The Examining Authority
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: AN/2024/135560/01-L01
Your ref: EN010130

Date: 13 June 2024

Dear Members of the Examining Authority

Application by Total Energies and Corio Generation for an order granting development consent for the Outer Dowsing Offshore Wind (Generating Station)

1.0 The Environment Agency's Role

1.1 The Environment Agency is an executive non-departmental public body, established under the Environment Act 1995.

1.2 We were established to bring together responsibilities for protecting and improving the environment and to contribute to sustainable development. We take an integrated approach in which we consider all elements of the environment when we plan and carry out our work. This allows us to advise on the best environmental options and solutions, taking into account the different impacts on water, land, air, resources and energy.

1.3 We help prevent hundreds of millions of pounds worth of damage from flooding. Our work helps to support a greener economy by protecting and improving the natural environment for beneficial uses, working with businesses to reduce waste and save money, and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people and the environment are properly protected.

1.4 We have three main roles:

- We are an **environmental regulator** – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on businesses. We issue a range of permits and consents.

- We are an **environmental operator** – we are a national organisation that

operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.

- We are an **environmental adviser** – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making.

1.5 The Environment Agency takes action to conserve and secure the proper use of water resources, preserve and improve the quality of rivers, estuaries and coastal waters and groundwaters through pollution control powers and regulating discharge permits.

1.6 We have regulatory powers in respect of waste management and remediation of contaminated land designated as special sites. We also encourage the remediation of land contamination through the planning process.

1.7 The Environment Agency is the principal flood risk management operating authority. It has the power (but not the legal obligation) to manage flood risk from designated main rivers and the sea. The Environment Agency is also responsible for increasing public awareness of flood risk, flood forecasting and warning and has a general supervisory duty for flood risk management. We also have a strategic overview role for all flood and coastal erosion risk management.

2.0 Scope of these Representations

2.1 These Relevant Representations contain an overview of the project issues, which fall within our remit. They are given without prejudice to any future detailed representations that we may make throughout the examination process. We may also have further representations to make if supplementary information becomes available in relation to the project.

2.2 We have reviewed the Development Consent Order (DCO) application, Environmental Statement (ES) and supporting documents submitted as part of the above-mentioned application, following notification of its acceptance for Examination on 16 April 2024. Our comments below are presented using the document references and ES Chapter headings relevant to our remit.

3.0 3.1 Draft Development Consent Order [APP-303]

3.1 ***Article 7 Application and modification of legislative provisions***

The Environment Agency notes the proposed disapplication of Regulation 12(1)(a) (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 in respect of a flood risk activity. The Environment Agency will only agree to this disapplication if the wording of Protective Provisions can be agreed. We have been working, and will continue to work, with the Applicant to agree these during the Examination period.

3.2 ***Article 12 Temporary stopping up of streets***

The Environment Agency carries out beach nourishment works annually along the East coast, the purpose of which is explained in more detail in Section 4 below in relation to a legal agreement requested from the Applicant. In connection with these works, it is essential that we have access along Roman Bank and are able to utilise our compound/depot at all times. The route along

Cont/d..

Roman Bank between our depot and Anderby Pullover is not only used at the time the nourishment works take place, but also during surveys, site mobilisation and enabling works so access is required for most of the year. The diversion route is significantly longer and may not be suitable for the equipment that we need to transport.

3.3 It is unclear in the drafting of Article 12 whether the Applicant (the undertaker) must consult with the street authority. There appears to be two separate powers to temporarily stop up, alter or divert a street:

(i) A general power in Article 12(1) which appears to be unrestricted in respect of which streets as long as it is '*during and for the purposes of carrying out the authorised project*' and insofar as it is diverting the traffic and preventing all persons from passing along the street, this is 'for any reasonable time', subject to providing reasonable access to pedestrians to premises abutting the street. This power does not appear to be subject to the consultation requirement with the street authority in Article 12(5)(a).

(ii) A specific power in Article 12(4), which appears to exist separately to the power in Article 12(1). The Article 12(4) power is drafted so that it is restricted to those streets listed in Schedule 4 (Roman Bank appears as the first item in Schedule 4 to the following extent: '*approximately 329m of Roman Bank between points TR1 and TR2, as shown on sheet 1 of the streets plan*.') Article 12(4) is subject to a consultation requirement with the street authority of Article 12(5)(a).

3.4 We would welcome an explanation as to why there appears to be two separate powers in this article, and request that a consultation requirement for the Environment Agency is included in both.

