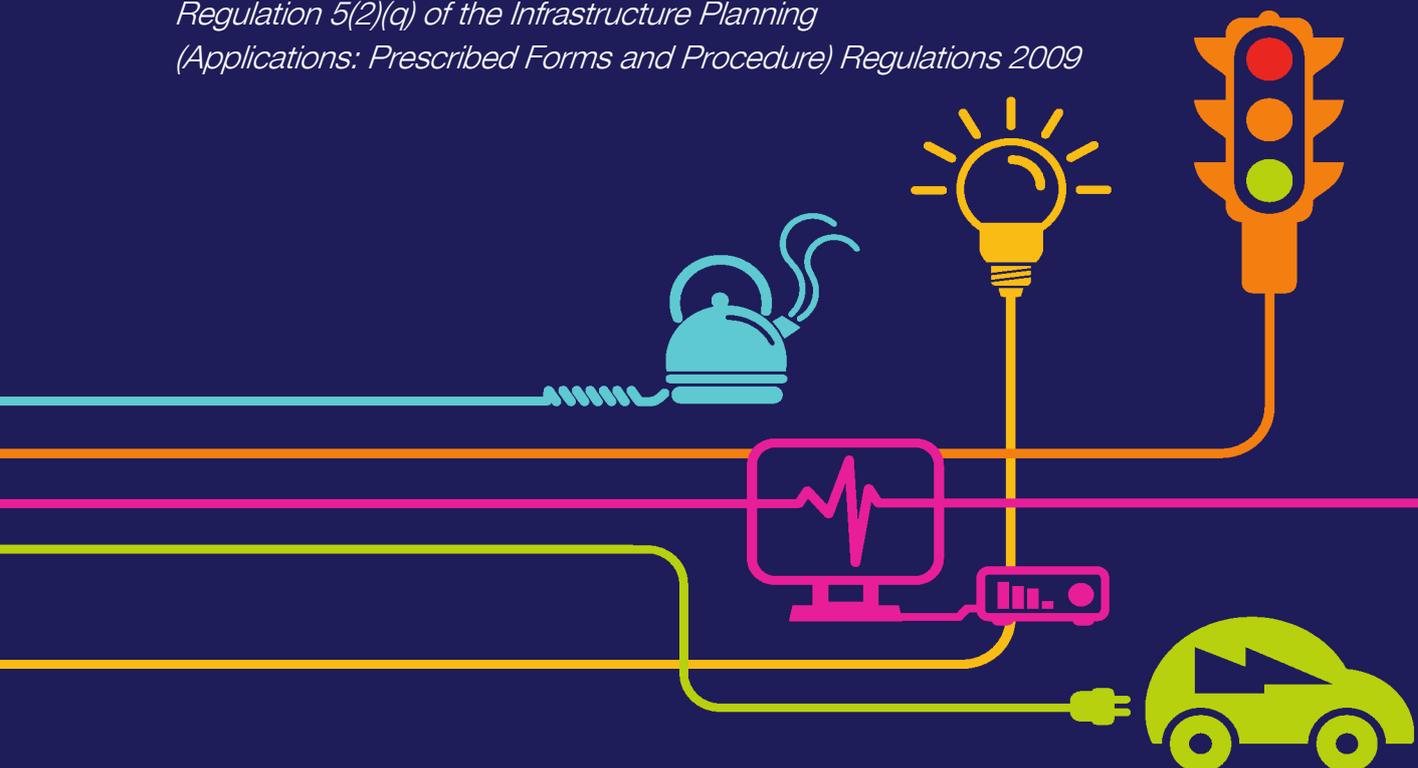


DOCUMENT 5.28.2.1

Environmental Statement Legislation Compliance Audit Document 28 - Appendix 1

National Grid (North Wales Connection Project)

*Regulation 5(2)(a) of the Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009*



nationalgrid

North Wales Connection Project

Volume 5

5.28.2.1 Appendix 28.1 Legislation Compliance Audit

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1. Introduction

- 1.1.1 The purpose of this document is to demonstrate that the construction, operation and maintenance of the North Wales Connection Project (hereinafter referred to as the 'Proposed Development') would be compliant with environmental legislation in place at the point of application.
- 1.1.2 Compliance with legislation is reported in a series of tables, covering each of the following technical chapters and reports:
- Chapter 7 Visual (**Document 5.7**)
 - Chapter 8 Landscape (**Document 5.8**) (considered in the same table as Visual above due to the overlap in legislation)
 - Chapter 9 Ecology and Nature Conservation (**Document 5.9**)
 - Chapter 10 Historic Environment (**Document 5.10**)
 - Chapter 11 Geology, Hydrogeology and Ground Conditions (**Document 5.11**)
 - Chapter 12 Water Quality, Resources and Flood Risk (**Document 5.12**)
 - Chapter 14 Air Quality and Emissions (**Document 5.13**)
 - Chapter 15 Construction Noise and Vibration (**Document 5.14**)
 - Chapter 16 Operational Noise (**Document 5.15**)
 - Chapter 17 Socio-Economics (**Document 5.16**)
 - Chapter 18 Agriculture (**Document 5.17**)
- 1.1.3 There is no legislation related to traffic and transport effects (reported in Chapter 13 Traffic and Transport (**Document 5.13**)) and it has therefore not been necessary to include this topic in the compliance audit.

- 1.1.4 Legislation not considered within the above documents, but which are still considered relevant to the construction and operation of the Proposed Development, have been addressed in Table 28.12 'Other'.

2. Compliance Tables

1.1 LANDSCAPE AND VISUAL

Table 1: Landscape and Visual			
Legislation	Description of Legislation	Compliant	Comments
European Landscape Convention	<p>It defines landscape as: <i>'an area, as perceived by people, whose character is the result of the action and interaction of natural and/ or human factors'</i>.</p> <p>The European Landscape Convention promotes an 'all-landscapes approach', founded on the recognition of value in all landscapes. It recognises that the landscape is important as a component of the environment and of people's surroundings in both town and country and whether it is ordinary landscape or outstanding.</p>	Yes	National Grid acknowledge this legislation and the importance of landscape as an important environmental component. The likely significant effects of the Proposed Development on landscape concerns are ascertained through the process of landscape assessment. In particular, this considers the effects on the landscape of the area, including its physical and perceptual qualities and how these interact to create its overall character. The landscape assessment is presented Chapter 7, Landscape Assessment (Document 5.7) which considers the measures to reduce landscape effects.
National Parks	In England and Wales National Parks and	Yes	Throughout all phases of the evolution of the

Table 1: Landscape and Visual			
Legislation	Description of Legislation	Compliant	Comments
and Access to the Countryside Act 1949	<p>Areas of Outstanding Natural Beauty (AONB) are designated under the National Parks and Access to the Countryside Act 1949. The Environment Act 1995 revised the original legislation and set out two statutory purposes for national parks in England and Wales:</p> <p><i>‘Conserve and enhance the natural beauty, wildlife and cultural heritage.</i></p> <p><i>Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.’</i></p> <p>When national parks carry out these purposes they also have the duty to:</p> <p><i>Seek to foster the economic and social well-being of local communities within the national parks (Section 62 of the Environment Act 1995)’</i></p>		<p>Proposed Development, consideration has been given to the potential effects on the landscape and avoiding effects on nationally designated landscapes such as the Anglesey AONB.</p> <p>As part of the routeing and siting process, (refer to the Design Report (Document 7.17)) the decision was made to underground beneath the Menai Strait and Anglesey AONB avoiding the introduction of an additional OHL within this sensitive area. It was considered that the additional cost associated with this mitigation was justified to reduce effects, not only upon the AONB, but Registered Parks and Gardens, protecting iconic views along the Menai Strait and avoiding a number of ecological designations.</p>
Electricity Act	Schedule 9 to the Electricity Act 1989	Yes	The design of the Proposed Development has

