



The Planning Act 2008

East Anglia One North (EA1N) and East Anglia Two (EA2) Offshore Wind Farms

Planning Inspectorate Reference: EA1N – EN010077, EA2 – EN010078

Deadline 9 – 15 April 2021

Comments of Suffolk County Council as Lead Local Flood Authority

1. **Any requests to add supplementary information to documents submitted at Deadlines 5, 6 and 7.**
 - 1.1 Not applicable.
2. **Comments on the Applicant's updated draft DCO (dDCO) submitted at Deadline 8 (D8).**
 - 2.1 Not applicable.
3. **Comments on Statements of Common Ground (SoCG) and Statement of Commonality received by D8.**

Statement of Common Ground, East Suffolk Council and Suffolk County Council (REP8-114)

SCC would like to make the following comments on the submitted SoCG, having reviewed the Applicants D8 submission.

SoCG reference	SCC comment
LA-05.02	SCC can now agree this item. Whilst SCC would have liked to have seen a sensitivity analysis of baseline flows from the proposed development site to the Friston Main River, the OODMP sensitivity test of discharge rates, which reduces the potential discharge rate to 5l/s, is sufficient as this is likely the lowest feasible discharge rate from the site. Any potential increase in flood risk resulting from this would need to be assessed after detailed modelling post-consent.
LA-05.04	SCC can now agree this item. Whilst SCC would have liked to have seen a sensitivity analysis of baseline flows from the proposed development site to the Friston Main River, the OODMP sensitivity test of discharge rates, which reduces the potential discharge rate to 5l/s, is sufficient as this is likely the lowest feasible discharge rate from the site. Any potential increase in flood risk resulting from this would need to be assessed after detailed modelling post-consent.
LA-05.07	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.
LA-05.09	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.
LA-05.13	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.

LA-05.14	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.
LA-05.18	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.
LA-05.19	SCC's position remains unchanged. The Applicant still has not demonstrated that they can deliver sufficient mitigation for the construction phase within the Order Limits to mitigate the identified potential impacts.
LA-05.20	SCC's position remains unchanged. Whilst SCC acknowledge that some progress has been made, the proposals are still insufficient, as detailed further in SCC's Deadline 9 response to the Flood Risk and Drainage Clarification Note & Outline Operational Drainage Management Plan (below). The hybrid solution does not comply with National Design Guidance. The infiltration only option is still conditioned on the basis that there is sufficient land available, dependent on land requirements for the mitigation of other identified impacts. The Applicant has not clearly identified the potential land use clashes for the worst-case scenario.

4. Comments on any additional information/submissions received by D8.

Flood Risk and Drainage Clarification Note (REP8-038)

Paragraph	SPR Statement	SCC Comment
Table 2.1	<p>Within the OODMP (document updated at Deadline 8, document reference ExA.AS-3.D8.V4) the Applicants have presented preliminary layout drawings relating to both the primary option (i.e. maximising infiltration without consideration to other competing land uses such as landscaping, biodiversity and access) and the secondary option for the provision of attenuation / storage.</p>	<p>Yellow – This point is key. No consideration has been given to other competing land uses. Neither in this document or anywhere else in the submission. Without having a clear appreciation of any potential land use clashes it is not possible to determine what is or is not deliverable within the Order Limits, whilst delivering SuDS in accordance with National and Local requirements.</p> <p>SCC acknowledges that the SuDS hierarchy is applied so as to prioritise options as high up the hierarchy “as reasonably practicable”, and that this recognises that non-drainage considerations (such as landscaping or biodiversity mitigation) may have a role to play when determining what is reasonably practicable in a given case. However, the Applicants have not provided the information that is needed to test how an infiltration only option would be integrated with those other considerations so as to provide confidence that it will be a genuine priority as the design is further progressed.</p> <p>SCC maintain the position that a sub-optimal surface water drainage solution should not be accepted due to insufficient land being available,</p>

