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The Applicant and Anglian Water

Your Ref:

Our Ref: EN010116

Date: 4 May 2023

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Dear Sir/ Madam,

**The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) –  
Rule 17**

**Application by North Lincolnshire Green Energy Park Limited for an Order Granting  
Development Consent for the North Lincolnshire Green Energy Park Project**

**Request for further information**

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010.

1. In Natural England's Deadline 8 submission, 'Response to the Report on the Implications for European Sites (RIES)' they state that percussive piling may lead to impacts to lamprey due to the more significant vibrations interrupting the migration route. However, Natural England (NE) state that 'soft start' mitigation may be suitable for mitigating effects on lamprey, and they note that 'soft start' mitigation is proposed by the Applicant as a possibility in section 5.3.1.4 of the updated Report to Inform Habitat Regulations Assessment (HRA).

NE request that the 'soft start' mitigation should be included for assessment within the HRA along with relevant predicted noise and vibrations levels to determine suitability of such mitigation.

In order to assist the Examining Authority (ExA), can the Applicant provide a revised HRA to assess the suitability of 'soft start' mitigation as a measure to conclude no adverse effects on the integrity (AEoI) of the Humber Estuary Special Area of Conservation (SAC) as a result of noise impacts to lamprey and indicate where any proposed mitigation measures that are relied upon to conclude no AEoI have been secured.

2. For Natural England's response to ExA Q3.1.4 and Q3.1.5 within their Deadline 8 submission, 'Response to the Report on the Implications for European Sites

(RIES)', they describe their outstanding concerns relating to percussive piling impacts on birds associated with the Humber Estuary Special Protection Area (SPA) and Ramsar. Particular concern is raised for the high number of mallards present in Functionally Linked Land (FLL) of the Humber Estuary SPA located adjacent to the River Trent. NE state that sudden loud bangs as a result of percussive piling has high potential for impacts and request that the HRA outline the circumstances where impact or percussive piling will be required, the noise levels percussive piling will generate, and then include an assessment of proposed mitigation.

The Applicant has set out predicted noise levels that may be generated by percussive piling activities in their response to ExA Q2.1.7 as part of their Deadline 8 response titled 'Applicant's Response to RIES' and lists an acoustic shroud and introducing a non-metallic dolly between the hammer and the driving helmet as potential mitigation measures.

The ExA is therefore requesting that the Applicant provide a revised HRA to include an assessment of the measures available to mitigate the impact of percussive piling on the mallard feature of the Humber Estuary SPA and Ramsar site using the adjacent FLL. The Applicant should also explain where any proposed mitigation measures that are relied upon to conclude no AEoI have been secured.

3. In their Deadline 8 submission, Natural England state that the additional mitigation of acoustic barriers to reduce noise impacts from construction activity, including bored piling, should be secured in the Development Consent Order (DCO).

The ExA request that the Applicant indicate where the proposed mitigation measures relied upon to conclude no AEoI have been secured, for example within revised mitigation plans or the DCO.

4. In their Deadline 8 submission Anglian Water identify there is a risk of insufficient water supplies being available to meet new and expanded water demands across the Anglian region.

The ExA request clarification on the context of this statement to further explain the extent of this issue in the region so the risk can be better understood. Can Anglian Water therefore define the following:

- The area this relates to;
- The volumes of water being considered for domestic and non-domestic water in the region;
- Over what timescales this is being considered; and
- The impact of this project on the overall position.

Responses should be submitted by **Deadline 9 (Wednesday 10 May 2023)**.

Other Interested Parties may also wish to respond to this request.

Yours sincerely

*Edwin Maund*

**Edwin Maund**  
**Lead Member of the Panel of Examining Inspectors**

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