Table 1: Landscape and Visual			
Legislation	Description of Legislation	Compliant	Comments
1989	<p>places a duty on all transmission and distribution licence holders, in formulating proposals for new electricity networks infrastructure, to:</p> <p><i>“have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and ... do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.”</i></p>		<p>sought to avoid such features through the application of the Holford Rules. The design evolution of the Proposed Development is summarised in the Design Report (Document 7.17) and how it demonstrates good design in terms of TAN 12 ‘Design’ is presented in the Design and Access Statement (Document 7.16) which sets out how the Proposed Development has incorporated good design into the permanent elements of the Proposed Development.</p>

1.2 ECOLOGY

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
The Conservation of Habitats and Species Regulations 2017	The Conservation (Natural Habitats &c.) Regulations 1994 transposed the provisions of Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into UK law. The Conservation of Habitats and Species Regulations 2017 further enact within England and Wales the Habitats Directive. Part 2 of these Regulations covers the selection, designation, registration and management of European sites (also known as Natura 2000 sites). Schedule 2 of the Regulations lists the European protected species of animals whilst Schedule 5 lists the European protected species of plants. Conservation Objectives (referred to within Article 6(3) of the Habitats Directive) ensure that the European protected species identified as	Yes	<p>The Habitats Regulations Assessment Report (Document 5.23) confirms that there would be no implications for site objectives and that the Proposed Development would not result in an adverse effect on the site integrity of any Natura 2000 sites.</p> <p>Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9) confirms that there would be no significant effects on any protected species as a result of the Proposed Development. Individuals or small numbers of some protected species would be temporarily affected during construction, maintenance during operation and decommissioning; however, this work would be undertaken under licence as necessary and the populations that these individuals support would not be affected.</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	qualifying features of a Natura 2000 site remain or reach favourable condition (such as by maintaining the extent and distribution of habitats of qualifying features). This means that where the Proposed Development may affect a Conservation Objective of a Natura 2000 site, the design will need to include appropriate measures to ensure the Conservation Objectives are not adversely affected.		
The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017	The Water Framework Directive (WFD) 2000/60/EC was adopted and came into force in 2000 and represents a culmination in EU water resource protection. The WFD is transposed into law in England and Wales by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. The Directive aims for 'good status' for all ground and surface waters (rivers, lakes, transitional waters, and coastal waters) in the	Yes	A WFD assessment was undertaken as detailed in Appendix 12.5 (Document 5.12.2.5). It provides an overall assessment of compliance with the WFD. The WFD assessment concluded that the Proposed Development would be compliant with the WFD in all respects..

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	EU, according to biological, hydro morphological, physico-chemical and chemical criteria.		
Conservation of Wild Birds (The Birds Directive), 2009/147/EC	The European Union meets its obligations in relation to the protection of bird species under the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) which came into force in 1982 and the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) which came into force in 1985, and more generally by means of Directive 2009/147/EC (the Birds Directive) on the conservation of wild birds (the codified version of Council Directive 79/409/EEC as amended). Annex I of this Directive lists species for which special conservation measures are required. The Directive requires member countries to classify as Special Protection Areas (SPAs) the most	Yes	<p>The Habitats Regulations Assessment Report (Document 5.23) confirms that there would be no implications for site objectives and that the Proposed Development would not result in an adverse effect on the site integrity of any SPAs.</p> <p>All potential effects on bird species and committed mitigation measures are outlined in Section 9.7 of Document 5.9 which also concludes that there would be no significant effects on bird species as a result of the Proposed Development. Some breeding birds would be temporarily displaced during construction, maintenance and decommissioning, however a favourable conservation status would be maintained in each case. Mitigation measures are set out in the CEMP (Document 7.4) and Biodiversity Mitigation Strategy (Document 7.7) to avoid damage or disturbance of nesting birds and</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	suitable sites for these species and also for all regularly occurring migratory species. It also includes provisions for the maintenance of the favourable conservation status of all wild bird species across their distributional range.		their nests.
Marine Strategy Framework Directive, 2008/56/EC	The Marine Strategy Framework Directive (MSFD) requires member states to achieve Good Environmental Status (GES) in all marine waters from the coastline out to the limit of territorial waters by 2020. There are 11 high-level descriptors used to assess GES: biological diversity, non-indigenous species, commercial fisheries, food webs, eutrophication, seafloor integrity, hydrographical conditions, contamination, seafood contamination, marine litter and noise. There will be an overlap in the first nautical mile from the coast between MSFD and Water	Yes	<p>Potential impacts on marine habitats and species could occur during construction of the cable tunnel under the Menai Strait.</p> <p>The potential impacts identified are:</p> <ul style="list-style-type: none"> • Direct habitat loss through destruction as a result of a blow-out of drilling fluid during construction; • Water quality/benthic habitat contamination leading to mortality or disturbance of species as a result of a tunnel blow-out during construction; • Noise and vibration effects from tunnelling activities leading to mortality or disturbance of species; and • Electromagnetic field generation when the transmission cables are energised during

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	Framework Directive (WFD).		operation. These were expected to be of low probability and scale and most effects were identified as negligible other than the impact on 'other marine fish species' which would be minor adverse (not significant). No effects are expected to occur during maintenance or decommissioning.
Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive, as amended)	This Directive provides protection to the habitats listed on Annex I and to the European protected species listed in Annex II through the provision of a network of protected sites (Special Areas of Conservation (SACs) and SPAs. This network is often referred to as Natura 2000. The Directive also provides special protection to European protected species where they occur outside of the boundary of a Natura 2000 site.	Yes	The Habitats Regulations Assessment Report (Document 5.23) confirms that there would be no implications for site objectives and that the Proposed Development would not result in an adverse effect on the site integrity of any Natura 2000 sites. Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9) confirms that there would be no significant effects on any protected species as a result of the Proposed Development. Individuals or small numbers of some species would be temporarily affected during construction, maintenance and decommissioning; however, this work would be undertaken under licence as necessary and

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
			populations that these individuals support would not be affected.
The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)	The Bern Convention aims to ensure conservation of wild flora and fauna species and their habitats, particularly those that are endangered or vulnerable. The EU meets its obligations under the Habitats Directive, therefore this is covered in the UK by The Conservation of Habitats and Species Regulations 2017 (see above).	Yes	Consideration to the potential effects on endangered flora and fauna species are detailed in Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9). There would be no significant effect on any protected or notable species (as defined by The Conservation of Habitats and Species Regulations 2017) as a result of the Proposed Development. Individuals or small numbers of some species would be affected (mostly temporarily) during construction, maintenance and decommission. The habitats supporting these species would be replaced, or improved ecologically where possible.
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention 1979)	The Bonn Convention aims to ensure conservation of migratory species and their habitats by providing strict protection for endangered migratory species (listed in Appendix I of the Convention), concluding multilateral Agreements for the conservation and	Yes	Migratory species have been considered in the assessment of potential effects in Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9). The assessment concludes there would be no significant effects on identified migratory species or their habitats as a result of the Proposed Development.

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	management of migratory species which require or would benefit from international cooperation (listed in Appendix II), and by undertaking cooperative research activities. The UK has ratified four Agreements under the Convention, e.g. the Agreement on the Conservation of Small Cetaceans in the Baltic, North-East Atlantic, Irish and North Seas (ASCOBANS). There should be consideration of the impact of development on the conservation of migratory species and their habitats during the planning and development stages.		
Marine and Coastal Access Act 2009	The Marine and Coastal Access Act 2009 allows for the creation of Marine Conservation Zones to protect a range of nationally important marine wildlife, habitats, geological and geomorphological sites. This Act also provides the framework for obtaining consents for various works in the	Yes	Consideration of the potential effects on marine habitats and species are detailed in Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9). The assessment concludes there would be no significant effects on marine species or their habitats as a result of the Proposed Development.