3.5 Alternatively, if the Applicant is able to provide us with private access rights and an alternative access or means of secure storage for our equipment, we would be pleased to discuss this further.

3.6 ***SCHEDULE 1, PART 3***
Requirement 9 (Detailed onshore design parameters) – As the detailed design parameters, which will be agreed under this requirement, include the proposed finished ground levels for the onshore HVAC substation, the Environment Agency requests that it is included as a consultee in order to review these in relation to flood risk mitigation issues.

3.7 ***Requirement 15 (Operational Drainage Management Plan)*** – the Environment Agency notes that it is listed as a specific consultee to the discharge of the Operational Drainage Management Plan. This plan will focus on surface water drainage matters, which fall under the jurisdiction of the Lead Local Flood Authority. Therefore, the Environment Agency does not wish to be a consultee under this requirement.

3.8 ***Requirement 16 (Contaminated land and groundwater)*** – the Environment Agency welcomes its inclusion as a consultee to this requirement to enable it to advise on any scheme to deal with land contamination and the protection of groundwater.

3.9 ***Requirement 18 (Code of Construction Practice)*** – The Environment Agency welcomes its inclusion as a specific consultee to the discharge of this requirement to allow it to advise on issues within its remit. We would welcome discussions as to whether the Contaminated Land and Groundwater Plan should

Cont/d..

be a listed document under the Code of Construction Practice (CoCP), as explained further in paragraph 13.2.6 below.

3.10 ***Requirement 24 (Onshore Decommissioning)*** – The Environment Agency requests its inclusion as a specific consultee to the discharge of this requirement to allow it to consider, and advise on, any potential impacts on flood risk and flood defence assets - for example, cables under flood defences.

3.11 **Additional Requirements**

Prohibited Access – We have previously discussed the issue of access to the beach with the Applicant, particularly with respect to the Environment Agency's flood risk management works in this area. We have concerns regarding the possibility of construction traffic crossing over the Anderby Creek Tunnel due to its stability. However, the Applicant has stated that access to the beach would only be required during an emergency. In view of this, we request that an additional Requirement is included so that it is clear what is required of construction traffic at the landfall area. This requirement reflects the approach adopted in The Hornsea One Offshore Wind Farm Order 2014 (Requirement 15).

Except in an emergency, the undertaker must not access the beach with construction traffic within plots numbers 01-001 - 01-005 on the land plans during construction of Work Nos. 11 – 14 without the prior approval of the Environment Agency.

(1) Construction traffic is prohibited from crossing over the Anderby Creek Tunnel at any time.

(2) Access to the beach for all construction traffic must be via a recognised vehicular access point.

3.12 ***Flood Risk Assessment*** - We note that the DCO does not include a requirement for the works to be carried out in accordance with the flood risk assessment (FRA). Although there is still additional FRA work to be done, it is likely that mitigation measures, such as finished floor levels of the Onshore Substation, will need be secured through the inclusion of an additional requirement.

3.13 **SCHEDULE 11, PART 2**

Protection of Bathing Waters – We request the inclusion of an additional condition to protect Bathing Waters in the event that the design target (i.e the planned Horizontal Directional Drilling (HDD) exit pits will have a design target no closer than 500m to the MLWS mark) cannot be met. The reasons for requesting this, are explained in more detail in paragraphs 9.1.2 to 9.1.5 below.

Works within 500m of the intertidal area (or within the intertidal area itself) shall not be undertaken between 15 May and 30 September in any year unless a scheme to protect Bathing Waters has been submitted to and approved by the Marine Management Organisation, following consultation with the Environment Agency. The scheme must include:

(1) An assessment of the impact of any works (with a particular focus on the potential bacti issues that may be caused by disturbed sediment), which will be undertaken during the bathing water season of 15 May to 30 September.
(2) Identification of measures to mitigate any identified risks to ensure the current Bathing Water status is not impacted, shall be implemented in accordance with the approved scheme.

3.13 **SCHEDULE 18, PART 4**

Protection for the Environment Agency – We note that Protective Provisions for the Environment Agency are included in the draft DCO. We are reviewing these and will liaise with the Applicant during the Examination period. The Environment Agency is also requesting the Applicant enters into a separate legal agreement, the details of which are outlined below.

4.0 Legal Agreement

4.1 We have raised concerns to the Applicant about the Environment Agency's flood risk management works (beach nourishment along the Lincolnshire Coast), which has the potential to be interrupted by the construction of this project.

