with the Council to establish common ground on detailed proposals for control and mitigation of effects. The Hinkley Point C Connection Project establishes a framework of control documents, requirements and obligations as a reference point for potential solutions. This should be a starting point for discussion with the Council.

## **COSTS**

Estimated costs have been included in the consultation documentation. In order to give proper consideration to all of the remaining options, the Council sees it as a requirement that National Grid update these figures in the light of new and more detailed information. The Council considers this to be consistent with National Grid's commitment to 'back-checking'. Also, National Grid should provide total costings, which include mitigation costs for each option, and 'life cycle' costs. These should be presented in a clear and transparent manner that breaks down the various cost elements. This is seen as essential in order to make proper and up to date comparisons between the different options.



**CONCLUSIONS**

This letter provides an overview of the Council's views on the proposed North Wales Connection Project. It summarises and complements the detailed review of the present consultation carried out by the Council. In carrying out that review the Council has sought to be logical, iterative and transparent.

Hence, the Council is calling for National Grid's further consideration of a fully undergrounded connection between Wylfa and Pentir. This needs to be complemented by regular updating of its cost in comparison with the total cost of other options, including the National Grid preferred option which is not finalised at this stage.

I trust that you find these comments constructive and helpful. If you are in any doubt as to what the Council intends then you should as soon as possible seek clarification. I would be more than willing to meet with you to discuss matters further.

Yours sincerely



**Gwynne Jones**  
**Chief Executive**





Dr. Gwynne Jones  
Prif Weithredwr  
Chief Executive

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Ein Cyf - Our Ref. WGJ/JW  
Eich Cyf - Your Ref.

Matt Durham  
Uwch Reolwr Prosiect  
National Grid

16 Rhagfyr/December 2015

Annwyl Matt Durham

**YMATEB CYNGOR SIR YNYS MÔN I NATIONAL GRID MEWN CYSYLLTIAD AG  
YMGYNGHORIAD ANSTATUDOL CAM 2 PROSIECT CYSYLLTIAD GOGLEDD  
CYMRU AR YR OPSIYNAU SY'N CAEL EU FFAFRIO AR GYFER Y LLWYBR**

**CYFLWYNIAD A CHEFNDIR**

Fel yr Awdurdod derbyn, ar y cyd â Chyngor Gwynedd, ar gyfer prosiect arfaethedig National Grid, Prosiect Cysylltiad Gogledd Cymru, mae Cyngor Sir Ynys Môn (y Cyngor) yn manteisio ar y cyfle i gyflwyno sylwadau manwl ynglŷn â'r ymgynghoriad anstatudol sy'n cael ei gynnal ar hyn o bryd. Mae'r Cyngor wedi ystyried yr ymgynghoriad anstatudol hwn fel pe bai'n ymgynghoriad statudol, ac mae wedi ymrwymo i ymateb i National Grid ar lefel uchel. Fodd bynnag, mae natur a chwmpas yr ymgynghoriad presennol wedi'i gyfyngu gan benderfyniadau blaenorol sydd wedi cael eu gwneud ynglŷn ag opsiynau strategol sy'n ymwneud â'r prosiect, yn fwyaf arbennig eich penderfyniad i hybu cysylltiad drwy linell uwchben y ddaear o Wylfa i Bentir. Cred y Cyngor fod hyn yn cyfyngu ar effeithiolrwydd yr ymgynghoriad.

Y man cychwyn i'r Cyngor o hyd yw eich ymgynghoriad cyntaf yn 2012. Wrth ymateb bryd hynny dywedodd y Cyngor yn blwmp ac yn blaen ei fod yn ffafrio cysylltiad HVDC tanfor a fyddai'n sicrhau na fyddai unrhyw beilonau'n cael eu codi ar yr ynys. Roedd yn amlwg drwy'r adeg bod y Cyngor yn awyddus i gyfyngu effaith amgylcheddol y cynllun, a dyna oedd sail ei ymateb. Yr un pryd, mynegodd y Cyngor bryder ynglŷn â'r rhagfarn dybiedig ar ran National Grid, a oedd yn amlwg yn ffafrio llinell uwchben y ddaear.

Bu oedi cyn ymgysylltu ymhellach â'r cyhoedd oherwydd newidiadau i Gontractau Cysylltiad a'r angen i 'ôl-wirio'. Yn dilyn hynny, gofynnodd National Grid am adborth gan randdeiliaid ynglŷn â'r dechnoleg a'r opsiynau a oedd yn cael eu ffafrio ar gyfer coridorau llwybrau. Nid oedd safbwynt y Cyngor wedi newid, ac roedd yn seiliedig ar yr un amcan amgylcheddol, h.y. ei fod yn ffafrio cysylltiad HVDC tanfor. Yr un oedd ei safbwynt yn ddiweddarach pan gyhoeddodd National Grid pa Goridor Llwybr yr oedd yn ei ffafrio.

## SWYDDOGOL

Mae ymateb y Cyngor i'r ymgynghoriad presennol yn cynnwys dwy elfen; ei sylwadau cyffredinol ynglŷn â'r opsiwn strategol a ddewiswyd ar gyfer prosiect y cysylltiad, a'i sylwadau lefel uchel ar gynnig y llwybr penodol yr ymgynghorir arno ar hyn o bryd.

### **SAFBWYNT STRATEGOL**

Cyn eich ymgynghoriad diweddaraf cysylltodd y Cyngor â Horizon Nuclear Power, datblygwr Wylfa Newydd, i ofyn am farn y cwmni ynglŷn â hyfywedd cysylltiad HVDC tanfor o'i orsaf bŵer niwclear newydd i rwydwaith National Grid ar y tir mawr. Ymateb y cwmni oedd y gallai technoleg o'r fath arwain at ansicrwydd sylfaenol ynglŷn â hyfywedd technegol a masnachol a materion yn ymwneud â risg. Cadarnhawyd y pryderon hyn gan Arup, fel ymgynghorwyr annibynnol, drwy'r Cytundeb Perfformiad Cynllunio rhwng y Cyngor a National Grid.

Mae'r Cyngor felly'n derbyn nad yw cysylltiad HVDC tanfor (Opsiwn Strategol 1) yn opsiwn hyfyw. Er hyn, mae'r Cyngor yn deall bod National Grid wedi ymrwymo i danddaearu'r rhan o'r cysylltiad sydd yn ardal Afon Menai, ac mae'n disgwyl y bydd rhagor o wybodaeth ynglŷn â'r cynnig hwn yn cael ei darparu cyn y gwneir unrhyw benderfyniad terfynol.

Gan ddefnyddio dull gweithredu rhesymegol a 'cham wrth gam' yr opsiwn nesaf a ystyriwyd gan y Cyngor oedd yr Opsiwn Hybrid (Opsiwn Strategol 6). Roedd rhai rhinweddau i'r opsiwn hwn e.e. byddai'n osgoi croesi'r Fenai. Er ei fod yn arwain at godi peilonau newydd, roedd yn defnyddio llwybr 132kv sy'n bodoli'n barod, ac roedd hynny'n dileu'r angen i gysylltu ag is-orsaf Pentir gan nad oes angen croesi'r Fenai ar gyfer y cysylltiad hwnnw. Er y manteision hyn, mae'r Cyngor yn credu bod angen llinell newydd lawer cryfach uwchben y ddaear o Wylfa i'r Fali. Yn ychwanegol at hyn, rhaid ystyried y gost ychwanegol o osod ceblau o dan y ddaear o'r man glanio ar y tir mawr i'r is-orsaf ym Mryncir, cost a fyddai'n cael ei hysgwyddo mae'n debyg gan Gyngor Gwynedd.

Mae'r dull gweithredu ailadroddol a phragmataidd hwn wedi tynnu sylw at yr opsiwn o gysylltiad o dan y ddaear yr holl ffordd o Wylfa i Bentir (y cyfeirir ato gan National Grid fel Opsiwn Strategol 3 – OS3 Cebl AC). Nid oedd yr opsiwn hwn wedi cael ei ystyried yn fanwl gan y Cyngor cyn hyn. Mae ei gost yn debyg i gost yr Opsiwn Hybrid ond ei fantais fawr yw'r ffaith nad oes effaith weledol hirdymor. O ran hyfywedd technegol, mae'r casgliadau cynnar gan arbenigwyr yn y maes hwn yn awgrymu bod gosod y ceblau o dan y ddaear ar hyd y Coridor Oren yn ei gyfanrwydd yn debygol o fod yn ymarferol o safbwynt technegol. O ganlyniad, safbwynt presennol y Cyngor (a gymeradwywyd gan y Cyngor Llawn ar 9 Rhagfyr – gweler isod) yw bod angen ystyried yr opsiwn hwn yn fanylach. Nid yw'r opsiynau ar gyfer aliniad posibl llwybr o dan y ddaear, o ran yr effeithiau amgylcheddol ac economaidd-gymdeithasol, wedi cael eu harchwilio'n llawn eto. Byddai angen mewnbwn arbenigol drwy'r Cytundeb Perfformiad Cynllunio i wneud hyn. Byddai'r Cyngor hefyd yn annog National Grid i ddarparu cyfnod ymgynghori rhesymol (i'w gytuno rhwng National Grid a'r Cyngor) er mwyn ystyried y cynnig a wnaed gan National Grid ar gyfer gosod y ceblau dan y ddaear. Dylai fod digon o wybodaeth i roddi i'r Cyngor yr hyder fod National Grid wedi rhoddi ystyriaeth briodol i'r llwybr dan y ddaear yn unol ag ymrwymiad i 'ôl-wirio'r' Opsiynau Strategol o ran dewis llwybr.

