



The Planning Inspectorate  
Major Casework Directorate  
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**Our ref:** AE/2023/128884/01-L01  
**Your ref:** EN020002  
**Date:** 31 October 2023

Dear Sir/Madam

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC FOR  
THE BRAMFORD TO TWINSTEAD REINFORCEMENT**

**THE EXAMINING AUTHORITY'S FIRST WRITTEN QUESTIONS ISSUED ON 13  
OCTOBER 2023**

Thank you for your consulting Examining Authority's (ExA's) first written questions (ExQ1). We have provided our responses to your questions below.

**Question Referenced CM1.5.62: The CEMP [APP-177], CTMP [APP-180], MWMP [APP-181] and LEMP [APP-182] appear to be submitted as final documents, without a requirement to submit and approve detailed versions in the dDCO [APP-034]. Could you:**

- **comment on the Applicant's proposed approach;**
- **identify any outstanding concerns with the content of the plans;**
- **describe the steps considered necessary to resolve outstanding concerns by close of Examination; and**
- **provide comments on the Applicant's proposed approach to managing future change of these management plans, i.e., that the Applicant would provide details of the change together with evidence of stakeholder engagement, and request that the relevant planning authority endeavours to respond to confirm its consent to the change or reasons for not accepting within 28 days?**

Most of our comments have been included within previous representations. We are able to add the following.

In relation to identifying any outstanding concerns with the plans.

For the CEMP [APP-177]: The key point is covered by good practice measure GH07 in application document 7.5.1, and we expect to see a Hydrogeological Risk Assessment (HRA) in due course. Note that we have on several occasions pointed out that several documents, including GH07 that the statement "The hydrogeological risk assessment will be submitted to the Environment Agency for information prior to construction." 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." We also note that there does not appear to be any commitments relating to the provision of any HRA in the application document 7.5.1 Register of Environmental Actions and Commitments (REAC) – we wish to see a commitment in this document too.

In relation to the steps necessary to resolve outstanding concerns. We are pleased that any HRA would be provided once the trenchless crossing method has been confirmed, covered by GH07, but this should also be provided as a specific REAC commitment.

In answer to the final bullet point this would be acceptable.

**Question referenced DC1.6.57: In your capacity as the navigation authority for the River Stour, has the Applicant addressed your concerns about Article 50 of the dDCO in Applicant's Comments on Relevant Representations [REP1-025] at pages 81 and 102?**

We are pleased that the applicant has confirmed that there will be no need to take part of the embankment away to install the temporary bridge. We note that the applicant has stated that a bespoke design will not be available until the detailed design stage and that the applicant has confirmed that they will proceed with a flood risk activity permit. We are still in discussions with the applicant regarding navigation and the requirements for the temporary river crossing. We will need to review detailed designs before we are able to grant a permit or provide further detail at this stage.

**Question referenced DC1.6.120: Are negotiations continuing between the Applicant and the Environment Agency about potential further Requirements in the dDCO in relation to navigation of the River Stour and temporary in-river and cross-river construction structures and permanent cross-river structures? Will the outcome be reported in the Statement of Common Ground between the parties, and, if so, when is this expected? If there is no agreement on these matters as yet, can the Environment Agency suggest the wording that you would like to see included within the DCO?**

Please see our answer to question DC1.6.57 above. The applicant is currently engaging with us and we will be responding to the applicants questions shortly. The

outcome of this will be communicated in the next update to the Statement of Common Ground (SoCG) under SoCG ID 5.5.1.

**Question referenced WE1.12.1: Can you briefly confirm your views on the applicant's approach and method in the Flood Risk Assessment [APP-059]? Do you consider the Flood Risk Assessment to comply with NPS EN-1, the National Planning Policy Framework and Planning Practice Guidance? Does the Flood Risk Assessment represent an accurate assessment of the flood risks on site and is the assessment proportionate to the risk and appropriate to the scale and nature of the project?**

The Flood risk assessment is thorough and has adequately assessed and mitigated flood risk. Plans comply with planning guidance.

**Question referenced WE1.12.2: Are you content with the Applicant's approach to the operational phase risk assessment, as set out in paragraphs 4.3.13 and 4.3.14 of the Flood Risk Assessment [APP-059]**

We can confirm we are happy with the applicant's approach.

**Question referenced WE1.12.4: Can you briefly confirm your views on the sufficiency and application of the sequential and exception tests set out in the Flood Risk Assessment [APP-059]?**

The Environment Agency does not comment on the sequential and exception tests.

**Question referenced WE1.12.12: What are your views on the management measures set out in Section 9.2 (Management Measures) of the CEMP [APP177] regarding: (i) site planning and preparation; (ii) surface water abstraction and discharges; (iii) pollution and erosion management measures; and (iv) reinstatement?**

The applicant has not mentioned any mitigation measures for interruption to other abstractors (especially from dewatering activities as there are groundwater licences near the river crossings). We are however pleased that the applicant has noted that they will not be interrupting flows. Measure AS04 talks about interrupting water supplies for livestock and measures taken but there is no mention of any other water supplies; this could be because only supplies to livestock are affected but should be clarified with the applicant.

In relation to section 9.3.2 we agree with the approach for buffer zones to prevent site run off reaching any watercourses.

Section 9.3.10 regarding discharges mentions applying for an abstraction licence if water discharge was required. This should be amended to say an environmental permit for discharge activities. The applicant should also need to take into account time needed for a permit to be issued.

General good practise and topic-specific measures in 7.5.1 – GG14, GG15 and W10 should stipulate that any pollution incident (inc. sediment run-off) should immediately be reported to our incident hotline 0800 807060. W13 – movements must be carried out by a suitably registered waste carrier.

**Question referenced WE1.12.13: What are your views on the capacity of the control measures set out in CoCP [APP-178] and REAC [APP-179] to manage flood risk?**

We have reviewed these documents as part of our ongoing responses to this application and we are satisfied with their content.

**Question referenced WE1.12.14: Would the dDCO [APP-034] and Section 9.2 (Management Measures) of the CEMP [APP-177] adequately secure all measures required to mitigate flood risk?**

We are satisfied that the dDCO and section 9.2 of the CEMP adequately secure measures to mitigate flood risk.

**Question referenced WE1.12.15: Paragraph 4.4.63 of ES Chapter 4 [APP-072] addresses abstractions and de-watering. Are you satisfied with the approach to dewatering activities? Can you see any reason why the relevant environmental permits would not be issued for groundwater abstraction and discharge?**

Yes, mostly. These partially satisfy Regulation 5 of the Water Abstraction and Impoundment (Exemptions) Regulations 2017 (WAIR 2017) but should also consider the other requirements. The applicant would need to allow sufficient time to apply for a licence if one is required, and should bear in mind any delays in the permitting process that may impact the project schedule. We would advise that the applicant confirm with our permitting team that the 6 month exemption is appropriate for their needs in regards to multiple sites & duration. Where a dewatering licence is required, this will need to be a completely non-consumptive transfer licence (this means no intervening use of water) due to water availability in the area. We have only been able to identify that they may do this in the River Stour and River Box crossings and are unclear if they intend to dewater such to need a licence anywhere else.

**Question referenced WE1.12.19: Paragraph 3.1.2 of the Habitats Regulations Assessment Report [APP-057] explains the proximity of the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar sites to the Order Limits, noting that the River Stour, the River Box, the River Brett and the Belstead Brook all enter the Stour and Orwell Estuaries, approximately 5.72km south-east of the Order Limits. Are you confident that sufficient controls can be put in place to ensure that the proposed activities in Flood Zone 3 (including horizontal directional drilling under the River Stour) would not adversely impact the European sites? How would these drilling activities be controlled by Environment Agency licensing?**

We would recommend consulting with Natural England on this question as this is primarily within their remit, however, we are satisfied that, provided the relevant control measures set out in the Code of Construction Practice and CEMP are implemented, the project will not adversely affect the integrity of the Stour and Orwell Estuary SPA and Ramsar site. Any crossing of main rivers (or work within 8 meters of a main river or defence) will also likely require a flood risk activity permit. The applicant has committed to applying for flood risk activity permits where required.

Natural England will also be consulted through this process in terms of SSSIs, SACs and SPAs.

**Question referenced WE1.12.40: Paragraph 4.4.40 of ES Chapter 4, the Project Description [APP-072] looks at bridge crossings. Are you satisfied with the proposals for temporary (4-year) bridges across the Rivers Brett, Box and Stour? Can you see any reason why the relevant Flood Risk Activity Permits would not be issued?**

Bridge crossing proposals have been assessed and proposed levels are to set above required flood levels and provided the crossings do not affect existing flood defences and our previous advice about bridge design is adhered to with protected species issues are adequately addressed (including obtaining any required Protected Species Licences from Natural England) we do not foresee any issues. The applicant has however recently contacted us regarding potential embankments that may need to be installed to allow plant to access the temporary crossing over the Stour. It must be ensured that any embankment does not increase flood risk elsewhere. Discussions are ongoing with the applicant.

**Question referenced WE1.12.41: Paragraphs 11.1 and 11.2 of the Environment Agency RR [RR-031] raise concerns about the possible need to remove part of the embankment to install a temporary bridge. The Applicant [REP1-025] is not expecting this to be necessary. This matter appears to be close to agreement, but will it be included in the Statement of Common Ground between the two parties?**

The applicant has confirmed that there will be no need to remove part of the embankment to install the temporary bridge. We can therefore confirm agreement between the two parties. Further information can be found within our written rep referenced AE/2023/128839/01-L01 and dated 10 October 2023.

**Question referenced WE1: Paragraphs 2.1 and 2.2 of the Environment Agency RR [RR-031] comment on the impacts of temporary culverts on habitats and the hydro-morphology of watercourses. The Applicant has responded in its comments on RRs [REP1-025]. Will this matter be included in the Statement of Common Ground between the two parties? Can the Applicant confirm the extent of temporary culverting of watercourses that would be required during construction?**

We provided an update in our most recent written rep referenced AE/2023/128839/01-L01 and dated 10 October 2023. To reaffirm, the applicant has stated that all temporary crossings and/or culverts will be removed post construction unless otherwise agreed in the FRAP/Ordinary Watercourse Consent. It would be better if the applicant could state that there is a presumption that all such crossings will be removed. If they are not removed then there will be a likely net loss of wetland habitat and measures should be put in place to mitigate/compensate for this loss.

Yours faithfully

**Mr Liam Robson**



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