

## Appendix 4.3

### Consultation Responses

## Appendix 4.3 - Consultation Responses

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Table 1: Environmental Statement Structure

	Organisation (Ref)	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.21)	The SofS recommends that the ES should include a description of how waste generated by the proposed development will be dealt with.	Chapter 15 of the ES explains how waste generated from the Project will be dealt with.
2	<b>SofS</b> (Scoping Opinion, para.3.21)	The SofS also recommends that the potential impacts of electric and magnetic fields are addressed within the ES.	Electromagnetic fields are scoped out of the assessment because underground cables such as that proposed for the Electrical Connection do not give rise to electromagnetic fields above ground due to the shielding effect of the cable sheath. The public would thus not be exposed to electromagnetic fields from the proposed underground cables. Further detail is provided in Chapter 4 of the ES.
3	<b>Public Health England (PHE)</b> (letter dated 23rd July, page 3)	PHE will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts.	The impact of the Project on public health is addressed in Chapter 15 of the ES.

Table 2: Project Description

	Organisation (Ref)	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.2.43)	The SofS would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.	A full description of the Project and its surroundings is included in Chapter 3 of the ES.
2	<b>SofS</b> (Scoping Opinion,	The ES should include a clear description of the application site which is to be the subject of the DCO, including detailed land	A full description of the Project and its surroundings is included in Chapter 3 of the ES.

	Organisation (Ref)	Comment	Applicant's Response
	para.2.44)	levels, existing vegetation species, hard surfaces and the location of existing buildings. The ES should confirm if the application site has been previously developed, and if so, whether it has been subject to any remediation works.	
3	<b>SofS</b> (Scoping Opinion, para.2.46)	The applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.	A table is included in the ES which demonstrates compliance with EIA Regulations (Table 1.1). Chapter 3 includes a description of the Project.
4	<b>SofS</b> (Scoping Opinion, para.2.47)	The applicant should clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter.	Associated development is not permitted in DCOs in Wales. All aspects of the Project are integral and therefore no associated development is included in the application (see Explanatory Memorandum, Document Reference 3.2).
5	<b>SofS</b> (Scoping Opinion, para.3.49)	The SofS recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include: land use requirements; site preparation; construction processes and methods; transport routes; operational requirements including the main characteristics or the production process and the nature and quantity of material used; transport routes; maintenance activities including any potential environmental impacts; emissions - water, air and soil pollution, noise, vibration, light, heat, radiation.	Chapter 3 of the ES provides a full description of the Project. Each topic Chapter provides a description of all aspects of the Project and their potential impact in relation to that topic.
6	<b>SofS</b> (Scoping Opinion, para.2.50)	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 mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.	Chapter 15 of the ES details the effects of all wastes to be processed and removed from the site.
7	<b>SofS</b> (Scoping Opinion, para.2.52)	The ES should ensure to provide clearly distinguishable colours/symbols on all maps and figures, in order to ensure that specific features can be easily identified.	Noted
8	<b>SofS</b> (Scoping Opinion,	The SofS welcomes the consideration of alternative technology choices included in the Scoping Report (paragraph 3.6.4) and	See Chapter 5 of the ES and paragraphs [3.4.6] and [3.5.5] of

	Organisation (Ref)	Comment	Applicant's Response
	para.2.53)	recommends these details are included in the ES. In addition, the ES should also provide details of other locations considered for the Power Generation Plant.	the Consultation Report.
9	<b>SofS</b> (Scoping Opinion, para.2.55)	The SofS notes, from the comments in paragraph 3.3.14 of the Scoping Report, that the detailed design and location of the power station is still being developed. 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. At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.	Reduced red line boundary is shown on all of the figures in the ES. See also the Consultation Report for details of how responses influenced the evolution of the Project design. Alternative options for the design of the Gas Turbine Generators, layout, Gas Connection and Electrical Connection are described in Chapter 5 of the ES.
10	<b>SofS</b> (Scoping Opinion, para.3.1)	The SofS recommends that the applicant provides justification for this choice of simple cycle gas turbine within the ES and directs the applicant to the comments of NRW indicating that this turbine choice is not considered to represent Best Available Technique (BAT).	Justification for the choice of SCGT is provided Section 5.3 of the ES. The justification considers emissions, water usage, start-up times and cost.

Table 3: Flexibility

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.2.55)	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.	See Chapter 3 of the ES which sets out the 'worst case' scenario assessed in terms of size (height, width and depth of all structures), type of Gas Turbine Generator and land take. Each topic chapter of the ES sets out the worst case parameters for assessment.
2	<b>SofS</b> (Scoping Opinion, para.2.56)	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	Noted. Not required.

	Organisation	Comment	Applicant's Response
		request a new scoping opinion.	

Table 4: Proposed Access, Construction, Operation and Maintenance, and Decommissioning

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.2.57)	The ES should detail the proposed access routes for both construction and operational traffic.	See Chapter 3 and Chapter 12 of the ES.
2	<b>SofS</b> (Scoping Opinion, para.2.58)	The Secretary of State notes that no information has been provided in the Scoping Request regarding the size and exact location of the temporary laydown area. Whilst it is appreciated that this information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required in the ES.	The Laydown Area is approximately 3 ha in size and will be located to the west of the Generating Equipment Site (see Chapter 3 of the ES and the Works Plans, Document Reference 2.3).
3	<b>SofS</b> (Scoping Opinion, para.2.59)	The SofS considers that information on construction including: phasing of programme; construction methods and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES.	See Chapter 3 of the ES which describes the aspects requested by the SofS.
4	<b>SofS</b> (Scoping Opinion, para.2.60)	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 operational stage.	The operational and maintenance activities are described in Chapter 3 of the ES. Operational and maintenance activities are also assessed in the topic chapters where relevant.
5	<b>SofS</b> (Scoping Opinion, para.2.61)	The process and methods of decommissioning should be considered and options presented in the ES. The SofS encourages consideration of such matters in the ES.	The decommissioning activities are described in Chapter 3 of the ES. Decommissioning activities are also assessed in the topic chapters where relevant.
6	<b>SofS</b> (Scoping Opinion, para.2.62)	The SofS recommends that the EIA covers the life span of the proposed development, including construction, operation and decommissioning.	The ES assesses the life of the Project including two years for construction, 25 years operation and approximately two years decommissioning (see Chapter 3 of the ES).

Table 5: Approach

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.4)	The SofS would suggest that the applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used.	Consultation was carried out prior to, and following, the issue of the PEIR where required. This included discussions on the methodology for each topic and in particular the timing of the noise survey. See Consultation Report (Document Reference: 5.1.0) for details.
2	<b>SofS</b> (Scoping Opinion, para.3.5)	The SofS 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, 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.	See Section 5 of each of the topic chapters in the ES describes the study area for each topic. The study areas have been based on recognised professional guidance where relevant. The study areas were identified in the PEIR and were therefore subject to consultation with the relevant statutory bodies. The temporal scope of the Project is described in Chapter 3.
3	<b>SofS</b> (Scoping Opinion, para.3.8)	It is stated within the Scoping Report that it is not intended to include the operational air quality emissions of the gas and electrical connections as these sections of the proposed development would not produce any significant emissions during the operational phase of the development; the SofS agrees that these impacts can be scoped out of the assessment.	Noted. Chapter 4 of the ES identifies which aspects of the Project have been scoped out of the assessment and why. This includes operational air quality emissions of the Gas Connection and Electrical Connection which has been scoped out in accordance with this comment.
4	<b>SofS</b> (Scoping Opinion, para.3.9)	Within the Scoping Report it is stated that it is not intended to include the operational noise or vibration impacts of the gas connection as this aspect of the proposed development would not produce any significant noise or vibration emissions during the operational phase; the SofS agrees that these impacts can be scoped out of the assessment.	Noted. Chapter 4 of the ES identifies which aspects of the Project have been scoped out of the assessment and why. This includes operational noise or vibration impacts of the Gas Connection which has been scoped out in accordance with this comment.
5	<b>SofS</b> (Scoping Opinion,	It is stated within the Scoping Report that it is not intended to include the operational noise impacts of the electrical connection	Chapter 4 of the ES identifies which aspects of the Project have been scoped out of the assessment and why. Scoping out of

	Organisation	Comment	Applicant's Response
	para.3.10)	as this aspect of the proposed development would not produce any significant noise emissions during the operational phase. The SofS recommends that further justification be provided by the applicant for scoping out these potential effects, the SofS draws the attention of the applicant to the comments made by NRW in this respect.	the operational noise impacts of the Electrical Connection has been considered further justification is set out in Chapter 4 of the ES.
6	<b>SofS</b> (Scoping Opinion, para.3.11)	The SofS agrees that providing NRW indicates that no Water Framework Directive Report will be required for this development the provision of this report can be scoped out of the assessment.	Noted. However, a Water Framework Directive Assessment has been included in Chapter 9 of the ES following discussions with NRW.
7	<b>SofS</b> (Scoping Opinion, para.3.12)	It is stated within the applicant's scoping report that any impact on drainage or water quality caused by the gas or electrical connections during the operational and the development will be scoped out of the assessment, as no decommissioning phases of significant drainage or water quality impacts are predicted to occur as a result of the presence of the connections during these phases of the proposed development. The SofS recommends that the applicant provides further information regarding the potential for any below ground connections to form pathways for the transport of pollutants which may result from previous use of the land. NRW noted that at least part of the site was previously used as landfill.	Further information regarding the potential for any below ground connections to form pathways for the transport of pollutants is included in Chapter 9 of the ES.
8	<b>SofS</b> (Scoping Opinion, para.3.13)	The SofS expects that the ES should contain confirmation that the stacks required as part of the development, which will be up to 60m in height, will not be visible from the AONB.	A stack height sensitivity test (Appendix 6.1) has concluded that the stack will be between 35 and 40 m in height for 1 or 2 stacks or between 25 and 30 m in height for 3 to 5 stacks. See Chapter 11 for further details on the assessment of the visual impact of the stacks. The ES confirms that the stacks will not be visible from the AONB.
9	<b>SofS</b> (Scoping Opinion, para.3.15)	In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.	Chapter 4 of the ES identifies which aspects of the Project have been scoped out of the assessment and why.

Table 6: National Policy Statements

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.17)	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.	Included throughout the ES. Chapter 2 of the ES provides a summary of relevant policies (including National Policy Statements). Each topic chapter also describes topic-specific policies. The Planning Statement (Document Reference 10.1.0) provides an analysis of all relevant policy.

Table 7: Air Quality

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.22)	The SofS considers that adverse change to air quality should be assessed in relation to compliance with European air quality limit values and any impact upon AQMAs.	The assessment in Chapter 6 of the ES makes reference to the Swansea AQMA and the potential impacts of the project on the AQMA, and also makes reference to compliance with European air quality limit values.
2	<b>SofS</b> (Scoping Opinion, para.3.23)	Within 10 km of the site there are twenty SSSI's, 1 SPA , 2 SAC's, 1 National Nature Reserve and 23 SINC's, the potential impacts on which should be carefully assessed. There is the need to consider potential related effects due to an increase in airborne pollution including fugitive dust especially during site preparation, demolition and construction.	The assessment considers potential impacts on European, national and local designated ecological sites during operations through air dispersion modelling. Potential impacts from airborne pollution including fugitive dust during site preparation, demolition and construction is assessed qualitatively using the IAQM Guidance.
3	<b>SofS</b> (Scoping Opinion, para.3.24)	The ES should also include an assessment of potential air quality impacts on the Lower Lliw Reservoir as a result of both deposition and affected rainfall.	The Lower Lliw Reservoir is an emergency reservoir. It is not possible to assess deposition on water and therefore assessing deposition on the reservoir could not be undertaken. However as the Project is a gas power station the only relevant pollutant is NO <sub>x</sub> and no metal deposition is expected.
4	<b>SofS</b> (Scoping Opinion, para.3.26)	The assessment should take account of the air emissions from the proposed development and emissions related to vehicular movements associated with the proposal. The SofS recommends that the implications of stack height and dispersion of the discharge be clearly explained within the ES.	In line with IAQM and EPUK guidance documents, the direct impacts of operational and construction traffic have been scoped out of the assessment due to the low number of daily vehicle movements. A stack sensitivity assessment is presented in Chapter 6 of the ES which demonstrates the implications of stack height on the dispersion of pollutants and the resulting