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	marine environment. These consents are granted by NRW through the Marine Licensing Team.		A Marine Licence would be obtained if required in relation to the Proposed Development (when crossing under the Menai Strait).
The Countryside and Rights of Way Act 2000	<p>The Act places a duty on Government Departments and the Welsh Government to have regard for the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity.</p> <p>Schedule 9 of the Act amends the Sites of Special Scientific Interest (SSSI) provisions of the Wildlife and Countryside Act 1981, including increased powers for the protection and management of SSSIs. The provisions extend powers for entering into management agreements; place a duty on public bodies to further the conservation and enhancement of SSSIs; increase penalties on conviction where the provisions are</p>	Yes	<p>There would be no significant effect on marine and terrestrial SSSIs as a result of the Proposed Development. All indirect effects such as temporary disturbance/displacement/degradation resulting from minor changes in air quality or water quality and drainage mitigation/alteration are mitigated for within the CEMP (Document 7.4) and Biodiversity Mitigation Strategy (Document 7.7) and bespoke mitigation measures implemented where required. Drainage mitigation for the Proposed Development adjacent to Anglesey Fens SAC (and associated Ramsar/NNR/SSSI) would be designed with agreement with NRW to retain the hydrological regime of the designated site.</p> <p>Enhancement measures are detailed in the Enhancement Strategy (Document 7.13).</p> <p>Schedule 12 of the Act is acknowledged. National Grid takes the protection of</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	<p>breached; and include an offence whereby third parties can be convicted for damaging SSSIs.</p> <p>Schedule 12 makes certain offences 'arrestable' (including an offence of reckless disturbance) and confers greater powers on police and wildlife inspectors for entering premises and enable heavier penalties on conviction of wildlife offences.</p>		<p>threatened species seriously. A CEMP (Document 7.4) and Biodiversity Mitigation Strategy (BMS - Document 7.7) have been developed, presenting the approach and application of environmental control and management measures (CMM) for the construction of the Proposed Development. The CEMP and BMS ensure that adverse effects from the construction phase of the Proposed Development on wildlife would be managed, and licences obtained/mitigation implemented.</p>
Hedgerow Regulations 1997	<p>Under the Hedgerows Regulations 1997 it is illegal to remove or destroy certain hedgerows without permission from the local planning authority. The local planning authority is also the enforcement body for offences created by the Regulations.</p> <p>Local planning authority permission is normally required before removing hedges that are at least 20 metres (66 feet) in length, more than 30 years old and contain certain plant</p>	Yes	<p>The Proposed Development would lead to the loss of hedgerows longer than 20 metres. There would be direct temporary and permanent loss of hedgerows.</p> <p>It is important to note new sections would be planted as part of the mitigation that would include approximately 1.8 km. Replacement planting would improve any defunct hedgerows for at least an equivalent length to that affected, if not also the length of hedgerow within the Order Limits. Additional enhancement options would be available to</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	species. The authority will assess the importance of the hedgerow using the criteria set out in the regulations.		landowners who wish for the entire length of defunct hedgerows to be planted up, please refer to the Enhancement Strategy (Document 7.13). Replacement hedgerows would also be species rich regardless of whether a particular section removed was species poor.
Protection of Badgers Act 1992;	<p>Under the provisions of the Badgers Act 1992, the following activities amount to criminal offences:</p> <ul style="list-style-type: none"> • to wilfully kill, injure, take, possess or cruelly ill-treat a badger or attempt to do so; • to interfere with a sett by damaging or destroying it; • to obstruct access to, or any entrance of, a badger sett; and • to disturb a badger when occupying its sett. 	Yes	<p>All legislation relating to badgers would be adhered to during the construction, operation, maintenance and decommissioning stages of the Proposed Development.</p> <p>Ecological surveys have identified areas of potential badger activity which are detailed within the confidential Appendix 9.7 Badger Report (Document 5.9.2.7) and proposed mitigation measures are detailed in Chapter 9 Ecology and Nature Conservation (Document 5.9) to ensure that badger communities are not significantly affected.</p>
The Wildlife and Countryside Act 1981 (as amended)	This legislation is the major domestic legal instrument for wildlife protection in the UK and is the primary means by which a number of EU directives	Yes	There would be no significant effect on marine and terrestrial SSSIs as a result of the Proposed Development. All indirect effects are mitigated for within the CEMP (Document 7.4)

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	<p>are implemented.</p> <p>The Act contains measures for the protection and management of SSSIs.</p> <p>The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally kill or take any wild bird; take, damage or destroy wild bird nests (in use or being built) or wild bird eggs. The Act restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.</p> <p>It is an offence (subject to exceptions) to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.</p> <p>The Act also prohibits certain</p>		<p>and bespoke mitigation measures implemented where required as detailed within the Biodiversity Mitigation Strategy (Document 7.7).</p> <p>National Grid takes the protection of threatened species seriously. No wild birds, bird nests, bird eggs, wild animals or wild plants would be intentionally harmed, taken, injured or killed. The implementation of the CEMP and BMS would ensure good practice, presenting the approach and application of environmental CMM for the construction of the Proposed Development.</p> <p>The Phase Habitat 1 survey includes mapping of any instances of non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). The presence of invasive species has also been noted through a desk study and whilst undertaking other ecology surveys. No non-native species would be planted or released during the construction, operation or decommissioning stage of the Proposed Development. Techniques would be employed</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	<p>methods of killing, injuring, or taking wild animals and wild birds.</p> <p>The Act makes it an offence (subject to exceptions) to intentionally pick, uproot or destroy any wild plant listed on Schedule 8; or sell, offer or expose for sale, or possess any live or dead wild plant included in Schedule 8, or any part derived from such a plant.</p> <p>The Act contains measures for preventing the establishment of non-native species, prohibiting the release of animals and planting of plants listed in Schedule 9.</p>		<p>to avoid the spread of invasive non-native species, as detailed in the CEMP (Document 7.4) and as detailed within the Invasive Non-Native Species Management Plan (INNSMP) included within the Biodiversity Mitigation Strategy (Document 7.7).</p>
Environment (Wales) Act 2016	<p>Part 1 of the Environment Act sets out Wales' approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory 'principles of sustainable management of natural resources' defined within the Act.</p> <p>Section 6 - places a duty on public</p>	Yes	<p>To ensure sustainable development National Grid has assessed the environmental, cultural and socio-economic impacts arising as a result of the Proposed Development (Document 5.7 to 5.18).</p> <p>Mitigation measures to ensure the conservation of biodiversity conservation interests are reported in Section 9 mitigation</p>

Table 2: Ecology			
Legislation	Description of Legislation	Compliant?	Comments
	<p>authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions.</p> <p>Section 7 - this section replaces the duty in Section 42 of the NERC Act 2006. Section 7 provides a list of species and habitats of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.</p>		<p>and residual effects and detailed in the Biodiversity Mitigation Strategy (Document 7.7). Opportunities to enhance biodiversity interests are reported in the Enhancement Strategy (Document 7.13).</p> <p>Consideration of the potential effects on flora and fauna species are detailed in Section 9 of Chapter 9 Ecology and Nature Conservation (Document 5.9). There would be no significant effect on any protected or notable species as a result of the Proposed Development. Individuals or small numbers of some species would be temporarily affected during construction, maintenance and decommission. The habitats supporting these species would be replaced, or improved ecologically where possible.</p>

