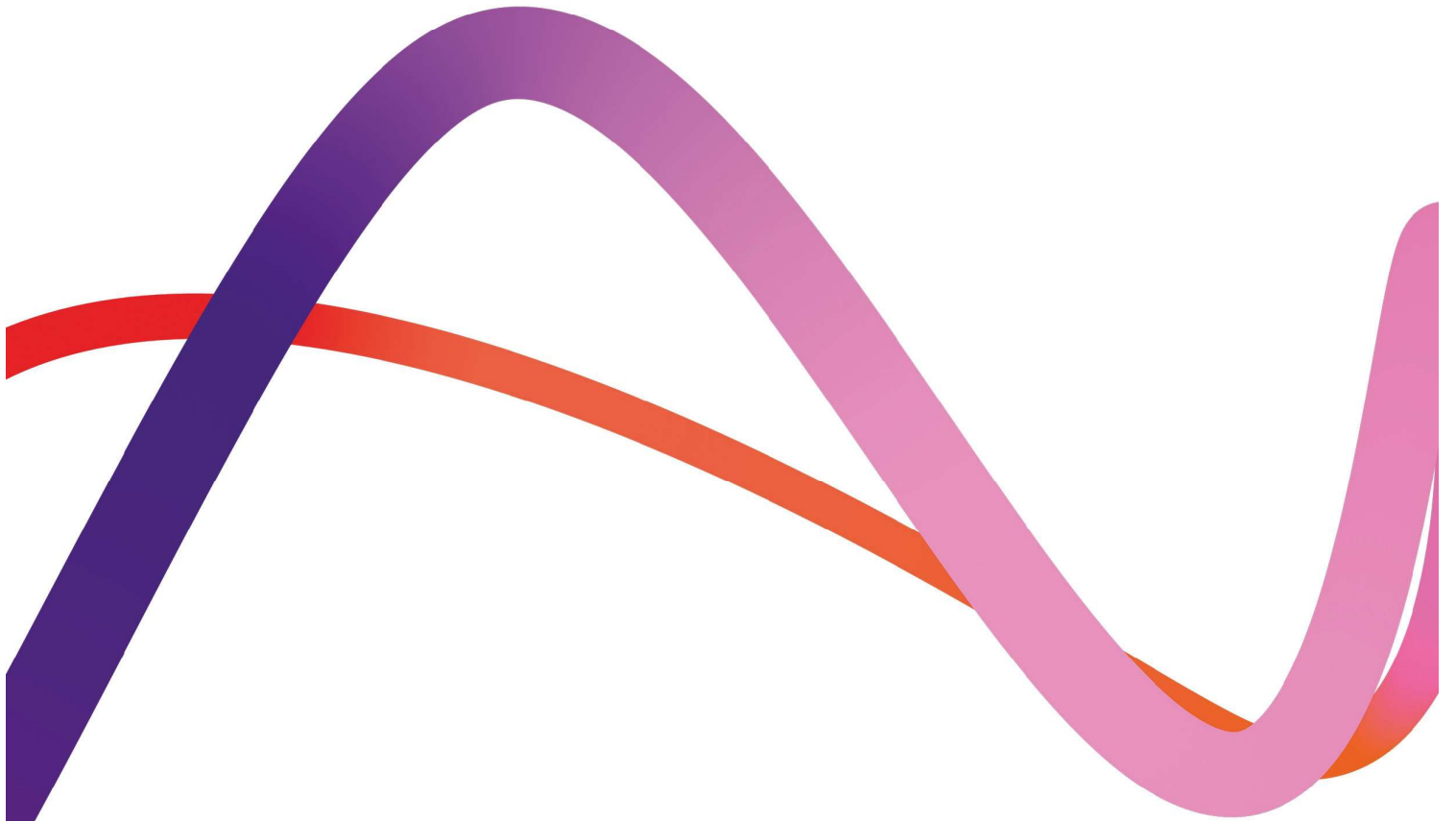


Medworth Energy from Waste Combined Heat and Power Facility



PINS ref. EN010110
Document Reference: Vol 9.7
Revision 2
Deadline 3: April 2023



Statement of Common Ground between Medworth CHP Limited and Environment Agency (Deadline 3)

Regulation reference:

The Infrastructure Planning (Examination
Procedure) Rules 2010

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Revision History

Revision number	Date	Details
0.0	February 2023	Draft produced by Medworth CHP Ltd for comment
1.0	07 March 2023	Draft updated following EA Comments received
2.0	25 April 2023	Draft updated following EA comments 05 April and 21 April

Signatories

Applicant

Signed	
On behalf of	Medworth CHP Limited
Name	
Position	
Date	

Environment Agency

Signed	
On behalf of	Environment Agency
Name	
Position	
Date	



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1. Introduction

1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared between Medworth CHP Limited ('the Applicant') and the Environment Agency to set out the areas of agreement, areas under discussion and/or areas of disagreement between the parties in relation to the proposed Development Consent Order (DCO) Application for the Medworth CHP EfW Facility.

1.1.2 The preparation of this SoCG was requested by the Examining Authority in its Rule 6 Letter dated 24 January 2023. The preparation of SoCGs is encouraged by the Planning Inspectorate's. Advice Note 11: Working with public bodies in the infrastructure planning process encourages a proactive approach to reaching agreement on the approach and the conclusions of the Environmental Impact Assessment (EIA), and the approach to consents, licences and authorisations.

1.1.3 This SoCG covers the following topics:

- General;
- Draft DCO;
- Environmental Statement (ES) Chapter 7 – Noise and Vibration;
- ES Chapter 8 – Air Quality;
- ES Chapter 9 – Landscape and Visual;
- ES Chapter 12 – Hydrology.

1.1.4 It is the intention that this document will facilitate further discussions between the Applicant and the Environment Agency and will provide the Examining Authority (ExA) with a clear overview of the level of common ground between both parties. This document will be updated throughout the application process.

1.2 Approach to Statement of Common Ground

1.2.1 The structure of this SoCG is as follows:

- Section 2: The parties to the SoCG;
- Section 3: Agreement on Common Ground;
- Section 4: Summary.



2. The parties to the Statement of Common Ground

2.1 The Applicant and Party to the Statement of Common Ground

2.1.1 The parties to this SoCG are:

- Medworth CHP Limited, the Applicant for the Proposed Development; and
- The Environment Agency.

2.2 Role of Environment Agency and Consultation

2.2.1 The Environment Agency is a prescribed consultee and statutory undertaker in relation to the DCO application. It is responsible for regulating major industry and waste; the treatment of contaminated land; water quality and resources; fisheries; some inland river, estuary and harbour navigations; conservation and ecology; and managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

2.2.2 A summary of topic specific engagement is set out in the relevant parts of **Section 3**.

2.3 Summary of Current Position

2.3.1 Rev 0.0 of the SoCG (this document) has been shared for comment to the Environment Agency.

2.3.2 Rev 1.0 of the SoCG was updated following comments received from the EA and it was submitted at Deadline 1 of the examination (10 March 2023). Subsequent to the receipt of additional comments from the Environment Agency, further amendments have been made resulting in this document, Rev 2.0.

2.3.3 The Environment Agency's main concerns, as set out in its relevant representation [RR-014], are that:

- the air quality effects associated with the operation of the Proposed Development will need to be considered under the Environmental Permitting Regulations;
- emergency planners are made aware of the depth of any flood water that could potentially affect access to the Proposed Development;
- any hay bales used during construction to prevent surface run-off from contaminating watercourses are changed regularly to avoid potentially increasing ammonia levels in watercourses;
- the feasibility of maximising utilisation of surplus heat to local businesses be appropriately considered and secured;
- suitable noise attenuation measures are provided to mitigate noise impacts from ID fans and air-cooled condensers required at the CHP facility; and



- The steam plume from the Proposed Development could, when visible, give rise to visual impacts on local receptors.

2.4 Status of the Statement of Common Ground

2.4.1 The current version of the SoCG (Rev2) is in draft form. The documents referred to in this version of the SoCG are those submitted with the DCO Application and available on the Planning Inspectorate's website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/medworth-energy-from-waste-combined-heat-and-power-facility/?ipcsection=docs>

2.4.2 The examination library references have been adopted in the SoCG for ease:

<https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010110/EN010110-000900-Medworth%20Examination%20Library.pdf>



3. Agreement on Common Ground

3.1 Overview

3.1.1 The following sections of this SoCG set out the level of agreement between the parties for each relevant topic. In order to easily identify whether a matter is 'agreed' or 'not agreed', a RAG within the 'position' column with red illustrating no agreement, amber that agreement is yet to be reached and the matter is still under discussion, and green, agreement. Purple has been used where the Environment Agency considers that agreement recorded within this document could be seen as pre-determination of the Environmental Permit.