	Organisation	Comment	Applicant's Response
			ground level impacts of the discharge.
5	<b>SofS</b> (Scoping Opinion, para.3.27)	The SofS recommends that the applicant agrees all modelling receptor locations with the City and County of Swansea and also that the applicant consults the City and County of Swansea regarding the proposed data inputs for the air quality model.	The modelling receptor locations have been consulted on with CCS. It should also be noted that, in addition to the presentation of impacts at selected receptors, the assessment of impacts on human health has been undertaken for concentrations on a grid of receptors within the study area which effectively covers all possible receptor locations, whether named or not.
6	<b>SofS</b> (Scoping Opinion, para.3.28)	The SofS recommends that the applicant agrees which pollutants are to be modelled and the meteorological data to be used with the City and County of Swansea.	The pollutants included in the model were consulted on with CCS. Meteorological data used in the modelling was provided by CCS as an appropriate representation of conditions on site.
7	<b>SofS</b> (Scoping Opinion, para 3.29)	The SofS recommends that dispersion modelling considers a range of possibilities and seeks to ensure that the "worst case" scenario is assessed, for example the "worst case" may occur as a short term impact.	This is the approach that was taken to the assessment as set out in Chapter 6 of the ES.
8	<b>SofS</b> (Scoping Opinion, para.3.29)	There are a number of residential receptors within 1 km of the project site and suitable receptor locations for modelling purposes should be agreed with the relevant local authority and NRW. This may need to extend to densely populated areas just outside of the proposed study area.	Agreed with CCS. Chapter 6 of the ES contains figures which show that the study area extends well outside of the area of maximum impacts of the Project and, moreover, that impacts at the boundary of study area are imperceptible. As such, there is no need to consider population areas outside of the study area. Figure 6.1a to e.
9	<b>SofS</b> (Scoping Opinion, para.3.30)	The SofS recommends that air quality and dust levels are considered not only on site but also off site, including along access roads, local footpaths and other public rights of way. Consideration should also be given to appropriate mitigation measures and to monitoring dust complaints.	The assessment of impacts during construction has considered impacts along access roads, local footpaths and other public rights of way by applying the IAQM Guidance on the assessment of dust from demolition and construction. Air quality in these areas has also been considered through the assessment of impacts on a grid of receptors.
10	<b>SofS</b> (Scoping Opinion, para.3.31)	The SofS recommends that the applicant works toward submitting their Environmental Permit application at least six months prior to the submission of their DCO application.	The Environmental Permit application will be submitted 12 months prior to the commencement of commercial operations (Other Consents, Document Reference 5.4).
11	<b>SofS</b> (Scoping Opinion, para.4.15)	The SofS 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	The ES considers impacts on human health in each of the relevant topic chapters and a summary is provided in Chapter 15. A stand-alone HIA has not been prepared. The comments of PHE and HSE have been taken into account in preparing the

	Organisation	Comment	Applicant's Response
		regarding health, and in particular to the comments from Public Health England in relation to emissions to air and the Health and Safety Executive in relation to electrical safety issues.	assessments.
12	<b>NRW</b> - letter dated 22nd July (page 3)	The applicant is advised that particular attention should be given to acid and nutrient deposition at sensitive habitat receptors.	Acid and nitrogen deposition has been considered in this assessment.
13	<b>NRW</b> - letter dated 22nd July (page 3)	The applicant should instead use the APIS critical load function tool found at <a href="http://www.apis.ac.uk/critical-load-function-tool">http://www.apis.ac.uk/critical-load-function-tool</a> , in order to calculate acid deposition process contributions/exceedences.	The assessment methodology describes the critical load function and states that it has been used in calculating acid deposition process contribution.
14	<b>NRW</b> - letter dated 22nd July (page 3)	The scope of the Environmental Impact Assessment should widen to include any impact upon this village (Llangyfelach) in addition to any cumulative impact in relation to air quality arising from other sources of pollution e.g. the M4 motorway, the A48, B4489 and Morrision Crematorium	The assessment considered impacts on Llangyfelach and it will include it as a receptor in the air dispersion model. Emission sources such as the M4 Motorway, the A48, B4489 and Morrison Crematorium have been reflected in the existing baseline that will be used in the assessment of impacts on the village.
15	<b>PHE</b> - letter dated 23rd July (Page 3)	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.	The ES includes detailed measures to be used to control stack and fugitive emissions. It demonstrates compliance with air quality standards and permit limits prescribed in the IED.
16	<b>PHE</b> - letter dated 23rd July (Page 5)	When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these: <ul style="list-style-type: none"> <li>- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority AQMAs</li> <li>- 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)</li> <li>- should include modelling taking into account local topography</li> </ul>	The ES considers the Swansea AQMA. The air dispersion modelling uses the appropriate meteorological data, agreed with CCS. Terrain data is used in the air dispersion model.
17	<b>NRW</b> (14 <sup>th</sup> Nov 2014)	B. 1. Environmental Permitting Requirements - early dialogue with NRW and submission of EPR application	See Chapter 6 on Air Quality, generally. Specific points are further addressed below.

	Organisation	Comment	Applicant's Response
		<p>B.4.3. Factoring the long-term predictions by operating hours is a methodology that is generally acceptable when there is sufficient headroom such that the uncertainties involved are unlikely to make a significant difference to predictions. In this case you acknowledge that critical loads at nearby habitats are already exceeded, therefore there is little headroom. Without further work we cannot comment on whether this methodology is a "worst case" approach. We would expect you to justify that your assessment is representative of a worst case scenario.</p>	<p>B.4.3. The air quality assessment has assessed long term impacts by scaling the outputs for periods longer than one hour by the likely operating hours, in this case 1500 per year. This in turn meant that annual mean impacts were based on 1500 hours out of 8760 hours. This approach is considered to represent the likely worst case, although it is acknowledged that this not the "worst case" which might have such a low probability occurring that it is not relevant to the assessment of chronic or long term ecological effects. NRW acknowledges that factoring long term prediction by operating hours is a methodology that is generally acceptable. In order to address NRW concerns over the scaling of long term predictions, we make reference to a previous assessment of a peaking plant, operating at 1500 hours per year, in Wales. As part of that assessment potential impacts of different combinations of operating hours over the 5 years of meteorological data were tested to address NRW concerns over the scaling of long term impacts. The overall conclusions of the statistical test was that the scaling of long term impacts can result in +/- 10% difference in concentrations at the 99<sup>th</sup> Percentile level. Applying this conclusions to the predicted results presented in the air quality assessment for the Abergelli Power Project and particularly on the most affected receptor (ie Llefty Morfil SINC) will mean that the % of the critical load for nitrogen deposition contribution will change by +/-0.1% . This difference is not significant and the conclusions of the assessment are robust."</p>
		<p>B.4.4. Section 6.10.13 refers to a slight adverse effect on air quality during construction, operation and decommissioning of the Power station with mitigation stated as monitoring of emissions. Monitoring is not considered to be mitigation, as the pollutant may still be released. What additional mitigation can be employed to prevent the adverse effects in the first place?</p>	<p>B.4.4. The project has a number of embedded mitigations measures including a site specific Dust Management Plan (DMP) that forms part of the Construction Environmental Management Plan (CEMP). The monitoring of construction emissions will form part of the DMP to ensure that appropriate mitigation measures included in the DMP are applied proportionally and at a timely manner including damping down of dusty surfaces, imposing speed limits for vehicles, covering stock piles etc. etc. Furthermore ambient air monitoring during construction is a mitigation measure as an operator can set</p>

	Organisation	Comment	Applicant's Response
			alarm levels to prevent emissions exceeding potentially significant levels. During operation, real time stack monitoring can also be considered mitigation as any increases in emissions concentrations can be identified. Furthermore the stack sensitivity assessment, included in the assessment ensured the adequate dispersion that will not result harmful effects to occur.
		<p>B.5. Air Quality - Nature Conservation Interests</p> <p>B.5.1. For all Sites of Special Scientific Interest (SSSI) within at least 2 km, and all Special Area of Conservation (SAC)/Special Protection Areas (SPA)/Ramsar sites within 10km of the proposed plant, information should be included in the ES.</p>	<p>B.5. Air Quality – Nature Conservation Interest</p> <p>B.5.1. The assessment has considered all Sites of Special Scientific Interest (SSSI) within at least 2 km, and all Special Area of Conservation (SAC)/Special Protection Areas (SPA)/Ramsar sites within 10km of the proposed plant.</p>
		<p>B.5.2. Concentrations of NO<sub>x</sub> (and SO<sub>2</sub> if present in emissions) emitted by the proposed plant compared to the critical levels for sensitive habitats at the above sites.</p>	<p>B.5.2. The assessment compared concentrations of NO<sub>x</sub> (SO<sub>2</sub> is not present in emissions) emitted by the proposed plant to the critical levels for sensitive habitats.</p>
		<p>B.5.3. Critical Levels are to be found on APIS (<a href="http://www.apis.ac.uk/overview/issues/overview_Cloadslevels.htm#_Toc279788054">http://www.apis.ac.uk/overview/issues/overview_Cloadslevels.htm#_Toc279788054</a> ).</p>	<p>B.5.3. We presume that this is typographic error, critical levels are the taken from UK objectives and EU limits values and are the same for all habitats. Critical loads vary between habitats and these have been taken from APIS.</p>
		<p>B.5.4. Proposed plant emissions (Process Contribution/PC) should be compared as a percentage of the relevant critical level as well being compared to the PC added to the background (PEC), to give percentage figures.</p>	<p>B.5.4. The assessment presented Process Contribution (PC) and the Predicted Environmental Concentrations (PEC) as a percentage of the relevant critical level. This approach was also followed during the PEIR stage in the preliminary stack sensitivity assessment.</p>
		<p>B.5.5. Levels of nutrient Nitrogen deposition and Acid deposition derived from the proposed plant (PC) should also be compared to site relevant critical loads for the above sites. These are available on APIS (<a href="http://www.apis.ac.uk/src1">http://www.apis.ac.uk/src1</a>) and should be similarly compared to the PC and PEC for each feature's most sensitive critical load value, to give percentage values.</p>	<p>B.5.5. The assessment also presented PC and PEC as a percentage of the critical loads for nutrient and acid deposition (extracted from APIS).</p>

	Organisation	Comment	Applicant's Response
		B.5.6. Instructions on how to carry out these calculations for acid deposition are available on APIS ( <a href="http://www.apis.ac.uk/critical-load-function-tool">http://www.apis.ac.uk/critical-load-function-tool</a> ) and in Environment Agency AQ TAG Paper 06 for nutrient Nitrogen deposition. Please note that in relation to a Peaking Power facility which operates sporadically, the assessment must be done as a worst case scenario i.e. the maximum number of hours that the plant will be able to operate, over a year.	B.5.6. The APIS critical load function tool was used to assess impacts from acid deposition. The assessment of impacts on ecosystems was based on a maximum operation of 1500 hours per year, in the case of daily mean critical levels the assessment was based on 24 hours continuous operation and the worst day of the year."
18		<p>C.4. Preliminary Stack Sensitivity Analysis (PSSA)</p> <p>C.4.1. We have not assessed the PSSA submitted as part of the PEIR. A detailed assessment will be undertaken as part of the EPR permit application process which will determine the appropriate stack height required for appropriate environmental control. We note that section 4.9.4 states that 'Air quality sensitivity tests have indicated that a minimum stack height of 35m will be required for adequate dispersion of exhaust gases and to meet legislative air quality targets (i.e. IED)'. We also note that 'a maximum height of 40m has been assumed for the purpose of the Landscape and Visual Impact and Cultural Heritage Assessments as a 'realistic worst-case scenario'.</p> <p>C.4.2. However we do note that in the PEIR the consultant has used significance criteria set out in H1 Annex F. The consultant considered the impact of NOx and nitrogen deposition, and reference was made to acidification, but it is unclear if this was taken into account. This will need to be addressed when the permit application is submitted.</p>	Noted. This issue will be addressed in the Environmental Permit application.
19	<b>Local Resident</b> (Response to consultation in October 2014)	High stacks (40 metres) will discharge emissions into the air which is at present among the healthiest in the County.	The height of the stacks is determined by sensitivity tests (see Appendix 6.1 of the ES) to ensure that emissions are dispersed without causing harm to human health.
20	<b>NRW</b> (letter dated 18 <sup>th</sup> )	B.1. We reiterate that adopting a twin tracking approach would be advantageous and we must draw your attention to the	APL will contact the relevant team to arrange a meeting regarding the Environmental Permit at the appropriate time.