1.3 HISTORIC ENVIRONMENT

Table 3: Historic Environment			
Legislation	Description of Legislation	Compliant	Comments
The Register of Parks and Gardens of Special Historic Interest in Wales	This legislation was first published as a series of county volumes between 1994 and 2002, with additional sites added to the register in 2007. Sites are graded from Grade I to II* in the same way as listed buildings. The Register was initially established as a non-statutory register but was made a statutory register through the Historic Environment (Wales) Act 2016. However, there is no specific consents regime, or other statutory protection afforded to assets included on the Register.	Yes	The areas immediately either side of the Menai Strait are dominated by the two Grade I Registered Parks, Plas Newydd on Anglesey and Vaynol in Gwynedd. The use of a tunnel underneath the Menai Strait, and extending it to avoid effects on these parks, has ensured that there would not be a significant effect on either of them.
Hedgerow Regulations 1997	This sets out criteria for identifying important hedgerows and a process of gaining consent for their removal. As well as nature conservation factors these criteria include a number of	Yes	Removal of an 'important hedgerow' is deemed to be permitted where a DCO that would require removal of such a hedgerow has been granted; as such no separate permission has been sought. Where extant historic field boundaries are cut through for access tracks then the length of

Table 3: Historic Environment			
Legislation	Description of Legislation	Compliant	Comments
	heritage-based considerations. Removal of an important hedgerow is deemed as permitted where a planning permission or DCO that would require removal of a hedgerow has been granted.		section to be removed will be limited so far as possible. Mitigation measures include the reinstatement of section of field boundary, including important hedgerows.
Ancient Monuments and Archaeological Areas Act 1979, as subsequently amended by the National Heritage Acts 1983 and 2002	Sites assessed to be of national importance are required to be compiled in a Schedule of Monuments. These sites are accorded statutory protection and Scheduled Monument Consent (SMC) is required before any works are carried out which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering up a scheduled monument.	Yes	The siting of infrastructure has been the primary mitigation measure in avoiding Scheduled Monuments and limiting change in their settings. Scheduled Monuments would not be demolished, destroyed, damaged, removed, repaired, altered, added to, flooded or covered up. Therefore a SMC is not required. Scheduled Monuments would only be affected through changes within their settings, which have been assessed as part of the EIA.
Infrastructure Planning (Decisions) Regulations 2010	This legislation requires decision-makers to have regard for the desirability of preserving listed buildings, the character and appearance of conservation areas, and	Yes	Desirability of preserving a Scheduled Monument has been achieved through the physical preservation of monuments. The siting of infrastructure has been the primary mitigation measure in avoiding Scheduled Monuments and

Table 3: Historic Environment			
Legislation	Description of Legislation	Compliant	Comments
	any features which contribute to their special interest and their setting		<p>their settings. Identified areas of archaeological sensitivity that are outside of construction areas would be marked on site plans for avoidance.</p> <p>Scheduled Monuments would only be affected through visual effects from the Scheduled Monument itself. Only four Scheduled Monuments would experience significant visual effects from the monument, these include:</p> <ul style="list-style-type: none"> • Coed Nant-y-garth, standing stone Scheduled Monument (CN 375) • Maen Addwyn Scheduled Monument (AN 069) • Standing Stone 410 m North of Church Scheduled Monument (AN 080) • Brun-Celli-Ddu Burial Chamber Scheduled Monument (AN 002)
Planning (Listed Buildings and Conservation Areas) Act 1990.	The Secretary of State is required to compile a list of buildings of special architectural or historical interest under the Planning (Listed Buildings and	Yes	A list of assets were discussed with the consultees at the July 7 th 2017 Stakeholder Group Meeting Historic Environment. The locations of each of the assets identified are

Table 3: Historic Environment			
Legislation	Description of Legislation	Compliant	Comments
	<p>Conservation Areas) Act 1990. The buildings included in this list are classified as Grades I, II* and II, and are accorded statutory protection.</p> <p>Under the 1990 Act, areas of special architectural or historic interest can be designated as conservation areas, the character or appearance of which it is desirable to preserve or enhance.</p>		<p>shown on Figure 10.6 (Document 5.10.1.6).</p> <p>The list of all heritage assets within the extended study area that is considered to be affected by the Proposed Development is detailed Section 9 Document 5.10.</p>
Protection of Military Remains Act 1986	<p>This sets out specific protections for aircraft which have crashed while in military service or vessels which have sunk or been stranded while in military service. It sets out a general prohibition on any disturbance or removal of such remains without a licence granted by the Secretary of State.</p>	Yes	<p>There are no surviving remains of aircrafts that have crashed whilst in military service within the Order Limits of the Proposed Development.</p>

1.4 GEOLOGY, HYDROGEOLOGY AND GROUND CONDITIONS

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
Environmental Quality Standards Directive (2008/105/EC)	This legislation lays down environmental quality standards (EQS) for priority substances and certain other pollutants as provided for in Article 16 of the Water Framework Directive 2000/60/EC (WFD), with the aim of achieving good surface water chemical status and in accordance with the provisions and objectives of Article 4 of that Directive.	Yes	A WFD assessment was undertaken as detailed in Appendix 12.5 (Document 5.12.2.5). The assessment provides an overall assessment of compliance with the WFD. It concludes that the Proposed Development is compliant with the WFD in all respects.
Groundwater Directive (2006/118/EC) (replacing 1980/68/EC)	Protection of groundwater against pollution by certain dangerous substances;	Yes	The construction contractor is required to prepare a Pollution Incident and Control Plan (PICP) post grant of a DCO. Guidance for Pollution Prevention 5 will be used, as will the SuDS Manual to inform pollution prevention elements of detailed drainage strategies. Pollution prevention measures would be employed to prevent the leakages or spillages of chemical fluid as included in the CEMP

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
			(Document 7.4). With the implementation of site specific mitigation measures and hydrological control measures, it is concluded there will be no significant effects to groundwater.
Dangerous Substances Directive (2006/11/EC)	Provides guidance on pollution caused by certain dangerous substances discharged into the aquatic environment	Yes	<p>The construction contractor is required to prepare a PICP post grant of a DCO. The PICP would set out procedures for sediment management, the correct storage and handling of potentially polluting substances, and emergency response measures in the event of accidental spillage or leakage as included in the CEMP (Document 7.4).</p> <p>Netregs Guidance for Pollution Prevention has been used when devising pollution prevention mitigation measures. Guidance for Pollution Prevention 5 (GPP5) will be used, as will the SuDS Manual to inform pollution prevention elements of detailed drainage strategies. With the implementation of site specific mitigation measures and hydrological control measures, it is anticipated there will be no significant effects to groundwater due to dangerous substances.</p>

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
The Water Framework Directive (2000/60/EC)	Provides a system to protect all water bodies including surface water and groundwater. The primary objective for groundwater is to meet Good Chemical and Quantitative Status and to not cause deterioration. Specifically with regards to groundwater, the WFD states that measures should be implemented to “prevent or limit inputs of pollutants into groundwater” and “to reverse any significant and sustained upward trends.”	Yes	A WFD assessment was undertaken as detailed in Appendix 12.5 (Document 5.12.2.5). The assessment provides an overall assessment of compliance with the WFD. It concludes that the Proposed Development is compliant with the WFD in all respects.
The Water Environment (Water Framework Directive) Regulations 2017	Provides guidance for establishing a framework for community action in the field of water policy. These regulations revoke and replace the 2003 regulations.	Yes	A WFD assessment was undertaken as detailed in Appendix 12.5 (Document 5.12.2.5). The assessment provides an overall assessment of compliance with the WFD. It concludes that the Proposed Development is compliant with the WFD in all respects.
The Private Water Supplies (Wales) Regulations 2017	These Regulations apply to private water supplies intended for human consumption. It sets out the	Yes	Information about the private supplies located near the Proposed Development is provided in Appendix 11.6 (Document 5.11.2.6) and an

