

Stephanie Newman
The Planning Inspectorate

Our ref: NE/2016/124704/01-L01
Your ref: EN010071

NLHPP@pins.gsi.gov.uk

Date: 6 April 2016

Dear Ms Newman

Application for the North London Heat and Power project comprising the construction, operation and maintenance of an electricity and heat generating station of around 70 megawatts at the Edmonton Ecopark in North London, with associated development including a resource recovery facility for associated waste management purposes, including household recycling; and a new visitors centre, Ecopark House

Edmonton Ecopark, Advent Way, Edmonton, N18 3AG.

Thank you for consulting the Environment Agency in the Examining Authority's first written questions and requests for the North London Heat and Power Project DCO, issued 2 March 2016.

Please find below a table of answers to questions directed to us in this consultation.

If you have any further questions or require clarification on any points please contact me at northlondonplanning@environment-agency.gov.uk

Yours sincerely

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Planning Advisor

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5	Environmental Issues	
	Question to: Environment Agency (EA) , Historic England Natural England (NE), (HE), Transport for London (TfL), Canal and River Trust and London Borough of Enfield (LBE)	Question: Please confirm whether the proposals for consultation prior to and during construction and the measures proposed for environmental mitigation in the draft CoCP (APP-032) are satisfactory, and whether these are adequately secured through requirement 16 in schedule 2 of the draft DCO (APP-009).
5.3	<p>We are satisfied with the wording of schedule 2, requirement 16 relating to consultation.</p> <p>We would like the Code of Construction Practice be amended to require the contractor to consult us further on the details of the proposed landscaping works within 8m of any watercourse as the details arise. This will give us an opportunity to ensure that the works are compliant with the Water Framework Directive and the River Basin Management Plan. This will also provide us with an opportunity to review any pre-construction surveys that will be undertaken in line with AD06 02_ES_Vol 2, 5.6.4 (b).</p> <p>It is currently unclear how (in the documents) the river corridors are being protected and enhanced in line with WFD.</p>	
7	Water Recourses and Flood Risk	
	Question to: Applicant and EA	Question: Please explain how the proposed development will impact upon the risk of contamination of the chalk aquifer beneath the ERF.
7.1	<p>The site is located within an inner Source Protection Zone (SPZ1) for public water supplies. The proposal includes the excavation of lower permeability strata that overlies the Chalk aquifer. This has the potential to create a pathway for contaminants into the underlying aquifer thereby increasing the risk to groundwater and public water supplies.</p> <p>We have asked the applicant to amend requirement 14 relating to contaminated land and groundwater to provide for a verification report and on-going monitoring. Discussions have been taking place about this with the applicant, who has provided some suggested alternative wording, which we are currently reviewing.</p> <p>Drainage from areas that have the potential to be contaminated by fuels, chemicals or other polluting material must be connected to the foul sewer. The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to ground or surface waters.</p>	
7.3	Question to: Applicant and EA	Question: Has the Flood Risk Assessment (FRA) guidance referred to by the EA in their relevant

		<p>representation (RR-011) been published, and if so does it affect the findings of the applicant's FRA?</p>
	<p>The site, as shown on our published flood maps, is at risk of flooding from a range of flood events. The majority of the site lies within Flood Zone 2 (the 1 in 1000 year flood event). There are also areas of the site that lie in Flood Zone 3 (the 1 in 100 year flood event). Within any assessment, the applicant is required to consider the effects of climate change on flood risk.</p> <p>Our Relevant Representation (RR-011) advised that, whilst the FRA submitted was correct at the time of writing, at the time of submission and at the time of review, new guidance on climate change was due to be published which could prompt further investigation. The new guidance, Flood risk assessments: climate change allowances, was published on 19 February 2016. Cont/d.. 4</p> <p>Following the publication we have considered the likely impact this revised climate change guidance would have on the proposed development. We advise that the change in guidance is unlikely to have a significant effect on the findings of the existing FRA.</p> <p>To add further detail, the superseded guidance required the applicant to make an assessment of flood risk up to and including the 1 in 100 year + 20% climate change flood event. As the site lies predominantly in Flood Zone 2 and the development type is classified as 'less vulnerable' by Table 2 of the National Planning Practice Guidance, Flood Risk and Coastal Change (section 25), the new guidance would require the applicant to make an assessment of flood risk up to and including the 1 in 100 year + 25% climate change flood event. As a result, we are of the opinion that the assessment and findings of the existing FRA remain valid and can continue to be used to support the DCO.</p>	
7.4	<p>Question to: EA</p>	<p>Question: Please confirm whether the conclusion that the proposed development is compliant with the Water Framework Directive Assessment (Appendix 11.3, ES Vol. 2 (APP-049)) is agreed with.</p>
	<p>The submitted Water Framework Directive Assessment (WFD), along with supporting details found in the Environmental Statement, provides adequate information on the status of the waterbodies. However, it is limited in scope as it unable to accurately assess the impacts from schemes that haven't yet reached the design stage. These include drainage, landscaping works and the construction or alteration of bridges.</p> <p>As stated in our response to question 5.3, we request the opportunity review any relevant pre-construction surveys and designs to ensure that the works are compliant with the Water Framework Directive and the River Basin Management Plan.</p> <p>By working collaboratively and at the appropriate stages the need for further WFD assessment (as of when, per activity within the buffer zone) may not be required, as the designs and any reasonable environmental compensation will have been discussed and agreed, therefore avoiding future deterioration.</p>	

	<p>The applicant will also be required to apply for a Flood Risk Activity Permit from us under the requirements of the Environmental Permitting Regulations 2010 for any works within 8m of a 'main river'. This permit replaces the requirement for Flood Defence Consent under the terms of Water Resources Act 1991 and the Land Drainage Byelaws 1981.</p>
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