

Mr E Maund & Mr P Brewer
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
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BS1 6PN

Our ref: AN/2022/133243/04-L01
Your ref: EN010116
Date: 11 January 2023

Dear Sirs

Application by North Lincolnshire Green Energy Park Limited for an Order Granting Development Consent for the North Lincolnshire Green Energy Park Project, on land adj to Flixborough Industrial Estate, Stather Road/First Avenue, Flixborough, DN15 8SF – Deadline 3 submission

The Environment Agency has considered the information submitted by the Applicant at Deadline 2 for issues relevant to its remit. Accordingly, please find comments below responding to this and relating to the matters under discussion with the Applicant. These comments relate primarily to the Revision 2 Development Consent Order (DCO) [REP2-005] document, Schedule 2, Part 1 Requirements.

Ground conditions, contamination and hydrogeology

The Applicant has advised us they will provide an additional appendix to the Code of Construction Practice (CoCP) outlining their piling and ground penetration works plan. In connection with this, they have included a 'foundation and piling plan' under Requirement 4(3)(m), of the construction environmental management plan (CEMP) to secure the final details of this post consent. Whilst we await receipt of the additional appendix to the CoCP, we welcome the addition of the plan under the CEMP Requirement.

We also welcome the Environment Agency's inclusion as a specific consultee to Requirement 8 of the DCO, to facilitate the review of the detailed permanent surface water drainage system for matters related to its function, i.e. pollution prevention.

Flood risk mitigation scheme

We note that the revised DCO now includes a reference at Requirement 3(2) that the details to be submitted and approved must be in accordance with the flood risk assessment. Unfortunately, none of the documents submitted at Deadline 2 indicate that amendments are being considered to any of the other flood risk related requirements, i.e. Requirement 4(3)(e) or Requirement 12.

The Applicant's responses to the Examining Authority's questions on this issue

(answers to Q7.1.60 and Q17.1.14) indicate a view that submission prior to commissioning only is the appropriate trigger.

We would therefore like to reiterate our view that it is still not clear at which point in time the Applicant anticipates submitting the detailed physical mitigation scheme, which needs to be supported by additional flood risk modelling to justify the appropriateness of the proposed measures. It must be made clear under which DCO Requirement this will be submitted and approved and that the Environment Agency is a specific consultee to the scheme, prior to any construction works (other than the preliminary works) taking place.

We will continue to liaise with the Applicant on these issues and provide you with further updates at the appropriate deadlines.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.

Yours sincerely

Annette Hewitson
Principal Planning Adviser

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