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
	requirements and imposes a duty on each local authority to carry out a risk assessment of every private water supply in its area. The Regulations places a duty on local authorities to monitor private water supplies and to ensure that each sample taken is analysed. It also requires the local authority to make and keep records for every private water supply in its area.		assessment is presented in Chapter 12 Geology, Hydrogeology and Ground Conditions (Document 5.12) which concludes that effects would be negligible at most. A further risk assessment would be conducted by the Contractor to assess whether private water supplies could be affected by construction activities. Selected private water supplies will then be monitored for water quality and water levels before, during and after construction works. The risk assessment and monitoring strategy will be discussed with IACC before commencement (CL23).
Environmental Permitting (England and Wales) Regulations 2016	Provides guidance for those carrying out activities that may cause imminent threats of, or actual 'environmental damage', which require a permit, and it also outline the authorities responsible for enforcing the Regulations.	Yes	Environmental Permit for water discharge activity: Given the temporary nature of water discharges from excavations at pylon foundations (assumed to be 3-6 days per pad), substation foundation excavations (assumed less than 3 months) and the measures included in this CEMP (Document 7.4), it is unlikely that an Environmental Permit from NRW, in relation to the water discharge activity, would be required in most locations. However If it did

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
			<p>prove necessary to carry out dewatering at pylons less than 500 m upstream of a SAC or SSSI, it would require an Environmental Permit from NRW.</p> <p>Environmental Permits to undertake remediation works, if necessary, would be applied for following design of the required works.</p>
The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2015	The guidance describes the main parts of the regulations, when they apply and what is required when they do. It sets out the Welsh Government's views on how they should be applied and how particular terms should be interpreted.	Yes	Measures are included in the CEMP (Document 7.4) to reduce the risk of spills, and also to ensure the necessary management of spills should they occur.
Contaminated Land (Wales) Regulations, 2006	Provides guidance on the processes of risk assessment and identification / evaluation of remediation options. Additional guidance is also provided in the Contaminated Land Statutory Guidance for Wales.	Yes	Measure CL11 of the CEMP (Document 7.4) states that, where required, further investigations may be required where contaminated ground is anticipated. These would be undertaken once a Contractor has been appointed, and there is greater certainty regarding the final locations of all temporary and permanent infrastructure. An appropriate intrusive ground investigation would

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
			be undertaken in accordance with all relevant guidance and legislation including BS 10175:2011, Environment Agency/DEFRA CLR series of reports. Where required a watching brief would be maintained by the Contractor during any construction works to confirm the presence/absence of potential sources of contamination. Subsequently a risk assessment would be undertaken by the Contractor in accordance with the Defra and Environment Agency report 'Model Procedures for the Management of Land Contamination (CLR 11) and a remediation strategy would be devised and discussed with the regulatory authorities if required.
The Water Act 2003	<p>Relates to matters within the responsibilities of holding and issuing licences for water abstractions. The four broad aims of the Act are to</p> <ul style="list-style-type: none"> • ensure sustainable use of water resources, • strengthen the voice of 	Yes	An assessment of the effects of the Proposed Development on groundwater is detailed in Chapter 11, Geology, Hydrogeology and Ground Conditions (Document 5.11). With the implementation of mitigation measures, the assessment has concluded that there would be negligible effects on groundwater resources, which are not significant.

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
	consumers, • create a measured increase in competition and • ensure the promotion of water conservation.		
The Environment Act, 1995	Makes provision with respect to contaminated land and abandoned mines.	Yes	The CEMP (Document 7.4) requires that areas of contaminated soils would be avoided, where possible. Where this is not possible, remediation will be undertaken to either remove the source or prevent the creation of pathways to receptors. A remediation strategy would be devised and discussed with the regulatory authorities prior to any remedial works, as set out above.

Table 4: Geology, Hydrogeology and Ground Conditions			
Legislation	Description of Legislation	Compliant	Comments
The Water Resources Act 1991 (as amended)	Gives Natural Resources Wales powers and duties to prevent or remedy the pollution of controlled waters. Previously under the Act and now under the Environmental Permitting (England and Wales) Regulations 2010 (as amended 2012) it is a criminal offence if a person causes or knowingly permits pollution of controlled water.	Yes	NRW was consulted with throughout the evolution of the Proposed Development. The CEMP (Document 7.4) sets out a range of best practice measures to minimise the risk of pollution occurring, and the consequences of any spills on site. Measures include GP61, which requires Contractors to develop and implement a Pollution Incident Control Plan (PICP) which will detail their control measures and response in the event of any incident onsite. GPP5 and the SuDS Manual will be used to inform pollution prevention elements of detailed drainage strategies.
The Environmental Protection Act Part IIA, 1990	Part 2A provides a means of dealing with unacceptable risks posed by land contamination to human health and the environment. Enforcing authorities are required to identify and deal with such land.	Yes	Chapter 11, Geology, Hydrogeology and Ground Conditions (Document 5.11) confirms that potential effects would be effectively controlled through mitigation measures set out in the CEMP (Document 7.4) and the residual effects are mostly considered to be of negligible significance. There would be no unacceptable

Table 4: Geology, Hydrogeology and Ground Conditions

Legislation	Description of Legislation	Compliant	Comments
			risks to human health or the environment.

1.5 WATER QUALITY, RESOURCES AND FLOOD RISK

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
The Conservation of Habitats and Species Regulations 2017 (as amended), which enact within England and Wales the EC Habitats Directive	Promote the maintenance of biodiversity through requiring Member States to take measures to maintain or restore natural habitats and wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those habitats and species of European importance.	Yes	Chapter 12 Water Quality, Resources and Flood Risk (Document 5.12) concludes that there would be no significant effect on protected sites in relation to effects on the water environment. Other aspects of compliance with the conservation of terrestrial habitats and species are addressed in Table 2.
EU Water Framework Directive (WFD) (2000/60/EC) as enacted in to domestic law by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017	The WFD sets a default objective for all rivers, lakes, estuaries, groundwater and coastal water bodies to achieve Good status (comprised of scores for Ecological Status and Chemical Status). Although the WFD states that Good status should be achieved by 2015 the 2017 Regulations stipulate that Good status should be achieved by	Yes	A WFD assessment was undertaken as detailed in Appendix 12.5 (Document 5.12.2.5). The assessment provides an overall assessment of compliance with the WFD. It concludes that the Proposed Development is compliant with the WFD in all respects.

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
	2021 or, in relation to water quality in respect of some priority substances, 2027. Where it is not possible to achieve Good status by 2027, alternative water body objectives can be set. The current (baseline) status, and the measures required to achieve the 2027 status objective are set out, for each water body, in the relevant River Basin Management Plans (RBMPs), as prepared by ES every six years.		
Directive on Environmental Quality Standards (2008/105/EC), as enacted into domestic law by the 2017 Regulations listed above	Legislation lays down environmental quality standards (EQS) for priority substances and certain other pollutants as provided for in Article 16 of the Water Framework Directive 2000/60/EC (WFD) (Ref 11.5), with the aim of achieving good surface water chemical status and in accordance with the provisions and objectives of that Directive.	Yes	The WFD Assessment, provided in Appendix 12.5 (Document 5.12.2.5) provides an overall assessment of compliance with the WFD, which includes compliance against EQS where relevant. The WFD assessment concludes that the Proposed Development is compliant with the WFD in all respects.

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
Directive on the protection of groundwater against pollution and deterioration (2006/118/EC), as enacted into domestic law by the 2017 Regulations listed above	Establishes a regime which sets groundwater quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater. Complements the WFD.	Yes	The WFD Assessment, provided in Appendix 12.5 (Document 5.12) provides an assessment of compliance of groundwater bodies with the WFD and Groundwater Directive. The WFD assessment concludes that the Proposed Development is compliant with the WFD in all respects.
EU Floods Directive (2007/60/EC), as enacted in to domestic law by the Flood Risk Regulations 2009	Requires Member States to assess the risk of flooding, map the flood extent and the risks to assets and people, and take adequate and coordinated measures to reduce risks of flooding. From a development perspective, in accordance with flood risk management plans, there should be a focus on the prevention of flooding, through avoidance of planned development in present and future flood prone areas, and protection by	Yes	A FCA was undertaken to assess flood risk and is provided in Appendices 12.1 – 4 (Documents 5.12.2.1–4). The FCA has taken account of NRW's Flood Risk Management Plans. The FCA has demonstrated that all aspects of the Proposed Development would be adequately protected from flooding during the construction and operational phases, and would not increase flood risk elsewhere, on the basis of the measures set out in the CEMP (Document 7.4).

