



The Planning Inspectorate
Major Casework Directorate
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: Written Representation

Date: 22 October 2024

Dear Sir/Madam

Application by Five Estuaries Offshore Wind Farm Limited for an order granting development consent for the Five Estuaries Offshore Wind Farm project

Please find enclosed our submission for deadline 2 invitation to submit Written Representations.

Overview

We are providing this response following our relevant representation. This response provides updates where further information has been provided particularly in respect of the replies to our relevant representation. We are satisfied that all discussions are continuing well for matters of our interest. We have made progress on a Statement of Common Ground with the applicant and look forward to the ongoing development of the document.

We are satisfied that protected provisions can be used in this case, the applicant has provided some of their own provisions these do not currently meet our requirements as they do not confirm that works should not increase flood risk elsewhere. Conversations are ongoing about this wording and we expect this matter can be overcome.

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.

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(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.

Flood Risk Management Structures

EA-RR01- We welcome additional discussion about the Land Fall to ensure appropriate interaction with our structures.

Ground Water

EA-RR04- We question whether ‘further discussion’ includes an assessment of piling both in terms of it’s long-term impacts to the groundwater flow regime, potential for pollution (the applicant is recommended to refer to our report Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention- [Microsoft Word - EA final report 12 Sep 2006.doc](#) (publishing.service.gov.uk) -on this) as well as a mitigating factor to potential drawdown.

EA-RR10- We appreciate the conservative approach to utilising drawdown calculations at this stage and look forward to reviewing a more detailed assessment of potential impacts at a later stage when dewatering requirements have been further assessed.

EA-RR15- The use of a maximum design scenario is noted

EA-RR16- We look forwards to further assessment of dewatering requirements. Note in the case of an abstraction licence being required to complete works, certain elements of this DCO application will be reassessed at this time, including our comments in EA-RR03, EA-RR10, EA-RR12 and EA-RR15. To this end we welcome early engagement with the area groundwater team.

Biodiversity

EA-RR23. We welcome further discussions and would like to see the mechanism for those discussions to be arranged clarified by the applicant.

EA-RR24. Our comment was essentially advisory and so no further action required following applicant’s response.

We trust this advice is useful if you require any additional information please do not hesitate to contact me.

Yours faithfully



Ms Gemma Allsop
Sustainable Places - Planning Specialist

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