

The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: KT/2016/121281/01
Your ref: EN020017
Registration ID: 10032057
Date: 8 July 2016

Dear Sir/Madam

Application for the Richborough Connection Project comprising the installation of a 400kV electricity connection (overhead line) between Richborough and Canterbury, Kent.

Please find below our Written Representation for the Richborough Connection Project.

Following the submission of our Relevant Representation (RR-22) on 23 March 2016 we have continued to work with National Grid (the applicant), in respect of the issues raised. The purpose of this Written Representation is to provide an update on our Relevant Representation and provide further information where we have outstanding issues of concern. All matters agreed with National Grid are outlined in our Statement of Common Ground with the applicant (to be submitted by National Grid to the Examining Authority by 14 July 2016).

Please note that we may need to add to or amend the matters detailed below as further information is provided throughout the examination.

Summary of outstanding information and issues of concern

Our Written Representation outlines where further work, clarification or mitigation is required to ensure that the proposal has no detrimental impact on the environment. In summary, our key concerns/outstanding issues are:

- Ensuring full consideration is given to the implications of this proposal on the viability of Broad Oak Reservoir because of its importance in ensuring security of water supply in East Kent.
- Ensuring appropriate pollution prevention including assessing the risks of historical land contamination to controlled waters.

The following will be agreed under the Flood Risk Activity Permit process:

- Final design and location for temporary bridges.
- Assessment of the scheme against the Water Framework Directive.

At this stage we can see no reason why our consent for works will not be permitted.



Detail of outstanding information and issues of concern

1.0 Potential impact on other schemes

Full consideration should be given to the implications of this proposal on the viability of Broad Oak Reservoir because of its importance in ensuring security of water supply in East Kent. Broad Oak Reservoir is an important strategic supply option identified within South East Water's Water Resources Management Plan 2014. The development of a plan is a statutory duty, imposed on Water Undertakers by Section 37A(1) Water Resources Act 1991, amended by Section 62 of the Water Act 2003. The Plan has been through public consultation, reviewed by the Environment Agency and approved by the Secretary of State, as is required under Section 37(2). Given revised population forecasts, a minimum deficit of approximately 25Ml/d will be experienced within this part of East Kent [supply zone 8] by 2040. With a proposed yield of 13.5Ml/d Broad Oak Reservoir will be integral to meeting future demand; given current rates of population growth, previous small scale solutions employed to maintain supply are no longer viable alone.

Construction of the Reservoir will require mitigation as the Sarre Penn (stream that runs through the site) will need to be realigned and be passable by fish. The submitted plans show that a section of the proposed route falls within the footprint of the Sarre Penn realignment.

We fully support National Grid working with South East Water to ensure both developments can proceed. To support this we provided advice to staff from Jacobs (working on behalf of South East Water and National Grid) on the design of the Sarre Penn diversion channel around the proposed Reservoir.

Given the importance of this scheme to maintaining security of supply, we strongly advise National Grid to continue to work with South East Water to consider the implications of the proposed transmission route and the viability of Broad Oak Reservoir, specifically whether the Reservoir's existing designed mitigation measures remain feasible. The implication, should the Reservoir no longer be considered feasible, is that alternatives would need to be explored. These may be more costly, less sustainable, involve less proven technologies and take longer to implement. Alternatively, alterations may be required of the pylon route, which, once constructed, would be expensive.

2.0 Land contamination

As outlined in the Environmental Statement, reference 5.2, dated January 2016, the vast majority of the Order limits lie outside of any groundwater Source Protection Zones (SPZs), the exception being two short sections of existing access road in the northern part of Section D, as shown in figure 13.3. There are a further two SPZs in the general vicinity of the Order limits, as indicated in figure 13.3b. In addition the potential for contamination may be suspected on the basis of past and/ or current use of the site.

2.1 Desk study

The Land Contamination Desk Study in Appendix 14A, reference 5.4.14A, dated January 2016, assesses the risks of historical land contamination to human health, but does not consider risk to groundwater or surface water (section 4.1.20). It is unclear why this has been scoped out because any works to ground impacted by contamination present a risk of pollution.

National Grid have agreed to update the Land Contamination Desk Study to ensure it demonstrates that the risk to controlled waters has been fully understood and can be

addressed through appropriate measures. The applicant is advised to do this by undertaking a preliminary risk assessment to identify all previous uses of each site and potential contaminants associated with those uses. Depending upon these results the applicant may need to prepare a site investigation scheme, remediation strategy and verification plan. We would like to review the updated desk study.

2.2 Unsuspected contamination

Section 4.4.4 of the Construction Environmental Management Plan (CEMP), reference 5.4.3C, dated January 2016, recognises that contamination may be encountered when excavating the site. National Grid have agreed to add a requirement to the Draft Development Consent Order to manage the risk of unsuspected contamination to controlled waters. Our suggested text is given below:

(1) If, during any stage of the authorised development, contamination not identified or addressed within the relevant code of construction practice is found to be present within the Order limits then no further development in the vicinity of the contamination may be carried out until, a written scheme to deal with the associated risks has been submitted to and approved by the relevant local planning authority following consultation with the Environment Agency.

(2) The scheme must include an investigation and assessment report, prepared by a specialist consultant notified in advance to the relevant planning authority, to identify the extent of any contamination and the remedial measures to be taken to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on site.

(3) No remedial work identified in accordance with paragraph (2) is to be carried out until the scheme has been approved.

We would like the opportunity to review and agree any final wording.

I hope that these comments are helpful in setting out details to be considered during the examination. If you have any questions please contact me using the details below.

Yours sincerely

Jo Beck – Sustainable Places Specialist
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