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
	taking measures to reduce the likelihood of flooding.		
Environmental Permitting (England and Wales) Regulations 2016	Replaces the previous 2010 regulations. It provides a consolidated framework for environmental permits and exemptions for waste operations and water discharge activities (previously consented under the Water Resources Act 1991, and the Control of Pollution Act 1974), and groundwater activities. It also sets out the powers, functions and duties of the regulators. Amendment No. 2 (2016) amends the regulations to extend the requirement for an environmental permit to flood risk activities. The proposed development will need to be in compliance with the environmental permitting regulations, in consultation with NRW.	Yes	All permitting requirements would be agreed with NRW post DCO. Document 5.12 and Document 7.4 set out measures and aspects of scheme design or construction activities that may be subject to permit. This includes the requirement for Flood Risk Activities Permits or Ordinary Watercourse Consents (as appropriate) for all watercourse crossings and for construction activities within the floodplain. Environmental Permits for water discharge activity would be required for discharge of tunnel dewatering to surface water. However for other discharges, given the temporary nature of discharges from excavations at pylon foundations (assumed to be three weeks for four pads), substation foundation excavations (assumed less than 3 months) and the measures included in the CEMP (designed to prevent pollution of surface watercourses), it is unlikely that an Environmental Permit from NRW, in relation to those water discharge

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
			activities, would be required in most locations. However If it proved necessary to carry out dewatering at pylons less than 500 m upstream of a SAC or SSSI, an Environmental Permit would be sought from NRW.
Environmental Damage (Prevention and Remediation) Regulations 2009, and Environmental Damage (Prevention and Remediation) (Wales) (Amendment) (No.2) Regulations 2015	Applies to the damage of protected species, Sites of Special Scientific Interest, and the Water Environment. It implements Directive 2004/35/EC on environmental liability to ensure that where there is imminent risk of environmental damage, the operator must take steps to prevent it, and to provide remediation in cases where it has occurred.	Yes	Risks to the water environment have been assessed through Document 5.12 and the WFD assessment in Document 5.12.2.5 . The WFD assessment concludes that the chemical and ecological status of WFD water bodies will not change as a result of the Proposed Development. The risk of damage to the water environment will be managed via implementation of the CEMP (Document 7.4). Imminent risks or actual damage will be managed via a Pollution Incident Control Plan (PICP), which will be produced and agreed prior to commencement.
Flood and Water Management Act 2010	This legislation requires flood and coastal erosion risk management authorities to aim to contribute towards the achievement of	Yes	A FCA was undertaken to assess flood risk and is provided in Appendices 12.1 – 4 (Documents 5.12.2.1–4). The FCA considers all potential sources of

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
	<p>sustainable development when exercising their flood and coastal erosion risk management functions.</p> <p>Sets out the Government's approach to improving flood risk management and to improving the security of water supplies. The act includes consideration and responsibilities for managing flood risk and consideration of drainage, including the use of SuDS.</p>		<p>flooding, including the sustainable management of drainage. It takes account of the requirements of all responsible authorities, including NRW's Flood Risk Management Plans, and the Local Flood Risk Management Strategy and Strategic FCA documents produced by IACC and GC. It takes account of potential changes as a result of climate change, according to the relevant guidance.</p> <p>The FCA has demonstrated that all aspects of the Proposed Development would be adequately protected from flooding during the construction and operational phases, and would not increase flood risk elsewhere, on the basis of the measures set out in the CEMP (Document 7.4).</p>
<p>The Water Resources Act 1991 (as amended)</p> <p>The Water Act 2003</p> <p>The Water Abstraction and Impounding (Exemptions)</p>	<p>The Water Resources Act 1991 states that it is an offence to cause or knowingly permit polluting, noxious, poisonous or any solid waste matter to enter controlled waters. The Act gives Natural Resources Wales powers and duties to prevent or remedy the pollution of controlled</p>	Yes	<p>It is unlikely that abstraction licences will be required, given the temporary nature of the works. However, this will be confirmed with NRW prior to commencement, with consideration being given to the duration of works and proximity to any designated sites.</p>

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
Regulations 2017	<p>waters. Provisions for the regulation of water discharges to controlled waters have been replaced by the Environmental Permitting (England and Wales) Regulations 2016 (see above).</p> <p>For water resources, the Act was revised by the Water Act 2003, which sets out regulatory controls for water abstraction, water impoundment and protection of water resources.</p> <p>The 2017 Exemptions Regulations sets out the current status of exemptions, including for dewatering.</p>		<p>An assessment of the effects of the Proposed Development on water resources is detailed in Documents 5.11 and 5.12. With the implementation of the measures set out in the CEMP (Document 7.4), the assessment concluded there would be no significant effects on water resources.</p>
Environment Act 1995	<p>The act established the Environment Agency (EA) in England and Wales as well as the Scottish Environment Protection Agency (SEPA) in Scotland. These bodies can make provisions in relation to National Parks; the control of pollution, the conservation of natural resources and</p>	Yes	<p>Regulatory bodies and authorities have been consulted throughout the evolution of the Proposed Development, detailed in Document 5.5</p>

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
	the conservation or enhancement of the environment. The powers and functions of the Environment Agency in Wales were passed to NRW in 2013.		
Land Drainage Act 1991	Prohibits obstructions in watercourses without consent: consenting requirements were updated by the Water Act 2003 and subsequently by the Environmental Permitting (England and Wales) (Amendment No. 2) Regulations 2016. Provides powers to the local authority to require remedy of obstructions.	Yes	The assessment in Document 5.12 has considered potential risks to the water environment, including works to watercourses. The scheme design has sought to use existing watercourse crossings wherever possible, and to minimising the number of new temporary watercourse crossings. The CEMP (Document 7.4) sets out measures that will be adopted to avoid obstructions to watercourses and the flow of watercourses. Document 5.12 concludes that there would be no significant effect on the surface water environment.
Environmental Protection Act 1990 and Control of Pollution Act 1974	The Environmental Protection Act 1990 makes provision for the improved control of pollution arising from certain industrial and other processes; to re-enact the provisions of the Control of Pollution Act 1974	Yes	Pollution prevention measures will be adopted in general accordance with good practice guidance, as set out in the CEMP (Document 7.4). A PICP will be prepared and implemented. It will

Table 5: Water Quality, Resources and Flood Risk			
Legislation	Description of Legislation	Compliant	Comments
	relating to waste on land with modifications as respects the functions of the regulatory and other authorities concerned in the collection and disposal of waste and to make further provision in relation to such waste.		include, or cross-refer to, Environmental Emergency and Contingency Procedures. The PICP will be in place prior to the commencement of works, setting out procedures for pollution control and emergency response measures in the event of accidental spillage or leakages. Waste disposal will be carried out in accordance with the Waste (England and Wales) Regulations 2011 and Waste Management: The Duty of Care – A Code of Practice (1996) or subsequent amendments, as appropriate to current legislation.