## SWYDDOGOL

Yn dilyn cyfarfod arbennig o'r Cyngor Llawn ar 9 Rhagfyr, mae'r Aelodau'n glynu'n gryf wrth y safiad cryf a wnaethant eisoes, sef bod dim llinellau cyflenwi trydan a pheilonau ychwanegol yn cael eu hadeiladu ar draws Ynys Môn a'r Fenai. Felly, mae'r Cyngor felly'n gofyn yn garedig i chi ymrwymo i ymchwilio ymhellach i'r Opsiwn hwn i osod ceblau dan y ddaear. Os nad ydych yn fodlon gwneud ymrwymiad o'r fath mae'r Cyngor yn disgwyl i chi roi eglurhad llawn o'ch rhesymau dros beidio â gwneud hynny gan ystyried yr holl bamedrau perthnasol, amgylcheddol ac economaidd. Ymhellach, ac fel gwelliant i'r argymhelliad y cytunwyd arno yn ystod y cyfarfod arbennig, mae'r Cyngor yn gofyn i National Grid beidio â defnyddio logo'r Rhaglen Ynys Ynni ar unrhyw un o'i ddogfennau cyhoeddus sy'n ymwneud â Chysylltiad Gogledd Cymru.

### **SYLWADAU PENODOL YNGLŶN Â'R YMGYNGHORIAD PRESENNOL**

Hoffwn dynnu sylw yn gyntaf at un o brif bryderon y Cyngor ynglŷn ag ymgynghoriad diweddaraf National Grid. Ar ôl ystyried yn ofalus mae'r Cyngor yn credu bod yr ymgynghoriad hwn yn ddiffygiol ac yn gynamserol yn ei hanfod. Mae'n dweud hyn yn rhannol oherwydd bod angen gwneud rhagor o waith ar yr Opsiwn o gysylltiad a fyddai'n gyfan gwbl o dan y ddaear, gan na ellir ymgynghori'n effeithiol arno fel y mae, a hefyd oherwydd y diffyg manylion ynglŷn â'r cynigion ar gyfer gosod y ceblau o dan y ddaear yn ardal Afon Menai. Credwn fod y wybodaeth hon yn hanfodol er mwyn ystyried opsiynau llwybr y Coridor Oren yn ofalus. Mae hyn yn arbennig o wir o ran lleoliad y Compowndiau Pennau Selio a fydd yn dibynnu ar y dull gosod ac ar lwybr y ceblau o dan y ddaear. Yn ychwanegol at hyn, bydd angen i National Grid ystyried y cyhoeddiad a wnaethpwyd yn ddiweddar gan Lywodraeth Cymru ynglŷn â chodi pont arall dros Afon Menai.

Mae'r sylwadau 'Lefel Uchel' a ganlyn ynglŷn â'r ymgynghoriad yn cael eu gwneud felly yng nghyd-destun y pryder difrifol hwn ynglŷn â natur ddiffygiol a chynamserol yr ymgynghoriad. Mae'r sylwadau hyn yn deillio o adolygiad manwl o ddogfennau'r ymgynghoriad gan Swyddogion o wahanol adrannau yn y Cyngor, gan ddilyn yr un drefn ag a ddilynwyd ar gyfer Horizon PAC1. Rhoddwyd statws 'goleuadau traffig' (Coch, Oren, Gwyrdd) i bob sylw. Mae Coch yn nodi cynigion sy'n groes i bolisïau sydd wedi cael eu sefydlu a hefyd yn groes i'r safbwynt y mae'r Cyngor wedi penderfynu arno, Oren yn nodi bod angen rhagor o wybodaeth neu fwy o waith, a Gwyrdd yn nodi bod y Cyngor yn cytuno. Gan fod y rhain yn sylwadau cynhwysfawr nid yw'r Cyngor wedi ymateb ar wahân i'r cwestiynau sydd yn eich Ffurflen Ymateb i'r Ymgynghoriad gan fod sylw'n cael ei roi i'r rhain yn ein sylwadau ehangach.

Mae'r esboniad manwl hwn a'r statws Coch, Oren, Gwyrdd i'w weld yn y Papurau a fydd yn cael eu hystyried gan y Cyngor Llawn yn ei Gyfarfod Arbennig ar 9 Rhagfyr 2015, y mae'r llythyr hwn yn un ohonynt, ac sydd ar gael i'r cyhoedd eu gweld yn <http://democratiaeth.ynysmon.gov.uk>

Mae'r Cyngor (gyda Horizon Nuclear Power) wedi datblygu Prif System Olrhain Problemau sy'n cofnodi newidiadau i statws sylwadau / materion y cytunwyd arnynt gan yr Ymgeisydd a'r Cyngor. Mae'r Cyngor yn bwriadu efelychu'r system hon a'i defnyddio ar gyfer y cais am Orchymyn Caniatâd Datblygu a fydd yn cael ei gyflwyno

## SWYDDOGOL

maes o law gan National Grid. Nid yw'r Cyngor wedi cael gwybodaeth (na rhaglen) gan National Grid eto yn nodi strategaeth glir ar gyfer cael caniatâd. Byddai gwybodaeth o'r fath yn galluogi'r Cyngor i gynllunio ar gyfer ceisiadau sy'n cael eu gwneud dan Ddeddf Cynllunio Gwlad a Thref 1990, ac i ystyried ceisiadau o'r fath sy'n ymwneud â Datblygiad Cysylltiedig neu seilwaith arall a allai fod yn ofynnol er mwyn cefnogi'r prosiect.

### **SYLWADAU LEFEL UCHEL YNGLŶN Â'R YMGYNGHORIAD**

#### **CYNAMSEROLDEB a DIFFYGION**

Cyfeiriwyd eisoes at gynamseroldeb yr ymgynghoriad hwn a'i ddiffygion, gan gynnwys diffyg gwybodaeth ynglŷn â'r cynigion i osod y ceblau o dan Afon Menai. Mae hyn yn gwneud yr ymgynghoriad yn 'doredig' ac yn anfoddhaol ac yn codi'r cwestiwn a oes angen rhoi adborth i'r cyhoedd cyn ymgynghori ar gynigion Afon Menai yn y dyfodol er mwyn i'r cyhoedd a rhanddeiliaid allweddol wneud sylwadau ystyrion ynglŷn â'r cynigion cyffredinol. Byddwch yn ymwybodol ei bod yn bwysig osgoi "blino ar ymgynghori" o ganlyniad i ymgynghori drosodd a throsodd.

#### **ECONOMAIDD-GYMDEITHASOL**

Mae'r Cyngor yn credu bod goblygiadau economaidd-gymdeithasol posibl y llinell arfaethedig uwchben y ddaear yn sylweddol iawn. Twristiaeth yw'r sector mwyaf yn economi Ynys Môn (yn cynhyrchu dros £260M y flwyddyn) felly rhaid asesu'r effeithiau posibl ar sail gwaelodlin gadarn o ddata lleol a'i rhagamcanu dros ffrâm amser i'w chytuno gyda'r Cyngor. I'r perwyl hwn mae'r cyngor yn disgwyl i National Grid wneud asesiad manwl o'r Effaith ar Dwristiaeth. Dylai'r asesiad hwn gynnwys arolwg o farn ymwelwyr ac o farn darparwyr llety / twristiaeth. Mae angen rhoi sylw hefyd i'r effeithiau posibl ar gymunedau sy'n cael eu heffeithio gan y prosiect gan ddefnyddio technegau'r arferion gorau ar gyfer ymgysylltu â chymunedau. Byddai'r Cyngor yn disgwyl i'r model Llais y Gymuned gael ei fabwysiadu. Mae'r model hwn wedi cael ei ddatblygu'n llwyddiannus drwy gynllun peilot yn ward Seiriol ym Miwmares, ac mae'n cael ei roi ar waith yn raddol mewn cymunedau eraill ym Môn. Byddai'r Cyngor hefyd yn disgwyl rhagor o drafodaethau gyda National Grid ynglŷn â chwmpas unrhyw astudiaethau ac ymgysylltu ystyrion â'r gymuned cyn gynted ag y bo modd. Os bydd National Grid yn anfodlon symud ymlaen yn y modd hwn, neu'n methu â gwneud hynny, bydd y Cyngor yn disgwyl gweld rhesymau llawn yn cael eu darparu er mwyn barnu pa mor rhesymol oedd y dull gweithredu a ddefnyddiwyd.

#### **SWYDDI A CHYFLEOEDD YN Y GADWYN GYFLENWI**

Mae'r gwaith adeiladu ar gyfer gosod ceblau o dan y ddaear yn ardal Afon Menai a'r llinell newydd arfaethedig yn cynnig cyfleoedd ar gyfer gwaith lleol a chyrchu lleol. Mae'r Cyngor yn galw am ymrwymiad gan National Grid i sicrhau bod cymaint ag sy'n bosibl o'r cyfleoedd hyn yn gyfleoedd i bobl leol ac i fusnesau lleol, ac i roi cefnogaeth drwy addysg a hyfforddiant sgiliau a datblygu'r gadwyn gyflenwi. Byddai ymrwymiad o'r fath yn gyson â chytundebau a wnaethpwyd gan National Grid ar gyfer Prosiect Cysylltiadau Hinkley Point C.