		or because land that otherwise would be available is being prioritised for other mitigation unless it is clearly demonstrated that the optimum solution is not reasonably practicable.
33	The Applicants have committed to maximising the use of infiltration where practicable within the surface water drainage design for the Projects. Using a series of conservative criteria, based on guidance set out in the CIRIA SuDS Manual (2015) and the SCC Sustainable Drainage Systems (SuDS) a Local Design Guide Appendix A to the Suffolk Flood Risk Management Strategy (May 2018), it has been demonstrated within the OODMP (document updated at Deadline 8, document reference ExA.AS-3.D8.V4) that there is sufficient space within the Order limits for the indicative design to accommodate the worst case scenario; however due to other constraints on land use (i.e. landscaping), and infiltration capacity, further design iterations are required.	<p>No further clarity has been provided RE the interaction of landscape mitigation and surface water flood risk mitigation.</p> <p>SCC maintain the position that a sub-optimal surface water drainage solution should not be accepted due to insufficient land being available, or because land that otherwise would be available is being prioritised for other mitigation unless it is clearly demonstrated that the optimum solution is not reasonably practicable.</p>
44	The Applicants have updated the OCoCP at Deadline 8 (document reference 8.1) including further provisions within section 11 regarding construction surface water management. However an Appendix has not been included within this submission as the Applicants do not consider it useful or accurate to undertake such an assessment at this stage given the level of detail regarding the precise construction footprint, construction techniques, specific (varying) ground conditions within the onshore development area and micro-siting of works	The Applicant has not attempted to provide further information to demonstrate that the listed mitigation options are deliverable within the Order Limits during the construction phase.

Outline Operational Drainage Management Plan (REP8-064)

Paragraph	SPR Statement	SCC Comment
16. c.	<p>Confirm the optimal SuDS basin(s) size, capacity and location using the above data. This will reflect either the infiltration rate, or both the infiltration rate and the discharge rate to the Friston Watercourse should a hybrid infiltration and attenuation scheme be adopted. During this SuDS design stage, additional factors will be taken into account such as revisions to the substation infrastructure footprint and its detailed design; landscaping requirements; and the optimum use of land.</p>	<p>This approach leaves the design of SuDS and ultimately, the option progressed, subject to other design considerations, including landscape. This approach does not comply with NPS EN-1, para 5.7.9 which requires priority to be given to SuDS.</p> <p>It is SCC's opinion that this priority should equally be given to achieving an optimal SuDS solution, as per the surface water disposal hierarchy contained within the NPPG.</p>
126	<p>If an infiltration only design is shown to be practicable through percolation testing, establishment of the ground water levels and consideration of other land use such as landscaping, biodiversity and access, then an infiltration only SuDS design will be adopted</p>	<p>As above, this approach leaves the design of SuDS and ultimately, the option progressed, subject to other design considerations, including landscape.</p> <p>At ISH11, SCC suggested it would be useful for the Applicant to clarify exactly what land use clashes could result in an infiltration only approach not being practicable. This clarification has not been provided and no evidence or assessment has been submitted which clearly identifies the potential land use clashes or the extent of any clashes.</p> <p>Given the above assessment has not been undertaken, it is not possible to say with absolute certainty that any of the proposed SuDS options put forward are deliverable alongside other worst case scenario land use requirements (for example, for landscaping).</p>

		Using the Rochdale Envelope approach, the worst-case land use required for mitigation options should be clearly identified. This should be the case for landscape and surface water drainage. This would at the very least identify the land use clash. However, this information has not been submitted. It is therefore not possible for SCC to conclude that any of the SuDS mitigation options are deliverable within the Order Limits, as per the options put forward in this document, alongside worst case scenarios for other mitigation options, such as landscape. This information has simply not been provided.
130	Should there be a need for the permanent substation operational access road to be located over an existing surface water flood storage basin, either it will be relocated to an alternative suitable location (as shown in Appendix 4, Appendix 6 and Appendix 8) or the existing volume reduction will be offset and accommodated within the final SuDS design.	The proposed location for the relocation of the existing flood storage basin (shown in Appendix 4, 6 & 8) has not changed since the Deadline 6 submission. As such, this is still unacceptable to SCC, as per our representation made at Deadlines 7&8.
155	When looking at both of the assessments undertaken within section 6.3, it has been confirmed that for both the 1 in 100 year storm event and a 1 in 10 year storm event 24 hours after an initial 1 in 100 year storm event, using an infiltration rate of 10mm/hr, the 24 hour half drain time cannot be achieved.	See response to paragraph 156.
156	Therefore, this model has proved that an infiltration rate of 10mm/hr would mean that an infiltration only design for the site is unviable	As per previous representation from SCC, including at Deadline 8, the assessment undertaken by the Applicant (1:100+40% + 1:10+40%) is acceptable to demonstrate there is sufficient storage in the design for a subsequent rainfall event, despite the basin not half draining within 24 hours.