1.6 AIR QUALITY

Table 6: Air Quality			
Legislation	Description of Legislation	Compliant	Comments
The Clean Air for Europe (CAFE) Programme	The CAFE programme was established to support the European Commission's development of the Thematic Strategy on air pollutants. Thematic Strategy primary objective is to attain levels of air quality that do not give rise to significant negative impacts on, and risks to human health and the environment.	Yes	The impact and associated effect of the Proposed Development on local air quality is considered to be not significant. Impacts are predominantly due to construction activity, which would be temporary in nature, lasting only for the duration of the works. Upon completion of the construction phase, air quality would return to future baseline conditions. Decommissioning would have less of an effect than construction but the same approach to mitigation would apply. As such, the Proposed Development would not contravene any local or national air quality standards.
Directive 2008/50/EC is currently transcribed into UK legislation by the Air Quality Standards Regulations 2010 and the Air Quality Standards (Wales) Regulations	This legislation sets limit values or objectives on levels of pollutants including nitrogen dioxide, sulphur dioxide and particulate matter PM ₁₀ and PM _{2.5} , which are binding on the UK and have been set with the aim of avoiding, preventing or reducing harmful effects on human health and	Yes	The impact and associated effect of the Proposed Development on local air quality is considered to be not significant. The level of pollutants as detailed in this legislation will not be exceeded during construction, operation and decommissioning of the Proposed Development. Subsequently, there will be no significant air quality effects on human and ecological

Table 6: Air Quality			
Legislation	Description of Legislation	Compliant	Comments
2010, which came into force on 11th June 2010.	on the environment as a whole.		receptors.
Environment Act 1995	Part IV of the Environment Act 1995 (Ref 14.8) set out the responsibilities for local government in the management of local air quality. The UK National Air Quality Strategy was initially published in 2000. The most recent revision of the strategy sets objective values for key pollutants as a tool to help Local Authorities manage local air quality improvements in accordance with the EU Air Quality Framework Directive.	Yes	The impact and associated effect of the Proposed Development on local air quality is considered to be not significant. Impacts are predominantly due to construction activity, which would be temporary in nature. Upon completion of the construction phase, air quality would return to future baseline conditions. Decommissioning would have less of an effect than construction but the same approach to mitigation would apply. As such, the Proposed Development would not contravene any local or national air quality standards.
Air Quality Wales Regulations 2000	Under the local air quality management regime Isle of Anglesey County Council (IACC) and Gwynedd Council have a duty to carry out regular assessments of air quality against the objective values and if it is unlikely that the objective values will be met in the given timescale, they	Yes	Based on the secondary data no AQMAs have been declared and no air quality objectives are known to be exceeded where there is human health sensitive exposure. The baseline assessment has identified exceedances of the air quality objective value for annual mean NO _x concentrations and deposition rates for nutrient nitrogen and acid as nitrogen at some sensitive

Table 6: Air Quality			
Legislation	Description of Legislation	Compliant	Comments
	must designate an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) with the aim of achieving the objective values		<p>ecological sites within the study area.</p> <p>The limited dust deposition data gathered by IACC suggests that dust deposition rates are typical of rural locations across the UK, with an elevated reading at a location where sea salt is likely to be a large contributor.</p> <p>The impact and associated effect of the Proposed Development on local air quality is considered to be not significant. As such, the Proposed Development would not contravene any local or national air quality standards.</p>

1.7 CONSTRUCTION NOISE AND VIBRATION

Table 7: Construction Noise and Vibration			
Legislation	Description of Legislation	Compliant	Comments
Control of Pollution Act (HMSO, 1974)	<p>Section 60, Part III refers to the control of noise (including vibration) on construction sites. It recommends that guidance provided by British Standard (BS) 5228:2014 '<i>Code of practice for noise and vibration control on construction and open sites – Parts 1&2</i>', is implemented to ensure compliance with Section 60.</p> <p>Section 61, Part III refers to prior consent for work on construction sites.</p> <p>Section 71, Part III refers to the preparation and approval of codes of practice for minimising noise.</p> <p>Section 72, Part III of the CoPA refers to 'best practicable means' (BPM), which is defined as:</p> <p>'reasonably practicable, having regards among other things to local</p>	Yes	<p>General mitigation measures as set out in the CEMP (Document 7.4) help to manage construction noise effects. In some cases, additional mitigation measures have been identified that are not included in the CEMP (Document 7.4). The majority of receptors would be exposed to noise and vibration effects that would not be significant. However, 25 receptors would experience potentially significant effects. Of these, 24 would only experience construction noise effects over a short period, as they relate to pylon construction or dismantling works; for these the overall effect is considered not to be significant. This leaves only one receptor where there would be a significant effect as a result of construction noise. Although this effect also relates to pylon construction, and would therefore be of a short duration, the noise levels would be such that the effect would still be significant.</p>

Table 7: Construction Noise and Vibration			
Legislation	Description of Legislation	Compliant	Comments
	conditions and circumstances, to the current state of technical knowledge and to the financial implications'. Whilst 'Means' includes 'the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and acoustic structures.		Prior consent for work on construction sites would be sought by the contractor under Section 61 of the Control of Pollution Act 1974 (CoPA).

1.8 OPERATIONAL NOISE AND VIBRATION

Table 8: Operational Noise and Vibration			
Legislation	Description of Legislation	Compliant	Comments
Environmental Protection Act 1990, Part III	<p>Section 79, Part III places a duty on local authorities to regularly inspect their areas to detect whether a statutory nuisance exists. This section also considers and defines the concept of 'Best Practicable Means' (BPM) where BPM is defined as: 'reasonably practicable having regard, among other things, to local conditions and circumstances, to the current state of technical knowledge and to the financial implications'.</p> <p>Where local authority is satisfied that a statutory nuisance does exist, or is likely to occur or recur, it must serve an abatement notice under Section 80, Part III of the EPA.</p> <p>Section 82, Part III allows a Magistrates' court to act on a complaint made by any person on the grounds that he is aggrieved by a</p>	Yes	<p>National Grid proposes to install one of the quietest conductor bundle formulations that can be deployed in the National Grid transmission system that meets the rating requirements. Consideration of operational noise impacts has been given when determining the pylon siting and route alignment. To reduce the likelihood of damage or contamination of the conductors, National Grid will require the appointed construction contractor to follow a rigorous quality assurance process and these measures are set out in the CEMP (Document 7.4).</p> <p>5.11.8 Two receptors (Garth Bach and Lleifior) would be exposed to a potentially significant negative effects due to the operation of Tŷ Fodol Tunnel Head House and Cable Sealing End Compounds, when a worst case operating scenario is applied. This worst case scenario would be infrequent, however, and under normal operating conditions, operational noise resulting from the Tŷ Fodol Tunnel Head House and</p>

Table 8: Operational Noise and Vibration			
Legislation	Description of Legislation	Compliant	Comments
	statutory nuisance, such as noise.		Cable Sealing End Compound would not result in a significant negative effect. Noise levels from Tŷ Fodol Tunnel Head House and Cable Sealing End Compounds during the night-time period would be well below the level for the onset of sleep disturbance.

1.9 SOCIO-ECONOMIC

Table 9: Socio-Economics			
Legislation	Description of Legislation	Compliant	Comments
Well-Being of Future Generations (Wales) Act 2015	The Act aims to improve the social, economic and cultural well-being of Wales by placing a duty on public bodies to think in a more sustainable and long-term way	Yes	<p>The Well-being Report (Document 5.27) has considered the potential effects of the Proposed Development having regard to each of the well-being goals. The following adverse effects have been identified: significant noise effects at two properties during construction; significant landscape effects at a small minority of Landscape Character Areas and one Special Landscape Area; and potential significant severance effects on the Pont Rhonwy Link (Anglesey). Overall, however, given the scale of the Proposed Development and the numbers of properties, highway links and landscape areas assessed, it is considered that there would be no significant adverse effects in respect of issues identified related to the well-being goals.</p> <p>There is one beneficial effect: the reinforcement of the transmission network and enabling the connection of new generation, low-carbon and potentially renewable energy in the future. This beneficial effect is considered to be significant.</p>

1.10 AGRICULTURE

Table 10: Agriculture			
Legislation	Description of Legislation	Compliant	Comments
Table to the Town and Country Planning (General Development Procedure) Order 1995 (GDPO) (S.I. No 1995/419)	Article 10(1), paragraph (w) states that the local planning authority must consult the Secretary of State (SoS) for Wales if the area of a proposed permanent development exceeds 20 ha of Best and Most Versatile (BMV) agricultural land. This is reiterated in the Welsh Assembly Government's Technical Advice Note 6 (TAN6): Planning for Sustainable Rural Communities, July 2010, and referenced in the Planning Policy Wales. This legislation provides context to the scale of loss of agricultural land to development (either through the land being given over to built development or undergoing a permanent change in use); and a guide to consider significance where 20 ha or more of BMV is affected.	Yes	As identified in Chapter 18 Agriculture (Document 5.18) the permanent loss of BMV agricultural land as a result of the Proposed Development does not exceed 20 ha and is therefore considered to be not significant. This conclusion is also supported when considering the proportional loss of BMV land as a consequence of the Proposed Development in relation to the available BMV land within Anglesey and Gwynedd which is 0.003% and 0.1% respectively.

