

**Application by National Highways for A47 Wansford to Sutton Dualling**  
**The Examining Authority's written questions and requests for information (ExQ1)**  
**Issued on 18 January 2021**

Please find below answers to the Examining Authority's written questions from the Environment Agency (EA).

<b>ExQ1</b>	<b>Question:</b>	<b>EA response</b>
<b>1.0</b>	<b>General Questions</b>	
1.0.21	<b>Covid-19 pandemic</b> a) Does any party have any view as to whether the Covid-19 pandemic has had any material implication as to how the Proposed Development should be considered? b) If so, they should explain why they hold that view, evidenced where possible.	The EA has no view on this currently.
1.0.22	<b>Environment Act 2021</b> All parties are given the opportunity to make comment in light of the passing into law of the Environment Act 2021 in relation to the consideration of the Proposed Development. Any response should make reference to those applicable parts of the Act that have come into force, those which come into force on a stated date and those parts which will come in force by Regulation.	The EA has no view on this currently.

ExQ1	Question:	EA response
1.2	<b>Biodiversity, Ecology and Natural Environment</b> (including Habitats Regulations Assessment (HRA))	
1.2.2	<b>Assessment criteria</b> Paragraph 8.4.21 of the ES [AS-015] sets out the assessment criteria for biodiversity.  a) Given the location of the application site close to the boundary with Cambridgeshire and Northamptonshire, the latter being in a different English Region, could the Applicant explain why the relative biodiversity resource importance were not considered in relation to the East Midlands Region, and Cambridgeshire and Northamptonshire. b) Do IPs agree with the Applicant's approach, or do they consider other geographic areas should be considered? c) If IPs consider other geographic areas should be considered, then could they please explain what that area should be and why they hold that view. d) Could the Applicant please undertake a sensitivity analysis on the assessment based on comparisons with the East	b) The EA have no comments to make on this.

ExQ1	Question:	EA response
	Midlands Region, and Cambridgeshire and Northamptonshire.	
1.2.18	<p><b>Habitats Regulations Assessment – Rutland Water SPA and Ramsar site</b></p> <p>Paragraph 13.7.13 of Chapter 13 of the ES [AS-017] states that there is an Anglian Water pumping station located on the River Nene south of the Proposed Scheme and that water from the River Nene is transferred to Rutland Water, which is located 21km north-west of the Proposed Development. It is also clear that that there would be outfalls from the drainage systems for the Proposed Development which would feed into the River Nene above this intake (see also question ExQ<b>Error! Reference source not found.</b>).</p> <p>a) Given this quote does the Applicant, NE, the EA or Anglian Water consider that the Rutland Water should be considered to be hydrologically connected?</p> <p>b) If the Applicant considers this to be the case, could the Applicant please explain why it considers (top of page 2 of Appendix H of the NSER) that this Proposed Development does not have a potential hydrological or hydrogeological</p>	<p>a) The EA does not consider that Rutland Water should be considered to be hydrogeologically connected to the River Nene.</p> <p>The development would not have an impact on the rates of flow in the River Nene. Therefore, there would be no reason for the application to have an impact on the water transfer scheme.</p>

ExQ1	Question:	EA response
	<p>linkage to a NSN site containing a groundwater dependent terrestrial ecosystem which triggers the assessment of NSN sites in accordance with LA 113?</p> <p>c) If, on reflection, the Applicant considers that there is a hydrological connection, could the Applicant undertake a screening analysis of potential effects, and if necessary further analysis.</p> <p>d) Does NE, the EA or Anglian Water have any comments on the above?</p>	
1.2.27	<p><b>Habitats Regulations Assessment</b></p> <p>Can the parties please comment on the NSER and whether they consider it to be satisfactory.</p>	The EA have no comments to make on this.
<b>1.6</b>	<p><b>Draft Development Consent Order (dDCO) [AS-010] &amp; Explanatory Memorandum (EM) [APP-017]</b></p>	
1.6.40	<p><b>Schedule 2 – General</b></p> <p>Could PCC, NE, EA and HMBCE please check Schedule 2 and confirm whether they are content as regarding consultations prior to discharge of Requirements?</p> <p>If they consider that they should be additionally included or excluded from any particular Requirement could they please</p>	As the proposed development includes floodplain compensation, the EA would request that a section is included in Schedule 2 which states that the floodplain compensation works must be carried out

