



The Planning Inspectorate

Our ref: XA/2024/100231/01-L01

By email

Interested Party No. 20050710

Your ref: EN010140

Date: 13 January 2025

Dear Sir

DEADLINE 2 - WRITTEN REPRESENTATIONS; COMMENTS ON ANY ADDITIONAL INFORMATION / SUBMISSIONS RECEIVED BY DEADLINE 1; AND UPDATED PADS.

We submitted our Relevant Representation (RR) [RR-117] dated 30/09/2024. The applicant provided a response to these representations in the subsequent document [REP1-004] *The Applicants Responses to Relevant Representations*.

The Written Representations presented below have been made in response to REP1-004.

Environment Agency position

Overall we are satisfied that we are in continuing productive discussions with the Applicant and that progress is being made across all the issues raised in RR-117. At this time, we have no substantive changes to the PADs.

Regarding flood risk. The applicant has issued a technical note dated 07.01.2025 to address all the flood risk matters raised in [RR-117]. We are reviewing this technical note and have agreed to provide our response to the applicant in time to allow their further response at Deadline 3.

Regarding Groundwater. We are satisfied that all issues raised in [RR-117] are being addressed. Solutions to all concerns have been agreed in principle with the applicant, and we anticipate these will be closed down following the submission of amended documents and additional detail.

Detailed Responses.

Our detailed responses to each point raised in [REP1-004] are set out below.

Ref.	Theme	Environment Agency comment in response to [REP1-004]
EA-01	Groundwater source protection	We have agreed that an additional DCO Requirement will be included and we are working with the applicant to agree the wording of that requirement.
EA-02	Groundwater source protection	We have agreed that an additional DCO Requirement will be included and we are working with the applicant to agree the wording of that requirement.

EA-03	Construction site management	The principle of amending Requirement 4 has been agreed. We are working with the applicant to agree the amended wording.
EA-05	Protective provisions	We are in direct conversation with the applicant regarding the use of the Environment Agency's most up-to-date standard wording. We expect this will be available by Deadline 3.
EA-05	BESS floodplain compensation	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.
EA-06	Operation of the development in times of flood	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.
EA-07	Equipment levels	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.
EA-08	Flood Risk Assessment	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.
EA-09	Groundwater source protection	We welcome the proposed mitigation measures. We request confirmation of the following: 1. That the filter drains and porous sub-base beneath the BESS Compound, which could receive fire water during an incident, would be sealed to prevent leakage to ground of contaminated water. 2. of the process to ensure activation of the penstock valves would be triggered to avoid accidental discharge of fire water from the attenuation basins should a fire event occur. We await submission of the revised FRA [APP-232] to close this issue.
EA-10	Land contamination	We are satisfied with the proposed measures to be included in an update to the outline CEMP (section 3.111 Pollution Prevention) [APP-121]. We await submission of the revised oCEMP to close this issue.
EA-11	Consents and Licences	This issue can be closed. We are satisfied that the potential need for a water abstraction licence for consumptive uses is recognised in [APP-008] Consents and Licences Position Statement.
EA-12	Groundwater source protection	As per EA-09
EA-13	Groundwater source protection	We await additional Requirements as per EA-01 & EA-02; and an updated definition of SPZ in the FRA [APP-232] to be able to close this issue.
EA-14	Consents and Licences	As per EA-11
EA-15	Consents and Licences	Satisfied - No further comment required
EA-16	Construction site management	As per EA-10

EA-17	Groundwater source protection	As per EA-01
EA-18	Groundwater source protection	As per EA-02
EA-19	Construction site management	As per EA-03
EA-20	Construction site management	As per EA-03
EA-21	Development Consent Order	We await review of revised wording of Article 18(7) of the dDCO [APP-006] to be able to close this issue.
EA-22	Construction site management	We are satisfied with the applicant's response and await review of revised wording to oCEMP [APP-121] to be able to close this issue.
EA-23	Flood Risk Assessment	As per EA-08
EA-24	Equipment levels	As per EA-07
EA-25	Flood Risk Assessment	As per EA-08
EA-26	Flood Risk Assessment	As per EA-05
EA-27	Flood Risk Assessment	We are satisfied with the applicant's response and await update to FRA [APP-232, 233 & 234] to reference the latest version of the Hydraulic Model, to be able to close this issue.

Yours faithfully

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Planning Specialist – National Infrastructure Team

Direct e-mail: ██████████@environment-agency.gov.uk