

Reference: OR-0000629/01

10 April 2026

**Norwich to Tilbury - ExA1**

**Norwich to Tilbury**

Dear Sir/Madam

Thank you for contacting us.

Please find our response to ExA1 below. We have set out our answers to the two questions you raised in the sections that follow.

**GEN 1.6**

The Environment Agency has reviewed the Applicant's consideration of Critical National Priority (CNP) policy as set out in the planning statement [APP-085] and Policy Compliance Tracker [REP1-133]. We have no major concerns and have provided our detailed technical review below which considers matters within our statutory remit.

**Groundwater**

We are in agreement with the approach set out in Table 1.5 of the policy compliance tracker. Looking into risks to the environment via groundwater and water resources, these concerns intersect on Habitats Regulations Assessments, where relevant designated sites are partially or significantly dependent on groundwater - both its quality and quantity. The elements of the project which do have major interactions with groundwater (the Stour crossing and associated HDD, other HDD and new substations) do not lie close to designated sites with groundwater dependence. To this end, the project will not have residual impacts on Habitats Regulations designated sites via impacts or risks to groundwater quality or quantity. This approach is also committed to in GH13 of the Code of Construction Practice, as well as those documents listed in paragraphs 7.2.59 to 7.2.66 of the Planning Statement.

## Contamination

Worthy of note in the Policy Compliance Tracker are:

- Page 206, paragraph 5.11.17
- Page 345, Section 17 - P2 Ground conditions
- Page 464, Policy DM29 – Protecting Living DM30 – Contamination and Working Environments Pollution  
(assumed to be a typographic error in this heading)

All three should note that some locations will undergo further investigation, to assess the risk, but risks should be mitigatable.

Please refer to paragraph 9.4.4 of the Volume 6: Environmental Statement Document: 6.9.A1 Environmental Statement Appendix 9.1 - Baseline Information and Preliminary Contamination Risk Assessment. This states:

"The initial assessment identified 28 sites with a moderate or above potential for generating contamination and these have been taken forward for further assessment."

Some of the other "low risk" sites are also under question, as well as other clarifications and awaiting response from the applicant.

## Pollution Prevention

We are satisfied that section 7.2.141 confirms there are no likely significant residual effects in relation to water quality during construction or operation (including maintenance).

Spill risks, runoff, HDD breakout and surface water pollution risks have been identified in the outline code of construction practice. The operator will need to ensure that suitable procedures are put in place to ensure that pollution is not caused.

7.2.197 identifies consent/permit requirements.

## Flood Risk

In terms of Flood Risk, we have no concerns, the majority of the development has been sequentially sited into flood zone 1. Works near the main rivers will be regulated under Flood risk Activity permits.

## **Biodiversity and Ecology**

We have considered the CNP in light of the mitigation and compensation proposed. Our main ecological concerns have been adequately addressed through the agreements in the SoCG and these include culverting, fisheries and protected species issues. Outstanding issues around irreplaceable habitats related to ancient woodland which is not an issue within our remit and so we do not have any comments on these matters. There were concerns within the HRA about the potential for impacts. As noted (4.2.3, page 61, Volume 8: Examination Documents Document: 8.4.2 Policy Compliance Tracker Final Issue A), Stage 1 of the HRA process identified the potential for Likely Significant Effects (LSEs) on its own or in-combination effects with other plans or projects) on three European sites:

Norfolk Valley Fens SAC  
Stour and Orwell Estuaries Ramsar Site  
Stour and Orwell Estuaries SPA.

In the absence of mitigation, direct LSEs through changes in hydrology could not be screened out for the Norfolk Valley Fens SAC or the Stour and Orwell Estuaries SPA and Ramsar Site. The Appropriate Assessments for both the Norfolk Valley Fens SAC and Stour and Orwell Estuaries SPA and Ramsar Site, conclude no likely significant effects (LSEs) so there are no further concerns outside of those already raised and addressed. We defer to Natural England's opinion at this stage as the lead for designated sites and we do not have any further comments.

### **DCO 1.S4**

Based on the evidence reviewed to date, we do not have any outstanding concerns that would necessitate the inclusion of an additional Water Resources-specific requirement in the DCO. This is because the key technical issues relevant to Water Resources have already been adequately addressed or remain in active discussion. In terms of dewatering management and discharge controls which would be our primary area of concern - this is appropriately captured in existing documentation. We are also pleased that the WFD assessment is current and incorporates our feedback.

However, if the ExA determines that a new requirement is appropriate, we have no objection to its inclusion, provided that the EA's role is clearly limited to consultation, and that the requirement aligns with the scope of matters already reviewed by us. Any potential requirement will only need to consider water resource demands at the construction stage rather than operation of decommissioning. We suggest the

creating a better place  
for people and wildlife



wording used for the North Lincs Green Energy Park DCO would be suitable, but ensuring this is adapted to include the construction phase only.

If you have any questions regarding our response, please contact [planning.eastanglia@environment-agency.gov.uk](mailto:planning.eastanglia@environment-agency.gov.uk).

Yours sincerely,

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