		<p><u>This is a design check pass.</u></p> <p>The Applicants continued statement that this makes an infiltration only approach unviable is not correct. See also SCC's further comments (below) at ID24 of the response to the Applicant's comments (REP8-046) on SCC's submissions at Deadline 7.</p>
158	As the assumed infiltration rate of 10mm/hr indicates an infiltration only scheme to currently be unviable, the Applicant presents a scheme utilising both infiltration and attenuation as well as an attenuation only scheme. This is in line with the SuDS drainage hierarchy (SCC, 2018), discussed in section 6.1.	<p>No justification or evidence provided as to why this is unviable, other than the half drain point, discussed above.</p> <p>If this is the only reason (no other reason stated in section 6.1), then why is the below approach acceptable for the hybrid option? See below response to paragraph 170.</p>
N/A	N/A	The Applicant has demonstrated that an infiltration only scheme is viable. The half drain checks are considered a design pass. The plan provided in Appendix 4 demonstrates that an infiltration only option is technically feasible and deliverable within the Order Limits when considered in isolation.
170	As the 24 hour drain time was not viable the Applicant assessed the storage required for a secondary 1 in 10 year storm event (plus 40% climate change scenario), 24 hours after the initial 1 in 100 year (plus 40% climate change scenario) storm event, as requested by SCC. By adopting these parameters it has been confirmed that sufficient storage can be provided within the Order Limits for the hybrid scheme.	<p>The Applicant acknowledges that this design (hybrid option) also does not half drain within 24 hours, and as such have added an additional 1:10+40% rainfall event.</p> <p>This is the same approach used for infiltration only.</p> <p>However, for this approach, the Applicant has not concluded that this option is unviable, despite the</p>

		<p>same methodology and the same result (in terms of half drain times) as for the infiltration only approach.</p>
<p>Table 6.2 & Table 7.2</p>		<p>The total storage volumes provided for the infiltration only and hybrid options are as follows:</p> <p>Infiltration only = 37,388m³ Hybrid = 36,913m³</p> <p>Based on the above numbers, from their respective Tables, the Hybrid solution only results in a 1.28% reduction in attenuation volume provided.</p> <p>However, based on the Tables provided in the Appendices, which provides details on the plan areas of the basins, there would be a 34.6% reduction in plan area for the Project substations and a 34.7% reduction for the National Grid basin for the hybrid option, when compared against the infiltration only option.</p> <p>Such a significant reduction in land take, despite only a minor reduction in attenuation volume required is achieved by increasing the depth of the basins for the hybrid solution.</p> <p>The hybrid solution utilises basins with a water depth of 1.5m and a total depth of 2.0m. Both the infiltration only and attenuation design options accommodate basins with a maximum water depth of 1.0m and a maximum total depth of 1.5m, as per CIRIA SuDS Manual design guidance.</p>

		<p>Therefore, the reduction in land take illustrated in Appendix 6 is inaccurate as it does not comply with National Design Guidance, specifically CIRIA SuDS Manual.</p> <p>Note to ExA: You can see this difference without digging into the calculations. Compare the plans in Appendices 4,6 & 8. Note the difference between the base level and the basin top level for each basin in each design option. You can make the same comparison using the maximum water level.</p>
190	<p>As discussed in section 6, although an infiltration only scheme is currently proving unviable due to the worst case 10mm/hr infiltration rate assumed, this is a worst-case scenario and is likely to change once percolation testing has been undertaken. If an infiltration only design proves viable once percolation testing has been undertaken and ground water levels are established, it will be implemented as the final SuDS design.</p>	<p>Yellow - In section 6, the only possible reason stated for infiltration being unviable, is due to the half drain times, which as above, is an incorrect conclusion. No further evidence has been provided in Section 6 to justify any other reason for the infiltration only method to be unviable, despite what was discussed at ISH11.</p> <p>Cyan – This does not make reference to the other potential issues that could present a barrier to an infiltration only approach, as discussed at ISH11 and stated elsewhere in this document.</p>
Appendix 2		<p>It is acknowledged that the Applicant has presented an option to connect to the Friston Main River. However, Suffolk County Council do not view this option as achievable without increasing maintenance and/or flood risk.</p> <p>The topographic survey used by the Applicants was undertaken in November 2019. On 30/03/2021 SCC took approximate measurements based off identified</p>