ExQ1	Question:	EA response
	explain why they believe that to be appropriate?	<p>prior to any works which would reduce the capacity of the floodplain.</p> <p>The EA are content with the approach detailed in Requirement 6 for the management of risk associated with contaminated land and groundwater.</p>
1.6.46	<p><b>Schedule 2 – Requirement 8</b></p> <p>Should these matters also be subject to consultation with the EA and LLFA?</p>	<p>The surface water drainage scheme falls under the remit of the LLFA and as such, the EA would not require consultation.</p> <p>A Memorandum of Understanding is in place between the EA and the Highways Agency, which sets out a framework for effective cooperation between the Parties to minimise the impact of the development, maintenance and operation of the highways network on the water environment.</p>
<b>1.12.</b>	<b>Water Environment and Flood Risk</b>	
1.12.4	<p><b>Assessment criteria</b></p> <p>a) Paragraph 13.4.9 of Chapter 13 of the ES [AS-017] indicates that the two way flow is below the HEWRAT assessment criteria. Are there any other similar criteria relating to roads with lesser flows against which potential pollution</p>	The EA have no comments to make on this.

ExQ1	Question:	EA response
	<p>effects of the Proposed Development should have been assessed?</p> <p>b) If so, what are they and why are they applicable/ non-applicable?</p>	
1.12.5	<p><b>Assessment assumptions</b></p> <p>a) Do the IPs, and particularly the EA and PCC, agree with the Applicant's assessment, set out in paragraphs 13.5.5 and 13.5.6 of Chapter 13 of the ES [AS-017] that there is sufficient information to allow for a proper assessment in relation to the hydraulic properties and groundwater level ranges?</p> <p>b) If not, could you explain why you hold that view, and what additional information is necessary?</p>	<p>a) The EA agree with the Applicant's assessment that there is sufficient information to allow for a proper assessment in relation to the hydraulic properties and groundwater level ranges. Limitations are recognised and as such a conservative approach has been taken.</p>
1.12.8	<p><b>Water effects of Climate Change</b></p> <p>Paragraphs 13.7.86ff of Chapter 13 of the ES [AS-017] sets out the that the effects of the Proposed Development have been based on the location of the site in the East of England.</p> <p>a) Given the proximity to the East Midlands, could the EA explain if there are any implications that should be drawn from the data applicable to that</p>	<p>a) The proposed scheme lies wholly within the River Nene catchment within the Anglian River Basin District. The EA considers it appropriate to use the allowances for this location.</p> <p>In relation to rainfall intensities, the allowance is uniform across the country, but this would be applied to local data when used in design.</p>

ExQ1	Question:	EA response
	<p>area, particularly as some of the catchments are from that region?</p> <p>b) Could the Applicant please undertake a sensitivity assessment based on similar data relating to the East Midlands region?</p>	<p>With regard to river flows, these were previously calculated for the Region (Anglian RBD) but have recently been recalculated on a catchment-by-catchment basis. The allowances are now lower than previous allowances. The use of previous allowances is therefore considered conservative.</p> <p>Guidance on the use of allowances can be found here <a href="http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281212/Flood_risk_assessments_climate_change_allowances.pdf">Flood risk assessments: climate change allowances - GOV.UK</a> (<a href="http://www.gov.uk">www.gov.uk</a>)</p>
1.12.15	<p><b>Discharges to River Nene</b></p> <p>Paragraph 4.1.4 of the Drainage Strategy Report [APP-129] indicates that there may be discharges from the existing layout to the River Nene which would be retained. When is it anticipated that this decision will be resolved, and does it have any implications for the drainage strategy?</p>	<p>The onus will be on the applicant to undertake the necessary surveys and carry out detailed design for the surface water drainage arrangements. The EA has no preference at this location as to whether existing outfalls are retained or new ones constructed. The EA would however wish to see the number minimised as far as practicable and the design of new outfalls should follow best practice. New outfalls may require Environmental Permits as a flood risk activity.</p>
1.12.20	<p><b>River Nene Water Quality</b></p> <p>Does the Environment Agency or Anglian Water have any comments to make about</p>	<p>The EA have no comments to make on this.</p>