#### **YR IAITH GYMRAEG**

Mae angen i National Grid ystyried yr iaith Gymraeg a'r diwylliant Cymreig fel 'llyn aur' sy'n rhedeg drwy bob un o'i gynigion, gan gynnwys yr effeithiau posibl ar yr iaith ac unrhyw fesurau lliniaru. O ganlyniad, mae'r Cyngor yn awyddus i sicrhau bod

## SWYDDOGOL

National Grid yn deall bod angen i'r laith Gymraeg fod yn rhan ganolog o unrhyw ymgysylltu â'r gymuned ac, o ganlyniad, mae'n disgwyl y bydd Asesiad o'r Effaith ar yr laith Gymraeg yn cael ei wneud ac y bydd yn cael ei groesgyfeirio â'r Asesiad o'r Effaith ar yr Amgylchedd a'r Asesiad o'r Effaith ar Iechyd.

### **ASESIAD O'R EFFAITH AR IECHYD**

Mae'r Cyngor yn disgwyl i National Grid wneud Asesiad o'r Effaith ar Iechyd pa un a yw hynny'n cael ei ystyried yn ofyniad statudol ai peidio. Mae hyn yn hanfodol er mwyn lleddfu pryder y cyhoedd, ac mae hefyd yn gydnaws â'r ddeddf newydd, sef Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015.

### **EFFEITHIAU CRONNUS**

Rhaid ystyried goblygiadau llinell uwchben newydd ochr yn ochr â llinell sydd yno'n barod, ynghyd ag effeithiau posibl datblygiadau eraill gerllaw, boed yn ddatblygiadau sy'n bodoli'n barod neu'n rhai sy'n cael eu cynllunio. Mae'r effeithiau cronnus a'r posibilrwydd y gallai ffactorau na chawsant eu rhagweld effeithio ar gymunedau yn fater sy'n peri cryn bryder i'r Cyngor, ac yn dangos bod angen ymgysylltu'n gynnar â National Grid ynglŷn â 'strategaeth haenog' ar gyfer lliniaru a rheoli effeithiau posibl. I gyd-fynd â hyn bydd angen ymrwymiad i gynllun Lliniaru Effaith ar y Gymuned, gan ystyried yr arferion gorau mewn Prosiectau Seilwaith Cenedlaethol eu Harwyddocâd eraill. Byddai'r Cyngor hefyd yn disgwyl i National Grid edrych ar bob cyfle i leihau effeithiau cronnus drwy gynnwys y seilwaith presennol mewn strategaethau lliniaru arfaethedig (e.e. dylid cynnwys gosod y llinell bresennol o dan y ddaear yn ardal Afon Menai yn y cynlluniau presennol ar gyfer tanddaearu yn ardal Afon Menai).

### **LLINIARU**

Bydd angen llawer mwy o fanylion ynglŷn â sut y mae National Grid yn bwriadu ymdrin ag effeithiau niweidiol y cynigion datblygu. Lle bo modd, bydd y Cyngor yn ceisio osgoi effeithiau niweidiol fel rhan annatod o'r cynllun. Fel arall, bydd angen llunio mesurau lliniaru a rheoli priodol gan ddefnyddio adborth a geir yn dilyn ymgysylltiad effeithiol â'r gymuned y cyfeirir ato uchod. Os nad yw'n bosibl lliniaru effeithiau'n llwyr, dylid darparu mesurau gwella neu ddigolledu. Mae'n bwysig dros ben bod National Grid yn ymgysylltu'n ddigonol ac yn gynnar â'r Cyngor er mwyn sefydlu tir cyffredin ar gynigion manwl i reoli a lliniaru effeithiau. Mae Prosiect Cysylltiadau Hinkley Point C yn sefydlu fframwaith o ddogfennau rheoli, gofynion ac ymrwymadau fel cyfeirbwynt ar gyfer datrysiadau posibl. Dylai hwn fod yn fan cychwyn ar gyfer trafodaeth gyda'r Cyngor.

### **COSTAU**

Rhoddyd amcangyfrif o'r costau yn y ddogfen ymgynghori. Er mwyn rhoi ystyriaeth briodol i'r holl opsiynau sydd ar ôl, mae'r Cyngor yn credu y dylai fod yn ofynnol i National Grid ddiweddarau'r ffigurau hyn gan roi sylw i wybodaeth newydd a manylach. Mae'r Cyngor yn credu bod hyn yn gyson ag ymrwymiad National Grid i 'ôl-wirio'. Yn ychwanegol at hyn, dylai National Grid nodi cyfanswm y costau, gan gynnwys costau lliniaru ar gyfer pob opsiwn, a chostau 'cylch bywyd'. Dylid cyflwyno'r rhain mewn ffordd glir a thryloyw sy'n dadansoddi'r elfennau cost amrywiol. Mae hyn yn hanfodol er mwyn gwneud cymariaethau cywir a chyfredol rhwng y gwahanol opsiynau.

## SWYDDOGOL

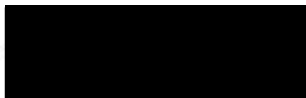
### **CASGLIADAU**

Mae'r llythyr hwn yn rhoi crynodeb o farn y Cyngor ynglŷn â'r prosiect arfaethedig, Prosiect Cysylltiad Gogledd Cymru. Mae'n crynhoi ac yn ategu'r adolygiad manwl o'r ymgynghoriad presennol a wnaethpwyd gan y Cyngor. Wrth wneud yr adolygiad hwnnw mae'r Cyngor wedi ceisio bod yn rhesymegol, yn ailadroddol ac yn dryloyw.

Mae'r Cyngor felly'n galw ar National Grid i roi ystyriaeth bellach i gysylltiad yn gyfan gwbl o dan y ddaear rhwng Wylfa a Phentir. Mae angen ategu hyn drwy ddiweddarau ei gost yn rheolaidd, a chymharu â chyfanswm cost opsiynau eraill, gan gynnwys yr opsiwn sy'n cael ei ffafrio gan National Grid nad yw'n derfynol ar hyn o bryd.

Hyderaf fod y sylwadau hyn yn adeiladol ac y byddant o gymorth i chi. Os oes gennych unrhyw amheuaeth ynglŷn â bwriadau'r Cyngor dylech ofyn am eglurhad cyn gynted ag y bo modd. Byddwn yn fwy na pharod i'ch cyfarfod i drafod y materion ymhellach.

Yn gywir



**Gwynne Jones**  
**Prif Weithredwr**



# Cyngor Cymuned Mæchell Community Council

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**Eich cyfeiriad: 160524\_EN020015\_3890527**

*Deddf Cynllunio 2008 (fel y'i diwygiwyd) a Rheoliadau Cynllunio Seilwaith (Asesu Effeithiau Amgylcheddol) 2009 (fel y'i diwygiwyd) - Rheoliadau 8 a 9.*

*Cais gan National Grid Electricity Transmission Plc am Orchymyn yn Cymeradwyo Caniatad Datblygu ar gyfer North Wales Connection.*

*Ymgynghoriad cwmpasu a hysbysiad o fanylion cyswllt yr ymgeisydd a'r ddyletswydd i sicrhau bod gwybodaeth ar gael i'r ymgeisydd ar gais.*

Mae Cyngor Cymuned Mechell wedi ei adnabod fel Corff Ymgynghori mae yn rhaid ymgynghori ag ef. Mae Cyngor Cymuned Mechell yn ymateb fel a ganlyn:

Llunir y sylwadau mewn perthynas a'r gymuned yma yn unig, ac fe gymerwyd i ystyriaeth sylwadau dinesyddion y gymuned. Nodir fod Wylfa Newydd (yr atomfa mae Horizon Nuclear Power yn ystyried adeiladu) o fewn tiriogaeth Cyngor Cymuned Mechell, ac fod pob opsiwn a gynigwyd hyd yma i gysylltu yr atomfa yma a'r Grid Cenedlaethol yn anorfod ar draws y plwyf yma hefyd.

Materion y dylid roi ystyriaeth iddynt yn yr Asesiad Effeithiau Amgylcheddol:

- Mae ychwanegu llinell o beilonau 400kV ychwanegol yn sicr o weddnewid ardal Cyngor Cymuned Mechell i dirlun diwydiannol, gyda holl effeithiau andwyol ar amgylchfyd y gymuned. Yn ychwanegol, dylid asesu (meintoli realistig) effaith newid y tirlun ar y diwydiant twristiaeth yn lleol.
- Pryder am werthoedd tai yn gyffredinol mewn tirlun diwydiannol.
- Pryder am werthoedd tai a leolir yn agos i lwybr y linell newydd. Dymunwn weld manylion am y rhaglen o ddiogledu perchnogion tai yn y sefyllfa yma.
- MEMau (EMF's) – Bydd mwy o drigolion y plwyf yn byw o fewn MEMau, a rhai mewn rhai llawer mwy dwys oherwydd byddent yn agos i ddwy linell. Dymunewn i'r asesiad gynnwys tystiolaeth fod byw o fewn MEMau yn hollol ddiogel, ag os na ellir gwneud hyn, dylid fabwysiadu Egwyddor Rhagofalus.

Cofion Cynnes,

Miss Helen Mai Hughes  
Clerc Cyngor Cymuned Mechell Community Clerk







**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

Ein cyf/Our ref: CAS-19468-H8H6  
Eich cyf/Your ref: 160524\_EN020015\_3890527

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Ms Hannah Pratt  
The Planning Inspectorate (on behalf of Secretary of State)  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

17<sup>th</sup> June 2016

Annwyl / Dear Ms Pratt,

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING  
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED) –  
REGULATIONS 8 AND 9**

**RE: SCOPING CONSULTATION – Application by National Grid Electricity  
Transmission Plc for an Order Granting Development Consent for the North Wales  
Connection Project**

Thank you for consulting Natural Resources Wales (NRW) for our advice regarding the scope of the Environmental Impact Assessment to support a Development Consent Order application for the Grid connection Project.