		<p>points on the topographic survey (attached to this response) to establish a present-day condition of the watercourse. The footbridge at the northern end of the river, adjacent Church Road, is 150mm deep. The riverbed level was between 450-500mm below the underside of the footbridge.</p> <p>Based on the topographic survey which identifies the top level of the bridge to be approx. 10.5mAOD, it is reasonable to estimate, using the above measurements, that the current river bed level is 9.9mAOD. This is 80mm higher than the level identified in the topographic survey (9.82mAOD). This is relevant as the proposed invert level of the pipe is flush with the river level obtained in the topographic survey. Whilst SCC appreciate this is the best information the Applicant has, this demonstrates how prone to siltation the Main River is. Any pipe installed at bed level has the potential to be buried below silt over time. The Main River is so shallow that the velocity of water is not sufficient to transfer sediment downstream. Neither the Environment Agency, nor Suffolk Highways should be expected to increase maintenance of the Main River or any culvert leading into it. Siltation is known to be an issue with this Main River.</p> <p>The proposals also see the removal of the current slope arrangement into the Main River, adjacent Church Road, with this being moved to the track to the north, with what SCC assume to be some form of open cover/grill, such as a cattle grid over the top</p>
--	--	---

		<p>(SCC assume this feature would not be put forward for adoption), to allow vehicle traffic to pass over but also to allow water to enter upstream of Church Road before passing through the culvert? If the proposal is not a cattle grid style approach, SCC require further clarification.</p> <p>The above approach would again have significant maintenance consequences. The track north of Church Road is unmade. Even without rainfall, this could result in debris entering the culvert. With rainfall, the debris (not just silt) entering the culvert would increase further. This has the potential to block the outfall pipe from the SuDS basins before this water even enters the culvert. Again, the shallow gradient of this system cannot generate velocities sufficient for the culvert to be self-cleansing. As such, the culvert would continually silt up, resulting in an increased maintenance liability for Suffolk Highways to ensure the culvert remains clear, without even considering the condition of the Main River downstream. This is not acceptable to SCC.</p> <p>If the pipe from any SuDS basins or the proposed culvert were to be blocked, surface water would flow overland. However, it would no longer enter the Friston Main River at the current location. Instead, it would only be able to do so downstream of the existing footbridge. This would require surface water to flow over/around the footbridge before entering the watercourse. The consequences of this flow</p>
--	--	--

		<p>deflection are unknown, but it is unlikely to reduce flood risk.</p> <p>SCC would also like to draw attention to the following comments:</p> <ol style="list-style-type: none"> 1. Section C-C has not been provided 2. No details have been provided to suggest that the 100mm cover is suitable for the likely loads the culvert will need to carry. 3. The 100mm cover is insufficient to prevent road surface cracking, resulting from the movement of culvert joints. This will increase maintenance requirements of the road surface. 4. The diversion of services and the potential maintenance consequences of this work for the relevant utility companies should be noted.
--	--	---

Outline Code of Construction Practice (REP8-017)

The Control Measures identified as potential options in section 11.1 of this document are appropriate, as options. This has been acknowledged by SCC previously. However, despite this topic being the subject of lengthy discussion at ISH11, the Applicant has not demonstrated that any of these mitigation options are deliverable within the Order Limits. Indeed, the Flood Risk and Drainage Clarification Note (REP8-038), paragraph 44, states that *'the Applicants do not consider it useful or accurate to undertake such an assessment at this stage'*. SCC strongly dispute this, which ultimately, is the Applicants failure to demonstrate that sufficient mitigation can be delivered within the Order Limits during the construction phase.