4.2 The defences today along the Lincolnshire Coast are a combination of wide-open beaches with either natural or man-made sand dunes and concrete walls - most of which were rebuilt following the 1953 tidal storm surge. The hard defences were originally designed to withstand the full force of the tides and waves of the North Sea with a low-level beach at the base of the defences.

4.3 During the 1980s and 90s many of these defences were improved rather than replaced followed by the addition of a higher-level beach. Since then, work has continued to be carried out each year to make sure the beach height is maintained. Replenishing the sand means the beach takes the brunt of the wave's force and energy instead of hard defences like sea walls. This reduces the amount of damage and erosion to those hard defences – and lessens the risk of water overtopping them.

4.4 Every year (between the Easter holidays and 1st October), the Environment Agency invests in artificially nourishing the beaches from Saltfleet to Gibraltar Point, which not only helps to reduce the risk of flooding for Lincolnshire's coastal communities but also retains the appearance of the sandy beach. With sand naturally disappearing every year, it is predicted without nourishment the beaches would be gone in 5-7 years. This work reduces the risk of flooding to 20,000 homes and businesses, 24,500 static caravans and 35,000 hectares of land.

4.5 To ensure the installation of the Export Cable Corridor (ECC) does not adversely affect or delay the annual beach nourishment work, resulting in delays and additional cost to the public purse and an increased risk of tidal flooding along the Lincolnshire Coast, we require the Applicant to enter into a legal agreement with us. Without such an agreement being in place there is no guarantee that our beach nourishment works can be carried out. If these works cannot be undertaken flood risk to a significant stretch the east coast will increase. Consequently, the Environment Agency **objects** to the application on the grounds of the potential increase in flood risk (which is contrary to the requirement of paragraph 5.8.11 of the National Policy Statement for Energy (EN-1)) until the Applicant enters into a legal agreement to ensure its works can be carried out on time and with no risk of additional costs to the public purse.

5.0 3.3 Other Consents and Licences [APP-305]

5.1 We have reviewed this statement and concur with the identification of possible permits that will be required from the Environment Agency for the construction and operation of the development. If any licences to abstract water are required, we strongly recommend early liaison on this matter as available water resources

in this region are limited.

5.2 For the Applicant's information and for clarity throughout the application documents - where text only refers to '*Flood Defence Consent (for structures in, under or over a main river / permanent culverts)*', the Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

6.0 4.1 Book of Reference [APP-025]

6.1 The Environment Agency is aware that it is listed as a Category 1 (as assumed owner, or reputed owner) for various plots in the Book of Reference. We are currently considering the potential impact the project may have on the Environment Agency's ability to carry out its statutory undertakings and we will provide further comment on this during the Examination.

6.2 The Environment Agency is a statutory undertaker within the meaning at s.127(8)(a) of the Planning Act 2008. Section 165 of the Water Resources Act 1991 (as amended) sets out its powers to carry out flood defence and drainage works (to the extent that it has a power and not a duty).

7.0 6.1.3 Chapter 3 Project Description [APP-058]

7.1 *Section 4.3 paragraph 34 - Table 4.1. Onshore ECC and 400kV cable corridor segment reference and description*
The River Lymn, Wainfleet Relief Channel and River Steeping main rivers are not mentioned within key features and receptors for ECC5. The Witham Haven is not included as a key feature and receptor for ECC10 and ECC11.

7.2 *Landfall Construction* – Section 7 describes the landfall works confirming that the cable will be installed under the sea defence via a trenchless method (HDD) and the HDD pits will be bunded. No specified depth below the sea defences has been stated, but the Maximum Design Parameters for the cable depth at the landfall location will be between 5 – 25m. During pre-application discussions, we advised the Applicant that we may (as part of flood defence maintenance/improvement works) have to pile the toe of the sea defence in the future and the length of pile we would need to use is currently unknown.

7.3 Consequently, there would need to be a sufficiently safe distance below maximum pile length to ensure we have a safe working environment that does not interrupt/sever the proposed cables. We are satisfied that the cable depth will give us the required safe working clearance (we require 2m) between the Applicant's cables and any future pile depths we may need to install.