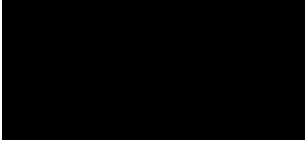
The comments contained in this letter and its annex comprise NRW's response to this scoping consultation under the Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impacts Assessment) Regulations 2009 (as amended).

Please note that our comments are without prejudice to any comments we may subsequently wish to make when consulted as part of a formal pre-application consultation, or during the submission of more detailed information or on the Environmental Statement.

At the time of any planning application there may be new information available which we will need to take into account in making a formal response to the Planning Inspectorate (PINS) / Secretary of State (SoS). NRW reserves the right to make such further comments and representations during the course of the pre-application process, as may be required. Our detailed comments can be found in Annex I below. They are made purely in respect of the scoping consultation.

Please do not hesitate to contact Bryn Jones should you require any further assistance.

Yours sincerely



**Richard Nines**  
**Head of Ecosystems Planning and Partnerships, North & Mid Wales**

**ANNEX I - Application by National Grid Electricity Transmission Plc for an Order Granting Development Consent for the North Wales Connection Project. Environmental Impact Assessment (EIA) Scoping Advice from Natural Resources Wales (NRW)**

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## Introduction

1. With regard to section 1.1.5 associated works, NRW confirms it is expecting to receive separate applications under the Town and Country Planning Act 1990 (as amended) for certain parts of the connection corridor.
2. As identified in section 1.1.5 the proposed project may require a Marine Licence under Part 4 of the Marine and Coastal Access Act 2009. The relevant EIA regulations for the purposes of a Marine Licence determination are the Marine Works (Environmental Impact Assessments) Regulations 2007 (as amended). We recommend that National Grid contact the Marine Licensing Team to request further pre-application advice and a scoping opinion under these regulations.
3. The UK Marine Policy Statement should be considered as relevant policy for the aspects of the works in the UK marine area. National Grid should also be aware of the ongoing development of the Welsh National Marine Plan.

## Approach and Method of the Environmental Impact Assessment

4. We advise that a holistic approach should be undertaken to the cumulative assessment that covers the whole lifecycle of the development. The assessment of the potential cumulative and in-combination effects of the Grid connection project with other existing or reasonably foreseeable projects and will be required to be set out in the ES. The applicant should set out in the ES where impacts from consequential or cumulative development have been identified, and how it is intend to assess these effects in the ES. Where uncertainty remains about Grid Connection project details, the applicant should assume worst case scenario. Where there are associated works that are subject to separate EIA the cumulative effects from the various associated works themselves and the main project should be assessed.
5. Section 6.2.16 to 6.2.18 of the report discusses Habitats Regulations Assessment and we note the statement 'Information to support a Habitats Regulations (HRA) screening assessment'. NRW advise that the applicant consult NRW on the preparation of their No Significant Effects Report (NSER) or Habitats Regulations Assessment Report (HRA Report). We refer you to our comments in points 23-24 below for further advice in relation to HRAs.

## Landscape and Visual Assessment

### The Study Area

6. Figure 5.1 the landscape constraints plan, does not include the Dinorwig Landscape of Outstanding Historic Interest. We recommend that this is amended so that the landscape constraints plan includes the Dinorwig Landscape of Outstanding Historic Interest.
7. We agree with the proposed approach taken to the visual assessment within the defined study area but with scope to include sensitive viewpoints beyond. This area would allow the visual context of the development to be appropriately considered and assessed.

### **LVIA Methodology**

8. The assessment of impacts on the AONB will need to consider the physical and visual effects upon the area's Natural Beauty - the scenic quality, distinctiveness, sense of place and special qualities of the area. The AONB management plan sets out special qualities that it seeks to conserve and enhance. These are often elements, features and attributes that the landscape contains, which contribute to character. The ES will need to demonstrate through its Landscape and Visual Impact Assessment (LVIA) and development proposals how it has positively addressed the special qualities of the AONB and explain the iterative design process taken to minimising adverse effects.
9. Overall, the proposed approach to applying the GLVIA3 (Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013) methodology is thorough. An assessment table for Landscape Susceptibility has been set out in Appendix 5.1. The proposed assessment adequately applies LANDMAP within the framework of GLVIA3 factors for identifying Valued Landscapes (GLVIA3 table 5.1).
10. We trust that LANDMAP data supported by site assessment and verification will be applied here. We recommend that the ES states where LANDMAP has been accepted as an accurate record of the landscape baseline or if there was a need to supplement /update the baseline by another method.

### **Viewpoint selection**

11. We consider the proposed generic types of viewpoints for assessment including all sensitive viewpoints within 1km of the proposed development; representative viewpoints within 1 to 3km of the proposed development and valued views lying beyond 3km to be generally acceptable. If however views of the proposed development are found to be inter-visible with the Snowdonia skyline, or AONB skyline of Mynydd Bodafon within the 1km to 3km zone, we recommend that these are also captured in the visual and/or cumulative assessments.
12. Details of the LVIA and CLVIA viewpoints to be assessed and requirements for visualisations have not been made available at this stage and we await consultation on these.

### **CLVIA Methodology**

13. The methodology for the Cumulative Landscape and Visual Impact Assessment (CLVIA) is acceptable.
14. Chapter 4 covers the scope of the baseline for the cumulative assessment. Table 4.6 Major Developments to be considered in the Inter-Project CEA is the only section to explicitly name projects that will be included. The CLVIA needs to include the existing 400kV overhead line specifically referred to in this section as well.
15. We concur with the range of receptors presented to be scoped in and out of the assessment in Appendix 5.3 landscape and visual scoping summary table.

## Ecology and Nature Conservation

### *Protected Sites*

16. Table 6.3a to 6.3f of the report lists statutory protected sites within the study area. Due to the lack of detail supplied we cannot rule out any of the sites listed at this stage as they may potentially be impacted by the works. These sites include European sites (e.g. Special Areas of Conservation - SACs), Special Protection Areas (SPAs) and Ramsar sites) protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and nationally protected sites (e.g. Sites of Special Scientific Interest (SSSI)) protected under the Wildlife and Countryside Act 1981 (as amended).
17. Section 6.2.16 refers to the creation of a document titled - 'Information to support a Habitats Regulations (HRA) screening assessment document'. NRW agree that continued and close liaison should occur regarding the structure and content of this document.
18. We note that table 6.2 states "all reasonable efforts will made during the further routing alignment work to avoid effects on designated sites where possible, including through micro-siting during detailed design once at that stage." NRW can provide advice on further information provided to seek to reduce avoid or mitigate negative impacts of the Proposed Project on designated sites.
19. The ES should detail appropriate mitigation measures for avoiding or reducing impacts on all SSSI's. Where damage to the SSSI features cannot be avoided, the ES should demonstrate how all alternatives have been fully considered. Where damage to the SSSI is considered likely despite full consideration of avoidance and mitigation measures, then the ES should specify possible compensation measures (including measures to ensure long-term site security and management) in order to offset the damage.
20. *Llyn Alaw SSSI* - the features of this site include "Several species of over-wintering wildfowl". Whooper swan are included in this group and overhead wires are known to pose a risk to large birds such as these. Table 6.2 indicates Surveys are being conducted for a range of species including bird surveys. NRW have not been consulted on the vantage points selected for the survey of the whooper swans. Considering that 2 years of survey may potentially be required, we recommend that the applicant reviews the site selection of vantage points with NRW to give the best chance of obtaining sufficient information needed to inform assessment and decisions.
21. *Menai Strait and Conway Bay SAC and SSSIs* – The last point in Section 9.7.24 of the report states that ". The method of crossing has yet to be confirmed, and therefore the need/layout for tunnel head compounds and sealing end compounds is to be confirmed." Options that don't involve operations, disturbance or the introduction of structures within protected sites are likely to have least impact upon them but beyond this we won't comment further until more specific information is available. We recommend early liaison with NRW if these sites are likely to be affected.

22. *Anglesey Fens SAC, Anglesey and Llyn Fens Ramsar Site and Caeau Talwrn SSSI* – With regard to Section 9.3.4 We note that National Grid are suggesting NRW has expressed a preference concerning this site. We have not indicated a preference, but have given information that would help National Grid develop proposals to minimise potential effects. Our earlier advice to the stage 2 consultation response (DH/RN/15001 – 16<sup>th</sup> December 2015) was that: “We have already provided National Grid with some information about the distribution of feature vegetation within the sites and discussions at stakeholder workshops have suggested it may be possible to develop an alignment that passes through them without significant effect, or without an adverse effect on site integrity (See The Conservation of Habitats and Species Regulations 2010, Regulation 61 as well as the European Habitats Directive 92/43/EEC referred to in the report’s Appendix F, paragraphs F8 and F11). However, as any plan or project that might affect these sites will have to be undertaken in compliance with the appropriate legislation, we recommend that if there is a likelihood of such options being pursued, detailed information concerning potential pylon locations and the methods by which they would be installed should be provided as early in the consultation process as possible so that effects and their likely level of significance can be assessed.”