	Organisation	Comment	Applicant's Response
	March 2015)	<p>potential resultant risk associated with not adopting a twin tracking approach.</p> <p>It is unclear whether the request of setting up a meeting with the permitting team was taken from an extract regarding the Hirwaun Power Limited application, however we are only too willing to meet and discuss any relevant issues as required. Please contact us to arrange a meeting with the relevant team.</p>	
		<p>B.2. We agree that a BAT assessment is not required as part of the DCO process. However we advise that at present there are doubts over whether Open Cycle Gas Turbines (operating up to 1500 hours) can be considered BAT. A DEFRA study is currently underway and we are awaiting the outcome of this review in order to help determine whether the technology can be considered BAT. Accordingly we must remind you that if the proposed technology selection (OCGT) is not deemed BAT at the EPR permitting stage then an EPR permit will not be issued.</p>	<p>Justification for the choice of SCGT is provided Section 5.3 of the ES. The justification considers emissions, water usage, start-up times and cost.</p>
		<p>B.4.3. We acknowledge that factoring long term prediction by operating hours is a methodology that is generally acceptable if the operation hours are randomly scattered over a year. However, if the operation hours are not randomly distributed across a year or not predictable, then sensitivity analysis considering the possible combination of unfavourable meteorological conditions and operation hours would be expected as a sensible way forward.</p>	<p>A specific sensitivity test has not been undertaken for this assessment but data provided to NRW in relation to a similar application at Hirwaun clearly demonstrated that the factoring approach is an inappropriate method, with absolute maximum concentrations no more than plus or minus 10% of the factored result. Within the context of a dispersion model study this is not significant.</p>
		<p>B.4.4. The stack height sensitivity assessment should consider all relevant regulatory requirements for both short and long term impact assessment.</p>	<p>We confirm that the assessment considered all relevant regulatory requirements for both short and long term impact assessment</p>

Table 8: Noise and Vibration

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping)	The SofS notes the intention for noise monitoring locations for the	PB has held discussions with Huw Morgan (EHO at CCS) to

	Opinion, para.3.32)	baseline assessment to be agreed with the local EHO but draws attention to the comment from NRW that the discussion on noise monitoring also needs to be communicated to NRW with particular reference to an A1 EPR permit which will include noise conditions.	agree survey methodology (including monitoring locations). NRW has also been included in this consultation process. See Consultation Report (Document Reference 5.1.0) for further details.
2	<b>SofS</b> (Scoping Opinion, para.3.33)	The SofS draws attention to the comments of NRW regarding the requirements of the Environmental Noise Directive, and the Environmental Noise (Wales) (Amendment) Regulations 2009, which have introduced a 'Noise Action Plan for Wales.' This covers industrial noise sources, impacts on designated Quiet Areas and the impact of creeping background, and should be taken into consideration by the applicant.	Noted. This Local and National Policy is referred to in this study, and is included in Chapter 7 of the ES.
3	<b>SofS</b> (Scoping Opinion, para.3.34)	The SofS recommends that information be provided on the types of vehicles and plant to be used during the construction phase. Noise impacts on people should specifically be addressed and in particular any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.	See detailed construction noise calculations in Appendix 7.1 of the ES.
4	<b>SofS</b> (Scoping Opinion, para.3.36)	The SofS recommends that the noise and vibration assessment takes account of traffic movements along access routes during the construction phase.	See Chapter 7 of the ES which takes account of traffic movement along the access routes.
5	<b>SofS</b> (Scoping Opinion, para.3.37)	The noise assessment should accurately identify the proximity of the identified noise sensitive receptors to the proposed development. With regards to the operational noise assessment, this should cover all modes of operation of the proposed development.	See Chapter 7 of the ES which identifies six noise sensitive receptors. Insert 7.1 shows their location and paragraph 7.x.x states how far the noise sensitive receptors lie from the Generating Equipment Site.
6	<b>NRW</b> – letter dated 22 <sup>nd</sup> July (Page 4)	The report does reference the BS4142 standard in assessing noise, which should also consider noise characteristics. This being the case it is recommended that the company also capture the existing noise characteristics. I.e. tonal assessment/third octave baseline data.	A tonal noise assessment has been undertaken to capture this information as set out in Appendix 7.1 of the ES. This assessment has been discussed with CCS.
7	<b>NRW</b> – letter dated 22 <sup>nd</sup> July (Page 4)	Noise mitigation measures on an EPR Installation should be in accordance with our (EA/NRW) Horizontal Guidance Note (H3) Part 2 – Noise Assessment and Control.	Noted. All mitigation measures comply with the Horizontal Guidance Note (H3) Part 2.
8	<b>NRW</b> – letter dated 22 <sup>nd</sup>	In relation to the design aspects of the plant, we would suggest that the applicant designs the operation with no additional noise load on to background in line with the "Noise Action Plan for Wales". Noise	Addressed in Section 7.7 of the ES.

	July (Page 5)	mitigation measures should also include reference to use of acoustic enclosures and cladding for plant and pipe work or ducting likely to produce noise under all operating conditions including abnormal operation.	
9	<b>NRW</b> (14 <sup>th</sup> Nov 2014)	C.1.1. Whilst the PEIR submission states that the noise monitoring locations were agreed with us and the Local Authority, we note that we do not appear to have been in dialogue with the consultants in regards to this matter.	C.1.1. Consultation with CCS was undertaken to agree the methodology for the ambient noise survey, as detailed in the Consultation Report (Document Reference 5.1.0). The frequency data is now included in the baseline survey report, which is provided in Appendix 7.1. The consultants have also received comments on the PEIR which have been taken into account in the assessment.
		C.1.2. The ambient noise survey was conducted in accordance with the relevant standards but key frequency data is omitted from the report which was requested by the SofS and confirmed to be captured by the contractor. The PEIR outlines that at each identified Nearest Sensitive Receptor location the sound level is predicted to range between 40 dB to 47 dB LAeq which would result in a major noise impact at the receptor locations. These figures have been produced without factoring in any mitigation. What mitigation is planned to attenuate this increase in noise against the current background? Will each of the measures being proposed reduce the noise levels to an acceptable level? We have not had access to the modelling files to agree the figures suggested in the PEIR.	C.1.2. The PEIR noise modelling study was based on the preliminary information. Detailed modelling has now been undertaken for the ES, superseding the predicted noise levels provided in the PEIR. A noise contour plot to show the results of the modelling exercise is provided in Appendix 7.1.  All noise mitigation measures are detailed in Section 7.7 of the ES.  The noise modelling files can be made available upon request.
		C.1.3. Increased noise levels are likely to be perceived during start-up. What levels are likely above background and how will this be mitigated?	C.1.3. Mitigation will be designed so the plant does not exceed background during all operational modes. Proposed measures for mitigation are outlined in the mitigation section (Section 3.5 of the ES).

	<p>C.2.1. Section 2.1.1 states that the survey was undertaken to quantify existing noise levels at nearest sensitive receptors. We were expecting a tonal assessment to be carried out in tandem with the noise survey. This was specified in our letter dated 22 July 2014 sent by us (ref SH/2014/116929/01) and confirmed by you.</p>	<p>C.2.1. Short term sampling noise measurements were recorded in 1/3 octave bands to allow for spectral analysis of tonal noise. Data on the measured spectrum at each location have been included in a revised issue of the baseline survey report to demonstrate that baseline conditions are not influenced by significant changes in tonal characteristics from existing developments. The revised baseline noise survey report is provided in Appendix 7.1.</p>
	<p>C.2.2. Slight and minor adverse effects are predicted at sensitive receptors during the construction phase of the project. The LAeq seems to be significantly higher than the LA at each of the sensitive receptors. The proposed mitigation to this is site hoarding to mask the activities. Will this afford any real mitigation against the increased noise levels other than removing direct line of sight?</p>	<p>C.2.2. Construction noise mitigation measures are set out in the noise CEMP. The results of the ES construction noise predictions are set out in Table 7.15. The site hoarding will provide a moderate level of noise reduction to low level receptors.</p>
	<p>C.2.3. Section 2.1.2 states that 'short-term sampling measurements were conducted...in order to capture the existing ambient noise level representative of that particular period'. You should explain why you feel a 30 minute sample which covered a 24 hour period would be representative to suggest that the sound was stable and not fluctuating.</p>	<p>C.2.3. The ambient noise survey methodology was discussed and agreed with the Environmental Protection officer at CCS prior to commencing the works. Short term sampling coupled with long term measurements are a standard method employed when access or safety precludes long term measurements at all locations. A full methodology and discussion is provided Sections 7.6 to 7.8.</p>
	<p>C.2.4. Additionally in section 2.1.2 it states that 3 day; 1 evening and 2 night samples will be taken. We would question this statement, it would appear the actual sampling undertaken was 2 day; 1 evening and 1 night for each nearest sensitive receptor.</p>	<p>C.2.4. As set out in the baseline survey report (Appendix 7.1 of the ES), the monitoring undertaken was as follows:  Daytime - 2 sets of samples  Evening - 1 set of samples  Night time - 2 sets of samples</p>

		<p>C3.1. Section 7.2.2 of the PEIR states that “The assessment methodologies used in the PEIR are the same as those that will be adopted for the EIA. However, the level of detail available at the PEIR stage is only sufficient to form preliminary conclusions and more detailed information will be required for the EIA.” You state that you have followed the BS 4142 methodology. BS 4142 assesses the likelihood of complaints by subtracting the measured background noise level from the rating level predictions at sensitive receptors. In order to conduct a robust BS 4142 assessment, representative background LA90 noise levels are required at sensitive receptors. The noise monitoring survey should therefore be conducted over a sufficient time period to determine typical background levels under all operational scenarios (days, nights, weekdays and weekends). Additionally measurements should be taken over relevant reference time intervals. Please note that BS 4142 is currently being revised and the new version is likely to be published soon. When conducting the noise survey and noise impact assessment it is appropriate to follow the most recently published British Standards.</p>	<p>C.3.1 The baseline methodology for this assessment is provided in Sections 7.6 to 7.8 of the ES. The ambient noise survey was undertaken in August 2014, prior to the release of the revised BS4142; as such the reference time intervals used are based on the 1997 version, i.e. 5 minute intervals for night time. It is a common misconception that measurement and assessment time periods have to be the same – this is not the case. Shorter measurements can be applied where reasonable judgements can be made that these are equally representative of longer measurements. PB is satisfied that this is the case in this instance, and therefore the assessment is compliant with the new standard. The ES methodology for operational noise impact is based BS4142: 2014.</p>
		<p>C.3.2. In section 7.2.1 there is no reference to Environment Agency’s horizontal guidance note for noise.</p>	<p>C.3.2. This is included in Section 7.5 of the ES.</p>
		<p>C.3.3. It is recommended that an overview of ‘A Noise Action Plan for Wales 2013-2018’ is provided in the relevant policy and guidance section with particular emphasis on the importance of ‘sustainable development principles’ and ‘creeping background’.</p>	<p>C.3.3. This is now included in Section 7.2 of the ES.</p>
		<p>C.3.4. Section 7.3.3 of the PEIR states that ‘discussions were held with CCS and NRW in August 2014 to agree a study area, a noise survey methodology, and suitable locations for the survey measurement positions’. We would question whether we were consulted on this.</p>	<p>C.3.4. Please see response C.1.1.</p>
		<p>C.3.5. In section 7.3.4 there is an exclusion of a tonal assessment (please see our earlier comment on this matter).</p>	<p>C.3.5. Please see response C.1.2.</p>

		C.3.6. In Table 7.5, there are references to “Bergelli farm” and these continue throughout the report. We presume this should be Abergelli.	C.3.6. The typo has been rectified in the ES.
		C.3.7. In section 7.3.6 there is a reference to weather data and this was raised in the review of the ‘Ambient Noise Survey Report’. We would like confirmation of how weather data was collected.	C.3.7. This was undertaken using Swansea MET office data, which can be made available upon request.
		C.3.8. Please note that will not comment on construction/decommissioning or off site traffic noise - this is a role for the Local Authority.	C.3.8. Noted.
		C.3.9. In Table 7.9 there is reference to ‘slight adverse’ effects but it is unclear whether you are referring to ‘minor adverse’ effects specified in Table 7.4 above. There is no justification as to why the sound levels from the gas and electrical connections are thought to be negligible.	C.3.9. The electrical and gas connections will be via underground cables and pipelines, there will be no noise producing elements above ground. This is discussed in detail in Section 7.10 of the ES.
		C.3.10. When submitting a noise impact assessment, as part of the permit application for an EPR permit, you should refer to Environment Agency document Noise Impact Assessment - Information Requirements 3 to inform yourselves of the expected requirements for a noise impact assessment submission.	C.3.10 The Environmental Permit application will refer to the EA Horizontal Guidance for Noise Document - IPPC H3 (Part 1). The assessment methodology for this noise study (Section 7.5 of the ES) has followed all requirements as set out in the Environment Agency H3 document.
10	<b>Local Resident</b> (Email dated 16/10/14 responding to consultation)	What are the levels (min/max) of noise and emissions from the station when operational? Where are these turbines currently used so that we have real life studies of their environmental impact?	The maximum noise levels will be set out in the Environmental Permit to which the operator must adhere. These levels are also included in Schedule 2 of the DCO. It is not appropriate to set a minimum noise level.
11	<b>Local Resident</b> (Email dated 27/10/14 responding to consultation)	We are very concerned about the impact from noise during the 2 year construction period and operation of the plant. Most important to us that there will be no ongoing impact from noise when the power plant is in operation.	Any noise impacts relating to construction and decommissioning activities will be temporary. The appointed contractor will be required to employ all best practice measures to minimise noise during the construction period. The Project incorporates embedded mitigation measures to ensure that any potential construction and decommissioning impacts are mitigated and therefore not significant. The construction noise mitigation

			measures will be secured via Schedule 2 of the DCO. These include specific measures to manage noise and vibration as well as a Construction Traffic Management Plan to minimise increased congestion and vehicle noise along the access routes. There are no significant impacts anticipated during operation, due to mitigation measures which will include silencers fitted to the exhaust stacks and acoustic enclosures around Generating Equipment. No operational impacts are anticipated from the Gas and Electrical Connections as they are underground.
12	NRW (letter dated 18 <sup>th</sup> March 2015)	C.1.1. We note that the monitoring locations are representative	Noted.
		C.1.3. The mitigation measures appear to be satisfactory but it is unclear what attenuation can be expected from the measures suggested against the calculated operational sound levels.	All mitigation proposed for the plant is embedded mitigation. The noise model has been prepared to include all of the embedded mitigation, as such the calculated noise levels presented in the operational noise study are the fully mitigated noise levels.
		C.2.1. Please can you direct us towards the snapshot of the measured spectrum at each location as we cannot find this in the baseline survey report.	The measured spectrum is provided in the Annex of the baseline noise survey report.
		C.2.4. We note that there is confusion around how many sampling runs were carried out as specified in the Baseline report. The baseline survey report states: <i>The measurement durations and time periods for each location were carried out.</i> Please can it be confirmed how many were carried out.	This is a slight confusion due to the terminology used in the baseline survey report. Daytime, as defined in TAN 11 and BS4142:2014 is between the hours of 07.00 and 23.00. During this time period 3 circuits of measurements were undertaken at the sensitive receptor locations.