Applicants' Comments on Suffolk County Council's Deadline 7 Submissions (REP8-046)

Paragraph	SPR Statement	SCC Comment
ID 7	<p>Within this document, the Applicants reiterate its commitment to a primary solution of infiltration only where practicable, considering other competing land uses such as landscaping, biodiversity enhancement and access.</p> <p>Integration of landscaping and the surface water management measures will prevent competing land uses from being developed in isolation and recognises the importance of proving a balance between effective landscape screening, surface water management infrastructure, and biodiversity enhancement.</p> <p>This approach is entirely consistent with the Suffolk Coastal Local Plan Policy SCLP9.6: Sustainable Drainage Systems, which states that "Sustainable drainage systems should be integrated into the landscaping scheme and green infrastructure provision of the development;</p> <ul style="list-style-type: none"> • Contribute to the design quality of the scheme; and • Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible." 	<p>See above SCC response to the D8 OODMP & Flood Risk and Drainage Clarification Note.</p> <p>Yellow - SCC maintain the position that a sub-optimal surface water drainage solution should not be accepted due to insufficient land being available, or because land that otherwise would be available is being prioritised for other mitigation.</p> <p>Cyan - SCC made it clear during ISH11 and in our Deadline 8 submission that integration of landscaping with SuDS cannot be considered at this stage due to the impact some landscape features can have on the long-term operation of some SuDS features. The landscaping being discussed here is screening using trees. This will inevitably result in leaf fall. As such the leaf debris can block infiltration surfaces and branches/leaves and other detritus can block the outfall from any attenuation system.</p>
24	<p>The Applicants note this additional approach and have undertaken this secondary assessment within the OODMP (REP6-017), however concluded that this also did not meet the required half drain time of 24 hours.</p>	<p>The 1:100+CC event should half drain within 24 hours. The purpose of half draining within 24 hours is so there is sufficient storage for any subsequent storm event. If the half drain time cannot be met, the joint probability of a 1:100+ CC event, followed by a 1:10+CC event is deemed to be a reasonable alternative. The likelihood of a further significant rainfall event is deemed to be so</p>

		low that it would be unreasonable to design for. The rainfall accommodated from the 1:100+CC & 1:10+CC events will therefore drain down slowly, utilising infiltration and ultimately dissipating over an extended period of time.
--	--	--

Written Summary of Oral Case (ISH11) (REP8-096)

Paragraph	SPR Statement	SCC Comment
27	In terms of the assessment of flood risk during the construction phase this is carried out in accordance with the same policy and best practice guidance, as for the operational phase i.e. considering the requirements of NPPF and its accompanying NPPG.	SCC agree that the construction and operation phases should be treated the same. Using the same policy and guidance. However, SCC do not agree that this work has been undertaken by the Applicant.
33	The principles for management of risk during the construction phase, focusing on the need to ensure no change in surface water runoff and flood risk, no increase in sediment supply and no accidental release of contaminant are set out as embedded mitigation measures in Environmental Statement Chapter 20 (APP068) and within the OCoCP.	As previously stated, SCC acknowledge that the mitigation measures identified are suitable, providing SuDS options are prioritised. However, it has not been demonstrated that sufficient mitigation is deliverable within the Order Limits.
34	The Applicants have ensured that the Order limits are of sufficient width to accommodate a range of surface water and sediment control measures, as outlined within the onshore development area (this is discussed further in the Flood Risk and Surface Water Drainage Clarification Note submitted at Deadline 8 (ExA.AS-13.D8.V1).	No evidence or justification has been provided to demonstrate that the Order Limits are sufficient to accommodate sufficient mitigation.
35	The Applicants have committed to ensuring that the SuDS design and landscape mitigation requirements are both attainable within the Order Limits. The Applicants have	No evidence or justification has been provided to demonstrate that the Order Limits are sufficient to accommodate sufficient mitigation.

	provided further detail on this in the Flood Risk and Surface Water Drainage Note submitted at Deadline 8 (document reference ExA.AS13.D8.V1).	
36	The OCoCP presents a range of measures which may be drawn upon by the Applicants to manage surface water drainage and sediment during construction within the onshore development area.	No evidence or justification has been provided to demonstrate that the Order Limits are sufficient to accommodate sufficient mitigation.
38	With regards to storm events, storm return periods for design purposes are normally based on the expected design life of the constructed infrastructure, or building, together with the affordability of mitigation measures. In the instance of the Projects, the construction design life is likely to be less than two years, therefore it would be unreasonable to design the protection measures for a one in 100 year event plus a 40% allowance for climate change. Therefore, the design storm return period that will be used will be appropriate and reflect the design life of the construction works. An example of this would be that a one in five year event may be deemed suitable protection for construction that only lasted two years.	<p>As per SCC's Deadline 8 response, we would not expect a climate change allowance to be included for construction drainage due to the timescale for construction.</p> <p>As per paragraph 27 of this document, the policy and guidance for the proposed development should be the same for construction as it is operation. Suggesting construction drainage is designed for a 1 in 5 year rainfall event is entirely unsuitable. The Applicant has provided no justification or supporting evidence for this approach.</p> <p>The Applicant acknowledges in the OODMP that Friston experienced a 1 in 40 year rainfall event in October 2019 (REP8-064, paragraph 73). It should be noted that SCC have challenged this statement and believe the event to be closer to 1 in 5 to 1 in 10, however the Applicant maintains the statement contained in the OODMP.</p> <p>On this basis, given the established surface water flood risk to Friston, it is unclear why the Applicant thinks it would be acceptable to only accommodate a smaller rainfall event. Ultimately, in the event of a larger rainfall event, the consequences would be felt by the residents</p>

