

**EN010082 Tees CCPP
Appendix 2
SWQ 2.5.1
Letter to Applicant dated 11 July 2018**

Ms Carole Nichols
Sembcorp Utilities (UK) Ltd PO Box 1985
Wilton International
Middlesbrough
TS90 8WS

Our ref: NA/2018/114039/04-L01
Your ref: EN010082
Date: 11 July 2018

Dear Ms Nichols

**DEVELOPMENT CONSENT ORDER APPLICATION FOR PROPOSED TEES
CCPP PROJECT-ADDITIONAL WFD INFORMATION RECEIVED 04.07.18
SITE OF THE FORMER TEESIDE POWER STATION; GREYSTONE ROAD,
GRANGETOWN, MIDDLESBROUGH, TS6 8JF.**

Thank you for the additional Water Framework Directive information requested in our previous email of 14 June 2018 and submitted to us on 4 July 2018.

We requested further information which would identify any other practical opportunities to improve the water body as part of the proposed development. We have assessed the additional submitted information and have the following comments to make.

Water Framework Directive (WFD)

WFD Regulations

Under The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 SI 2017 No. 407 ('the Regulations'), areas of land in England and Wales are divided into 'waterbodies'. Monitoring and assessment is carried out to classify the physical, chemical and ecological condition of each waterbody. Objectives are set for each waterbody, with the default objective being to reach 'Good Ecological Status' by 2027 at the latest. Alternative objectives may be set.

Certain waterbodies have been so heavily physically modified that the changes to the hydromorphological characteristics of that body, necessary to achieve good ecological status, would have significant adverse effects on legitimate uses. As

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such, it is not expected that these waterbodies will achieve the target objective of 'Good Ecological Status'. In these cases, an alternative objective of reaching 'Good Ecological Potential' applies.

The WFD Regulations require a Programme of Measures to achieve objectives that must include measures to ensure that the hydromorphological conditions of each body of surface water are consistent with the achievement of good ecological potential in heavily modified water bodies. In terms of heavily modified waterbodies, this entails ensuring all practicable steps are taken to mitigate the adverse impact on the status of the body of water.

WFD waterbodies and the proposed site

The proposed site lies within the waterbody Tees Estuary (S Bank) (GB103025072320) and is designated as a physically heavily modified waterbody.

The effluent from the proposed site is intended to discharge to Dabholme Gut within the waterbody Tees Estuary (GB510302509900) via the Wilton Site Drainage System. This waterbody is also designated as a physically heavily modified waterbody.

There are existing physical modifications to watercourses within the proposal site, in that watercourses are culverted. The proposal is reliant on the continuation of these physical modifications.

We have assessed the submitted WFD information and consider that the proposed development will have no significant adverse impact upon WFD waterbodies.

We acknowledge that it seems highly unlikely that it will be possible to implement mitigation measures to remediate the watercourses within the proposed site. It is also considered that the existing modifications at the proposed site are not significant in the context of the waterbody.

Environmental enhancement opportunities

We advise that there are other practicable opportunities to improve the waterbody as part of the proposed development. We would very much welcome any financial contributions by the applicant to assist in the delivery of mitigation measures within the waterbody or the immediate downstream waterbody.

The mitigation measures that the applicant could support outside of the proposed site but within the same waterbody include, notably, the regeneration of a significant parcel of land to the north of the proposal site by the South Tees Site Company. The Environment Agency is working with the South Tees Site Company to identify opportunities for biodiversity net gain at this site. Specifically,



these include aspirations to enhance ecological connectivity between Dabholme Gut and The Fleet towards Tees Valley Wildlife Trust's Coatham Marsh Nature Reserve. A contribution to enhance the ecological improvement of watercourses within that site would offset the use of physically modified watercourses on the development site.

Alternatively, within the Tees Estuary (GB510302509900) waterbody the Environment Agency is developing a partnership with the Tees Rivers Trust who have recently been successful in securing EU Inter Reg funding for a IMplementing MEasuRes for Sustainable Estuaries (IMMERSE) project. This project seeks to implement Estuary Edge ecological enhancement works at a site(s) in the Tees Estuary to mitigate physical heavy modifications and to promote wider uptake of such measures. A contribution to the Tees Rivers Trust as match funding towards this project would offset the use of physically modified watercourses on the development site.

Please note that there may be other projects/schemes to assist in the delivery of mitigation measures within the waterbody which we are unaware of but which could benefit from financial contributions.

If you have any questions in respect of the above, please do not hesitate to contact me.

Yours sincerely

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