7.4 However, this clearance will not be 10m, which is the distance the Applicant has previously advised us that they require – the Applicant has advised they would need to be given the opportunity to agree the design and management controls within 10m of its cables. It is the Environment Agency's view that it cannot agree to anything that would place an additional burden (or cost to the public purse) on

its flood management operations. Consequently, it is our view that should 10m clearance be required then the Applicant will need to ensure its cables are installed at a level that will facilitate this.

8.0 6.1.7 Chapter 7 Marine Physical Processes [APP-062]

8.1 We have reviewed Chapter 7 in respect of the Environment Agency's remit on this topic and have the following comments to make.

8.2 *Section 7.4.3.3 Morpohology*
Paragraph 40 - The conclusion presented, that there will be no erosion of the coast for the next 100 years, cannot be based on NCERM2 data, even if accessed in 2024. The NCERM2 product is still in beta form and not publicly available yet, although it is hoped this will be released before the end of 2024. However, NCERM2 is concerned with coastal erosion mapping (cliffs, dunes etc), not areas at risk of flooding, so it is uncertain if it will cover this location.

8.3 It seems unlikely that this section of the coast will not be affected by erosion unless current recharge actions are maintained. Plus, as this paragraph is written, the dataset that the conclusion of no erosion is based on only appears to cover 5 years of beach monitoring data (2018-2021). This is a very small dataset to use to predict long-term responses, especially as the coast has been affected by the Environment Agency's beach recharge scheme since 1994.

8.4 Paragraph 41 also contradicts the preceding paragraph, in that it clearly states that the beach at landfall continues to erode in between recharge events. In order to predict possible worst-case scenarios one would have to use data from before the replenishment scheme started, possibly calculating coastal change rates from historic maps and old air-photo coverage as well as shoreline profile data collected prior to the LincsShore/beach nourishment scheme.

8.5 *Section 7.12 Impact Assessment*
Paragraphs 159-161 – The dunes behind Wolla Bank Beach are stable at the present time. However, if annual recharge operations were to cease in the future, it is possible, if not likely, that the dunes would be subject to erosion, especially in the light of continued sea level rise. Although the current and second epochs of the Shoreline Management Plan (SMP) state 'Hold-the-line', the management policy for the third epoch has not been agreed. This aspect should be considered when deciding upon locations to site onshore infrastructure and launch sites for HDD, especially as the land behind the dunefield is fairly low lying. The current stability of the dunefield, under an annual recharge scheme, does not in itself provide evidence that the underlying natural system has a high capacity to accommodate the proposed changes. In most dunefields, stability is mainly influenced by the local water table and vegetation cover. A change in the type of vegetation, removal through fire, lowering of the water table through drought, or other stressors may destabilise the dunes and cause localised blowouts and/or wholesale dune migration.

8.6 Although the exit pit will be microsited to avoid interaction with the Chapel Point to Wolla Bank SSSI (Site of Special Scientific Interest), the conclusion that there are no "pathways of effect" to influence this receptor is uncertain. Indeed, Paragraph 156 indicates that cable protection measures may influence local wave conditions and may lead to wave train focusing.

8.7 It is possible that similar sediments and features to those that characterise the

SSSI may be present outside of the SSSI boundary. It is suggested that a geophysical and geological investigation be conducted to determine the full extent of these features, which would aid in the micrositing of the exit pit and cable protection (if used).

8.8 As an aside, previous projects have encountered issues with HDD in this area, a geophysical and geological investigation may also assist in avoiding these issues.

8.9 In addition, we cannot ascertain where the Applicant has addressed an issue that we raised in connection with the effect the cable installation may have on the offshore features that feed the dune system (Environment Agency's Section 42 consultation comment "*There are sandbars offshore that benefit the beach/sea defence. We do not want these to be removed, therefore areas need to be chosen carefully based on those that contribute to wave breaking/dune sheltering/depth limiting benefits*".). We would be grateful if the Applicant could signpost us to where this has been addressed.

9.0 6.1.8 Chapter 8 Marine Water and Sediment Quality [APP-063]

We have reviewed Chapter 8 with respect to the Environment Agency's remit on this topic and this is satisfactory.

9.1 6.3.8.1 Chapter 8 Appendix 1 Water Framework Directive [APP-153]

9.1.1 We have reviewed the Water Framework Directive (WFD) Assessment for the areas within the Environment Agency's jurisdiction.

