



The Planning Inspectorate
Major Casework Directorate
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: AE/2023/128839/01-L01
Your ref: EN020002
Date: 10 October 2023

Dear Sir/Madam

**NATIONAL GRID (BRAMFORD TO TWINSTEAD REINFORCEMENT)
DEVELOPMENT CONSENT ORDER NOTICE. DEADLINE 2 - WRITTEN
REPRESENTATION**

BRAMFORD TO TWINSTEAD

Please find enclosed our written representation for deadline 2 of the Bramford to Twinstead NSIP.

The Role of the Environment Agency

The Environment Agency is a statutory consultee on all applications for development consent orders. We have a responsibility for protecting and improving the environment, as well as contributing to sustainable development. We have three main roles:

(i) We are an environmental regulator – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on business. We issue a range of permits and consents.

(ii) We are an environmental operator – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.

(iii) We are an environmental advisor – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making. One of our specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from Main Rivers or the sea.

Overview

We are providing this response following our relevant representation. This response provides updates where further information has been provided.

1.0 Fisheries Biodiversity and Ecology

1.1 We are pleased that the applicant has confirmed that the design of bridges will allow unrestricted passage of wildlife. The applicant has confirmed that the CoCP contains good practice measure W17 that states “Temporary clear span bridge crossings (e.g. bailey bridge) will be used for the temporary access route crossing at the River Stour, River Box and the River Brett. These... would be set back 8m (or distance otherwise agreed with the Environment Agency) from the river’s edge”. The clear span bridge and distance set back should be sufficient to allow the unrestricted movement of most wildlife along the banks of the rivers.

1.2 Following our relevant representation, the applicant has confirmed that it is not practicable to provide bridges instead of culverts at the crossing points of minor watercourses (non-main rivers). Whilst we maintain that temporary bridges would be preferable to culverts as the impacts of bridges on riparian habitats and Water Framework Directive Hydromorphological Quality Elements will be lower than culverts we accept the applicant’s reasoning. As stated in our relevant representation, If culverts are to be used, there should be a firm commitment to remove these at the end of the construction period and to fully re-instate the watercourse. This should include the reinstatement of appropriate bed material, and a commitment that the restored sections of watercourse will have natural banks and not artificially reinforced banks.

1.3 Overpumping risks the killing or injury of fish present in watercourses. We welcome the inclusion of requirement 4 of schedule 3 in the draft DCO which includes commitment B13 which states “Where pre-construction surveys have identified a likely fish presence and opencut crossings are proposed and over pumping will be used. The pump will be appropriately screened to prevent entrainment or impingement of fish or fish friendly pumps will be used to facilitate the downstream passage of fish through the pumps. The use of pumps to move water will require 2-3mm screening to avoid the impingement of fish and juvenile eels”. We recommend that in accordance with best practice a screen size of 2mm should be used. If it is intended to use fish friendly pumps (I.e without the use of screening) then the suitability of such pumps should be agreed in advance with the Environment Agency.

2.0 Pollution Prevention

2.1 We welcome the inclusion of sediment fencing of temporary access routes that is secured by requirement 4 of schedule 3 of the draft DCO.

2.2 The applicant should define the type of pollution boom for W02 as referred to in section 7.3 of our relevant representation. We note that the applicant has stated that this has not been explicitly defined within the application as the applicant has not yet appointed a main works contractor who would be responsible for confirming the measures. We would request that we are informed as soon as possible.

3.0 Groundwater and Contaminated Land

3.1 We have reviewed the Groundwater and Contaminated Land section of Table 3.11 in Document 8.3.3: Applicant's Comments on Relevant Representations

3.2 As also stated in our correspondence AE/2023/128468/01-L01 dated 18 July 2023 "The hydrogeological risk assessment will be submitted to the Environment Agency for information prior to construction" but is still repeated in this document. We noted that this should not be "for information" but submitted well in advance for approval to the Environment Agency. We need to review these documents well in advance of any works commencing. The applicant has stated that a hydrogeological risk assessment will be undertaken once the trenchless crossing method has been confirmed. We welcome the inclusion of the text of GH07 but would reiterate that this should not be for information but should allow for review and comment by the Environment Agency. Furthermore, it is stated that "The Environment Agency will have up to 10 working days to respond on the hydrogeological risk assessment and their comments will be considered as part of finalising the risk assessment.". We do not consider this a reasonable timescale and suggest a minimum of a 21 day period applies, with a preference for a pre-submission to address any issues well in advance and to avoid any delays.