1.11 OTHER

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light (2005)	The Institution of Lighting Engineers have suggested the use of night time environmental zones and a number of limiting technical criteria to be measured or calculated for each zone. This legislation is the first publication specify the four Environmental Zone E1 to E4 and the criteria for limiting upward light, light trespass into windows, source intensity (glare), building brightness, and threshold increment	Yes	CEMP (Document 7.4) outlines mitigation measures to reduce light pollution in line with this legislation. Working areas which require night time lighting, such as security cabins and shaft working areas would include low level lighting. Motion sensor lighting would be used in areas of high security risk. Site or welfare cabins, equipment and lighting would be sited so as to minimise visual intrusion insofar as is consistent with the safe and efficient operation of the work site. Site lighting would be positioned and directed to reduce glare and nuisance to residents.
Construction (Design and Management) Regulations 2015	Aims to improve health and safety in the industry by guiding developers to sensibly plan the work so the risks involved are managed from start to finish.	Yes	National Grid is committed to ensuring the health and safety of persons working on projects is maintained. Contractors would prepare a construction phase Safety Health and Environment (SHE) Plan for each element of the Proposed Development

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
			<p>prior to construction works commencing. This would be reviewed and reviewed and accepted by National Grid prior to construction commencing.</p> <p>Site staff would be briefed daily by the contractor prior to work commencing. Site specific risk assessments would be carried out to ensure the risk strategy of the frequently changing workplace remains relevant. Contractors would be required to carry out audits and inspections in line with Section 2.8 of the CEMP (Document 7.4). Emergency contact for the public would be through the enquiries and complaints procedure as described in Section 2.3 of the CEMP.</p>
Planning Act 2008 (as amended)	The Bill introduces a new system for approving major infrastructure of national importance. The Planning Act 2008 is intended to speed up the process for approving major new infrastructure projects. The objective is to streamline these decisions and avoid long public inquiries.	Yes	The Proposed Development is defined within Section 16 of the Planning Act 2008 as a Nationally Significant Infrastructure Project (NSIP) for the purposes of that Act. Under Section 31 of the Planning Act 2008, development consent is required for development to the extent that it is or forms part of an NSIP. Development consent is granted by the making of a DCO for which application may

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	The Planning Act 2008 provides for the grant of development consent for development which is, or forms part of, a nationally significant infrastructure project		<p>be made under Section 37 of the Planning Act 2008. The Proposed Development has addressed all legal requirements within the Planning Act and additional legal obligations, as detailed in the Planning Statement (Document 7.1).</p> <p>The Planning Act requires that the application for development consent should be decided in accordance with NPS EN-1 and NPS EN-5. The Planning Statement (Document 7.1) provides evidence that the policies set out in NPS EN-1 and EN-5 have been met.</p>
Town and Country Planning Act 1990 (as amended)	<p>An Act to consolidate certain enactments relating to town and country planning with amendments to give effect to recommendations of the Law Commission.</p> <p>The process of Environmental Impact Assessment in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact</p>	Yes	The Proposed Development falls under the definition of an NSIP and as such does not fall under this legislation.

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	Assessment) Regulations 2017 (the '2017 Regulations'). These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990.		
Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended by the Infrastructure Planning (EIA) (Amendment) Regulations 2011 and 2012 ('the 2009 EIA Regulations')	Requirement for an assessment of the impact on the environment of projects likely to have significant effects on the environment	Yes	In accordance with this legislation an EIA has been undertaken for the Proposed Development. An assessment on the likely effects the Proposed Development would have on environmental, social, and cultural components is detailed within the ES (Volume 5) and supporting documents. The ES is submitted alongside the application for a Development Consent Order.
Electricity Act 1989	An Act to provide for the appointment and functions of a Director General of Electricity Supply and of consumers' committees for the electricity supply industry; to make new provision with	Yes	Horizon Nuclear Power (HNP) applied to National Grid to connect their proposed new nuclear power station to the national system at Wylfa, Anglesey (Wylfa Newydd). To provide reliable electricity supplies, National Grid cannot

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	respect to the supply of electricity through electric lines and the generation and transmission of electricity for such supply.		allow more than 1,800 mega-watts (MW) of power generation to be connected by any single overhead line. As the HNP proposal would have a total output of 2,800 MW, a second connection is required between Wylfa and the transmission system on the mainland. The Proposed Development is for the construction of this second connection, constructing a new OHL to transmit electricity.
Infrastructure Planning (Environmental Impact Assessment) Regulations 2009	These regulations set out the procedures to be followed in relation to environmental impact assessments linked to nationally significant infrastructure projects in England and Wales. They also extend for limited to purposes to Scotland. These Regulations impose procedural requirements, in particular, the carrying out of environmental impact assessment (EIA). All development in Schedule 1 (Schedule 1 development) requires EIA. Development in Schedule 2	Yes	The Proposed Development is considered to fall within Schedule I and deemed to have significant effects on the environment and therefore requires an EIA. An EIA has been undertaken for the Proposed Development. Assessment on the likely effects the Proposed Development would have on environmental, social, health and cultural components is detailed within the ES (Volume 5) and supporting documents. The ES will be submitted alongside the planning application.

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	(Schedule 2 development) requires EIA if it is likely to have significant effects on the environment.		
Infrastructure Planning (Environmental Impact Assessment) Regulations 2017	These regulations implement Directive 2014/52/EU (“the EIA Directive”)	Yes	Under the transitional arrangements for the implementation of these Regulations it was confirmed that projects for which a Scoping Opinion had been sought prior to 16 May 2017 would not fall under these Regulations.
Directive 2014/52/EU (“the EIA Directive”)	<p>The EIA Directive applies to a wide range of defined public and private projects, which are defined in Annexes I and II:</p> <p>Mandatory EIA: all projects listed in Annex I are considered as having a significant effects on the environment and require an EIA</p> <p>Discretion of Member States (screening): for projects listed in Annex II, the national authorities have to decide whether an EIA is needed. This is done by the "screening procedure", which determines the</p>	Yes	Under the transitional arrangements for the implementation of these Regulations it was confirmed that projects for which a Scoping Opinion had been sought prior to 16 May 2017 would not fall under these Regulations.

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	effects of projects on the basis of thresholds/criteria or a case by case examination. However, the national authorities must take into account the criteria laid down in Annex III.		
Tree Preservation Orders	The law relating to Tree Preservation Orders is in Part VIII of the Town and Country Planning Act 1990 as amended and in the Town and Country Planning (Tree Preservation) (England) Regulations 2012 which came into force on 6 April 2012. Section 192 of the Planning Act 2008 made further amendments to the 1990 Act which allowed for the transfer of provisions from within existing Tree Preservation Orders. Part 6 of the Localism Act 2011 amended section 210 of the Town and Country Planning Act 1990 concerning time limits for proceedings in regard to non-compliance with Tree Preservation	Yes	A number of trees subject to Tree Preservation Orders have been avoided or identified for retention in the Schedule of Environmental Commitments (Document 7.4.2.1). Where TPO trees could not be avoided, the DCO grants permission for their felling/other tree works as required.

Table 11: Other			
Legislation	Description of Legislation	Compliant	Comments
	Order regulations.		