



HERBERT
SMITH
FREEHILLS

The Planning Inspectorate
Environmental Appeals Team
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Herbert Smith Freehills LLP
Exchange House
Primrose Street
London EC2A 2EG
T [REDACTED]
F [REDACTED]
DX28 London Chancery Lane
E [REDACTED]
www.herbertsmithfreehills.com

Our ref
22454/31016763
Your ref

Date
23 September 2020

By email

Dear Sir / Madam

Appeal by NNB Generation Company (HPC) Limited against the deemed refusal of an application to vary the Hinkley Point C Operational Water Discharge Activity Environmental Permit (EPR/HP3/228XT) to remove the requirements related to an Acoustic Fish Deterrent system

1. We act on behalf of NNB Generation Company (HPC) Limited (the “**Appellant**”).
2. We hereby submit an appeal pursuant to Regulation 31(1)(a) of the Environmental Permitting (England and Wales) Regulations 2017 (the “**EPR**”) against the deemed refusal of our client’s application to vary the Hinkley Point C Operational Water Discharge Activity Environmental Permit (EPR/HP3/228XT) to remove the requirements related to an Acoustic Fish Deterrent system (the “**Application**”).
3. The Application was submitted to the Environment Agency (the “**EA**”) on 15 February 2019 and, in accordance with Schedule 5, paragraph 15(1), was deemed refused on 4 August 2020.
4. In support of this appeal, and in accordance with paragraph 2(2) of Schedule 6 of the EPR, please find enclosed the following documents:
 - Appeal form;
 - Statement justifying request for the inquiry procedure; and
 - The Appellant’s Statement of Case.
5. The Appellant sets out its grounds of appeal in section 7 of its Statement of Case but reserves the right to amend or supplement them should new or different issues be introduced in the EA’s own Statement of Case.
6. Copies of the Application, the original permit, relevant documents/correspondence and the notice of deemed refusal are appended to the Statement of Case.

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If you have any queries in respect of this appeal or require any further information, please contact [REDACTED] of this firm on [REDACTED] or [REDACTED].

Yours faithfully

Herbert Smith Freehills LLP

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Encl.