Table 9: Ecology

	Organisation	Comment	Applicant's Response
1	SofS (Scoping Opinion, para.3.38)	The SofS recommends that surveys are thorough, up to date and take account of other development proposed in the vicinity.	Each survey report sets out the methodology used in line with standard guidance - these are summarised in Chapter 8 of the ES.
2	SofS (Scoping Opinion,	These should include surveys for otter in accordance with the recommendations of NRW.	Otter surveys have been undertaken in line with standard methodology. The results are presented in Appendix 8.2 of the

	para.3.38)		ES.
3	<b>SofS</b> (Scoping Opinion, para.3.39)	The SofS recommends that the assessment considers any potential impacts on the nature conservation sites in this area.	All designated sites within the zone of influence have been identified and assessment carried out in Chapter 8 of the ES.
4	<b>SofS</b> (Scoping Opinion, para.3.40)	The SofS notes the comments from NRW welcoming the resurveying of the locally significant habitats in Spring/Summer, and expects there to be discussions with the Planning Ecologist for the local planning authority with regards to sensitive siting of the development to mitigate impacts to nature conservation interests.	CCS and NRW have been consulted and have been provided with copies of survey reports. Detailed botanical surveys have been carried out in 2014 to inform the assessment and this information was used in the assessment in Chapter 8 of the ES. The results of the surveys are presented in Appendix 8.9 of the ES.
5	<b>SofS</b> (Scoping Opinion, para.3.40)	The SofS recommends that the proposals should fully address the need to protect and enhance biodiversity.	Addressed in Chapter 8 of the ES.
6	<b>SofS</b> (Scoping Opinion, para.3.40)	The assessment should cover habitats species and processes.	Addressed in Chapter 8 of the ES.
7	<b>SofS</b> (Scoping Opinion, para.3.41)	The assessment should take into account air quality (including dust) and noise and vibration impacts, and cross reference should be made to these specialist reports.	The assessment in Chapter 8 of the ES takes account of the air quality (Chapter 6) and noise (Chapter 7) chapters where relevant.
8	<b>SofS</b> (Scoping Opinion, para.3.43)	The SofS notes the comments of NRW regarding the presence of peat on site, and expects the ES to contain further clarification about the location of the peat and the impact of the proposed development upon it.	Addressed in Chapter 8 of the ES.
9	<b>SofS</b> (Scoping Opinion, para.3.44)	The SofS notes the comments of NRW regarding the potential impact to local watercourses and recommends the maintenance of open watercourses with wide buffer strips in the design of the development.	Buffer strips have been provided in the drainage strategy (Appendix C of Appendix 9.1 of the ES).

10	<b>SofS</b> (Scoping Opinion, para.4.2)	The SofS notes that Burry Inlet Ramsar Site and SPA, Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC are all located with 10km of the proposed development site. The submitted information should be sufficient for the Competent Authority (CA) to make an appropriate assessment (AA) of the implications for the site if required by Regulation 61(1) of the Habitats Regulations. The applicant should note that the CA is the SofS.	Habitat Regulation Screening Assessment (Stage 1) has been prepared and the assessment is presented in the No Significant Effects Report (NSER, see Document Reference 5.5.0). The Report concluded that there would be no significant effects on Burry Inlet Ramsar Site and SPA Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC and a full HRA was not required.
11	<b>SofS</b> (Scoping Opinion, para.4.5)	Where there may be potential impacts on the SSSIs, the SofS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act).	All impacts in relation to SSSIs have been addressed in Chapter 8 of the ES.
12	<b>SofS</b> (Scoping Opinion, para.4.8)	If applicants consider it likely that notification may be necessary under s28(l), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SofS. 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)(l) 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.	All impacts in relation to SSSIs have been addressed in Chapter 8 of the ES. No significant impacts have been identified on any SSSIs situated within the zone of influence.
13	<b>SofS</b> (Scoping Opinion, para.4.9)	Where a potential risk to an 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.	Addressed in Chapter 8 of the ES and additional information will be provided where necessary. In line with the current baseline no EPS licence is required.
14	<b>SofS</b> (Scoping Opinion, para.4.10)	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.	Addressed in Chapter 8 of the ES and additional information will be provided where necessary. . In line with the current baseline no EPS licence is required.
15	<b>SofS</b> (Scoping Opinion, para.4.11)	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	Addressed in Chapter 8 of the ES and additional information will be provided where necessary. In line with the current baseline no EPS licence is considered necessary.

		the EPS licence being granted.	
16	<b>NRW</b> (14 <sup>th</sup> Nov 2014)	<p>D.1. Habitats</p> <p>D.1.2. We reiterate our comments made previously that we would welcome further justification if the final location for the Generating Equipment Site and Temporary Laydown Area is decided to be on an area of marshy grassland (also known as Purple moorgrass and rush pasture), and why it cannot be located on areas of improved grassland, which would be less ecologically damaging. Marshy grassland is a habitat listed under section 42 of the Natural Environmental and Rural Communities (NERC) Act 2006 and under the City and County of Swansea's (CCS) Local Biodiversity Strategy and Action Plan. CCS have a duty under section 40 of the NERC Act, to have regard to conserving biodiversity; and therefore we advise that CCS's Ecologist is consulted regarding section 42 habitats and species in order to take account of possible adverse effects on such interests.</p>	<p><i>D.1. Habitats</i></p> <p>D.1.2. The Temporary Laydown Area is situated within a field of improved grassland, whilst the Generating Equipment Site is situated partially within fields of improved and semi-improved grasslands and two fields of marshy grasslands. The loss of this habitat could not be avoided, however suitable mitigation measures will be provided to replace the habitat lost. The proposed landscape and ecological mitigation plans are included in the ES.</p>
		<p>D.1.3. We advise that the predicted habitat losses should be quantified in the ES. This is particularly important when working with CCS's Ecologist to agree a mitigation/compensation scheme.</p>	<p>D.1.3. Habitat losses for all Valued Ecological Receptors have been quantified in the ES.</p>
		<p>D.1.4. We note the references to section 2.13 of the PEIR and embedded mitigation throughout section 8 Ecology; however there is not sufficient reference to ecological mitigation and monitoring in Section 2.13.</p>	<p>D.1.4. At the time of preparation of the PEIR most of the ecological surveys were on-going and therefore the full extent of the ecological mitigation was not yet known. The ecological surveys have now all been completed and suitable ecological mitigation designed and detailed in the ES.</p>
		<p>D.1.5. In section 2.11.1 Table 2.1 Access Road Comparison table, we would suggest the ecological impact considerations are also included in this table.</p>	<p>D.1.5. Only one option has been taken forward and assessed in the ES therefore comparison table has not be included. All potentially significant impacts arising from the final access route option have been fully detailed in the ES.</p>

		<p>D.1.6. We also refer to our previous comments in our scoping response letter in relation to the watercourses and wetland habitats and their associated species and advise that further consultation with ourselves is carried out before detailed site layout plans are drawn up and submitted at draft ES stage.</p>	<p>D.1.6. The ecological surveys including watercourses and wetland habitats have now all been completed and suitable ecological mitigation designed and detailed in the ES. Due to short timescales for the submission of the ES it was not possible to issue a full draft ES to NRW for comments, however we provided all ecological survey reports for comment.</p>
		<p>D.2. Access</p> <p>D.2.1. We note the project is looking at two access options. Option one would result in some habitat losses to Sites of Importance for Nature Conservation (SINC) through road widening. Option two would also result in habitat losses, but to a greater extent. The losses resulting from option two would result in permanent loss of ancient woodland which cannot be mitigated.</p>	<p><i>D.2. Access</i></p> <p>D.2.1. .Only one option has been taken forward and assessed in the ES. This option will lead to permanent loss of Ancient Woodland and it is acknowledged that this cannot be fully mitigated. The decision making process has taken account of the ecological impact as well other significant factors such as consideration for the local residents and overall it was considered that this option fulfilled most requirements. The loss of ancient woodland was minimised through design where possible.</p>

	<p>D.2.2. We note that there has already been a significant loss of woodland in this area as a result of industrial development and that the remaining woodland on and around the site was reclassified as Plantations on Ancient Woodland Sites (PAWS) under the Ancient Woodland Inventory (AWI) dataset in 2011. Section 5.2.9 of Planning Policy Wales Chapter 5: Conserving and Improving Natural Heritage and the Coast states that ‘Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage.’ We advise that any proposed loss of woodland should be avoided.</p>	<p>D.2.2. We welcome the additional information on the reclassification of the woodland section which was not available before, The decision making process has taken account of the ecological impact as well other significant factors such as consideration for the local residents and overall it was considered that this option fulfilled most requirements. The loss of ancient woodland was minimised through design.</p>
	<p>D.2.3. Once the final access route has been selected, should the route require any road widening/improvements, we advise that further survey work is carried out on the external access roads which have not been included in the Phase 1 habitat survey and possible subsequent protected species survey work.</p>	<p>D.2.3. All areas where works are proposed as part of the Project have been included in the ecological surveys and where information was missing the surveys were updated. The update Phase 1 habitat assessment is presented in the updated Preliminary Ecological Appraisal which is presented in Appendix 8.1 of the ES.</p>

		<p>D.4. Invasive Species</p> <p>D.4.1. With reference to invasive species found on the site, we note that five invasive species have been found. Section 8.3.22 describes invasive species identified during the site surveys. We advise that appropriate measures must be implemented for the removal or long-term management of the identified invasive species on site. Japanese Knotweed is classed as controlled waste under the Environmental Protection Act 1990 and as such must be disposed of in a suitable manner.</p>	<p><i>D.4. Invasive Species</i></p> <p>D.4. The ES (Chapter 8) identifies where invasive species will be directly affected by the Project and the Outline Ecological Management Plan (Appendix 8.14) detail control measures in line with legislative requirements and best practice guidelines.</p>
		<p>D.5. Species</p> <p>D.5.1. We note that all the standard ecological surveys have been carried out; however analysis of some of the surveys is still being carried out and the final design is yet to be decided therefore we will not be providing detailed comments on the impacts at this stage. We would be happy to provide comments on the survey work and results prior to the draft ES stage should you wish to consult us.</p>	<p><i>D.5. Species</i></p> <p>D.5.1 Due to short timescales for the submission of the ES it was not possible to issue a full draft ES to NRW for comments, however we have provided all ecological survey reports for comment.</p>
		<p>D.6. Otters</p> <p>D.6.1. Ecological conditions can change over the short term, we would recommend regularly re-surveying for otters in the watercourse where an otter spraint was found and the watercourses identified as having potential to support otters.</p>	<p><i>D.6. Otters</i></p> <p>D.6.1. We are in agreement with the need of re-survey for otters before works commence on site and the need for this is captured in Chapter 8 of the ES.</p>

		<p>D.7. Watervoles</p> <p>D.7.1. The details of the watervole survey in the PEIR Appendix appear to be inconclusive as to whether there are water voles on site. The surveys found no signs of recent activity but there was suitable habitat and holes. At the time of writing the report there were only historic watervole records from 1996 available for the River Llan but an active population of watervoles has recently been found downstream at Penllergaer. We would recommend that further watervole surveys are carried out in May when the voles are very active.</p>	<p><i>D.7. Water voles</i></p> <p>D.7.1. The water vole survey found no conclusive evidence of water voles but that suitable habitat is present on site. The ES takes into account the potential for this species and further re-survey for water voles will be undertaken before works commence during the active water vole season (the need for this is addressed in the ES).</p>
		<p>D.7.2. Protection and enhancement of suitable watervole habitat on site will be an important mitigation measure which we would like to discuss further in the future when detailed plans for the development are being considered.</p>	<p>D.7.2. As part of the drainage, landscape and ecological mitigation proposals, drainage ditches affected will be recreated and two attenuation ponds will need to be created. Also two ponds greater in size to the one lost will be created which will be subject to ecological enhancement measures. at least one drainage ditch and attenuation pond will need to be created. These features will be suitable for water voles should they colonise the site in the future.</p>