3.1.2 The following section of this SoCG summaries the level of agreement between Medworth CHP Ltd and the Environment Agency on all relevant matters.

3.2 Overview of the Proposed Development

3.2.1 The Proposed Development comprises the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Access Improvements;
- Temporary Construction Compound (TCC);
- Water Connections; and
- Grid Connection (underground cable and Walsoken Substation).

3.2.2 A summary description of each Proposed Development element is provided below. A more detailed description is provided in **Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]** of the ES. A list of terms and abbreviations can be found in **Chapter: 1 Introduction, Appendix 1F Terms and Abbreviations (Volume 6.4) [APP-068]**.

- **EfW CHP Facility Site:** A site of approximately 5.3ha located south-west of Wisbech, located within the administrative areas of Fenland District Council and Cambridgeshire County Council. The main buildings of the EfW CHP Facility would be located in the area to the north of the Hundred of Wisbech Internal Drainage Board (HWIDB) drain bisecting the site and would house many development elements including the tipping hall, waste bunkers, boiler house, turbine hall, air cooled condenser, air pollution control building, chimneys and administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located in the southern section of the EfW CHP Facility Site.
- **CHP Connection:** The EfW CHP Facility would be designed to allow the export of steam and electricity from the facility to surrounding business users via dedicated pipelines and private wire cables located along the eastern edge of



the disused March to Wisbech railway. Potential end users of the heat and power have been identified along the line of the railway. The pipeline and cables would be located on a raised, steel structure.

- TCC: Located adjacent to the EfW CHP Facility Site, the compound would be used to support the construction of the Proposed Development. The compound would be in place for the duration of construction.
- Access Improvements: includes access improvements on New Bridge Lane (road widening and site access) and Algores Way (relocation of site access 20m to the south).
- Water Connections: A new water main connecting the EfW CHP Facility into the local network will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 (open cut trenching or horizontal directional drilling (HDD)) to join an existing Anglian Water main. A foul sewer connection is required from an existing pumping station operated by Anglian Water located to the north-east of the Algores Way site entrance and into the EfW CHP Facility Site.
- Grid Connection: This comprises a 132kV electrical connection using underground cables. The Grid Connection route begins at the 132kV switching compound in the EfW CHP Facility Site and runs underneath New Bridge Lane, before heading north following the verge of the A47 to the Walsoken Substation on Broadend Road. From this point the cable would be connected underground to the Walsoken DNO Substation.

3.2.3

The Proposed Development would be constructed in a manner consistent with that described within ES **Chapter: 3 Description of the Proposed Development (Volume 6.2) [APP-030]**. In summary:

- Work would commence with the establishment of the TCC together with any pre-commencement surveys and works to demolish existing structures and clear the EfW CHP Facility Site. The mobilisation and site set-up phase will last approximately 3-months.
- Access Improvements on New Bridge Lane will commence and take place over a 6-month period.
- Civil works comprising earthworks, piling and later the creation of external hardstanding areas, concrete structures and steelwork framing and the installation of the Water Connections will take place over a 34-month period.
- Overlapping with the erection of the structures at the EfW CHP Facility Site, mechanical, electrical and plant installation would take place over a period of 24-months followed by a 9-month period of commissioning and testing.
- The construction of the CHP Connection and Grid Connection would follow a similar process of mobilisation, civils and commissioning.
- Underground cabling for the Grid Connection follows the verge of the A47 between New Bridge Lane and Broadend Road. The maximum length of A47 road closures (northbound carriageway) would be 300m each night, between 20:00 and 06:00. The carriageway will be reopened each day. Further details of



the construction of the Grid Connection works are provided in **Section 3.9.5 to 3.9.12 ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]**.

