

The Planning Inspectorate

**Our ref:** RA/2023/145637/01

**Your ref:** EN020024

**Date:** 26 April 2023

Dear Sir/Madam

**Application by National Grid Electricity Transmission (NGET) for an Order granting Development Consent for the Yorkshire Green Energy Enablement (GREEN) project: Environment Agency response to the Examining Authority's First Written Questions.**

We have reviewed the Examining Authority's questions (ExQ1) and wish to offer the following responses set out in the accompanying table.

We trust this answers your questions sufficiently.

Yours faithfully

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ExQ1	Question to:	Question:	Environment Agency response:
<b>4.5 Statutory Undertakers</b>			
Q4.5.5	Environment Agency	<p><b>Protective Provisions with the Environment Agency</b></p> <p>a) Are you in agreement with the Applicant's wording of Protective Provisions as set out in the dDCO [AS-011], Schedule 15?</p> <p>b) If not, either provide copies of preferred wording for Protective Provisions, or if you have provided it elsewhere (such as in a SoCG), signpost where it can be found and explain why you do not want the wording as currently drafted to be used.</p>	<p>From a flood risk perspective we have no issue with the Applicant's wording of the Protective Provisions. Note – the applicant is not looking to disapply flood risk activity permitting (FRAP )and therefore any works affecting main rivers (or within 8m of main river or toe of defence) that require a permit will be obtained separately, post grant of DCO, this is detailed with the Statement of Common Ground, and further discussion will take place to define FRAP requirements.</p> <p>No concerns regarding 'Contamination of land or groundwater and controlled waters (12) in Schedule 15.</p>
<b>5.5 Schedule 4: Discharge of Requirements</b>			
Q5.5.5	North Yorkshire County Council, City of York Council, Hambleton District Council, Harrogate Borough Council, Leeds City Council and Selby District Council, or any successor body Environment Agency Internal Drainage Boards	<p><b>Schedule 4: views of future discharging authorities</b></p> <p>a) Set out your views on Schedule 4, covering (but not limited to):</p> <ul style="list-style-type: none"> <li>- the proposed timescales for decisions provided for under paras 1(1), 1(3), 1(4), 2(2) and 3 of this Schedule;</li> <li>- whether Requirements may be discharged in parts, and if so, how fees should be payable;</li> <li>- the acceptability of the proposed appeal provisions set out at paragraph 3; and</li> <li>- other points raised for the Applicant to consider above.</li> </ul> <p>b) If you do not agree with the wording in this Schedule set out your reasons and any suggested amendments to the wording of this article.</p>	No comment/concerns.
<b>6. Flood Risk, Water Quality and Resources</b>			
Q6.0.1	Environment Agency, Lead Local Flood Authorities, Internal Drainage Boards:	<p><b>Bridge and culvert crossings</b></p> <p>Do you consider that the proposals for the provision and design of bridges and culverts where</p>	There are no bridge or culvert crossings on main river, we therefore defer to both the LLFA and IDB's with respect to this (note, again the applicant is not looking to disapply consent

	Ainsty IDB, Foss IDB and Kyle and Upper Ouse IDB.	watercourse crossings are required, as set out in [APP-084], would satisfactorily protect those watercourses?	under the Land Drainage Act 1991 and so these works will likely be considered during the consenting process by the relevant RMA's.)
Q6.0.3	Environment Agency	<b>Flood risk modelling: Overton Substation</b> The flood risk modelling for the Overton Substation Site is set out in the FRA [APP-138]. Can the Environment Agency confirm that it is content with the modelling assessment upon which the flood risk mitigation is designed?	We can confirm that we are content with the modelling assessment upon which the flood risk mitigation is designed. This is confirmed within the Statement of Common Ground.
Q6.0.5	The Environment Agency, Lead Local Flood Authorities, Ainsty IDB, Foss IDB, Kyle and Upper Ouse IDB	<b>Discharge of Water</b> Article 19 of the dDCO [AS-011] provides for the prior approval of water discharge arrangements from the relevant owner. Are you content that these arrangements are acceptable?	No comments/concerns.
<b>Other comments</b>			
<p>It is assumed that the Flood Risk Assessment (App-138 / 5.3.9D Appendix 9D) and the Chapter 9 of the ES Hydrology (APP-081 / 5.2.9 ES) will be in the approved documents list of the DCO. As long as the works are carried out in accordance with these documents then we have no objections.</p> <p>You could consider a general requirement for the works to be carried out in accordance with the approved FRA, this would possibly help secure other areas which you have asked the applicant how they will be secured in the dDCO (see Q6.0.4 regarding how the level of the development platform will be secured).</p>			