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The Applicant
The Environment Agency
Natural England

Your Ref:

Our Ref: EN0110001

Date: 19 May 2026

Dear Interested Parties

The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17

Application by Keadby Next Generation Limited for an order granting development consent for the Keadby Next Generation project

Request for further information

I am writing under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010. The questions below are to be viewed as the Examining Authority's (ExA) further written questions (ExQ2).

Carbon capture

At the Issue Specific Hearing 1 held on Wednesday 20 January 2026 [[EV3-001](#)], the applicant explained that it would, during the course of the examination, remove requirements 30 (carbon capture readiness reserve space) and 31 (carbon capture readiness monitoring report) from the draft development consent order (DCO). The applicant explained that the forthcoming Decarbonisation Readiness Regulations would replace the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013 and remove the need for the proposed development to be 'carbon capture ready'. The applicant removed the said requirements at deadline 4 [[REP4-003](#)].

Question 2.0.1: Could the **Environment Agency** provide a response confirming that it concurs with the removal of requirements 30 and 31 requirements. Indicate whether agreement on the removal of the requirements will form part of the signed statement of common ground due at the next deadline.

Question 2.0.2: The ExA notes that Work No 11 (an area reserved for carbon capture readiness infrastructure) remains in the draft DCO. Could **the applicant** explain whether

Work No 11 will be removed from the draft DCO, the Works plans and any other relevant documents. If not, why not.

Air quality

In its response at deadline 4, Natural England explained [REP4-018] that “*we will continue to work with the applicant to resolve the outstanding impacts associated with air pollution*”. The applicant’s response at deadline 4 (to deadline 3 responses) in respect to Natural England’s comments states that “*the applicant understand that Natural England is now satisfied on all matters raised*”. The ExA notes that Natural England did not provide a revised risk and issues log at deadline 4 but understands that HRA related matters have all been resolved (see the Report on Implications on European Sites).

Question 2.0.3: Could **Natural England** set out any outstanding matters specifically in respect to in-combination assessments (Natural England issue number NE11), construction traffic assessments (NE15), operational NO_x and ammonia results (NE19) and operational nitrogen deposition and acid deposition results (NE20). If concerns remain, the ExA requests Natural England to set out what changes, if any, would be required to the draft DCO and what the applicant needs to do to address them.

Protective provisions

The ExA notes the applicant’s response at deadline 4 [REP4-013] in respect to the progress of protective provisions particularly with National Grid Electricity Transmission (NGET), National Gas Transmission (NGT), and Network Rail. In respect to NGET, the ExA thanks and notes the submission of NGET’s suggested tracked changes of their protective provisions submitted at deadline 3 [REP3-036].

Question 2.0.4: The ExA asks **the applicant** to confirm that, aside from its comments at deadline 4, that all other suggested changes by NGET are acceptable. Confirm whether the agreed suggested changes will be included in the next iteration of the draft DCO.

Question 2.0.5: In respect to protective provisions for NGET, NGT and Network Rail, the ExA requests **the applicant** provide a side-by-side comparison for each disputed paragraph as identified as identified in its deadline 4 response to comments at deadline 3 [REP4-013].

Please note that should disagreement on protective provisions remain at the close of the examination, the ExA will make a recommendation to the Secretary of State on which changes, if any, should be made. The ExA will also recommend that the Secretary of State in making a decision need not undertake any further consultations on the matters as all parties would have had sufficient opportunities to resolve outstanding concerns during the examination.

Question 2.0.6: The ExA requests responses from **the applicant, NGET, NGT and Network Rail** to explain whether the disputed paragraphs in their respective protective provisions were accepted by the Secretary of State and therefore included in the Keadby 3 DCO. If not, explain why they are required for the proposed development.

Report on the Implications for European Sites (RIES)

The ExA has published the RIES on the same date as this letter. Contained within the RIES are questions to Natural England and the applicant, numbered RIES Q1 to Q5. The ExA requests responses to those questions.

Responses should be submitted by **deadline 5, Tuesday 9 June 2026**.

The ExA confirms that it will not be issuing commentary on, or schedule of changes to, the draft DCO.

Yours sincerely

Richard Allen

Richard Allen
Examining Authority

This communication does not constitute legal advice.

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