		<p>B.6. Habitats Regulations Assessment</p> <p>B.6.1. We advise that a Shadow Habitats Regulations Assessment (HRA) should be recorded by yourselves (as per PINS guidance Note 10). The HRA should test the likely significant effects of the development for all relevant receptor SAC, SPA and Ramsar sites, in light of impact pathways from the development itself (for example aerial emissions). These effects should be tested alone and if no likely significant effects concluded for a particular impact pathway on a site(s) alone, in-combination effects should then be tested for those parameters, according to any residual effects from this development and other relevant plans/projects. Guidance is available for competent authorities in recording HRAs (Assessing Projects Under The Habitats Directive - Guidance For Competent Authorities, CCW, 2011) and this may aid in recording a shadow HRA, in terms of main guiding principles of the HRA process. The guidance sets out the principles of the in-combination test as described above, including which plans/projects to consider within the in-combination test. Any likely significant effects identified should lead to the recording of a shadow Appropriate Assessment (or Report to Inform an Appropriate Assessment, or similar) to assess such effects further. The above guidance is available at the following URL (please note that this guidance has not been updated since 2011);</p> <p><a href="http://www.ccg.gov.uk/landscape--wildlife/managing-land-and-sea/environmental-assessment/habitats-regulations-assessmen.aspx">http://www.ccg.gov.uk/landscape--wildlife/managing-land-and-sea/environmental-assessment/habitats-regulations-assessmen.aspx</a></p>	<p>Habitat Regulation Screening Assessment (Stage 1) has been prepared and the assessment is presented in the No Significant Effects Report (NSER, see Document Reference 5.5.0). The NSER was submitted to NRW for comment in March 2015. The Report concluded that there would be no significant effects on Burry Inlet Ramsar Site and SPA Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC and a full HRA was not required.</p>
17	<p><b>Local Resident</b> (Letter in response to consultation)</p>	<p>Fen habitats support a large amount of plants and animals some can contain over 500 different species of plants and more than half the U.K. Species of dragon flies, and several thousands of other insect's species such as aquatic species. These would be lost if this development was to go ahead.</p> <p>The easterly edge of the proposed development there is an established wildlife pond. 50 years ago there were twice as</p>	<p>All habitats will be replaced where loss is unavoidable and enhancement measures will be implemented to improve habitat quality as set out in the Ecological Management Plan (Appendix 8.14 of the ES).</p>

		many ponds in the countryside than there are today. There destruction has meant a huge decline in wildlife in plants.	
18	<b>Local Resident</b> (Letter in response to consultation)	As you will be aware it is illegal, to disturb or destroy a badger sett, under the Badger Act 1992. The proposed site is crossed over with runs to their feeding grounds.	This has been considered in the Ecological Management Plan (Appendix 8.14 of the ES) and replacement habitat will be provided.
19	NRW (letter dated 18 <sup>th</sup> March 2015)	D.2.3. We note the submission of the Preliminary Ecological Assessment and its conclusion. We note that the further survey work has now been carried out and that these ecological surveys have been submitted to us for review. We are currently reviewing these documents and our comments will follow at a later date.	

Table 10: Water Quality and Resources

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.2.45)	The SofS notes that the ES is to contain a Flood Consequences Document. This document should include a description of which areas are at risk from flooding and the exact locations of all watercourses on site, including springs, streams and drainage ditches.	Included in the FCA (Appendix 9.1). The FCA identifies the locations of surface water features from OS mapping and topographic survey. At risk areas have been identified based on qualitative assessment and flood risk information available from NRW.
2	<b>SofS</b> (Scoping Opinion, para.3.45)	The SofS notes the comments of NRW that the Flood Consequences Assessment should include consideration of surface water drainage impacts and options for improving site surface water drainage to prevent localised flooding during extreme rainfall events.	Included in the FCA (Appendix 9.1). The FCA includes consideration of an outline drainage strategy for the scheme which will follow SUDS principles to mitigate the impacts of the development on surface runoff and localised flooding from extreme rainfall.
3	<b>SofS</b> (Scoping Opinion, para.3.46)	The SofS recommends that the applicant considers temporary attenuation ponds to allow adequate settlement of site generated run-off during the construction and decommissioning phases of the development. The SofS draws the attention of the applicant to NRW's comments that silt fencing, scour protection and Sedimats alone have been proven ineffective in this catchment due to its flashy nature.	Noted. Appropriate mitigation for run-off during construction has been summarised in Chapter 3 of the ES and incorporated into the CEMP.

	Organisation	Comment	Applicant's Response
4	<b>SofS</b> (Scoping Opinion, para.3.47)	The SofS recommends that the applicant ensures that it can be demonstrated that the surface water disposal scheme would cause no harm to local watercourses upon discharge.	Detailed assessment has been included in the FCA ((Appendix 9.1)) and Chapter 9 of the ES and confirms that there will no permanent significant effects on local watercourses.
5	<b>SofS</b> (Scoping Opinion, para.3.49)	The SofS notes the concerns of NRW regarding how sewage and waste waters would be managed at the site, the SofS recommends that details of proposed discharges are provided within the ES.	Included in Chapter 9 of the ES. Process waters will not be discharged on site. The outline drainage strategy states that foul effluent will be discharged on site, either via a package treatment plant or septic tank with infiltration if ground conditions allow, otherwise discharge to a local watercourse.
6	<b>SofS</b> (Scoping Opinion, para.3.53)	The SofS notes that NRW would set limits on the quantity of water that is discharged from the Power Generation Plant under an Environmental Permit.	Noted and discussed in the FCA ((Appendix 9.1)) and Chapter 9 of the ES.
7	<b>SofS</b> (Scoping Opinion, para.3.54)	The SofS notes the concerns of NRW regarding cooling water, it should be stated within the ES whether any cooling water would be required and if so where it would be derived from and discharged to.	Water cooling is required.
8	<b>SofS</b> (Scoping Opinion, para.3.55)	The SofS notes the concerns of Dwr Cymru (Welsh Water) regarding the potential impact of the development on water quality within the Lower Lliw Reservoir. It is recommended that the applicant assesses potential impacts on this reservoir including potential impacts from deposition and affected rainfall.	Migration of runoff from the site to the Lower Lliw Reservoir is through groundwater will be limited. It has been assessed in the ES (Chapter 9). The Direction of groundwater flow will be confirmed in the Ground Investigation which will be a requirement (Requirement 9) of the Draft DCO . Refer to Chapter 6 of the ES for the assessment of air quality effects.
9	<b>SofS</b> (Scoping Opinion, para.3.56)	The SofS recommends that the applicant consults Dwr Cymru regarding the 48" strategic water main that crosses the application site.	APL has been in contact with Dwr Cymru. The water main has been considered in the Indicative Site Layout Plans (Document ref: 2.6).
10	<b>PHE</b> (letter dated 23 <sup>rd</sup> July, page 6)	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	Included in Chapter 9 of the ES

	Organisation	Comment	Applicant's Response
		<p>surface water (used for drinking water abstraction) in terms of the potential for population exposure</p> <p>- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water.</p>	
11	<b>NRW</b> (letter dated 23 <sup>rd</sup> July, page 5)	The Llan in fact discharges to the Loughor Estuary on North Gower via Penllergaer, Fforestfach and Gowerton. Shellfish are harvested in the vicinity and so any impact assessment should also consider any potential for impact upon Designated Shellfisheries.	Noted. Chapter 8 of the ES has considered impacts on shellfish.
12	<b>NRW</b> (letter dated 23 <sup>rd</sup> July, page 6)	Groundwater contamination should also be a consideration when dealing with the landfill at the location. Although this landfill was operated as an inert landfill, this is not to say that it is exclusively filled with inert wastes. Any disturbance, or excavation, reuse, temporary storage and disposal of this material should not preclude the possibility of it containing non-inert and potentially hazardous substances. An assessment of this element of the scheme may be necessary in the form of trial pits or boreholes in order to determine materials present. NRW should be made aware of any adverse findings.	Chapter 10 of the ES assesses potential groundwater contamination from contaminated ground. Ground Investigation will assess contamination along the route and is secured in 9 requirement 9 of the draft DCO (Doc ref 3.1).
13	<b>NRW</b>	FCA should assess the impact of the development upon flood risk associated with the ordinary watercourses and River Llan, to ensure it is compliant with TAN15. The FCA should consider risk to the development itself and demonstrate any consequences to 3 <sup>rd</sup> parties.	An FCA has been prepared ((Appendix 9.1)) covering those matters highlighted.
14	<b>NRW</b>	SUDS should be implemented where possible, subject to ground conditions, in accordance with Section 8 of TAN15.	An Outline drainage strategy has been prepared for the development incorporating SUDS where feasible.
15	<b>NRW</b>	Confirm that FDC required for works within 7m of the River Llan and may be required for any other works that are likely to affect the main river, with detailed method statements incorporating pollution prevention and mitigation.	No works are proposed within 7m of the River Llan. Pollution prevention and mitigation measures have been incorporated into the CEMP.
16	<b>NRW</b>	Note that detail relating to discharge from the power generation plant has not been provided. Further detail to be provided in the	No process waters will be discharged at the site. Site discharges restricted to surface water runoff and foul effluent.

	Organisation	Comment	Applicant's Response
		ES with regards to discharge characteristics.	
17	<b>NRW</b>	A WFD screening assessment should be undertaken as part of the ES. New or changed river crossings should also be included in any screening assessment. Formal WFD assessment should be undertaken if potential impact on WFD compliance is concluded.	WFD assessment incorporated into this Chapter 9 which concludes the scheme will not affect WFD compliance
18	<b>NRW</b>	Applicant should fully assess ground instability and be satisfied that piling operations and any vibration associated with the construction process will not disturb or cause any fracturing of the Dwr Cymru/Welsh Water main that traverses the site. The same consideration applies to disturbance of any historic mine workings, adits or groundwater.	This is addressed in Chapter 10 of the ES which confirms that ground investigation will be carried out to inform the design and ensure that there will be no pollution resulting from the disturbance of mine workings. A Coal Authority Permit will also be obtained. A protective provision is included in the draft DCO to ensure that there will be no harm to the water main.
19	<b>NRW</b>	Note that EPR permits likely to be required for discharge from wheel washing facilities/damping down; abstractions for these activities; and dewatering.	Noted. Water abstraction will not be required. EPR permits will be obtained by the Contractor prior to construction for activities such as wheel washing facilities and dewatering of excavations as detailed in the "Other consents" document (Document Reference 5,4).
20	<b>NRW</b>	If the connection to the Swansea North substation is not permissible, alternatives should be submitted and discussed	Connection to the substation has been agreed with National Grid through the Connection Agreement (See Grid Connection Statement; Document ref: 9.1) and no alternatives are required.
21	<b>NRW</b>	Note that a non-mains drainage assessment must be undertaken if connection to a public sewer is not proposed for foul discharges, also that a EPR (or exemption) is required. NRW opposed to use of sealed cesspits for disposal of foul drainage.	The outline drainage strategy (Appendix C of Appendix 9.1 of the ES) identifies a package treatment plant as the preferred means of foul disposal.
22	<b>NRW</b>	Advise that watercourses in the catchment are failing as regards the WFD, and as such it may not be viable for any discharge from a foul drainage system to be directed to them. This would be determined should an application be submitted. Recommend consideration of an ancillary soakaway system.	Subject to confirmation of ground conditions, drainage strategy proposes an on-site soakaway for discharge of effluent from the package treatment plant. Foul discharges will be small, therefore it is expected they can be discharged via infiltration. If necessary an overflow would be provided discharging to the local drains.
23	<b>CCS</b>	FCA should consider flood risks to the site from the ordinary watercourses and necessary mitigation measures.	Addressed in the FCA (Appendix 9.1 of the ES).

	Organisation	Comment	Applicant's Response
24	<b>CCS</b>	Culverting is not considered an appropriate way to allow development to go ahead, generally consider culverting for short lengths for access only. Diversion of any watercourse on site would be more appropriate. An appropriate buffer zone should be left on both sides, with 7m as the starting point	Drainage strategy (Appendix 9.1 of the ES) proposes diversion of drains/watercourses that cross the site. Culverting restricted to access roads. Buffer zones provided except where space is constrained.
25	<b>CCS</b>	Fully support infiltration based SuDS systems, supported by a GI. If infiltration is not possible any design should work to greenfield runoff rates and use above ground systems to convey and manage water quality in a more holistic way.	Outline drainage strategy (Appendix C of Appendix 9.1 of the ES) has adopted these principles.
26	<b>Welsh Water</b>	Confirmed that concerns regarding potential contamination of the Lower Lliw reservoir relate to air pollution.	It is not possible to assess deposition on water and therefore assessing deposition on the reservoir could not be undertaken. However as the Project is a gas power station the only relevant pollutant is NO <sub>x</sub> and no metal deposition is expected.
27	<b>Local Resident</b> (Email dated 27/10/14 in response to consultation)	The River Llan floods regularly in periods of heavy rain. We need assurances that the proposed development is not going to worsen this.	A Flood Consequences Assessment has been prepared for the Project as part of the EIA, in accordance with the Welsh Government's Technical Advice Note 15: Development and Flood Risk (see Appendix 9.1 of the ES). We anticipate that while the Project may have some minor impacts on flood flows in the existing watercourses on the Site, any impacts can be minimised through careful design, with consideration of overland flow routes and local depressions. Surface water runoff from the developed site will either be discharged via infiltration, if ground conditions allow, or runoff rates will be restricted to existing greenfield rates for events up to the 100 year (with climate change allowance). The Project is considered to have a negligible impact on flooding in the wider area. In particular, the Project is not located within the floodplain of the Afon Llan.
28	<b>Local Resident</b> (Email dated 27/10/14 in response to consultation)	We have a private water supply. We need assurances that the quality of our water is not going to be affected in any way by the proposed development.	Measures have been embedded in the design of the Project and operational procedures to control water quality such that the residual effects of the Project, e.g. due to increased pollutants and sediment loads, are insignificant or neutral.

