

Planning Inspectorate ,

Reference: OR-0004169/01

Customer reference: EN0110001

By email

keadbynextgeneration@planninginspectorate.gov.uk.

03 June 2026

The Keadby Next Generation Power Station: Deadline 5 Comments on documents submitted at Deadline 4; and Response to ExQ2.

Click or tap here to enter text.

Dear Planning Inspectorate,

This letter comprises our response to documents submitted at Deadline 4, and our response to ExQ2 which can be found at the end.

Response to documents submitted at Deadline 4:

[REP4-004] Draft DCO (Rev 4) (Tracked).

- 1) We do not concur with the removal of Requirements 30 and 31 in Rev 4 of the draft DCO. The applicant is not providing a Decarbonisation Readiness report with the environmental permit application, and the requirements of the 2013 Regulations still apply. Please see our 'Response to ExQ2' at the end of our D5 submission below for our detailed comments.
- 2) We maintain our position that the use of the phrase 'Substantially in accordance with' undermines enforceability and creates unnecessary uncertainty where this is used regarding the preparation of detailed management plans in accordance with the outline management plans.

[REP4-012] Outline CEMP (Rev 3) (Tracked)

We are satisfied that issue EA017 can be resolved. Clarity over duration of pre-construction monitoring and frequency of monitoring has been provided. Although details on methods and locations of monitoring are still limited, and our comments on this topic made in REP4-017 are still valid, we are satisfied that further details on the water quality monitoring plan can be agreed at detailed design as the Environment Agency is named as a consultee in Requirement 16 Construction environmental management plan in REP4-003/REP4-004 Draft DCO. This is summarised in the update to section C.9.4 in Appendix C Outline Water Management Plan

[REP4-013] Comments on Deadline 3 Submissions

- Table 3.3 Applicant's Comments on EA's Deadline 3 Submissions – We are satisfied with the Applicant's comments made regarding our responses to ExA's questions.
- Table 3.4 Applicant's Comments on EA's Comments on Deadline 3 Submissions – we note the Applicant's comments but maintain our position regarding the use of the term 'substantially'.

[REP4-016] Statement of Commonality (Rev 4) May 2026

Table 3.1 indicates that the Final SoCG has been sent to the EA to be signed. – we do not concur with this position.

Table 4.1 indicates the status of matters within the SoCG. We can concur with the 'Agreed' status of Design approach/parameters, but do not concur that matters under 'DCO articles and requirements' are agreed. Specific issues remaining with the dDCO are detailed under [REP4-004] above.

Response to ExQ2

Question 2.0.1:

The applicant for the Keadby Next Generation Power Station submitted their environmental permit application before 28/02/2026 (the date on which the Environmental Permitting (Electricity Generating Stations) (Amendment) Regulations 2025 came into force) so were not required to submit a Decarbonisation Readiness Report with the application.

Regulation 7(3) of the Environmental Permitting (Electricity Generating Stations) (Amendment) Regulations 2025 amends the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013 by adding Regulation 8 which states:

'Regulation 8(2) These Regulations continue to have effect on and after the relevant day in relation to any existing application as they had effect immediately before that date.'

In relation to this Regulation 'these Regulations' refers to the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013, 'relevant day' means the day on which the Environmental Permitting (Electricity Generating Stations) (Amendment) Regulations 2025 come into force and 'existing application' is referring to the DCO application.

creating a better place
for people and wildlife



For environmental permit applications that include a Decarbonisation Readiness Report (which is not the case for the Keadby Next Generation Power Station) and the applicant also has Carbon Capture Readiness (CCR) conditions in their DCO, the CCR conditions in the DCO automatically cease to have effect when the environmental permit with the Decarbonisation Readiness conditions is granted.

Therefore, as the applicant is not providing a Decarbonisation Readiness report with the environmental permit application, and the requirements of the 2013 Regulations still apply, we do not concur with the removal of requirements 30 and 31 and will not be able to include an agreement to this in the statement of common ground.

If you have any questions regarding our response, please contact Nlteam@environment-agency.gov.uk.

Yours sincerely,

██████████,

[Click or tap here to enter text.](#)

Nlteam@environment-agency.gov.uk