- Two options for installing the Water Connection (potable) across the A47 at Broadend Road are included within the Draft DCO:
 - **Open cut** – to be carried out during the night-time traffic management exercise that is required for the Grid Connection works. To complete the works, an additional single night-time road closure of the southbound carriageway is required. For further details see **Section 3.10.4 to 3.10.10 ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]**.
 - **HDD** – Except for unforeseen circumstances that may require extending the hours of working, the HDD process would be undertaken during daytime construction hours 07:00 to 19:00 Monday to Friday and 08:00 to 16:00 Saturday. Whilst the HDD launch pit will be located on 3rd party land and accessed via the local highway network New Bridge Lane (north), the receive pit is located off the A47 southern carriageway at New Bridge Lane (south), therefore temporary traffic management measures, such as lights, cones, barriers and convoys may be used on the southern carriageway of the A47. For further details see **Section 3.10.11 to 3.10.18 ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]**.

3.2.4 Following the completion of commissioning and testing, the TCC site accessed from Algores Way would be restored to its former condition.

3.2.5 The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) under Part 3, Section 14 of the Planning Act 2008 by virtue of the fact that the generating station is located in England and has a generating capacity of over 50MW (see section 15(2) of the 2008 Act). It, therefore, requires an application to be submitted to the Secretary of State for a Development Consent Order (DCO). The DCO application has been submitted by Medworth CHP Ltd (the Applicant); a wholly owned subsidiary of MVA Environment Ltd.

Table 3.1: Agreement Log: General

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.1.1	The summary of the Proposed Development provided in Section 3.2 of this document reflects the Environment Agency's understanding of the Project.		Agreed.



3.3 Draft DCO

- 3.3.1 A **Draft DCO (Volume 3.1) [APP-013]** and accompanying **Explanatory Memorandum (Volume 3.2) [APP-014]** were submitted as part of the DCO Application. It is expected that the **Draft DCO (Volume 3.1) [APP-013]** will be updated during the course of the DCO examination in response to comments from the host authorities, other Interested Parties and the Examining Authority.
- 3.3.2 No specific consultation on the **Draft DCO (Volume 3.1) [APP-013]** was carried out in advance of the DCO submission. A summary of the consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 3.2**.

Table 3.2: Agreement Log: Draft DCO

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.2.1	The drafting of the requirements set out in Schedule 2 of the Draft DCO (Volume 3.1) [REP1-007] are acceptable to the Environment Agency and provide appropriate mechanisms for securing mitigation for the Scheme.		<p>The EA requests that it be a named consultee on the following requirements:</p> <ul style="list-style-type: none"> • 9 Contamination and Groundwater • 10 Construction Environmental Management Plan • 16 Odour Management Plan • 19 Noise Management • 25 Combined Heat and Power. <p>This request has been accepted by the Applicant and the Draft DCO (Rev3) submitted at Deadline 3 will be amended accordingly.</p>

3.4 ES Chapter 7 – Noise and Vibration

- 3.4.1 The assessment of noise and vibration is set out in **ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]**, together with supporting figures provided in **ES Chapter 7: Noise and Vibration Figures (Volume 6.3) [APP-051]** and appendices provided in **ES Chapter 7: Noise and Vibration Appendix 7A – 7C Revision 2 (Volume 6.4) [AS-010]**, and **ES Chapter 7: Noise and Vibration Appendix 7D Outline Operational Noise Management Plan (Volume 6.4) [REP1-013]**.



- 3.4.2 An **Outline Construction Noise Management Plan** is provided as part of the **Outline Construction Environmental Management Plan (CEMP) (Volume 7.12) [REP1-024]**. This is secured in Requirement 10 of the **Draft DCO (Volume 3.1) [REP1-007]**.

Summary of Consultation

- 3.4.3 A summary of the pre-application consultation with the Environment Agency in relation to noise and vibration is set out in **Table 3.3** below. This is also summarised in Section 7.2 of **ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]**.

Table 3.3: Summary of pre-application submission engagement and consultation with the Environment Agency – noise and vibration

Date	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	EIA Scoping Opinion	Statutory	EIA scoping response on noise and vibration.
08/2021	PEIR responses	Statutory	PEIR response on noise and vibration.

- 3.4.4 A summary of the noise and vibration consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 3.4**.

Table 3.4: Summary of post-application submission engagement and consultation with the Environment Agency– noise and vibration

Date	Form of consultation	Statutory/Non-Statutory	Summary
14/11/22	DCO responses	Statutory	DCO response on noise and vibration
24/02/2023	SoCG engagement	Non-statutory	Issue of draft SoCG Rev 0.0 for comment
05/04/2023	SoCG Engagement	Non-statutory	Detailed response to Draft SoCG received from EA.