9.1.2 Paragraph 152 acknowledges that disturbance of the seabed, which can be associated with cable installation and associated landfall can release sediment bound contaminants into the water column and reduce water quality. Paragraph 154 also acknowledges that an increase of suspended sediment (including bentonite) from cable installation and trenchless technique activities at the landfall has the potential to result in an increase in bacterial counts within the water column. It is stated that '*any bacterial increase within the water column would be in the order of days*'. However, it goes on to assert that the works will not cause an issue to bathing water quality but this is not supported with any evidence.

9.1.3 We also challenge the assumption in paragraph 169 that '*The consistent 'Excellent' performance of nearby Bathing Waters (see Table 8.8) indicates that the levels of bacteria within the sediments, in close proximity to these Bathing Waters, do not result in a reduction in water quality during natural elevated suspension events'* and that this '*suggests that elevated bacterial concentrations are unlikely to result from disturbance of seabed sediments in the vicinity of these Bathing Waters'.* Excellent classifications are only based on water samples taken between May to September. However, the quality of the sediment will also be influenced by runoff from land and discharges over the winter months, which could also contribute to levels of bacteria.

9.1.4 The Environment Agency, in its reply to the Section 42 consultation on the Preliminary Environmental Information Report requested that the Applicant include a condition within the deemed Marine Licence of the DCO to ensure the protection of Bathing Waters. The Applicant's response to this states that 'The planned HDD exit pits will have a design target no closer than 500m to the MLWS mark', and therefore they do not consider a restriction on works

necessary. We welcome this design target. However, if this design target cannot be met, mitigation may be required. To ensure this is secured we request that the condition outlined in paragraph 3.13 above is included in Part 2 of Schedule 11 (offshore transmission assets)

9.1.5 It is our view that this condition is required to protect Bathing Waters in the event that the design target cannot be met.

9.1.6 The WFD Assessment for coasts and estuaries focuses on the parts of the offshore export cable corridor crossing the Lincolnshire coastal waterbody and the onshore cable corridor crossing the Witham and Welland Estuaries. Notwithstanding the comments above, the Environment Agency is generally satisfied with the Applicant's approach and conclusions that these sections of the export cable corridor activity are unlikely to result in a deterioration at water body scale or jeopardise the attainment of water body objectives. Significant impacts to protected areas within these WFD waterbodies are also unlikely.

9.1.7 However, further offshore, where the offshore export cable crosses the Inner Dowsing, Race Bank and North Ridge Special Area of Conservation (IDRBNR SAC), impacts to benthic habitats in protected areas from the Export Cable Corridor (ECC) activity cannot be ruled out. We would defer to Natural England to comment on whether the proposed mitigation and compensation packages are sufficient and can be agreed.

9.1.8 Similarly, although impacts to fish and shellfish within WFD waterbodies are not predicted, there may be minor impacts outside of WFD areas from the wider project. We have not reviewed underlying evidence for the Environmental Statement, such as noise modelling and effects on fish, so we defer to the opinion of the Marine Management Organisation in respect of this.

10.0 6.1.9 Chapter 9 Benthic and Intertidal Ecology [APP-064]

10.1 We have reviewed Chapter 9 with respect to the Environment Agency's remit on this topic and this is satisfactory.

11.0 6.1.10 Chapter 10 Fish and Shellfish Ecology [APP-065]

11.1 We have reviewed Chapter 10 with respect to the Environment Agency's remit on this topic and this is satisfactory.

12.0 6.1.23 Chapter 23 Geology and Ground Conditions [APP-078]

12.1 *Groundwater protection*

We have reviewed Chapter 23 together with the related Appendices and Figures. The chapter refers to principal aquifer chalk bedrock sensitivity as negligible. Chapter 24 Onshore Hydrology, Hydrogeology and Flood Risk states in Table 24.17 that groundwater within the chalk has high sensitivity. This implies high sensitivity groundwater in a negligible sensitivity principal chalk aquifer. We, therefore, recommend the sensitivity of groundwater is referred to in Chapter 23 for chalk, sandstone and the secondary aquifers. By way of example, from paragraph "*51. The geological features within the study area and environs are widespread throughout Lincolnshire and of limited use for knowledge, the sensitivity of bedrock geology throughout the study area is considered to be negligible."*

12.2 *SSSI Clay Pits and Superficial Deposits and Groundwater*

Regarding the SSSI and brick pits near Anderby Creek, these rely on superficial

geology for the water content within, the same could be said about superficial geology as the comment above. Where *"49. The geological features within the study area and environs are widespread throughout Lincolnshire and of limited use for knowledge, the sensitivity of superficial geology throughout the study area is considered to be negligible."*