3.3 We welcome that the code of construction practice states that clay bungs will be constructed within trench excavations where necessary to prevent the creation of preferential drainage pathways.

4.0 Flood Risk

4.1 We can confirm that we have no outstanding Flood Risk concerns. All Flood risk information can be found within our relevant representation.

5.0 Flood Defences/Maintenance

5.1 In our relevant representation, we raised concerns around flood defences at the location of the temporary crossing of the River Stour at Lamarsh. We are pleased that the applicant has confirmed that they do not envisage any disruption to the flood bank in this location. In addition, the applicant will also need to apply for a flood risk activity permit.

6.0 Water Resources

6.1 Following our relevant representation, the only additional comments we have on water resources is that the applicant should be aware the water company will not be legally required to provide them with water for the A134 compound.

7.0 Water Quality

7.1 We are satisfied that our previous comments regarding WFD and no deterioration have been addressed. We therefore have no further comments on water quality.

8.0 Navigation

8.1 We are the Navigation Authority for the River Stour (Suffolk).

8.2 As the Navigation Authority for the River Stour, we are responsible for ensuring the navigation width is appropriate. We define this as the 'Navigation Envelope' the minimum channel width is 6m and the minimum headroom above normal retention

levels is 3m. The reduction in the Navigation envelope with temporary and permanent structures should be minimised in both the construction and operational phases. Only essential safety measures during the construction phases should be temporary within the river (Navigation Envelope). If the applicant wishes to place any safety measure in the river, they must contact us to discuss your plans because there may be requirements as to where and when they can place them to avoid causing an obstruction to river traffic. Please note if they wish to lay any obstructions or install other temporary structures in the river, they need our formal consent and this may include action, or support, that is chargeable.

8.3 There are many impacts associated with the loss of the Navigation Envelope; in particular this would impede the rights of the river users who are legally registered to navigate under the Anglian Water Authority act 1977 and the Environment Agency (Inland Waterway) Order 2010.

8.4 Demonstration and justification is needed that the Navigation Envelope will be maintained during both any temporary and permanent structures.

- We recommend the applicant tell local river-based clubs about their plans for the works and discuss any concerns they may have. In making the arrangements, Organisers should ensure that the works do not unreasonably impede the rights of other river users, such as fishermen or boats in transit. We recommend the applicant contacts the relevant angling and boat clubs for the area concerned. The applicant must liaise with these clubs to inform them about the works and erect signs and notices, as deemed appropriate by the clubs, to inform club members, (and others), of the works planned.
- We recommend the applicant places notices advising all river users the works are taking place – ideally upstream and downstream of the event site.
- We advise the applicant to carries out works over the river only during the hours of daylight and in good visibility conditions. To reduce the impact on river users we advise the works take place during the winter months of November to March.
- We advise the applicant provides an adequate number of safety boats suitable for rescue, manned by competent personnel, along with a sufficient number of marshals throughout the area of the works, to be alert to potential risks.

8.5 We believe requirements should be secured against the DCO, and those requirements should include, but not be limited to, the following:

Requirement – Temporary works during cross river structure.

Details should be provided of the positioning of any structures within the river channel, including although not limited to, safety boats, buoys, jetties, scaffolding, and platform or work barges. These details should include justification for any construction works within or above the river channel and the extent of timescale needed for the works.

Requirement – Any Permanent cross river structure encroachment

Details should be provided on the final positioning and extent of encroachment above the river channel. Details should be provided on the following:

- Justification for positioning and extent of the encroachment
- Detail and justification on proposed navigational impacts
- Demonstration that the Navigation Envelope will be maintained

- Demonstration that the encroachments are designed to be streamlined with an aim to minimise the Navigational impacts.

We trust this advice is useful.

Yours faithfully



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