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Submitted via portal

APPLICATION BY EQUINOR FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE SHERINGHAM AND DUDGEON EXTENSION PROJECT

Please find enclosed our relevant representation for the Sheringham and Dudgeon Extension project

The Role of the Environment Agency

The Environment Agency is a statutory consultee on all applications for development consent orders. We have a responsibility for protecting and improving the environment, as well as contributing to sustainable development.

We have three main roles:

- (i) We are an environmental regulator – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on business. We issue a range of permits and consents.
- (ii) We are an environmental operator – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.
- (iii) We are an environmental advisor – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making.

One of our specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from Main Rivers or the sea, and other watercourses.

Overview and issues of concern

Our relevant representation outlines where we consider further work, clarification or mitigation is required to ensure that the proposal has no detrimental impact on the environment including flood risk.

Our main concern is in respect of flood risk which we believe must be addressed prior to a Development Consent Order being granted. Specifically, this concerns the proposed crossing of an ordinary watercourse near Little Barningham.

In other instances it may be acceptable for additional information to be provided later, either during the examination period or by Requirement.

- Groundwater and contaminated land
- Biodiversity and ecology
- Legal Matters

Please do not hesitate to contact me if you require any further information. We look forward to continuing to work with the Applicant to resolve the matters outlined within our relevant representation to ensure the best environmental outcome for the project

Yours faithfully

Barbara Moss-Taylor
Planning Specialist
Environment Agency

Flood Risk

Chapter 18 Water Resources and Flood Risk

Table 18.14

This table contains an assessment of the magnitude of effect resulting from trenched crossings of ordinary watercourses and appears to focus on impacts from habitat change. This assessment does not appear to assess the magnitude of flood risk effects resulting from trenched crossings of ordinary watercourses that are in Fluvial Flood Zones 2 and 3a.

Paragraph 98

This states that ordinary watercourses will be crossed using trenched techniques except for certain circumstances where trenchless techniques may be used. The Environment Agency does have an interest in ordinary watercourses where there is associated fluvial Flood Zones 2 and 3a.

Figure 18.5

This identifies the proposed crossing method at each location. There is a crossing of an ordinary watercourse southwest of Little Barningham where it appears that open cut trenched techniques are proposed. As noted in our comments for Table 18.14, the assessment used to determine a trenched crossing at this location didn't include an assessment of flood risk impacts. Immediately upstream of this crossing location are a number of properties in fluvial Flood Zone 3a and we also note that this area is within the flood alert area for The River Bure, Spixworth Beck and surrounding Becks.

Appendix 18.2 - Flood Risk Assessment

Paragraph 408 – 412

These paragraphs suggest the site-specific risk assessments will be carried out at the detailed design stage.

Issue, impact and solution

There is a potential increase of flood risk to several homes arising from the use of trenched techniques at this crossing. Based on the current proposal, an assessment of the flood risk impacts of this trenched crossing is required in the Flood Risk Assessment for the Environment Agency to review and agree to before the conclusion of the examination process. Alternatively, we recommend that this crossing is undertaken using trenchless techniques (HDD) to avoid flood risk impacts, which should negate the need for an assessment. We have suggested this solution the Applicant's representative and await their response.

Paragraph 126 & 127

126 refers to the breach data (product 8) from the Coastal Wells flood model 2018. As part of the product 8 package a location map is provided which shows that the breach locations are at other locations along the North Norfolk coast and are not relevant to Weybourne. As such it is unclear why paragraph 127 of the FRA goes on to use this breach data. To assess the residual risk the FRA should refer to the undefended scenario instead of the breach scenario. Also please note that the Coastal Wells model 2018 has only assessed the tidal higher central allowance for climate change. It is highly likely that this proposal should be assessing tidal climate change to the upper end allowance in the FRA. This can be done by adding 0.34m to the climate change levels from this model to account for the additional increases in sea level up to 2122.

Groundwater and contaminated land

Chapter 17 - Ground Conditions and Contamination

Paragraphs 71-74

Reference is made to four private abstractions for domestic purposes located within the cable corridor. Source Protection Zones (SPZs) and the associated position statements apply to all groundwater abstractions for the purposes of drinking water. Sources with abstraction rates of more than 250 m³/day have SPZs delineated. For smaller abstractions, a minimum SPZ of 50m radius should be used. Please refer to the information Manual for the production of Groundwater Source Protection Zones (publishing.service.gov.uk)

To determine whether the groundwater abstractions are used for private supply, the Local Authority Environmental Health Team should be contacted and / or a visit made to confirm groundwater use.

Paragraphs 119

We agree that soil sampling in areas of suspected contamination, as identified, should be carried out prior to the onset of ground works.

Biodiversity and ecology

Chapter 18 Water Resources and Flood Risk

Table 18-13

There is no recognition that the Spring Beck is a chalk stream rising out of the chalk aquifer. Upper reaches have been subject to small natural flood management (NFM) scheme using leaky dams, scrapes etc. The cable crossing is in the headwaters of the Spring Beck, so there are potential impacts on the NFM scheme. While most of the Spring Beck is highly modified, the headwater section where the NFM scheme is located is potentially the most sensitive. This should be factored into any further assessments and re-evaluated to medium sensitivity for certain impacts.

Water Framework Directive Compliance Assessment

Section 18.1.6.6

Within the discussion of invasive non-native species (INNS) there is no mention of signal crayfish which carry crayfish plague and spread this to the native white clawed crayfish (WCC) populations. In Norfolk WCC populations are found in the rivers Glaven, Tud and Yare, but given the mobility of the signal crayfish, including passage over land it is important that biosecurity measures are practiced throughout river catchments. This risk can be managed by extra attention the biosecurity measure 'Check, Clean, Dry' for equipment and clothing between watercourses.

Chapter 20 Onshore Ecology and Ornithology

Table 20-15

There is now sufficient information to scope in the National Grid cable network project East Anglia, and in particular impacts on the River Tas.

Appendix 20.9 - White Clawed Crayfish Survey Report

More recent surveys conducted by Norfolk Rivers Trust on the River Tud have produced a positive result for WCC (3 females). There have also been Positive results for WCC in the River Tiffey which were not previously known to be present in this river. Remaining WCC in the Tud are extremely vulnerable due to the presence of signal crayfish in the watercourse.

To address this, we recommend that extra vigilance regarding biosecurity is used when moving between and within river catchments.

If not already done, we request that the eDNA results for WCC are shared with the Norfolk Biodiversity Information Service (NBIS) and request that a copy of the report is also shared with the Environment Agency.

Appendix 20.6 - Initial Biodiversity Net Gain Assessment

Executive Summary

It should be noted that rivers Tud, Tiffey and Yare are also classed as chalk streams.

Section 4.3

There are likely to be changes in the finer detail of the BNG calculations as the latest version of the metric (currently 3.1) is applied.

Section 4.4

We agree that there should not be an expectation to re-survey every year, except where there are habitats of high distinctiveness.

We would like to encourage the developer to be as ambitious as they can with the delivery of BNG and standalone ecological enhancements.

Legal matters

The Applicant's representatives have contacted us recently to request disapplication of the Environmental Permitting Regulations in respect of flood risk activity permits required for the crossings of main rivers. These matters have been referred to our lawyers and we expect to reach a settled position during the period of examination. We will keep the Examining Authority informed of the progress of these discussions.