ExQ1	Question:	EA response
	<p>the proximity of the outfalls to the River Nene and the extraction points therefrom in relation to the quality of water being extracted in both the construction and operational periods? (See also ExQ<b>Error! Reference source not found..</b>)</p>	
1.12.22	<p><b>Climate Change Allowances</b>  It has been noted that the Applicant has utilised different allowances for climate change within the design. For example, in paragraph 13.9.32 of Chapter 13 of the ES [AS-017], different climate change allowances are used where existing drainage is being adapted and where carriageway widening or realignment occurs, and further different allowances in paragraph 13.9.34 for the sizing of the Wittering Brook watercourse culvert, and in paragraph 13.9.36 for the size of compensatory floodplain volume.</p> <p>a) Do the EA and PCC as LLFA consider that this approach is appropriate?  b) If not, what approach should be followed, providing information to support the allowance(s) of climate change advocated?</p>	<p>a) The EA considers the use of different allowances for climate change for the design of the surface water drainage scheme to be appropriate.</p> <p>d) The updated allowances for river flows are lower in the River Nene catchment. Therefore, the EA considers what has been considered at this stage to be conservative. When the project progresses to detailed design, the EA would expect the allowances in place at the time to be used. We are confident that sufficient land has been made available to accommodate climate change.</p>



ExQ1	Question:	EA response
	<p>c) Does the Applicant have any comments to make as to why different allowances have been utilised?</p> <p>d) Does the publication by the EA on 20 July 2021 (and since updated) of revised climate change allowances in Flood Risk Assessments for peak fluvial flow rates and future peak rainfall intensity have any implications for this matter?</p>	
1.12.28	<p><b>Draft Anglian River Basin Management Plan</b></p> <p>a) Does the Draft Anglian River Basin Management Plan published by the Environment Agency have any implications for the consideration of this Proposed Development?</p> <p>b) If so, how should this be considered?</p>	<p>a) The <a href="#">RBMP</a> does cite Pollution from towns, cities and transport as a Significant Water Management Issue (SWMI) - affecting 10% of water bodies in this river basin district Rainwater draining from roofs, <b>roads</b> and pavements carries pollutants, including grit, bacteria, oils, metals, vehicle emissions, detergent and <b>road salt</b> drains to surface water. Specifically for the Nene Catchment the 'priority river basin management issues to tackle in the Nene catchment are water quality, habitat quality, and hydromorphology'. This confirms that there are implications for this development that require consideration.</p> <p><a href="#">Chapter 13 of the Environmental Statement</a> acknowledges the risks to water quality from road drainage and mitigates them</p>

ExQ1	Question:	EA response
		<p>through measures such as routing surface water via vegetated attenuation basins before discharge to a receiving watercourse. Habitat creation has been accounted for through pond creation east of the A1 culvert providing compensatory habitat for water voles and addition water filtration before reaching the River Nene.</p> <p>The EA is therefore satisfied that the applicant has addressed RBMP implications</p>
1.12.29	<p><b>Draft Flood Risk Management Plan for Anglian River Basin</b></p> <p>a) Does the Draft Flood Risk Management Plan for Anglian River Basin published by the Environment Agency have any implications for the consideration of this Proposed Development?</p> <p>b) If so, how should this be considered?</p>	<p>a) The FRMP is a high-level strategic document. The EA does not therefore consider the FRMP to have any implications for the consideration of this proposed development.</p>