		<p>of Friston. This is not an acceptable approach and is evidently an increase in surface water flood risk during the construction phase.</p> <p>This proposed approach further supports why SCC insist on seeing that sufficient mitigation for surface water flood risk is deliverable within the Order Limits during construction.</p>
39	<p>When considering turbidity, the expected level cannot be estimated at this stage and it will be primarily governed by the soil type which will be concluded during the site investigation works that will be undertaken post consent.</p>	<p>It is evident from photos in the Friston Surface Water Management Plan and looking at the observed condition of the Friston Main River, which is heavily silted in part, that the surrounding land generates significant amounts of sediment in surface water runoff at present. Construction activities are likely to only increase this issue further. SCC believe this is a reasonable assumption to make.</p>
45 & 46	<p>A key part of this CoCP, is the production of a detailed construction phase surface water and drainage management plan. The OCoCP presents a range of measures which may be drawn upon by the Applicants to manage surface water drainage and sediment during construction within the onshore development area.</p> <p>These measures can only be finalised on appointment of a construction contractor, allowing their works programme and procedures to feed into the selection of the most appropriate techniques to manage surface water and sediment.</p>	<p>No evidence or justification has been provided to demonstrate that the Order Limits are sufficient to accommodate sufficient mitigation.</p> <p>SCC are not asking for finalised options to be presented. We are asking to see that sufficient mitigation can be accommodated within the Order Limits.</p>
60	<p>The drainage strategy will benefit, where possible, of the infiltration rates and the SuDS systems will be implemented in such way that the land use is maximised where land is not required for other uses within the site.</p>	<p>SCC maintain that SuDS should be prioritised and that achieving an optimal SuDS solution should not be conditional based on the land take requirements for other mitigation measures.</p>

61	Should infiltration be possible but prove not to be suitable as the sole mean of disposing of surface water, then a hybrid infiltration and attenuation approach will be considered. This solution will dependent on the soil's available infiltration rates and of a positive discharge rate, no greater than the site's pre-development greenfield rate	SCC maintain that if infiltration is found to be possible it should be relied upon as the sole method of surface water disposal.
65	The Applicants have committed to ensuring that the SuDS design and the landscape mitigation requirements are both attainable within the Order Limits. The Applicants have provided further detail on this in the Flood Risk and Surface Water Drainage Note submitted at Deadline 8 (document reference ExA.AS-13.D8.V1).	Contrary to this statement, whilst not clearly identified in the submissions, it is still apparent that landscape mitigation clashes with surface water mitigation. The extent of this clash is still yet to be clearly identified, and as such, it is not possible to comment on this aspect further.

Applicants' Responses to Hearings Action Points (REP8-093)

Section 1.3 of this document responds to Action Point 3 of ISH 11 (EV-123a), to which the Applicant has responded as below:

The Applicants have submitted an updated Outline CoCP at Deadline 8 (document reference 8.1), which includes an appendix which addresses the matters raised through oral submissions within ISH11 and requested by the ExA in their Hearing Action Points

The above is directly contradicted by REP8-038, paragraph 44, which is provided below:

The Applicants have updated the OCoCP at Deadline 8 (document reference 8.1) including further provisions within section 11 regarding construction surface water management. However an Appendix has not been included within this submission as the Applicants do not consider it useful or accurate to undertake such an assessment at this stage given the level of detail regarding the precise construction footprint, construction techniques, specific (varying) ground conditions within the onshore development area and micrositing of works.

The above two statements are directly contradictory. However, the Applicant appears to have not provided the information requested.

5. Responses to any further information requested by the ExAs for this deadline.

5.1 Not applicable.