- *Habitat Regulation Assessment (HRA)*

23. Please note that, as the proposal may have implications for SAC/SPA/Ramsar sites, the Secretary of State (SoS) will need to carry out a test of likely significant effects (either alone or in-combination) under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) before determining the planning application. If that assessment concludes there is likely to be a significant effect, we can advise on the further, appropriate assessment that would be required under the Regulations. We are ready to advise on the assessment when the plans are sufficiently developed

24. To support the assessment under the Conservation of Habitats and Species Regulations the ES will need to identify impact pathways for protected sites, clearly assess the possible levels of impact and, where impacts are likely, should provide full details of appropriate mitigation measures to address those impacts. NRW can provide further advice with regard to predicted impacts or on the suitability of mitigation measures. As mentioned above, we advise that the applicant consult NRW on the preparation of their No Significant Effects Report (NSER) or HRA Report (i.e. Statements to Inform HRA). We recommend that the applicant seeks to agree with NRW in advance the information that will be needed to inform the assessment.

- *Protected Species*

25. Section 6.6 provides a summary of how species surveys that are underway and ongoing will be completed with respect to protected species. Bats, great crested newts (GCNs) and otters are European Protected Species (EPS) protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Where a European protected species is likely to be affected, a development may only proceed under a licence issued by NRW having satisfied the three requirements set out in the legislation. These require that the



proposal demonstrates that there is no satisfactory alternative and the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition, the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

26. We advise that the ES should clearly set out any effects on protected species and, where adverse effects are identified, should propose and deliver appropriate mitigation and/or compensation schemes to ensure that there is no detriment to the maintenance of the population concerned at a Favourable Conservation Status.
27. Water voles, red squirrels and Schedule 1 listed birds are protected under the Wildlife and Countryside Act 1981 (as amended).
28. Section 6.6.112 Ecological impact assessment methodology states that *“the EIA will assess the value of the nature conservation resource, where this is evaluated below a local level, this may or may not be considered further, depending on the extent and relationship with other features.”* This assessment should include all the protected species referred to in our point 25 & 27 above. We note that further protected species surveys are proposed in 2016 and the results will inform the ES.
29. We advise that depending upon effects on any protected species the ES may need to include provisions concerning ecological compliance audit requirements. We anticipate that the EIA will propose key performance indicator for assessing compliance with proposed method statements, planning conditions and licence conditions.
  - Species Matters we have not considered and are not commenting on
30. Please note that NRW has not considered or commented on possible effects on all species and habitats listed in section 6 and 7 of the environment (Wales) Act 2016, or on the Local Biodiversity Action Plan or other local natural heritage interests (including reptiles). Please note however that the ES will need to include an assessment of these interests.
  - *Biosecurity*
31. We consider biosecurity to be a material consideration owing to the nature and location of the proposal. NRW notes that no mention of Invasive Non-Native Species (INNS) has been presented within the scoping document. Biosecurity issues concern invasive non-native species (INNS) and diseases. The proposed works have the potential to cause both the introduction and spread of INNS. We therefore advise that the provisions of the ES include a Biosecurity Risk Assessment, which will be implemented during all phases of the proposal including construction and decommissioning of the project. This information will also be required to inform the HRA. We anticipate that the Biosecurity Risk Assessment will detail:
  - a. measures that will be undertaken to control and eradicate INNS within the area of works;



- b. measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and demolition phases of the scheme.

## Geology, Hydrogeology and Ground conditions

32. Paragraph 8.5.8 Wylfa to Rhosgoch states “that there are no significant potential current or historical contaminative land uses in this section of the corridor”. However, Investigations in connection with the new power station indicate that pockets of contamination may be present. Therefore depending on where the infrastructure commences there may be pockets of contamination at the Wylfa site.
33. It is noted that construction and decommissioning could require dewatering to reduce flows to groundwater and abstractions and surface water bodies. If dewatering will be required at any stage of the development the operator should take note that the exemption from the requirement to hold a permit for dewatering is being removed by the Welsh Government although some exclusions will apply for some construction activities.
34. Section 2.7.8 states “The foundations of the pylons will be piled or excavated”. Where piling activities may be needed, depending on the extent and geological context, a “Foundation Works risk assessment” to protect groundwater may be required if the piling is through contaminated ground. See our advice in GP3 - page 191 on piling operations.
35. Section 2.8.1 states that a “copper core with cross linked polyethylene (XLPE) insulation will be used for underground cables. However NRW would like to draw your attention to position statement C5 - Pipelines and high voltage fluid filled cables in GP3 our Groundwater Protection Policy. Therefore if any fluid filled cables are to be used, this should be addressed in any future submission. We would normally object to fluid filled cables that pass through groundwater protection zones 1 and 2 or alternatively where fluid filled cables are placed below the water table. The position statement is available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297347/LIT\\_7660\\_9a3742.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297347/LIT_7660_9a3742.pdf)
36. Table 8.2 states that the advice from NRW has been recognised and will be adhered to when completing their assessments and will be reported in the ES:
  - a. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
  - b. Follow the Environment Agency document 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site (<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>). The Local Authority can advise on risk to other receptors, such as human health.
  - c. Follow the Groundwater protection: Principles and practice (GP3)

- *Sites of Geological Importance*

37. One geological SSSI *Sgistiau Glas Ynys Mon* site is within section 5 West of Star to Pentir and also within the SEC of Anglesey North which could be affected by the works. As noted in point 18 above and table 6.2 of the scoping report: "all reasonable efforts will be made during the further routing alignment work to avoid effects on designated sites where possible, including through micro-siting during detailed design once at that stage." NRW can provide advice on further information provided to seek to reduce any effects of the Proposed Project on designated sites. The applicant should be aware that NRW is undertaking a review of GCR sites in the area, including the areas currently identified as Regionally Important Geological Sites (RIGS) along the north west coastline of the site.
38. With regard to the existing RIGS sites, we recommend that you liaise with Anglesey Geopark (GeoMon), Gwynedd & Mon RIGS Group, and relevant geologists from British Geological Survey, National Museum Wales for further advice.

**Water Quality, Resources and Flood risk**

- *Flood Risk*

39. We agree that the approach taken to scope existing flood risk and future risks associated with new grid connection as per Chapter 9 (Water Quality, Resource and Flood Risk) is acceptable. It is agreed that the potential effects on flood risk are likely to be principally associated with the construction phase, however we do have concerns regarding the siting of the potential locations of the sealing end compounds where they are in/adjacent to flood zones C2. The Flood Consequence Assessment produced must demonstrate that all flood risks have been identified and managed accordingly without increasing risks elsewhere.
40. NRW advises that relevant legislation relating to flood risk should also refer to The Environmental Permitting (Amendment) Regulations 2016 for Flood Risk Activity Permits (which replace the Water Resources Act 1991 S.109/S.210) previously referred to as Flood Defence Consents or Land Drainage Consents. These apply to main rivers whilst 'ordinary' watercourse crossings/culverting will require a FDC from the Lead Local Flood Authority (Anglesey County Council or Gwynedd Council) under S.23 of the Land Drainage Act 1991.
41. With regards to increase in future flood risk associated with climate change impacts, it is noted that reference is made to Welsh Government's document 'Adapting to Climate Change' and that both sets of guidance referred to in the document will be checked and the worst case allowance used. It is agreed that further discussion regarding allowances used will be necessary with NRW.
42. We agree that the approach/statements made with regards to Flood Risk associated with sections 1, 2, 3 & 4 (para. 9.5.33/34, 9.5.44/45, 9.5.52/53 and 9.5.59/60) are appropriate. Section 5 and 6 includes possible sites for the Sealing End Compound(s). Consideration of siting the SEC in areas of zone A/B rather than zone C would be in accordance with TAN15: Development and Flood Risk section 6.2 (Justifying the

location of development) which states, “...new development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue...”. Should the SEC’s be sited within a zone C area, then the FCA must include a detailed assessment/further technical assessment and the approach agreed with NRW to ensure that the baseline/proposal flood risk is understood.

43. The Design Mitigation as proposed and Control Management measures relating to flood risk is supported and should be followed in the design/route. The proposed corridor route is not positioned within any serviced Flood Warning areas and as such any flood action plans should reflect weather forecasts and observed local conditions.
44. NRW advises that the applicant seeks further advice from NRW with regard to the above assessments.

- *Water Resources*

45. Private water supplies and other abstractions – please note that private water supplies and other abstractions within the proposed corridor should be identified. This information may be available from the local authority. This is a non-licensed area for groundwater abstractions so NRW will not have any records irrespective of the size of the groundwater abstraction. A generic 50m source protection zone 1 (SPZ1) is operated around all private groundwater abstractions.

- *Surface Water*

46. Impacts during the construction and decommissioning phases of the Grid connection has the potential to affect the hydrology within the proposed corridor, with in-direct impacts on protected sites within the study area. We note section 9.1.6 which states that the potential to affect these sensitive receptors will be assessed in the ES and the need for any mitigation identified.

- *Groundwater*

47. Impacts during the construction phase of the grid connection have the potential to have adverse impacts on groundwater dependent terrestrial ecosystems, particularly protected sites within the study area. We note section 8.6.11 which states that the magnitude of effect for groundwater will be assessed in the ES taking standard mitigation measures and good practice construction techniques into account.

- *Water Framework Directive (WFD)*

48. The applicant should also be aware that consideration must be given as to whether the proposed works as part of the DCO application could prevent any mitigation measures or actions intended to achieve Good Ecological Status (GES) / Good Ecological Potential (GEP) from being implemented, which could result in the water body failing to meet its objectives.