Summary of agreement

- 3.4.5 **Table 3.5** below sets out the matters agreed in relation to noise and vibration.



Table 3.5: Agreement Log: ES Chapter 12 – Noise and Vibration and Outline Operational Noise Management Plan

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.5.1	<p>Assessment methodology: The scope and methodology for assessing the operational noise effects of the proposed development, including assumptions on source noise levels, as set out in Volume 6.2, Chapter 7 of the Environmental Statement, Noise and Vibration (Volume 6.2) [APP-034] and Appendix 7C Operational Noise Assessment Data (Volume 6.4) [AS-010], are appropriate for assessing noise levels associated with the operation of ID fans and air-cooled condensers.</p>		<p>The Environment Agency regulates operational noise effects through the Environmental Permitting Regulations. An Environmental Permit for this development has been submitted but not yet determined, and the EA will consult on draft decisions (where appropriate) once these are available.</p>
3.5.2	<p>Assessment conclusions: The conclusions of the operational noise assessment, as reported in Section 7.9, Chapter 7 of the Environmental Statement, (Volume 6.2) [APP-034] are reasonable and appropriately justified.</p>		<p>The Environment Agency regulates operational noise effects through the Environmental Permitting Regulations. An Environmental Permit for this development has been submitted but not yet determined, and the EA will consult on draft decisions (where appropriate) once these are available.</p>
3.5.3	<p>Mitigation: Table 5.1 of the Outline Operational Noise Management Plan, ES Appendix 7D, (Volume 6.4) [APP-077] includes appropriate measures for mitigating significant noise effects associated with the operation of ID fans and air-cooled condensers. Furthermore, noise emissions from all equipment will be controlled via the</p>		<p>The Environment Agency regulates operational noise effects through the Environmental Permitting Regulations. An Environmental Permit for this development has been submitted but not yet determined, and the EA will consult on draft decisions (where appropriate) once these are available.</p>



Environmental Regulations (EPR), which the EA regulate.		
<p>3.5.4 Development Consent Order Requirements: Requirements 2, 19 and 29 as set out in Schedule 2 of the Draft DCO (Volume 3.1) [REP1-007] provide an appropriate mechanism for securing and agreeing the detailed design of measures to manage operational noise effects, including such measures that may be required for attenuation of noise associated with the ID fans and air-cooled condensers.</p>		<p>The EA request to be a named consultee on Requirement 19: Noise Management has been accepted by the Applicant and the Draft DCO (Rev3) submitted at Deadline 3 will be amended accordingly.</p>

3.5 ES Chapter 8 – Air Quality

3.5.1 The assessment of Air Quality is set out in ES **Chapter 8: Air Quality (Volume 6.2) [APP-035]**, together with supporting figures and appendices.

Summary of Consultation and Engagement

3.5.2 A summary of the pre-application consultation with the Environment Agency in relation to Air Quality is set out in **Table 3.6** below.

3.5.3 A summary of the Air Quality consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 3.7**.

Table 3.6: Summary of pre-application submission engagement and consultation with the Environment Agency – Air Quality

Date	Form of consultation	Statutory/Non-Statutory	Summary
13/01/20	EIA Scoping Opinion	Statutory	EIA scoping response on air quality.
08/21	PEIR responses	Statutory	PEIR response on air quality.



Table 3.7: Summary of post-application submission engagement and consultation with the Environment Agency– Air Quality

Date	Form of consultation	Statutory/Non-Statutory	Summary
14/11/22	DCO responses	Statutory	DCO response on air quality.
24/02/2023	SoCG engagement	Non-statutory	Issue of draft SoCG Rev 0.0 for comment.
05/04/2023	SoCG Engagement	Non-statutory	Detailed response to Draft SoCG received from EA.

Summary of agreement

3.5.1 **Table 3.8** below sets out the matters agreed in relation to noise and vibration.

