



Ein cyf/Our ref: CAS-148026-Y9M8
Eich cyf/Your ref:

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10/05/2021

For the attention of Adrian Walters.

Dear Adrian,

FLINTSHIRE LOCAL DEVELOPMENT PLAN

RE: LAND ADJACENT TO CONNAH'S QUAY POWER STATION

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 30/4/2021 (email from Adrian Walters).

We note that there are two sites adjacent to the Connah's Quay Power Station, herein referred to as the 'Northern' and 'Southern' sites, which are due to be discussed at an upcoming Examination hearing. We note that the two sites were not included within the LDP by your authority, but that a participant in the Examination (Uniper UK Ltd.) is seeking to include these sites within the LDP allocations. You have requested our advice on matters relating to flood risk and protected sites that may be relevant to these two sites.

Please note that our comments are without prejudice to any comments we may wish to make when consulted on any subsequent consultations as part of the LDP process or any comments that we may wish to make on formal planning application submissions to develop any of the land within the identified sites. At the time of any other consultation there may be new information available which we will need to consider in making a formal response.

Flood Risk

Northern site

The Northern site is located partly within Zone C1 as defined by the Development Advice Map referred to under Technical Advice Note (TAN) 15: Development and Flood Risk (July 2004). The current Development Advice Maps do not take into account any climate change allowance.

We were approached by Uniper UK Ltd. on 23/10/2020 and provided initial advice (email dated 27/11/2020) on the scope of a Flood Consequences Assessment (FCA) that would be

expected for the site. However, we note that no FCA has been provided for the Northern site.

An FCA should be undertaken specifically for the Northern site. The FCA would need to allow for sea level rise at the site. The FCA for the Southern site has included a sea level rise of 1.19m. Therefore, when climate change is considered, the Northern site would be expected to flood to a significant depth if ground levels remain as existing.

In view of the above, we advise that further work (an FCA) is needed to show that the consequences of flooding at the Northern site are capable of being managed in an acceptable way.

Southern site

The Southern site is located partly within Zone C1 as defined by the Development Advice Map referred to under TAN15.

We note the submission of the FCA (SM Foster Associates Ltd. March 2021), which only considers the Southern site.

We have previously provided advice to Uniper UK Ltd. on the expected scope of any FCA in our email dated 27/11/2020 (attached).

The FCA includes information obtained from NRW in the form of the tidal Dee Breach Simulations which were created in early 2017. We would advise that since the request was made and information provided, we have revised the Dee tidal models with the updated extreme sea levels dataset (The Coastal Flood Boundary Extreme Sea Levels (CFB 2018)). Whilst the FCA has shown the outputs from the 2017 report and that the site is likely to be inundated when 3 tide cycles are considered for a breach at Dock Road in the year 2115, it is noted that the Summary and Conclusions advise that the proposal should not rely on the existing earth defence for flood mitigation but should be raised above the flood level. Paragraph 8.4 in the summary states:

“Preliminary analysis indicates that an adequate standard of flood protection could be achieved at the site by establishing minimum site ground level at 7.80mAOD. It would be beneficial to locate above ground development in the western part of the site, in areas of highest ground and at greatest distance from flood defences. It is considered that achieving minimum design ground level of 7.80mAOD is technically achievable”.

The FCA has referred to the CFB2018 dataset and used the latest Welsh Government guidelines on applying climate change for FCAs for the next 100 years. These values as quoted in the FCA are 7.76mAOD and 8.08mAOD for the 1:200 (0.5% flood event) and 1:1000 (0.1% flood event). The crest height of the defence on the site boundary is 6.85mAOD.

The FCA has also considered the impacts of raising the site on others (flood risk elsewhere) and any associated displacement of flood waters. For tidal flooding this is important as breaches in flood defences could be a source of risk. We note that this is considered in Section 6 and that the loss of storage could be mitigated by levelling the western part of the

site and reprofiling some areas in the eastern and northern parts of the site, closest to the flood defences.