Table 11: Geology, Ground Conditions and Hydrogeology

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.60)	The SofS welcomes that the foundations of the development will be designed so as not to present a preferential pathway for contaminant migration if present at the project site. The SofS notes that this consideration should be extended to other works forming part of the development, including underground gas and electricity connections.	Addressed in Chapter 10 of the ES.
2	<b>SofS</b> (Scoping Opinion, para.3.61)	The SofS draws the attention of the applicant to the comments of the Coal Authority indicating that the site is in a Development High Risk Area, as the site has been subject to past coal mining activity and is located within an area of surface coal resource.	Obtained Coal Authority Report (see Appendix 10.1 of the ES) and mine abandonment plans. Findings summarised in Chapter 10 of the ES.
3	<b>SofS</b> (Scoping Opinion, para.3.62)	The SofS recommends that the applicant takes into consideration the location and stability of abandoned mine entries, the extent and stability of shallow mine workings, outcropping coal seams, unrecorded mine workings, hydrogeology, minewater and minegas.	Obtained Coal Authority Report. Findings summarised in Chapter 10 of the ES. The mine abandonment plans indicate the whole of the Project Site is overlying mine workings. However the depth to which is unknown. This will be investigated as part of the ground investigation works and reported in a mining risk assessment report, in which any remedial recommendations for stabilising the mine workings will be identified.
4	<b>SofS</b> (Scoping Opinion, para.3.63)	The SofS recommends that the applicant considers, if surface coal resources are present, whether prior extraction of the mineral resource is practical and viable. The applicant should also consider whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work.	Obtained Coal Authority Report. Findings summarised in Chapter 10 of the ES. There are no surface coal resources present. Coal Authority Permit is required.
5	<b>NRW</b> (letter dated 22 <sup>nd</sup> July, page 5)	Site survey work undertaken should take into account current environmental permitting and likely future requirements under the Industrial Emissions Directive (IED) to undertake intrusive works to gather baseline contamination data as part of the environmental permitting process.	This is identified in Chapter 3 of the ES as embedded mitigation.

6	<b>NRW</b>	<p>Requested information for the landfill, abstraction wells, discharge consents, and pollution controls or incidents</p> <p>Ground instability should be assessed and the applicant should be satisfied that piling operations and any vibration associated with the construction process will not disturb the Water Mains that traverses the Project Site, historic mine workings, adits or groundwater.</p> <p>Both landfills within the Project Site now fall outside NRW's regulation.</p> <p>A contaminated land risk assessment should be undertaken as part of the ES.</p>	<p>A Preliminary Geo-Environmental Risk Assessment (PRA) Report has been completed as part of the ES (presented in Appendix 10.1), which presents the documentation and drawings provided by NRW relating to the landfill and landfill extension within the vicinity of the Project Site. This information will be used to design the ground investigation.</p>
7	<b>PHE</b> (letter dated 23 <sup>rd</sup> July, page 6)	<p>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.</p>	<p>Ground investigation works are being undertaken and to intersect mine workings/coal seams a Coal Authority permit will be required.</p>
8	<b>CCS</b>	<p>The PEIR referred to a historic land use as an inert landfill and the results of the 'comprehensive ground investigation work' should be supplied to the LA.</p> <p>Take into consideration / protection of groundwater as there are private water abstractions in the area.</p>	<p>A ground investigation will be required prior to development and the report will be submitted to and approved by the LA prior to development works.</p>
9	<b>Coal Authority (CA)</b>	<p>Requested coal authority report and mine entry information. Followed up by requesting mine abandonment plans</p>	<p>Coal Authority provided all information requested. A permit/license will be required for any ground investigation activities that penetrate the coal measures strata. If coal seams/workings are not encountered during the ground investigation, the Coal Authority may not require a permit to be issued for the construction works if they are not going to be penetrated.</p>
10	<b>NRW</b> (14th Nov 2014)	<p>F. Chapter 10 Geology, Ground Conditions and Hydrogeology</p> <p>F.1. We note that there have previously been two landfills within the planning development boundary and that both sites now fall outside our regulation.</p> <p>F.2. A contaminated land risk assessment should be undertaken as part of the ES. You are advised to contact the local authority</p>	<p>F.2. A preliminary risk assessment has been completed as part of the ES (Appendix 10.1). This recommended that a ground investigation will be required in order to input into the design of the proposed development.</p>

		to agree the scope of the assessment as they are the lead authority for land quality.	
11	<b>Local Residents</b> (Responses to consultation in October 2014)	<p>This is agricultural land. That is what it has always been, and changing the use that is made of it would not only undermine its value as agricultural land but there would also be a danger of changing the nature of the whole area.</p> <p>The loss of agricultural land that has been in production for hundreds of years should not be allowed unless food production and the development can be managed alongside each other.</p>	<p>Abergelli Farm has a history of commercial and industrial uses, including Abergelli Colliery and a landfill site. The area surrounding the Project Site will continue to change over the next few years as demonstrated by the list of Projects with planning permission listed in Chapter 4 of the ES. These include a number of renewable energy projects.</p> <p>The agricultural land is of poor quality (grades 4 and 5) and is not currently used for food production (grazing of sheep only).</p>
12	NRW (letter dated 18 <sup>th</sup> March 2015)	<p>F.1. The landfills listed within the application site boundary have ceased to have a permit with NRW or Environment Agency Wales. We believe that they are likely to have been surrendered. We advise that you contact the City and County of Swansea as the lead regulator for land quality under the Contaminated Land Regulations as they may hold further information on this matter.</p> <p>We remind you that if there is limited information available on these sites, a need for further site investigation would be required.</p> <p>In relation to gas/water data requested as part of the working plan for the landfills, we have contacted our Access to Information Team (ATI) (<a href="mailto:accesstoinformationteam@naturalresourceswales.gov.uk">accesstoinformationteam@naturalresourceswales.gov.uk</a>) with your query. We have advised that the ATI contact you directly for further information on your query however queries can take up to 20 days to be responded to and there may be a charge for this service. We will keep you updated on any response we receive.</p>	

Table 12: Landscape and Visual Impacts

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion,	Within the Scoping Report it is stated that visual impacts of the proposed development on the Gower Area of Outstanding	The maximum stack height has been reduced to 40 m. The corresponding zone of theoretical visibility (ZTV, as shown in ES

	para.3.66)	Natural Beauty (AONB) will be scoped out of the assessment as the site is visually separated from the AONB by topography. The SofS expects that the ES should contain confirmation that the stacks required as part of the development, which will be up to 60m in height, will not be visible from the AONB. On the basis of providing such confirmation, the SofS agrees that these impacts may be scoped out of the assessment.	Figure 11.1) illustrates limited visibility of the Project Site from within the Gower AONB, which lies 10 km away. Views of the Project Site from within the Gower AONB are screened by intervening built development, woodland/hedgerows, and the undulating landform. Two of the preliminary viewpoints have been selected within the Gower (VP12 and VP13) and have been assessed and reported in Chapter 11 of the ES.
2	<b>SofS</b> (Scoping Opinion, para.3.67)	The SofS recommends that the applicant provides a description of existing landscape interests within and in the vicinity of the proposed development site.	This description is included in Chapter 11 of the ES.
3	<b>SofS</b> (Scoping Opinion, para.3.68)	The SofS recommends that lighting impacts be considered in the ES.	An outline lighting strategy has been drafted (Appendix 3.4 of the ES) and the impacts of lighting have been considered in the landscape chapter (Chapter 11).
4	<b>SofS</b> (Scoping Opinion, para.3.71)	It is recommended that the applicant takes into account any concerns raised by the relevant aerodrome license holders/operators.	The CAA has been consulted (see Chapter 15 of the ES). The CAA identified the potential to affect civil aviation in regard to the height of the stacks with particular reference to Swansea Airport. As part of the EIA the safeguarding zone mapping held by CCS has been consulted and the Project falls outside these zones. As a result it is concluded that the Project will not affect civil aviation activity.].
5	<b>SofS</b> (Scoping Opinion, para.3.72)	It is recommended that the applicant gives consideration to whether there would be any need for aviation warning lighting.	Noted. This is taken into account in the Project design.
6	<b>SofS</b> (Scoping Opinion, para.3.73)	The applicant should note National Grid's right of access to maintain, repair and inspect their asset, the need to maintain the statutory electrical safety clearances at all times and the requirement that no permanent structures are built directly beneath overhead lines.	This is taken into account in the Project design.
7	<b>SofS</b> (Scoping Opinion, para.3.74)	Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any high voltage conductors when those conductors are in their worst conditions of maximum 'sag' and 'swing'.	This is taken into account in the Project design.
8	<b>SofS</b> (Scoping Opinion,	The SofS recommends that where any landscaping is proposed, only slow and low growing species of trees and scrubs should be planted beneath and adjacent to the existing transmission line.	This is identified in the Outline Landscape Mitigation Strategy (Figure 11.5 of the ES). It is noted that drilling and excavation work should not be undertaken if it has the potential to disturb or

	para.3.75)	The applicant should note that drilling and excavation work should not be undertaken if it has the potential to disturb or adversely affect the foundations of an existing tower.	adversely affect the foundations of an existing tower.
9	<b>SofS</b> (Scoping Opinion, para.3.76)	The applicant should remain aware that National Grid has a Deed of Grant of Easement for each pipeline, preventing the erection of permanent or temporary buildings or structures, changes to existing ground levels, storage of materials etc.	Noted. Easements will be avoided.
10	<b>SofS</b> (Scoping Opinion, para.3.77)	The SofS recommends that where construction traffic cannot use existing roads it is agreed with National Grid at which locations construction traffic would cross any pipelines. The applicant should also note that written permission is required from National Grid before any works can commence in the National Grid easement strip.	Noted.
11	<b>SofS</b> (Scoping Opinion, para.3.78)	The SofS recommends that the applicant takes note of National Grid's requirements regarding the laying of cables across any pipeline as appropriate.	Noted. Proposed protective provisions to protect National Grid's interests are included in Schedule 11 of the draft DCO (Document Reference 3.1).
12	<b>SofS</b> (Scoping Opinion, para.3.79)	The SofS recommends that the applicant has an awareness of the Health and Safety Executive's guidance document HS(G) 47 'Avoiding Danger from Underground Services' and National Grid's specification for Safe Working in the vicinity of National Grid High Pressure gas pipelines and associated installations – requirements for third parties T/SP/SSW22.	Noted.
13	<b>SofS</b> (Scoping Opinion, para.3.80)	The SofS notes that any excavations within 3m of a National Grid High Pressure Pipeline or within 10m of an above ground installation the exact depth and position of the pipeline will need to be confirmed on site under the supervision of a National Grid representative.	Noted.
14	<b>SofS</b> (Scoping Opinion, para.3.81)	The SofS notes the comments made by the Health and Safety Executive in relation to electrical safety, it is recommended that it is ensured that the proposed design and future operations are compliant with the Electricity at Work Regulations 1989 and the Electricity, Safety, Continuity and Quality Regulations 2002 as amended.	This has been considered by the design team.
15	<b>SofS</b> (Scoping Opinion,	Where applicable the applicant will be required to gain property agreements with Network Rail's Easements and Wayleaves	Not relevant.

	para.3.82)	Team.	
16	<b>CAA</b> (Email dated 30 <sup>th</sup> June, Page 2)	The EIA must include a description of all the existing landscape interests within and in the vicinity of the proposed development. This should be done using former Countryside Council for Wales' LANDMAP methodology.	Included in Chapter 11 of the ES.
17	<b>CAA</b> (Email dated 30 <sup>th</sup> June, Page 2)	Such issues should all be addressed in the ES and visual appraisal of the scheme in addition to specific site issues such as: <ul style="list-style-type: none"> <li>• Development infrastructure – including cabling, ancillary buildings, working compounds should all be considered in the assessment, even if 'temporary' (i.e. only for the duration of construction works). The removal and disposal of any excavated materials such as soil or rock;</li> <li>• Creation of new access tracks and re-profiling of existing ones;</li> <li>• Transmission route connections to the main power grid; it is important that a landscape assessment of the connection route from the development to the power grid is included for consideration</li> </ul>	Included in Chapter 11 of the ES.
18	<b>NRW</b> (letter dated 22 <sup>nd</sup> July, page 9)	The EIA must include a description of all the existing landscape interests within and in the vicinity of the proposed development. This should be done using former Countryside Council for Wales' LANDMAP methodology ( <a href="http://www.landmap.ccw.gov.uk">www.landmap.ccw.gov.uk</a> ).	Summary LANDMAP data has been provided in the baseline information for the ES. Appendix 11.1 of the ES contains information on all five LANDMAP aspects for the study area.
19	<b>NRW</b> (letter dated 22 <sup>nd</sup> July, page 9)	Such issues should all be addressed in the ES and visual appraisal of the scheme in addition to specific site issues such as: <ul style="list-style-type: none"> <li>• Development infrastructure – including cabling, ancillary buildings, working compounds should all be considered in the assessment, even if 'temporary' (i.e. only for the duration of construction works).</li> <li>• The removal and disposal of any excavated materials such as soil or rock;</li> <li>• Creation of new access tracks and re-profiling of existing ones;</li> </ul>	These issues have been considered in Chapter 11 of the ES.

		<ul style="list-style-type: none"> <li>Transmission route connections to the main power grid; it is important that a landscape assessment of the connection route from the development to the power grid is included for consideration</li> </ul>	
20	<b>NRW</b> (letter dated 22nd July, page 9)	The ES should also consider the presence of any historic landscapes in the area and the potential impact that the proposed development may have on these.	The ES assesses archaeological historical receptors in Chapter 13. The Landscape Chapter considers issues related to setting, the historic landscape where it contributes to character and any relevant Historic Parks and Gardens.
21	<b>NRW</b> (letter dated 22nd July, page 9)	The ES should consider protected landscapes in the vicinity of the proposals.	Protected landscapes have been considered in the ES and the Gower AONB in particular. The Brecon Beacons National Park is not affected by a stack of 40 m (refer to ZTV) due to the intervening distance and the National Park Authority has confirmed that the scoping out of the National Park is appropriate..
22	<b>NRW</b> (letter dated 22nd July, page 9)	We advise that views in photographs and photomontages taken to assist with this process should be representative of that observed from each viewpoint and not partially obscured by structures such as buildings, pylons, telegraph poles, trees etc.	All photos taken adhere to the Landscape Institute guidelines on photography.
23	Joint response by <b>National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG)</b>	<p>National Grid Electricity Transmission has four high voltage electricity overhead transmission lines and two substations which lie within the proposed order limits.</p> <p>If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.</p> <p>If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.</p>	Noted – The outline landscape mitigation proposals shown in Figures 11.5 Outline Landscape Mitigation Strategy are at a preliminary stage. The detailed landscape proposals will be developed in accordance with National Grid guidance after the engineering design has been finalised. The proposals will be developed taking into account all relevant constraints. The drawings will identify proposed changes to ground levels, the mature height of planting and statutory safety clearances beneath overhead lines.
24	<b>NRW</b>	<p>We welcome that a Landscape and Visual Assessment (LVIA) will be conducted, following the most up to date guidelines as outlined in section 5.8.7 of the main scoping report.</p> <p>The EIA must include a description of all the existing landscape</p>	Noted – see more recent response to NRW below [NRW, 14 <sup>th</sup> Nov 2014]

	<p>interests within and in the vicinity of the proposed development. This should be done using former Countryside Council for Wales' LANDMAP methodology. NRW would expect any Environmental Statement (ES) to demonstrate use of all five data sets in the LVIA for the application. These include: Geological Landscape; Landscape Habitats; Visual &amp; Sensory; Historic Landscape; Cultural Landscape</p> <p>Visual appraisal of the scheme in addition to specific site issues should consider: Development infrastructure – including cabling, ancillary buildings, working compounds, should all be considered in the assessment even if temporary. The removal and disposal of any excavated materials such as rock or soil. Creation of new access tracks and re-profiling of existing ones. Transmission route connections to the main power grid; it is important that a landscape assessment of the connection route from the development to the power grid is included for consideration.</p> <p>The ES should also consider the presence of any historic landscapes in the area and the potential impact the proposed development may have on these, which is noted in section 5.8.7 of the report.</p> <p>The ES should consider protected landscapes in the vicinity of the proposals.</p> <p>It is vital that the LVIA utilises appropriate viewpoints as there is the potential for the proposals to be visible from a wide area. Section 5.8.11 refers to follow up consultation with relevant stakeholders over selection of photomontages from key sensitive viewpoints. We would be happy to provide advice concerning this selection.</p> <p>We note that detailed grid references are not included for currently proposed viewpoints, making us unable to comment on their suitability at this stage.</p> <p>We advise that an additional viewpoint from Brecon Beacons National Park be considered.</p> <p>We advise that views in photographs and photomontages taken from these viewpoints be representative of the views and not partially obscured by buildings and trees.</p> <p>The ES should consider the proposed lighting impacts upon</p>	
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		<p>receptors in the vicinity of the project.</p> <p>We advise that a night time visual effects is carried out to assess level of night time illumination (should there be any).</p>	
25	<b>CCS</b> (23 <sup>rd</sup> July 2014)	<p>Additional development applications to consider for the Cumulative Assessment in the EIA:</p> <p>a. Planning Application 2012/1221 Mynydd y Gwair Wind Farm – 16 wind turbines with new access road from A48 (Bolgoed Road at Pontarddulais, approximately 14.54km in length).</p> <p>b. Planning Application 2006/0773 Felindre Business Park – Business park for B1 and B2 use on 195 hectares.</p> <p>c. Additionally the Felindre LDP/Candidate Site should be considered. The assessment fails to have regard to the Local Development Plan: Preferred Strategy, July 2013.</p> <p>Whilst the suggested viewpoint locations appear to be indicative of the surrounding area, following a meeting with the developer, the Zone of Theoretical Visibility (ZTV) has been requested to assist in assessing the adequacy of the proposed viewpoints.</p>	<p>Noted – the relevant developments, including Felindre Business Park, have been considered under cumulative effects.</p> <p>ZTVs for the tallest structures within the Generating Equipment Site are shown on Figure 11.1 Site Location, Study Area, and ZTV.</p>
26	<b>CCS</b> (24 <sup>th</sup> July 2014)	<p>Cumulative assessment - a new planning application received: Planning Application no. 2014/1022 which consists of the installation of a solar park with 47,000 solar panels on land at Brynwhilach Farm, almost immediately to the west of the proposed Abergelli Power Plant.</p>	<p>Noted – the relevant development has been considered under cumulative effects.</p>
27	<b>NRW</b> (14 <sup>th</sup> Nov 2014)	<p>G.1 Scope of the assessment</p> <p>G.1.1 There does not appear to be any evidence presented on the consideration of alternative sites for the power generation plant. We advise that this should be included in the EIA.</p>	<p>G1.1 Chapter 5, Section 5.2 sets out the reasons for the Project Site selection.</p>
		<p>G.1.2 A 15km study area is considered acceptable for the Zone of Theoretical Visibility (ZTV) based on a maximum 40m stack height.</p>	<p>G1.2 Noted</p>

		<p>G.1.3 In order to 'scope out' impacts on the Gower AONB and Brecon Beacons National Park, it would be helpful to provide single frame photographs at A3 size from viewpoints within these designations and within the 15km study area. This would help to demonstrate whether there are likely to be significant effects on these designations.</p>	<p>G1.3 Locations were selected within the Gower AONB (VP12 &amp; VP13), however on visiting the area in and around the viewpoints it was clear that the project site would not be visible within these long distance views. These viewpoints were therefore not included in the assessment and no photography taken. The Brecon Beacons lies beyond the visible range of the Project Site. This has been confirmed by the National Park Authority in an email dated 19<sup>th</sup> September 2014.</p>
		<p>G.2 Photomontages G.2.1. We would recommend that the photomontages (when selected) include single frame extracts from the panoramas (40 degree angle of view), reproduced at A3 size. These can be held up in the field and can reasonably demonstrate the level of detail seen with the eye. The panoramas help to provide context.</p>	<p>G2.1 Noted. Photomontages have been produced at A3 size to illustrate a high level of details whilst being suitable for use in the field.</p>
		<p>G.3 LANDMAP &amp; Landscape Sensitivity G.3.1. Table 11.2 and 11.3 descriptions should recognise that these are typical features of the various category of sensitivity and not definitive e.g. landscapes not recognised by designations are not necessarily of low sensitivity. The level of sensitivity depends on the character of the landscape and the nature of the proposal. This is set out in Guidelines for Landscape and Visual Impact Assessment (GLVIA3) 2013.</p>	<p>G3.1 Noted. The criteria for sensitivity contained in Tables 11.2 and 11.3 provide broad guidance which is expanded further through published landscape character assessment and field survey.</p>
		<p>G 4 Landscape Character Assessment G4.1 The landscape character areas illustrated on figure 11.3 appear to be the visual and sensory aspect areas taken from LANDMAP. This should be clarified. The assessment of landscape character sensitivity appears to only consider the visual and sensory aspect and not all five aspects. The overall evaluation used in the Landscape and Visual Impact Assessment (LVIA) only relates to the visual and sensory aspect. The overall evaluation for the geological, historical, cultural and habitats aspects vary within the site from high to outstanding. G4.2 The assessment of landscape character and sensitivity should consider information from all five aspect areas, not only</p>	<p>G4.1 Noted. Figure 11.3 Landscape Character Areas notes the character areas are LANDMAP landscape character areas. G4.2 Noted. All 5 Aspect Areas are now detailed and mapped in Appendix 11.1 LANDMAP Aspects Areas. A summary is included in the main text under Baseline Conditions.</p>

	<p>the visual and sensory aspect areas. As well as the overall evaluation for each aspect, the rarity/uniqueness evaluation for Geological Landscape, the connectivity/cohesion evaluation for Landscape Habitats, the scenic quality and character evaluation for Visual and Sensory and the rarity and group value for Historic Landscape and Cultural Landscape should be taken account of. Landscape character derives from all five aspects within LANDMAP. If the character assessment does not consider all 5 aspects it is likely to be flawed.</p>	
	<p>G.5 Selection of viewpoints and visual receptors G.5.1 It is unclear why houses in Llangyfelach are not considered in the residential visual receptors when the information states that there are views of the site from the village.</p>	<p>G5.1 Llangyfelach has been included in the assessment and the representative viewpoint is VP11.</p>
	<p>G.6 Lighting G.6.1 The LVIA should include an assessment of the visual effects of lighting e.g. the potential need for airport hazard lights.</p>	<p>G6.1 The Outline Lighting Strategy (ES appendix 3.4) indicates that the maximum stack height (40 m above ground level for one or two stacks) is below the threshold requiring safety lighting to prevent contact with aircraft. Therefore it was not considered relevant to the LVIA. The LVIA includes an assessment of proposed lighting within a currently unlit landscape.</p>
	<p>G.7 Construction Environmental Management Plan G.7.1 This should include proposals for the protection and storage of soils and the restoration of compounds and disturbed areas. Restoration should be appropriate to the surrounding landscape.</p>	<p>G7.1 Noted. Broad principles for soil handling and the reinstatement of temporary areas required for construction will be included in the Landscape Mitigation Strategy and in the CEMP.</p>

		<p>G.8 Mitigation</p> <p>G.8.1 There is currently very little information on the opportunities for mitigation. The area of land owned or available to you will influence the amount and effectiveness of mitigation and needs to be considered at the outset. There may be opportunities for advance planting. If insufficient land is available for mitigation the significance of effects is likely to be higher, therefore this has a direct effect on the potential acceptability of the proposals.</p>	<p>G8.1</p> <p>Mitigation is set out in the LVIA and is illustrated in Figure 11.5 Outline Landscape Mitigation Strategy</p>
		<p>G.9 Cumulative assessment</p> <p>G.9.1 A number of other wind farm and solar energy proposals have been approved and should be taken into account in the cumulative assessment, along with the other existing and planned development in the locality (e.g. Proposed Felindre Business Park and Sustainable Urban Village).</p> <p>G.9.2 Wind farms/turbines within the 15km study area include: Mynydd y Betws (operational), Mynydd y Gwair, Mynydd y Gwrhyd, Tyle Coch Mawr and Gilfach Renewable Energy Project (approved), Mynydd Marchywel (in planning).</p> <p>G.9.3 Solar farms within the 15km study area and in close proximity to the site include: Brynwhilach Farm (operational), Abergelli and Cefn Betingau/Rhyd-y-Pandy (approved).</p>	<p>G9.1/ G9.2/ G9.3 Noted – the relevant developments have now been considered under cumulative effects.</p>
28	<b>Local Resident</b> (Response to consultation in October 2014)	For my part, these plans do not mean a significant progress to enhance our local area; rather, they allow the destruction of an area of outstanding natural beauty.	The Project Site does not lie within an Area of Outstanding Natural Beauty (AONB), the closest being the Gower AONB to the south west of the Project Site. The impact of the Project on the AONB is considered in Chapter 11 of the ES.
29	<b>Local Resident</b> (Email dated 27/10/14 in response to consultation)	Given the scale of the proposal it does not seem possible that the plant will be entirely screened from view from Maes Eglwys Farm. However, I would like to know as much as possible about what is proposed in terms of lessening the visual impact.	<p>Photograph and photomontage images are provided as part of the ES to illustrate an observer's view of the existing Project Site and of the Project during operation. One of the viewpoint locations is the public right of way in close proximity to Maes Eglwys Farm. The landscape and visual impact assessment concludes:</p> <ul style="list-style-type: none"> <li>• During construction of the Power Generation Plant, mitigation for the potential adverse temporary landscape and visual effects will be in the form of retention of any</li> </ul>