Table 3.8: Agreement Log: ES Chapter 8 – Air Quality

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.8.1	The scope (including Study Area) and methodology of the air quality assessment, as set out in Section 8.4, 8.6 and 8.8 of Chapter 8 of the ES: Air Quality (Volume 6.2) [APP-035] is appropriate for identifying potential likely significant effects.		The Environment Agency regulates operational air quality effects through the Environmental Permitting Regulations. An Environmental Permit for this development has been submitted but not yet determined, and the EA will consult on draft decisions (where appropriate) once these are available.
3.8.2	The embedded environmental measures, described in Section 8.7 of Chapter 8 of the ES: Air Quality (Volume 6.2) [APP-035] and summarised in Table 8.36 of that document are appropriate for the Proposed Development and will help to mitigate the risk of significant adverse air quality effects.		The Environment Agency regulates operational air quality effects through the Environmental Permitting Regulations. An Environmental Permit for this development has been submitted but not yet determined, and the EA will consult on draft decisions (where appropriate) once these are available.



<p>3.8.3 The Proposed Development will require an environmental permit under Schedule 1, Part 2, Chapter 5, Section 5.1 Part A(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016. An application for an environmental permit was submitted by the applicant to the Environment Agency on 5 August 2022 and assigned to a permitting officer for Duly Made checks on 31 January 2023. The application was 'duly made' as of the 23 March 2023 and is currently in determination</p>		<p>Agreed.</p>
<p>3.8.4 The outline action plan within the CHP assessment requires an update of the initial heat load plan and re-assessment of the viability of providing a CHP solution. It also requires the viability of connecting to new heat consumers to be kept under review throughout the operational lifetime of the proposed development. Reporting requirements and conditions within the environmental permit will provide a suitable mechanism for continuing evaluation of the action plan. Requirement 23 in Schedule 2 of the DCO [APP-013] allows a similar process of review and approval by the relevant planning authority.</p>		<p>The Draft DCO [REP1-007] is to be updated at Deadline 3 as a Rev3 and it will include the EA as a named consultee on Requirement 25: Combined Heat and Power.</p>

3.6 ES Chapter 12 – Hydrology

- 3.6.1 The hydrology assessment is set out in **ES Chapter 12: Hydrology (Volume 6.2) [APP-039]**, together with supporting figures and appendices. This includes a **Flood Risk Assessment** presented in **ES Chapter 12 Hydrology Appendix 12A (Volume 6.4) [APP-084]**.



3.6.2 A series of outline management plans have also been produced, and secured in the draft DCO (Volume 3.1) [APP-013]:

- ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy (Volume 6.4) [APP-086]; and
- Outline Flood Emergency Management Plan (Volume 7.9) [REP1-019].

Summary of Consultation and Engagement

3.6.3 A summary of the pre-application consultation with the Environment Agency in relation to hydrology is set out in **Table 3.12** below. This is also summarised in **ES Appendix 12B (Stakeholder Engagement)** of the **ES (Volume 6.4) [APP-085]**.

3.6.4 A summary of the hydrology consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 3.13**.

Table 3.12: Summary of pre-application submission engagement and consultation with the Environment Agency – Hydrology

Date	Form of consultation	Statutory/Non-Statutory	Summary
13/01/20	EIA Scoping Opinion	Statutory	EIA scoping response on hydrology.
03/02/20	Email	Non-Statutory	Provided Product 4 flood risk data.
28/04/21	MS Teams meeting	Non-Statutory	Meeting to discuss flood risk assessment and mitigation measures.
08/2021	PEIR responses	Statutory	PEIR response on Hydrology.
19/10/21	MS Teams meeting	Non-Statutory	Meeting to discuss flood risk mitigation measures.

Table 3.13: Summary of post-application submission engagement and consultation with the Environment Agency– Hydrology

Date	Form of consultation	Statutory/Non-Statutory	Summary
20/12/22	Email	Non-statutory	Environment Agency agreed with approach and results of the Flood Risk Assessment (Volume 6.4) [APP-084].
13/02/23	Email	Non-statutory	Environment Agency confirmed there are no outstanding issues regarding the Flood



			Risk Assessment (Volume 6.4 of the ES) [APP-084].
24/02/23	SoCG engagement	Non-statutory	Issue of draft SoCG revision 0.0 for EA's comment.
05/04/2023	SoCG Engagement	Non-statutory	Detailed response to Draft SoCG received from EA.

Summary of agreement

3.6.5 **Table 3.14** below sets out the matters agreed in relation to hydrology.