Therefore, it is possible that the FCA could be acceptable in demonstrating that the flood risk can be managed by the inclusion of mitigation measures. However, we advise that further details/assessments are required on the amount of freeboard provided above the design event for table A1.14 in TAN15. Our observations would suggest that only a 40mm freeboard is to be provided and this should be assessed further. The CFB dataset does not account for any wave action which may be generated in the estuary and could affect the site. This again would need to be factored in for any freeboard allowance within an updated FCA.

We would also suggest that the updated FCA should include some outline drawings/assessment for any site reprofiling which may be required to address loss of flood storage.

In view of the above, we advise that further work is needed to show that the consequences of flooding at the site are capable of being managed in an acceptable way. The above provides our initial response as requested on the FCA.

Protected Sites

Northern site

The site is located adjacent to the following protected sites:

- Dee Estuary Special Area of Conservation (SAC)
- The Dee Estuary Ramsar site
- The Dee Estuary Special Protection Area (SPA)
- Dee Estuary / Aber Afon Dyfrdwy Site of Special Scientific Interest (SSSI)

We have reviewed the Written Statement (Cushman and Wakefield, April 2021) and note that there is a discrepancy regarding the boundary of the Northern site. Figure 1 indicates that the western end of the site includes land designated as a SAC/SPA/SSSI/Ramsar site. However, Figure 4 indicates that the Northern site borders but does not include the designated land. We would have significant concerns with the inclusion of designated land. We have based our advice below on Figure 4, and on the basis that the red line boundary in Figure 1 is an error – please reconsult us if this is not the case.

Development at the Northern site has the potential to impact on protected sites via a number of pathways, including impacts on water quality (all designated sites listed above), disturbance to mobile features (SSSI/SPA/Ramsar), and loss of habitat that may be functionally linked with the SSSI/SPA/Ramsar. We therefore advise that the site should be subject to a Habitats Regulations Assessment if it is to be included in any allocation.

We also understand that the Northern site includes land that is managed as mitigation land as a condition of a previous consent, however it is unclear if this mitigation land is within the Northern site boundary. We advise that Uniper UK Ltd. should clearly indicate this area and demonstrate how the mitigation measures will be maintained.

As explained above, any development could have a disturbance effect upon features of the SSSI/SPA/Ramsar. Also, there are historic and continuous records of feeding curlew (a feature of the SPA/Ramsar/SSSI), using at least one field parcel within the Northern site. The habitat within the Northern site may therefore be functionally linked with the SPA/Ramsar/SSSI (as land outside of the boundary of the designated sites that may be important ecologically in supporting the populations for which the designated sites have been designated). The Deeside Naturalists' Society as well as Uniper UK Ltd. are likely to hold these records, as part of on-going bird recording. Other species may also use the area.

We advise that further information should be provided with respect to the above. The site should also be subject to a HRA as advised above.

Southern site

The Southern site is also located adjacent to the designated sites listed above for the Northern site. The River Dee and Bala Lake SAC and Afon Dyfrdwy (River Dee) SSSI are also located in the vicinity of the Southern site.

Development at the Southern site has the potential to impact on protected sites via a number of pathways, including impacts on water quality (all designated sites referred to) and disturbance to mobile features (Dee Estuary SPA/Ramsar/SSSI). It is unclear if there would be loss of habitat that may be functionally linked with the Dee Estuary SPA/Ramsar/SSSI.

We therefore advise that the site should be subject to a Habitats Regulations Assessment if it is to be included in any allocation.

We also understand that the Southern site may include land that is managed as mitigation land (saltmarsh habitat) as a condition of a previous consent, however it is unclear if this mitigation land is within the Southern site boundary. We advise that Uniper UK Ltd. should clearly indicate this area and demonstrate how the mitigation measures will be maintained.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours sincerely,

Bryn Griffiths

Uwch-gynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales