

Date: 08 February 2024
Our ref: 465534
Your ref: EN020002/20041359

BramfordtoTwinstead@planninginspectorate.gov.uk

BY EMAIL ONLY



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir/Madam

NSIP Reference Name / Code: National Grid: Bramford to Twinstead Reinforcement / EN020002

Registration Identification Number: 20041359

Title: Natural England's Comments on the Report on the Implications for European Sites (RIES).

Examining Authority's submission deadline 8: 9 February 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

For any further advice on this consultation please contact the case officer Emma Hurrell and copy to consultations@naturalengland.org.uk.

Yours faithfully

Emma Hurrell, Lead Adviser, Norfolk and Suffolk Area Team

Natural England's (NE) response to the Examining Authorities' (ExA) Questions

- 1. ExA Question: Q2.1.1 [To NE and all IPs] Other than the sites listed above, the ExA is not aware of any representations from IPs identifying any additional UK European sites for inclusion in the Applicant's HRA. IPs are requested to advise if they consider that additional sites or qualifying features could be affected by the Proposed Development.**

NE Response: Natural England has reviewed the European sites included in the Applicant's Habitats Regulations Assessment (HRA) [REP1-007]. Based on the information available, we do not consider there to be any additional UK European sites or qualifying features that could be affected by the proposed development.

- 2. ExA Question: Q3.1.1 [To NE]: Are you satisfied with the Applicant's approach to assessment of Stour and Orwell Estuaries Ramsar site in the absence of conservation objectives for this site.**

NE Response: Natural England are satisfied with the Applicant's approach to the assessment of Stour and Orwell Estuaries Ramsar site, which includes consideration of the conservation objectives of the overlapping Stour and Orwell Estuaries Special Protection Area (SPA).

- 3. ExA Question: Q3.1.3 [To NE]: Submit any information that you hold about whether the Stour and Orwell Estuaries SPA and Ramsar site are in favourable or unfavourable condition.**

NE Response: The condition of the notifiable features of the Stour and Orwell Estuaries SPA and Stour and Orwell Estuaries Ramsar site (and underpinning SSSIs, Cattawade Marshes SSSI and Orwell Estuary SSSI Stour Estuary SSSI) can be found on Natural England's Designated Sites database (available at: <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>)

- 4. ExA Question: Q3.3.1 [To the Applicant and NE]: Confirm that the ExA's understanding is correct, or otherwise explain what remains outstanding and what steps are being taken to resolve the matter**

NE Response: Natural England mostly agree with the 'details of issue' provided although the reason that there has been no further reference to our request for a detailed contingency plan for lubricant breakout is because the Applicant had advised Natural England (meetings on 31 July 2023 and 7 September 2023) that a commitment has been made to produce a Technical Note for the Environment Agency when the drilling method is known. This would include any proposed contingency plans should a breakout occur.

Discussions have been ongoing between the Applicant and Natural England on this matter. Natural England are satisfied with the proposed revised wording for commitment GH07, received from the Applicant (email correspondence received 05.02.24), "A hydrogeological risk assessment will be undertaken once the trenchless crossing method has been confirmed. This will assess the risks on groundwater or surface water quality associated with the construction method including considering the potential for breakout during drilling and the use of bentonite or other agents proposed. Where the assessment identifies an unacceptable risk to groundwater or surface water quality, mitigation measures will be identified and/or then alternative methods and/or additives shall be

proposed, assessed and used. The hydrogeological risk assessment will be submitted to the Environment Agency for approval prior to construction. At the same time, the Applicant will submit the hydrogeological risk assessment to Natural England for information, along with the contact details for the Environment Agency. Natural England will be responsible for submitting any comments it has on the hydrogeological risk assessment to the Environment Agency for its consideration as part of the approval process. The Environment Agency will have up to 21 working days to respond on the hydrogeological risk assessment and their comments will be considered as part of finalising the risk assessment. This can be supported by a pre-submission draft to reduce the risk of any delays.” Providing this measure along with the other mitigation measures identified in the HRA are secured, Natural England consider this matter resolved.

- 5. ExA Question: Q3.3.2 [To NE]: Comment on the Applicant’s without prejudice wording for R4 of the dDCO [REP6-003] as set out in DC2.6.16 (Applicant’s Responses to Second Written Questions, Document 8.9.3) (EL reference to be assigned). Confirm if this is sufficient to address concerns about ensuring that the CEMP [REP6- 021] and CoCP [REP3-026] would not be finalised until the outcome of the hydrogeological risk assessment is known. If there are any outstanding concerns, explain these and provide any revised wording that you consider is required.**

NE Response: Natural England consider this wording is sufficient to ensure that the CEMP [REP6- 021] and CoCP [REP3-026] would not be finalised until the outcome of the hydrogeological risk assessment is known.

- 6. ExA Question: Q3.3.4 [To NE]: Notwithstanding your concern that the construction method is not yet determined, is NE satisfied that there is a sufficient control framework in the CEMP [REP6-021] and CoCP [REP3-026] and/ or through the requirement to obtain a FRAP to ensure that activities in Flood Zone 3 would be managed in a way to avoid effects to the European sites? Indicate whether your response is made on the basis that the Applicant’s without prejudice wording for R4 of the dDCO, requiring a final version of the CEMP [REP6-021] is incorporated. If not, explain any outstanding concerns and the information required to address them.**

NE Response: With the agreed amendments to commitment GH07, NE is satisfied the control framework in the CEMP [REP6-021] and CoCP [REP3-026] and the requirement to obtain a FRAP will ensure that activities in Flood Zone 3 would be managed in a way to avoid effects to the European sites. This is inclusive of the wording for R4 of the dDCO, requiring a final version of the CEMP [REP6-021] to be incorporated.