Table 3.14: Agreement Log: ES Chapter 12 – Hydrology

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.14.1	<u>Assessment Approach</u> The assessment presented in ES Chapter 12: Hydrology (Volume 6.2) [APP-039] including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.		Agreed.
3.14.2	<u>Assessment conclusions</u> There will be no likely significant effects on hydrology and flood risk during the construction, operation or decommissioning of the proposed development taking account of the embedded mitigation measures (Section 12.9 of the ES (Volume 6.2) [APP-039]).		Agreed.
3.14.3	<u>Flood Risk Assessment</u> The assessment presented in ES Chapter 12 Hydrology Appendix 12A (Volume 6.4) [APP-084.] including the data gathering methodology, baseline, scope of the assessment,		Agreed. The Environment Agency confirmed in their relevant representation and email dated 13/02/23 that the methodology and approach for assessing flood risk is appropriate and sufficient for



<p>embedded environmental measures, the assessment methodology and conclusions set out is appropriate.</p>		<p>the purposes of determining risk.</p>
<p>3.14.4 <u>Outline Drainage Strategy</u> The content of the Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [AP-086], secured in Requirement 8 of the Draft DCO (Volume 3.1) [REP1-007] is appropriate for managing and mitigating any potential impacts of the Proposed Development. The amendment to the Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017] submitted at Deadline 1 provides appropriate assurance as to the regular replacement of hay bales.</p>		<p>Agreed.</p>
<p>3.14.5 <u>Outline Water Management Plan</u> The content of the Outline Water Management Plan (Appendix B of Outline Construction Environmental Management Plan Volume 7.12) [REP1-007], secured in Requirement 10 of the Draft DCO (Volume 3.1) [REP1-007], is appropriate for managing and mitigating any potential impacts of the Proposed Development. The amendment to the Outline Water Management Plan (Appendix B of Outline Construction Environmental Management Plan Volume 7.12) [REP1-007] submitted at Deadline 1 provides appropriate assurance as to the regular replacement of hay bales.</p>		<p>Agreed.</p>
<p>3.14.6 <u>Outline Flood Emergency Plan</u> The content of the Outline Flood Emergency Plan (Volume 7.9 of the ES) [REP1-019], secured in Requirement 13 of the Draft DCO (Volume 3.1) [REP1-007] is</p>		<p>Agreed. The final FEP can be strengthened further by confirming that provision will be put in place to support on-shift personnel whilst there will be sufficient storage capacity for</p>



		<p>residual waste to last for approximately 11 days, as stated in the FRA.</p>
<p>3.14.7 <u>WFD assessment</u> Consideration of WFD presented in ES Chapter 12: Hydrology (Volume 6.2) [APP-039] including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate. Although the Proposed Development is not hydrologically connected with any WFD waterbodies, the assessment has taken into account potential impacts on current and future water quality and hydromorphology in a way which mirrors WFD approaches.</p>		<p>Agreed that the Proposed Development is not hydrologically connected to WFD waterbodies, and as such the Environment Agency has not undertaken detailed review of the WFD assessment.</p>
<p>3.14.8 <u>Development Consent Order Requirements</u> Requirements 8 and 10 as set out in Schedule 2 of the Draft DCO [REP1-007], provide an appropriate mechanism for securing and agreeing the detailed design of measures to manage surface water runoff and water pumped from excavations, including such measures that may be required for attenuation and treatment of water discharges from the Proposed Development.</p> <p>Requirement 13 as set out in Schedule 2 of the Draft DCO [REP1-007], provides an</p>		<p>The Draft DCO [REP1-007] to be updated as Rev3 at Deadline 3 will include the EA requests to be a named consultee on Requirements 9 and 10.</p> <p>The Proposed Development does not require a Flood Risk Activity Permit (FRAP). The Draft DCO [REP1-007] to be updated at Deadline 3 as Rev3 will remove Paragraph 6 (2) from Part 2 – Work Provisions which refers to the disapplication of FRAPs.</p>



appropriate mechanism for securing and agreeing flood emergency planning measures for the Proposed Development, including notifications of flood and severe weather warnings and procedures to follow in the event of flooding, including a reoccupation procedure.



4. Summary

- 4.1.1 This SoCG has outlined the consultation that has taken place between the Applicant and the Environment Agency during the pre-application and pre-examination phases of the DCO process. The agreement presents the current position reached as at Deadline 3 of the Examination (25 April 2023).
- 4.1.2 This SoCG will be updated as discussions progress and submitted to the Examination in accordance with the deadlines stipulated in the Examining Authority's Rule 6 Letter.