12.3 The Chapter continues, "*53. There is one BGS record of a closed brickworks in Anderby Creek. The brickworks are estimated to have been worked until the early 1940s, the brick pit is now a large water feature in the settlement. There were a small number of clay pits along the coast to the south of Anderby Creek that may have been associated with the brickworks. These clay pits are now designated the Sea Bank Clay Pits SSSI for ecological aspects".*

12.4 *Land Contamination*
We are satisfied that Chapter 23 and Appendix 1 (Preliminary Land Quality Risk Assessment) demonstrate that an appropriate assessment has been undertaken to identify potential sources of contamination. The potential risks are considered to be low, with the exception of the localised areas of landfill identified in the assessment.

12.5 We are satisfied that appropriate investigation and risk assessment are scheduled (and secured via Requirement 16 in Schedule 1, Part 3 of the DCO) to manage any risks posed by the identified potential sources of contamination, in accordance with the risk management framework provided in Land Contamination: Risk Management (LCRM), available at www.gov.uk/government/publications/land-contamination-risk-management-lcrm.

12.6 Our comments on Chapter 24 (below) regarding the conceptual understanding of the groundwater within the chalk should be taken into consideration when assessing the risk posed by any potential contamination at the development site.

13.0 6.1.24 Chapter 24 Onshore Hydrology Hydrogeology and Flood Risk [APP-079]

13.0.1 *Groundwater*
We have reviewed Chapter 24 together with the related Appendices and Figures. Table 24.2 states, "*Natural England 20th July 2023: Comment – Sea Bank Clay Pits Site of Special Scientific Interest (SSSI) – Natural England note that, where the project makes landfall, it will cross under the Sea Bank Clay Pits SSSI via HDD. This SSSI is predominantly designated for hydrological features which can be susceptible to changes in the water table caused by trenchless crossing. The main risk to this site from the proposed development is considered to be the impacts or changes to the hydrology, specifically quantity and quality of the water that currently feeds the site. This includes changes to ditches and waterbodies in the immediate vicinity. Recommendation – We advise that the project should provide further site-specific survey data on the hydrographic conditions which maintain the designated features within the site. Further to this, we advise that the Project will need to use the results of this survey to provide a detailed method statement to show that it has reduced the risk of this work impacting on the notified features of this site".*

13.0.2 The Environment Agency agrees with Natural England's view and considers there to be potential for groundwater from chalk bedrock to be entering the pits from springs or seepages. For example, Chapmans Pond in Cleethorpes further

north is a former brickworks clay pit that was abandoned during the early part of the 20th century. It is partially fed by springs and seepages from the underlying chalk principal aquifer. It was these springs and seepages which forced its closure. These pits should be appraised prior to commencement of works to see if it has the potential to be impacted by any works that impact the chalk. Or superficial deposits.

13.0.3 Consideration of any potential for groundwater quality impacts for saline water to enter fresh water should also be considered prior to the commencement of works – please see comment in paragraph 13.2.6 in relation to this.

Flood risk

13.0.4 *Section 24.4.3.1 paragraph 52 and section 24.4.3.2 paragraph 84*
These paragraphs summarise that the majority of the watercourses that pose a risk to the onshore ECC will be tidally influenced. However, there are areas at fluvial flood risk from the Willoughby High Drain.

13.0.5 *Section 24.4.3.5 paragraph 165*
Similarly, there are areas at fluvial flood risk from the Steeping catchment.

13.0.6 *Section 24.4.3.6 paragraph 191, section 24.4.3.7 paragraph 219, section 24.4.3.8 paragraph, section 24.4.3.9, paragraph 271, section 24.4.3.10 paragraph 298, section 24.4.3.11 paragraph 327*
These paragraphs describe the defences as providing "*for at least a 1 in 200-year event (0.5% Annual Exceedance Probability (AEP))".* The existing tidal defences reduce the risk of flooding (at the defence) to a 0.67% (1 in 150) chance of occurring in any year.

13.0.7 Table 24.2 (on page 28) states in response to an Environment Agency comment that "*It is not intended to locate the cables within the flood defence. At its closest point, the cables would be a minimum of 40m from the flood defence upstream of Fossdyke Bridge. It is possible that this is a miss understanding of the plans, which show a temporary access track running along the flood defence*". We would like to discuss this matter with the Applicant to determine if the location of the temporary access track, which runs along the flood defence, is appropriate. The Applicant may need to provide evidence to demonstrate that the proposed access track would not undermine the defence.

