

Mr Rory Cridland
Examining Authority
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: AN/2022/132733

Your ref: EN010133

Date: 22 January 2024

By email:

CottamSolarProject@planninginspectorate.gov.uk

Dear Mr Cridland

**Order Granting Development Consent for the Cottam Solar Project (EN010133)
– applicant’s change request application.**

I refer to your consultation dated 18 December 2023 in connection with the applicant’s change request application.

We note that 5 changes are proposed to the application as follows:

1. Extension to Order Limits to the South of Torksey Ferry Road;
2. Extension to Order Limits to the east and west along Torksey Ferry Road and to land to the north of Torksey Ferry Road;
3. Extension to Order Limits at Cottam Cable Route Corridor Access AC108, High Street, Marton;
4. Extension to and Removal from Order Limits at Normanby by Stow; and
5. Extension to Order Limits at Abnormal Load Access 13, Stone Pit Lane, Willingham by Stow

We have considered all these changes and do not wish to make any additional comments in relation to them beyond those previously made in connection with this proposal. Our previous comments will therefore still apply and will need to be concluded via the ongoing discussions in relation to this application.

Related to this, one ongoing matter relates to the applicant requesting that the Environmental Permitting Regulations for Flood Risk Activity permits are disapplied. However, this is subject to the agreement of the wording of the Protective Provisions in the Development Consent Order and this has not yet been agreed. Pending the outcome of this this, we wish to advise would advise the applicant and Inspectorate

that a flood risk permit will be required under the Environmental Permitting (England and Wales) Regulations 2016 [where not disapplied or reduced by interconnector licence] and permission must be obtained from the Environment Agency for any proposed activities which will take place:

- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) having the potential to divert flood flows to third parties if planning permission has not already been granted for the works.

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

Yours sincerely

Mr Wayne Cattell
Planning Advisor

Direct dial [REDACTED]

Direct e-mail [REDACTED]