49. Where a scheme is considered to cause deterioration, or where it could contribute to a failure of the water body to meet GES or GEP, then an Article 4.7 assessment would be required.
50. At this stage all aspects of the WFD classification (ecological and chemical) need to be considered and screened out if necessary at the next stage. It is too early to exclude them now from the WFD compliance assessment.
51. NRW would want the WFD compliance assessment to consider WFD chemical status as well as ecological status/potential and screen out as appropriate thereafter. Table 9.18 and section 9.6.24 of the scoping EIA suggests that some elements of WFD chemical status (Priority hazardous substances and Priority substances) and WFD ecological status (Specific Pollutants) would not be affected, however with the information provided to date NRW consider it is too early in the process to decide this until full details of the work including exact routes and methodologies are available.
52. Section 9.6.22 identifies that a single WFD Compliance Assessment report is to be prepared and presented in the ES. The report will be comprised of information from more than one chapter in the ES (Water quality, resources and flood risk and Hydrogeology, Ecology and nature conservation). NRW advises the applicant to seek further advice from NRW on the preparation and completion of this report.
53. Water Watch Wales has maps of the waterbodies and associated data: <http://waterwatchwales.naturalresourceswales.gov.uk/en/>. Please contact NRW for further advice and any updates/knowledge that may be available since publication of this data and the updated [Western Wales River Basin Management Plan](#).
54. With regard to fluvial geomorphology, NRW can provide further advice with regard to the expected baseline assessments to inform the ES. NRW can also provide further advice with regard to mitigation where any watercourses are affected.

## Air Quality

55. As noted in chapter “11.7 potential effects” the project has the potential to affect air quality and have in-direct effects on protected sites (e.g. SSSIs, SACs, SPAs, Ramsar sites) during the construction phase (due to both air pollution and dust). We advise that the ES should fully assess impacts of air pollution and dust on protected sites. NRW would expect the ES to include an assessment of the amount of predicted pollution from the proposal against the relevant nitrogen critical loads and relevant pollution critical levels for any designated sites that may be affected. NRW can provide further advice with respect to the critical load levels.
56. Table 11.1 states a value of 20 µg/m<sup>3</sup> for SO<sub>2</sub> as the objective value for the assessment, however an additional Objective Value is required, 10µg/m<sup>3</sup> should be used for the protection of sensitive lichens within any protected site (see Table 31 of WHO Air Quality Guidelines for Europe [http://www.euro.who.int/\\_data/assets/pdf\\_file/0005/74732/E71922.pdf](http://www.euro.who.int/_data/assets/pdf_file/0005/74732/E71922.pdf)).

57. Table 11.11 states the relative sensitivity of ecological sites is medium to low. However, the IAQM 2014 in its Box 8: Sensitivities of receptors to ecological effects suggests that the designated sites potentially affected by this development may be high sensitivity receptors or at the very least medium sensitivity receptors.
58. Section 11.6.5 in the scoping report indicates that dust emissions could impact ecological receptors within 50m from the construction activity, however we note that Box 1 of the IAQM 2014 states the distance to ecological receptors should be considered 50m from the boundary of the site not the activity.
59. We agree with the statement in 11.6.8 that a quantitative dust assessment will be undertaken if vehicle movement increase over the stated amount, this will help to determine whether the mitigation measures are adequate to prevent dusts reaching the designated sites.
60. The impact of traffic emissions and pollutants to designated sites should be assessed based on the amount of pollutant that is predicted to land on the site. Although designed for regulated point sources the principles and thresholds described in the GOV.UK "Air emissions risk assessment for your environmental permit" are applicable to any pollutant source, including road traffic.
61. It is NRW's view that a change in pollution contributed to a designated site by a road modification that is above 1% of the relevant Environmental Assessment Level (EAL)<sup>1</sup> is potentially significant. This view is supported by the Institute of Air Quality Management in their 2009 Guidance<sup>2</sup> and by the Environment Protection UK 2010 Guidance update<sup>3</sup> and is consistent with the GOV.UK Guidance.
62. If the contribution (termed Process Contribution, PC) from the road traffic is above 1% of the relevant EAL then a further check is required to confirm whether this contribution is significant. The contribution from the road traffic is added to the background of the EAL (termed the Predicted Environmental Concentration PEC); if the PEC is above 70% of the EAL then a conclusion of significant effect alone can be assumed and an appropriate assessment would be required.

### **Significance of the road in combination and cumulatively**

63. *In combination*  
For the HRA, if a Natura 2000 site is likely to receive a PC from the road but this is below 1% then an assessment in combination with other relevant plans and projects is required. The road PC is added to the PC from other relevant plans and projects and if this combined PC is above 1% of the relevant EAL then a further check is required. This further check is similar to that described above. The combined PC of all relevant plans, projects and the road in question are added to the background of the EAL to

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<sup>1</sup> For example the agreed Objective, Limit Value, Critical Level (NO<sub>x</sub>, SO<sub>2</sub>, ammonia), minimum Nitrogen Critical Load, Acid Critical Load.

<sup>2</sup> IAQM *Significance in air quality*, November 2009.

[http://www.iaqm.co.uk/text/guidance/iaqm\\_significance\\_nov09.pdf](http://www.iaqm.co.uk/text/guidance/iaqm_significance_nov09.pdf). See paragraph 2, page 3.

<sup>3</sup> EPUK *Development Control: planning for air quality* (2010 update) <http://www.environmental-protection.org.uk/wp-content/uploads/2013/07/EPUK-Development-Control-Planning-for-Air-Quality-2010.pdf>. See Section 5.28.



give a combined PEC. If this combined PEC is above 70% of the EAL, then a conclusion of significant effect in combination is concluded. An appropriate assessment of the in combination impacts is required.

64. *Cumulative*

For the EIA a cumulative assessment is required. For both Natura 2000 sites and SSSIs this is essentially similar to the further check described in the in combination assessment above. It can be completed at the same time as the in combination assessment.

65. The models used to undertake the air quality assessments will need to include the final design details and a more accurate reflection of the Proposed Activities, prior to completion of the ES and HRA.

### **Noise and Vibration**

66. Section 12.6.5 identifies sensitive receptors as human receptors, ecological receptors, and infrastructure receptors. NRW advise that the ES in support of the DCO should fully assess both construction and decommissioning impacts of noise and vibration on ecological receptors and on the special qualities of the Anglesey Area of Outstanding Natural Beauty (AONB). Please note, NRW does not comment on assessment of impacts on human receptors with respect to noise and vibration with regard to the ES in support of the DCO, and we recommend that PINS liaise with the local authority for further advice.

67. The ES will provide information on the protected species within the proposed corridor. These could include species protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Bats are particularly at risk of disturbance from noise and vibration. The ES should clearly set out how the impacts of noise and vibration on protected species have been assessed and detail any required mitigation and/or compensation. If a European protected species is likely to be affected, please see paragraphs 25 to 29 above.

### **Cumulative Effects**

68. In assessing the potential impacts of the proposed development, the EIA must consider the potential cumulative impacts of the development along with other developments and activities that already exist, or have planning permission, or are otherwise reasonably foreseeable. The Cumulative Impact Assessment (CIA) should not be restricted to activities that are part of 'project' developments but should look to evaluate other activities that would not be considered to be part of a project against the activities associated with the grid connection. It should be noted that it is not necessarily only 'major' projects that have significant impacts on the environment, and interaction between two or more activities/developments may exert an effect in combination/cumulatively.
69. Table 17.1: Potential for Combined effects refers to topic specific study areas. The applicant should note that these areas should be defined to include influences that may occur at a level that is insignificant when considering a single activity but may become

significant once combined with the effects of other activities. Similarly, when selecting residual effects after mitigation has been applied, it is important to recognise that the residual level of effect after mitigation may change in significance once an effect from another activity has been applied. Such effects would then need to be re-screened back into the Cumulative Impact Assessment.

## **Appendix 4 Construction environmental management plan**

### *Pollution Prevention*

70. We note that the EIA Scoping report includes a draft Construction Environmental Management Plan (Appendix 4.1) which makes reference to a Site Waste Management Plan, a Pollution Incident Control Plan, along with the adoption of pollution prevention guidance (PPG), and a water management plan for the menai strait crossing. NRW would advise that a Materials Management Plan is also produced. NRW advise that the ES submitted as part of the DCO application should include sufficient information to assess the likely impacts and should also provide details of the mitigation measures to be undertaken (and which form part of these plans/strategies) i.e. only referencing the required plans/strategies in the ES will not be sufficient. The applicant should include sufficient detail in the ES and HRA to demonstrate that it has considered all the potential impacts and has provided details of mitigation, including pollution prevention strategies.
71. With regard to the above point, NRW advise that the impacts of waste generated during both the construction and decommissioning phases should be fully assessed in the ES. The applicant should be aware that there are a limited number of permitted waste sites within the vicinity of the Project and that this should be considered when assessing the type and volume of waste that will be generated. The applicant should also be aware that a lack of waste options may also impact on the applicant's transport strategy and assessments of traffic volumes. With regard to the crossing of the strait if the tunnelling option is considered this has the potential to generate a large amount of waste and should be fully assessed in the ES.







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FAO:- Hannah Pratt, Senior EIA and Land Rights Advisor

17<sup>th</sup> June 2016

Dear Hannah,

**Re: Scoping Consultation  
Application by National Grid Electricity Transmission Plc for an Order  
Granting Development Consent for the proposed North Wales  
Connection**

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

PHE which includes PHE's Centre for Radiation, Chemical and Environmental Hazards (Wales) have evaluated the submitted EIA Scoping Report. In order to ensure that health is fully and comprehensively considered the Environmental Statement (ES) should provide sufficient information to allow the potential impact of the development on public health to be fully assessed.