			<p>existing vegetation, advanced screen planting and removal of any temporary structures or stockpiles as soon as possible. Maes Eglwys Farm is located to the south of the Generating Equipment Site and would see construction activity at both ground level and at height, as any new planting will not have matured. As a result, moderate adverse residual effects will remain for Maes Eglwys Farm during construction of the Power Generation Plant;</p> <ul style="list-style-type: none"> <li>• Construction of the Electrical Connection will be partially visible from Maes Eglwys Farm. As a result, slight adverse residual effects will remain for Maes Eglwys Farm during construction of the Electrical Connection;</li> <li>• Construction of the Gas Connection will not be visible from Maes Eglwys Farm; and</li> <li>• During operation, Maes Eglwys Farm will have partial views of the Generating Equipment, with the rest of the development screened by intervening vegetation. However, the stacks will be visible against the sky.</li> </ul>
30	NRW (letter dated 18 <sup>th</sup> March 2015)	<p>G.1.3. We note your comments regarding the viewpoint selection however we still recommend that evidence (i.e. A3 photos with site location marked) to demonstrate there is no visibility from the Gower AONB and Brecon Beacons National Park should be provided. This would aid in showing that this is not an issue and to scope out any impacts on these designated areas</p>	<p>An existing photograph from Viewpoint 13 (location shown on Figure 11.4) has been provided to demonstrate that the Project is not visible from the Gower AONB. Figure 11.2 (the ZTV) demonstrates that the Project Site is not visible from the Brecon Beacons National Park and the National Park Authority has confirmed that it is appropriate for the National Park to be scoped out of the assessment (email dated 19<sup>th</sup> September 2014).</p>
		<p>G.8.1. We note that mitigation will be set out in the Environmental Statement/Landscape Management Plan, however, it is unclear whether the land available for mitigation has been considered at this stage as this has a bearing on the amount of mitigation that can be achieved and the degree to which it can reduce impacts.</p>	<p>The Landscape Mitigation Strategy (Figure 11.5) and Ecological Management Plan (Appendix 8.13) includes all of the land required for mitigation and has been considered in the ES.</p>

Table 13: Archaeology and Cultural Heritage

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.90)	The SofS notes that the applicant may provide screen planting should the project give rise to any adverse impact on above ground heritage assets.	I Screen planting is included in the Outline Landscape Mitigation Strategy (Figure 11.5) which will reduce adverse impacts on heritage assets.
2	<b>SofS</b> (Scoping Opinion, para.3.91)	The SofS recommends the inclusion of aerial photographs and LiDAR within search information and draws the applicant's attention to the comments of Cadw in this regard.	Aerial photographs and LiDAR have been obtained and examined as part of the assessment and are considered in Chapter 13 of the ES.
3	<b>SofS</b> (Scoping Opinion, para.3.92)	The SofS directs the applicant to Cadw's comment regarding the referenced Standard and Guidance for Archaeological Assessment (2011) being superseded by the Standard and Guidance for historic environment desk-based assessment (2012).	Noted The 2012 standards were updated in 2014 when ClfA became chartered. This is reflected in the ES (Chapter 13).
4	<b>SofS</b> (Scoping Opinion, para.3.93)	It is recommended that photographs from each asset towards the development be produced and where an adverse impact is thought likely to occur a photomontage should be produced.	Photographs have been produced and archived, and photomontages have been prepared for those adversely affected assets and are referenced in the ES (Figure 11.6 to 11.22 and Document Reference 7.1).
5	<b>SofS</b> (Scoping Opinion, para.3.94)	The SofS directs the applicant to Cadw's comment regarding the reference to Registered Battlefields; as not applicable in Wales this reference should be removed, but the ES should include consideration of potential impacts to Registered Historic Landscapes.	References to Battlefields have been omitted and Registered Historic Landscapes included.
6	<b>SofS</b> (Scoping Opinion, para.3.95)	The SofS recommends that tranquillity be added to the list of factors considered relevant when assessing impacts on setting.	Tranquillity has been considered as a contributor of significance in the setting assessment in Chapter 13 and Appendix 13.1.
7	<b>Cadw</b> (letter dated 24 <sup>th</sup> July, page 1)	Searches should include aerial photographs as held by Central Register of Air Photography for Wales and also LiDAR information held by National Resources Wales.	Aerial photos and LiDAR data has been obtaining and assessed in the desk-based assessment (Appendix 13.1)
8	<b>Cadw</b> (letter dated 24th July, page 2)	This work should be undertaken by a Member of the Institute for Archaeologists (IfA) and ideally an IfA registered organisation.	This has been complied with.
9	<b>Cadw</b>	The following recommendations were made: Aerial photographs are included within the search information; photographs from each asset towards the development be produced and where an	Cadw's recommendations have been applied to the assessment.

		adverse impact is thought likely to occur a photomontage should be produced; The ES should include consideration of potential impacts to Registered Historic Landscapes; that tranquillity be added to the list of factors considered relevant when assessing impacts on setting.	
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Table 14: Traffic, Transport and Access

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.87)	The SofS recommends that the applicant consults Network Rail's Asset Protection Engineers if the development could result in abnormal loads using routes that include Network Rail assets such as level crossings/bridges etc.	Network Rail confirmed the requirement to consult Network Rail's Asset Protection Team in advance of any works commencing in order to mitigate any risk to Llangyfelach Rail Tunnel which passes under the B4489, which itself forms part of the access route to the Project Site. Network Rail confirmed that no other Network Rail infrastructure would be affected by the Project.
2	<b>Local Resident</b> (Response to consultation in October 2014)	There is major concern locally about the traffic that such a development is likely to cause... They are rural roads – for a farming community. Whichever route was chosen, it would have a detrimental impact on transport to Felindre school, as parents travel along both roads to reach the school.	An assessment of the effects of construction is set out in Chapter 12 of the ES. An Outline Construction Traffic Management Plan has been prepared in order to mitigate the effects of construction traffic, including avoiding using the roads at peak times.
3	Meeting with <b>CCS and Welsh Government</b> 7 <sup>th</sup> Aug 2014	Meeting held to discuss Project Assumptions regarding the traffic and transport element of the project.	Peak Period of Traffic Assessment Agreed with all parties and reported in the ES Chapter 12.  Accident Data Scope Agreed and reported in the ES Chapter 12.  Planning Assumptions Agreed with CCS and reported in ES Chapter 12
		The following items were discussed: Peak Period of Assessment	
		Accident Records	
		Planning Assumptions	

		Junction Assessments	Junction Assessments agreed to be carried out for: <ul style="list-style-type: none"> <li>• Pant Lasau Road / Heol Maes Eglwys</li> <li>• A48 (Clasemont Road) / Pant Lasau Road</li> <li>• Dumbbell Roundabouts either side of Jn46 M4</li> </ul> Assessments presented in Chapter 12 of the ES
		Traffic Distribution	Distribution agreed and presented in Chapter 12 of the ES
		Car occupancy rates	Car occupancy assumptions agreed and presented in Chapter 12 of the ES
		Arrival and Departure profile of construction workers, HGVs and Abnormal Loads	Arrival and Departure profile agreed and presented in Chapter 12 of the ES
		Trip Generation	Assessment included in Chapter 12 of the ES
		Non Motorised Users	Public Rights of Way assessed in Chapter 12 of the ES.
		Construction Traffic Management Plan	Construction Traffic Management Plan contained in Appendix 3.3 of the ES
		Travel Plan	Construction Worker Travel Plan contained in Appendix 3.2
		Data Collection	Data collection dates confirmed with CCS and presented in Chapter 12 of the ES
4	Further consultation with <b>Welsh Government</b> (email dated 30/09/14)	Agreement of meeting minutes from Welsh Government. Additional Information for the CTMP provided.	Assumptions incorporated into Chapter 12 of the ES. Additional information incorporated into the Outline Construction Traffic Management Plan (Appendix 3.3 of the ES).
5	Further consultation with <b>CCS</b> (email dated 13/11/14)	CCS have reviewed the scoping meeting note and do not consider that anything further needs to be raised at this point other than mention of a possible need for a road condition survey before and after construction. I also consider that Option 2 would be preferred as the access route to the site for all construction traffic.	Road condition survey will be secured via the Construction Traffic Management Plan. Access Option 2 has been selected as the Access Road for the Project.
6	Further	Information received regarding	Relevant data incorporated into Chapter 12 of the ES

	consultation with <b>CCS</b> (email dated 13/11/14)	<ul style="list-style-type: none"> <li>• Accident Data Contact</li> <li>• Felindre Strategic Business Park</li> <li>• Traffic Signal Data</li> <li>• Peak Periods of Assessment</li> </ul>	
7	Further consultation with <b>CCS</b> (email dated 25/11/14)	Confirmation of planning assumptions relating to Felindre Strategic Business Park, Park and Ride/Share site	Assumptions incorporated into Chapter 12 of the ES.

Table 15: Socio-Economics

	Consultee	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion)	The SofS welcomes that the assessment will be carried out in accordance with NPS EN-1 and will consider all relevant socioeconomic impacts such as tourism, influxes of workers and cumulative impacts.	No further action required
		The SofS welcomes that during construction, operation and decommissioning an effort will be made to use local goods and services, wherever possible.	No further action required
2	<b>Swansea Economic Regeneration Partnership (SERP)</b>	We are an umbrella body, representing 3rd sector organisations in the City and County of Swansea, we are unclear at this stage quite what we can contribute to your proposed approach but please do get in touch should you wish, for an initial discussion at the consultation stage.	No further action required
		We would be very happy to answer any specific questions that you have, in particular in relation to community infrastructure and are able to provide contact details for local 3rd sector organisations who you may wish to contact.	No further action required
3	<b>CCS</b>	From our perspective, we would be particularly interested in impacts being assessed at two geographical levels – “City and County of Swansea” (the local authority boundary area) and the “Swansea Bay City Region” (encompassing the four local	The socio-economic study area is defined as the area within a 60 minute drive time of the Project site. Direct employment impacts are unlikely to occur outwith this area.

	Consultee	Comment	Applicant's Response
		authority areas of Carmarthenshire, Neath Port Talbot, Pembrokeshire and Swansea areas) – in addition to the study areas you have defined. Our Unitary/Local Development Plan and the economic regeneration strategy we have adopted relate to these two areas respectively.	This study area does however cover the vast majority of the Swansea Bay City Region geographic area and accounts for around 7% higher population. See paragraph 14.5.3 of Chapter 14.
		In relation to labour market impacts, we would additionally wish to see the professional skills profile of the jobs created during the construction and operational phases to better gauge the project's employment value as well as identify opportunities locally/regionally for developing suitably skilled people to compete for jobs created by the project. Also, will the project provide opportunities for people to obtain work experience, training or apprenticeships?	An assessment of construction skills is provided in the Assessment of Socio-economic Effects section. See paragraph 14.7.6 and 14.7.24 of Chapter 14. The project will provide opportunities for people to obtain work experience, training and apprenticeships. The precise details of this are not, however, included in this assessment.
		Beyond visual impacts on sectors, and in addition to labour market and any specific community economic impacts, we would also be interested in potential economic impacts on businesses and particularly on relevant supply chain service providers in Swansea, the City Region and the other study area.	APL aim to provide mechanisms to encourage local businesses in supply chain opportunities.

Table 16: Cumulative Effects

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.3.69)	The SofS recommends that the applicant consider the inclusion of the following developments identified by Swansea Council including: Mynydd y Gwair Wind Farm, Felindre Business Park and Brynwhilach Solar Park.	These proposals have been considered in relevant cumulative assessments and are listed in Chapter 4 of the ES.
2	<b>SofS</b> (Scoping Opinion, para.3.70)	The SofS also recommends that the proposed sustainable urban village at Felindre is considered within the assessment.	Included where relevant in cumulative assessments – see list of projects considered for cumulative assessments in Chapter 4 of the ES.

Table 17: Other Issues

	Organisation	Comment	Applicant's Response
1	<b>SofS</b> (Scoping Opinion, para.4.17)	The SofS 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.	A table with details of other consents required has been prepared and submitted with the application (see Document Reference 4.4.0). Details are also provided at paragraph [xx] of Chapter 4 of the ES.
2	<b>SofS</b> (Scoping Opinion, para.4.21)	The SofS 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.	See Chapter 4 of the ES which confirms that no transboundary impacts are predicted. This is in accordance with the SofS's Screening Matrix <sup>1</sup> .
3	<b>Health and Safety Executive</b> (letter dated 21 <sup>st</sup> June, page 1)	The developer is advised to consider whether storage of hazardous substances is involved and, if so, whether Hazardous Substances Consent is required.	The Project is not a COMAH site, so a Hazardous Substances Consent is not required.
4	<b>PHE</b> (letter dated 23 <sup>rd</sup> July, page 7)	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.	The construction phase would be covered by the CEMP and the operational phase will be covered by the APL Operational Procedures.
5	<b>PHE</b> (letter dated 23 <sup>rd</sup> July, page 7)	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	The quantities of 'dangerous' substances stored at the plant do not meet the lower thresholds which require implementation of the COMAH Directive; instead the plant is subject only to national legislation (e.g. occupational safety and health regulations).
6	<b>PHE</b> (letter dated 23 <sup>rd</sup> July, page 11)	The promoter should consult the local authority, Food Standards Agency Wales and NRW.	The Applicant has consulted CCS and NRW and has met with CCS throughout the preparation of the application. It has not contacted the Food Standards Agency as their remit does not relate to gas-fired peaking plants.

<sup>1</sup> <http://infrastructure.planningportal.gov.uk/Document/2670507>

