

The Planning Inspectorate
[Via Planning Inspectorate website]

Our ref: XA/2024/100131
Your ref: EN010140

Date: 11 December 2024

Dear Sir/Madam

This Relevant Representations summary contains an overview of the project issues which fall within our remit. They are given without prejudice to any further detailed representations we may make throughout the examination process. We may also have further representations to make when supplementary information becomes available in relation to the project.

We have reviewed the draft DCO, Environmental Statement (ES) and supporting documents submitted to the Planning Inspectorate as part of the above-mentioned application.

Summary of Environment Agency position

1. Additional Requirements are necessary:

- A Requirement for a Hydrogeological Risk Assessment and follow up actions (as proposed in the Environmental Assessment and Flood Risk Assessment). This is needed to protect groundwater levels and flow.
- A Requirement for a Piling Risk Assessment and follow up actions (as proposed in the Environmental Assessment and Flood Risk Assessment). This is needed to protect groundwater quality.

Suggested text for these Requirements has been provided in our full Relevant Representations.

2. Amended Requirements

- We request that the wording of Requirement 4 is amended to ensure the Construction Environmental Management Plan (CEMP) applies to site preparation works.
- We request that the wording of Requirement 4 is amended to include that the CEMP is approved by the local planning authority in consultation with the Environment Agency.

3. Protective Provisions

- We do not agree the wording of the protective provisions included in Part 4 of Schedule 9 of the draft DCO. However the wording is close to what we can agree and for that reason with minor amendments we see no reason why we should not be able to agree the wording of the

protective provisions within the examination period. We cannot agree to the disapplication of the requirement for a flood risk activity permit until we have agreed the wording of the protective provisions.

4. Remaining risks to the Environment which have not been addressed

- We require further detail as to how the flood risk compensation scheme as proposed in the Flood Risk Assessment will be secured to ensure this development does not cause flood risk elsewhere. This detail should include phasing of works to ensure that there will be no net loss of floodplain during construction.
- No details have been provided covering operation in times of flood, to include clearance of debris and contingency in the event of failure of remote operation of solar panels.
- Finished floor levels for the built development must be set at 300mm above the design flood.
- No calculations have been presented within the Flood Risk Assessment to confirm that the volume of flood water displaced by the solar panel supports is negligible.
- No details have been provided regarding operational pollution prevention measures in the routine management of drainage from BESS compound.
- No protocol has been provided in Outline CEMP for if unexpected contaminated land is identified during ground investigation or construction.
- No consideration has been made of the potential need for water abstraction licences for consumptive uses, in addition to licences for dewatering that have already been identified

Yours faithfully


Planning Specialist – National Infrastructure Team

Direct dial 
e-mail NIteam@environment-agency.gov.uk