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the ES. PHE however believes the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.

It is noted that the current proposal is to exclude Electric and Magnetic Fields (EMF) from the scope of the EIA ES, although comprehensive information on EMFs, as they relate to the Project, will be provided in a separate document that will be submitted alongside the ES as part of the DCO application. PHE consents to this approach provided evaluations of the likely EMF levels produced by the proposed development are included in the separate document.

The attached appendix outlines generic areas that should be addressed by all promoters when preparing ES for inclusion with an NSIP submission. We are happy to assist and discuss proposals further in the light of this advice.

Yours sincerely,



CRCE National Consultations Team

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

*pp. CRCE (Wales)*

## **Appendix: PHE recommendations regarding the scoping document**

### **General approach**

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA<sup>1</sup>. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES<sup>2</sup>.

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

### **Receptors**

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

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<sup>1</sup> Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment>

<sup>2</sup> DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

## **Impacts arising from construction and decommissioning**

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

## **Emissions to air and water**

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions

- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
  - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
  - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

### *Additional points specific to emissions to air*

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

### *Additional points specific to emissions to water*

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

## **Land quality**

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the

migration of material off-site should be assessed<sup>3</sup> and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

## **Waste**

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

## **Other aspects**

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

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<sup>3</sup> Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report<sup>4</sup>, jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.

### **Electromagnetic fields (EMF) [include for installations with associated substations and/or power lines]**

There is a potential health impact associated with the electric and magnetic fields around substations and the connecting cables or lines. The following information provides a framework for considering the potential health impact.

In March 2004, the National Radiological Protection Board, NRPB (now part of PHE), published advice on limiting public exposure to electromagnetic fields. The advice was based on an extensive review of the science and a public consultation on its website, and recommended the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP):-

<http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

The ICNIRP guidelines are based on the avoidance of known adverse effects of exposure to electromagnetic fields (EMF) at frequencies up to 300 GHz (gigahertz), which includes static magnetic fields and 50 Hz electric and magnetic fields associated with electricity transmission.

PHE notes the current Government policy is that the ICNIRP guidelines are implemented in line with the terms of the EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

[http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/HealthProtection/DH\\_4089500](http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/HealthProtection/DH_4089500)

For static magnetic fields, the latest ICNIRP guidelines (2009) recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying

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<sup>4</sup> Available from: <http://www.cph.org.uk/showPublication.aspx?pubid=538>



ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT as advised by the International Electrotechnical Commission.

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m<sup>-1</sup> (kilovolts per metre) and 100 µT (microtesla). If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects. Further clarification on advice on exposure guidelines for 50 Hz electric and magnetic fields is provided in the following note on the HPA website:

[http://webarchive.nationalarchives.gov.uk/20140714084352/http://www.hpa.org.uk/Topics/Radiation/UnderstandingRadiation/InformationSheets/info\\_IcnirpExpGuidelines/](http://webarchive.nationalarchives.gov.uk/20140714084352/http://www.hpa.org.uk/Topics/Radiation/UnderstandingRadiation/InformationSheets/info_IcnirpExpGuidelines/)

The Department of Energy and Climate Change has also published voluntary code of practices which set out key principles for complying with the ICNIRP guidelines for the industry.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf)

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE) was then set up to take this recommendation forward, explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government. In the First Interim Assessment of the Group, consideration was given to mitigation options such as the 'corridor option' near power lines, and optimal phasing to reduce electric and magnetic fields. A

Second Interim Assessment addresses electricity distribution systems up to 66 kV. The SAGE reports can be found at the following link:

<http://sagedialogue.org.uk/> (go to “Document Index” and Scroll to SAGE/Formal reports with recommendations)

The Agency has given advice to Health Ministers on the First Interim Assessment of SAGE regarding precautionary approaches to ELF EMFs and specifically regarding power lines and property, wiring and electrical equipment in homes:

[http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice\\_sage/](http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice_sage/)

The evidence to date suggests that in general there are no adverse effects on the health of the population of the UK caused by exposure to ELF EMFs below the guideline levels. The scientific evidence, as reviewed by PHE, supports the view that precautionary measures should address solely the possible association with childhood leukaemia and not other more speculative health effects. The measures should be proportionate in that overall benefits outweigh the fiscal and social costs, have a convincing evidence base to show that they will be successful in reducing exposure, and be effective in providing reassurance to the public.

The Government response to the First SAGE Interim Assessment is given in the written Ministerial Statement by Gillian Merron, then Minister of State, Department of Health, published on 16<sup>th</sup> October 2009:

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091016/wmstext/91016m0001.htm>

[http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_107124](http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124)

HPA and Government responses to the Second Interim Assessment of SAGE are available at the following links:

[http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice\\_sage2/](http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice_sage2/)

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_130703](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130703)

The above information provides a framework for considering the health impact associated with the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

**Liaison with other stakeholders, comments should be sought from:**

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters
- the Environment Agency for matters relating to waste characterisation and acceptance
- the Clinical Commissioning Groups, NHS commissioning Boards and Local Planning Authority for matters relating to wider public health

**Environmental Permitting**

Amongst other permits and consents, the development will require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2010). Therefore the installation will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.

## Annex 1

### Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach<sup>5</sup> is used

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<sup>5</sup> Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

**From:** Gareth Lloyd [mailto:Gareth.Lloyd@eryri-npa.gov.uk]  
**Sent:** 26 May 2016 10:50  
**To:** Environmental Services  
**Cc:** Jonathan Cawley; Aled Lloyd  
**Subject:** Application by National Grid Electricity Transmission Plc for an Order Granting Development Consent for the North Wales Connection. Your Ref: 160524\_EN020015\_3890527

FOA Hannah Pratt

Hannah,

Thank you for the consultation on the Scoping of the above project. The Snowdonia National Park Authority has previously made its views known to National Grid on the various options for upgrading the grid connections from the proposed new nuclear power station at Wylfa. Whilst it is considered that there may be no significant visual impacts on views out of the Snowdonia National Park the Authority has previously indicated its concerns regarding the potential for adverse visual impacts on views into Snowdonia from various parts of the island. See extract below from a letter to National Grid dated 13/12/2012

*"The Authority has some concerns on National Grid's preferred option of overgrounding the new overhead double circuit from Wylfa to Pentir. It would have preferred that the option of the undersea High Voltage Direct Current route from Wylfa to Deeside (as set out in our letter dated 16/11/2011).*

*Any overground route could impact adversely on the landscapes and designated areas of Anglesey such as the AONB. There is also the potential to affect the National Park's broader landscape setting - the high mountains of Snowdonia are visible over long distances and provide a dramatic backdrop to views from Anglesey. The new overhead line, in combination with onshore windfarms and individual wind turbines which are currently being proposed, has the potential to harm the views of the mountains of Snowdonia and the hills of the Llyn AONB from many parts of the island."*

The Authority would therefore seek to ensure that the Landscape and Visual Impact Assessment carried out as part of the Environmental Statement takes account of these concerns.

Regards

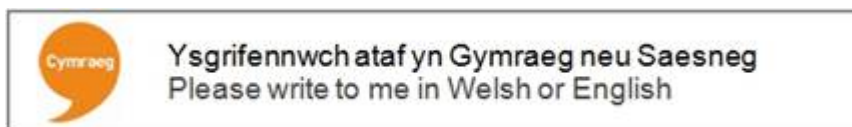
**Gareth Lloyd MRTPI**

**Uwch Swyddog Cynllunio (Polisi)/Senior Planning Officer (Policy)**

**Awdurdod Parc Cenedlathol Eryri/Snowdonia National Park Authority**

[Gareth.Lloyd@eryri-npa.gov.uk](mailto:Gareth.Lloyd@eryri-npa.gov.uk)

Tel. 01766 772262



Dilynwch ni:

Mae'r e-bost hwn ac unrhyw atodiad iddo yn gyfrinachol ac fe'i bwriedir ar gyfer y sawl a enwir arno yn unig. Gall gynnwys gwybodaeth freintiedig. Os yw wedi eich cyrraedd trwy gamgymeriad ni ellwch ei gopio, ei ddosbarthu na'i ddangos i unrhyw un arall a dylech gysylltu ?'r anfonwr ar unwaith.

Mae unrhyw gynnwys nad yw'n ymwneud ? busnes swyddogol y corff sy'n anfon yr e-bost yn bersonol i'r awdur.

Arbedwch bapur, ynni ac arian - Peidiwch argraffu'r neges yma oni bai ei bod yn hollol angenrheidiol.

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The Coal  
Authority

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Ms H. Pratt – Senior EIA and Land Rights Advisor  
The Planning Inspectorate

**[By Email: [environmentalservices@pins.gsi.gov.uk](mailto:environmentalservices@pins.gsi.gov.uk)]**

Your Ref: EN020015

20 June 2016

Dear Ms Pratt

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9**

**The North Wales Connection Development Consent Order – EIA Scoping**

Thank you for your letter of 24 May 2016 seeking the views of the Coal Authority on the EIA Scoping for the above proposal.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response:

I have reviewed the proposals and confirm that a very small length of Section 4 of the Scoping Corridor falls within the defined Development High Risk Area; therefore within the proposed DCO application site and surrounding area there are coal mining features and hazards which need to be considered as part of this proposal and its accompanying Environmental Statement.

The Coal Authority has previously been consulted by the National Grid on proposed route options for this proposal and provided our comments to them in a letter dated 7 December 2015.

The Coal Authority is therefore pleased to note that the EIA Scoping Report (May 2016) submitted by the National Grid at Chapter 8 and accompanying Figure 8.4 acknowledges this

potential localised risk to land stability and includes an appropriate methodology at Section 8.6 for undertaking an assessment of the potential risks associated with past coal mining activity as part of the Environmental Statement to accompany the DCO.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

*Mark Harrison*

**Mark E. N. Harrison** *B.A.(Hons), DipTP, LL.M, MInstLM, MRTPI*  
**Planning Liaison Manager**





Ein Cyf / Our Ref

Sent by email to: [environmentalservices@pins.gsi.gov.uk](mailto:environmentalservices@pins.gsi.gov.uk)

FAO Hannah Pratt  
Senior EIA and Land Rights Advisor  
Major Applications and Plans  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol BS1 6PN

20 June 2016

Dear Hannah

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9**

**Application by National Grid Electricity Transmission Plc for an Order Granting Development Consent for the North Wales Connection**

**Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested**

Further to your letter of 24 May 2016, your ref 160524\_EN020015\_3890527, requesting the Welsh Government to respond by 20 June 2016, please find our comments below.

**Cadw**

A scoping report has been prepared for the project and the Gwynedd Archaeological Planning Service and Historic Environment Service (Cadw) have both provided information which has been incorporated into this document.

The scoping corridor for the project is 2km from the built elements of the proposed project (as agreed). All designated heritage assets in this area have been identified, as have all identified non-designated assets.

Sections 7.6.2 to 7.6.6 of the scoping report outlines the proposed elements of the desk-study for cultural Heritage and we consider that these are appropriate, although we would expect a commitment that the study will be carried out by appropriately



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[www.wales.gov.uk](http://www.wales.gov.uk)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

qualified and competent historic environment experts and that the work will conform with the Chartered Institute for Archaeologists, Standards and Guidance for Historic Environment Desk-Based Assessments.

Section 7.6.7 of the report notes that there will be a need to consider the extent of geophysical survey with Gwynedd Archaeological Planning Service once the initial desk-based survey has been carried out and we consider that this is appropriate.

We consider that the scoping report should also note that, dependant on the results of the desk-based assessment and/or any geophysical survey, archaeological evaluation of identified areas of potential archaeological risk will need to be carried out before the completion of the environmental statement.

Sections 7.6.9 to 7.6.17 outline the approach that will be taken in regard to assessing the impact of the proposed development on the setting of heritage assets. It notes that the Welsh Government will be issuing guidance on this area during the preparation of the environmental statement and that the assessment will conform with that guidance even if it is in draft. This is welcomed and we can confirm that the guidance will be issued in draft form during this Summer.

7.6.18 notes that an Assessment on the Significance of the Impact of the Development on the Historic Landscape (ASIDOHL) will be carried out in accordance with current guidance in areas that are included in the Registered historic Landscape. The current advice for ASIDOHL recommends that stages 1 to 4 of this assessment are agreed with a Curator and in this instance, Cadw will be the Curator.

### **Agricultural Land Classification and Planning Policy Towards the Conservation of Best and Most Versatile Agricultural Land**

Chapter 15 sets out the proposed approach to assessing agricultural land quality and addressing the NPS and Planning Policy Wales 4.10.1.

In Wales Best and Most Versatile (BMV) agricultural land is considered to be strategic natural resource of special importance. The Applicant is expected to treat it as such.

Paragraph 15.2.1 box 1 states, “Areas of BMV will be identified in the baseline. The likely effects on BMV agricultural land will be assessed as part of the Land Use and Agriculture Chapter of the Environmental Statement”.

It is expected that the agricultural land quality will be assessed in accordance with Revised Guidelines and Criteria for Grading the Quality of Agricultural Land (MAFF 1988).

The Chapter correctly identifies there are no detailed Agricultural Land Classification (ALC) maps of Anglesey. The Provisional ALC Map is not appropriated to be able assess agricultural land quality – it does not distinguish between ALC grades 3a and 3b, it does not take account of the latest ALC Guidelines (MAFF 1988) and is not suitable for site specific purposes being at a scale of 1:250,000.

In order to be able to identify BMV land, it is expected that detailed ALC survey would be commissioned. If it is not, the Applicant will be unable to assess and minimise the impact of the proposal on BMV land (ALC grades 1, 2 and 3a). The Chapter appears to accept survey work is required – paragraph 15.5.5. It is advised this is complete as possible.

It is also expected that the Applicant will identify the full soil handling methodology – soil stripping, storage, management, replacement and restoration.

## **Planning**

We do not have anything to add in response to the request for information relevant to drawing up a scoping decision. We would expect that all relevant aspects of national planning policy in Wales, contained in Planning Policy Wales and associated TANs/MTANs, would be relevant considerations when determining the application.

## **Transport**

The applicant must include:-

### Structural Assessment

1. No on-site development works shall be undertaken until:
  - a. an assessment of the capacity and impact on all structures along those parts of the highway network which shall be utilised during the construction of the development including bridges, culverts, retaining walls, embankments; and
  - b. details of any improvement works required to such structures as a result of construction of the development;

have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load (AIL) deliveries to the development site.

### Condition Surveys

2. Condition surveys of all highway features along those parts of the highway network which shall be utilised during the construction of the development shall be undertaken prior to, during and on completion of the construction phase of the development. The survey reports shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) within 28 days of the surveys.

### Liability for Incidental Damage

3. Prior to the commencement of development works, a scheme to provide for the remediation of any incidental damage directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The scheme shall be implemented as approved throughout the construction phase of the development.

### Traffic Management Plan

4. AILs associated with the development shall be delivered strictly in accordance with a Traffic Management Plan (TMP) as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any works. The TMP shall include:
  - a. proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic;
  - b. evidence of trial runs that mimic the movement of the worst case AILs along the access route;
  - c. number and size of AILs, including loaded dimensions and weights;
  - d. number and composition of AIL convoys, including anticipated escort arrangements;
  - e. methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary;
  - f. convoy contingency plans in the event of incidents or emergencies;
  - g. estimated convoy journey durations and timings along the route, including release of forecast traffic queues;
  - h. swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route;
  - i. proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed;
  - j. plans for the reinstatement of any temporary works after completion of the construction phase;
  - k. land ownership must be clarified on all drawings showing proposed highway modifications. The developer shall be responsible for the acquisition and reinstatement of all third party land including re-instatement of boundary features;
  - l. proposals to liaise with all relevant stakeholders and members of the public regarding construction traffic and AIL movements;
  - m. consideration of the cumulative impact of other wind farm schemes proposing to use all or part of the same access route.

5. ALLs associated with the maintenance and decommissioning of the development shall leave the site strictly in accordance with a TMP as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any removal, replacement of decommissioning works.

### Highway Works

6. No development works shall be undertaken until full details of any highway works associated with the construction of layover areas, passing places and highway improvements as agreed with the relevant highway authority including:

- a. the detailed design of any works;
- b. geometric layout;
- c. construction methods;
- d. drainage; and
- e. street lighting;

have been submitted to and approved in writing by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The highway works shall be completed in accordance with the approved details prior to the commencement of any ALL deliveries to the development site.

7. No development works shall be undertaken until the developer demonstrates rights of access to all proposed works that are not part of the highway network to the satisfaction of the local planning authority.

### Road Safety Audit

8. The applicant shall undertake a Road Safety Audit of the scheme (Stages 1 – 4) in accordance with the Design Manual for Roads and Bridges HD 19/15. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.

### Section 278 Agreement

9. The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented.

### Access onto the Trunk Road

10. Any new or temporary access/junction onto the trunk road network shall meet the standards required by the Design Manual for Roads and Bridges (DMRB).
11. The applicant shall provide wheel-washing facilities or an alternative method to be approved by the Welsh Government at the site exit. Such facilities shall thereafter remain available during the construction stage and be used by all vehicles exiting the site.
12. Adequate provision shall be made within the development to enable vehicles to turn around, so they may enter and leave the site in a forward gear.

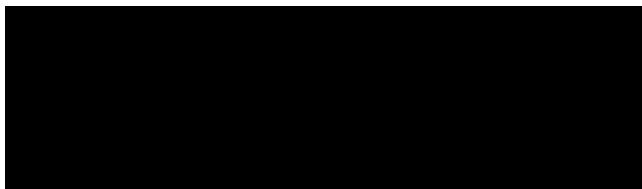
### Transport Assessment / Transport Model Details

13. A transport assessment must be generated including a suitable model, which includes permitted development.

### Signing

14. Any proposed non-prescribed traffic signs (including bilingual signs) will require authorisation by the Welsh Government.
15. Signs and their placement should be in accordance with the Traffic Signs Manual.
16. No permanent sign or structure, shall overhang the adjoining footway at a vertical height of lower than 2.61m from the surface of the footway, 2.60m vertical clearance should be maintained at all times;
17. No permanent sign or structure, shall be horizontally within 800mm of the kerb face of the carriageway;
18. No direct source of light from the illuminatory gear for any sign or feature illumination shall be visible from any part of the adjoining public highway;
19. No signs/posters etc. associated with the business, either temporary or permanent, shall be located on the public highway.

Yours sincerely



**Gwenllian Roberts**  
**Deputy Director - Energy Wales Unit**