13.0.8 *Section 24.4.3.12 paragraph 353*
The existing tidal defences reduce the risk of flooding (at the defence) to a 1% (1 in 100) chance of occurring in any year.

13.0.9 *Section 24.4.4 paragraph 428 (and other paragraphs within this document) - Table 24.17: Sensitivity values for potential receptors*
We disagree with the value (sensitivity) of low, assigned to areas of floodplain within the study area. The route passes through populated areas so not all land uses are 'less vulnerable'. Further consideration is required, particularly in areas where the route passes close to populated/residential areas (e.g. areas around Wainfleet) given the proposed development proposes stockpiling within the floodplain.

13.0.10 *Section 24.5.2 paragraph 428 - Table 24.18 - Table 24.18: Maximum design scenario for onshore hydrology, hydrogeology and flood risk for the Project alone*

Table 24.18 only covers the decommissioning of the Onshore Substation (OnSS). We raised this in response to the PEIR consultation and advised that *'the removal and reinstatement work to remove redundant infrastructure may potentially take place within areas at risk of flooding or impact our assets'*. The flood risk from these activities will need to be assessed and mitigation measures put in place. We want to ensure any elements left in situ would not impact the Environment Agency's future maintenance or improvement works.

13.0.11 Decommissioning will require the removal of redundant cables from ducts under Environment Agency assets and sealing of those ducts through permanent means (i.e. not just capping, but filling) to prevent the ingress of water underneath raised defences. Temporary capping of spare ducts may be acceptable but will be subject to risk assessment and a response plan.

13.0.12 *24.5.3 Embedded Mitigation paragraph 24.5.2 - Table 24.19: Embedded mitigation relating to onshore hydrology, hydrogeology and flood risk*
We support the preparation of an Emergency Flood Response Plan and trenchless drilling crossing techniques for all Environment Agency main rivers.

13.0.13 With respect to the embedded mitigation for stockpiles, the onshore cable route includes temporary compounds and temporary working areas (including stockpiles and noise bunds) within the floodplain and mitigation will be required. The FRA must assess the impacts of land raising / storage on the displacement of floodwater and demonstrate that the development will not increase the risk of flooding to third parties, surrounding areas etc. Please refer to comments made on the 6.3.24.2 Chapter 24 Appendix 2 Flood Risk Assessment ECC and 400kV (Document Reference: 6.3.24.2), particularly those on the HDD pit bunding, noise bund, and working within the floodplain and flood risk mitigation.

13.0.14 *Section 24.7.1 paragraph 448*
Please refer to comments made on the 6.3.24.2 Chapter 24 Appendix 2 Flood Risk Assessment ECC and 400kV (Document Reference: 6.3.24.2)

13.0.15 Paragraph 453 states that "*All designated stockpile areas would be a minimum of 10m from any open watercourse features*". All stockpiles should be located on the landward side of any defence as in some locations the defences are set back from the channel, and should be taken into account. We would like to see this measure specified in the relevant Code of Construction Practice documents. This comment is also relevant to the text in paragraph 494 regarding stockpiled material.

13.0.16 *Section 24.7.1.1 – Impact 2: Flood Risk, 24.7.1.3 - Impact 6: Flood Risk, 24.7.1.4 – Impact 8: Flood Risk*
Working within the floodplain (including stockpiling and noise bunds) may impact upon fluvial and tidal flood risk, not just surface water flood risk. The supporting FRA for the ECC does not adequately assess the impacts of works within the floodplain and demonstrate that the risk of flooding will not be increased. Please refer to comments made on Chapter 24 Appendix 2 Flood Risk Assessment ECC and 400kV (Document Reference: 6.3.24.2), particularly those on the HDD pit bunding, noise bund, and working within the floodplain and flood risk mitigation.

13.0.17 Paragraph 468 explains how the laying of temporary surfacing material for the working area may increase surface water flood risk. There is a section, which appears to be an access track, located along (or close to) the flood defence between Fossdyke Bridge and an Internal Drainage Board outfall. If this

Cont/d..

is correct, then the proposed works could have the potential to impact the fluvial flood defence – mitigation may be required to ensure this does not undermine the flood defence.

13.0.18 *Section 24.7.2.1 - Impact 13: Flood Risk and Water Quality*
Please see comments on Table 24.18 in paragraph 13.0.10 above.

13.0.19 *Section 24.11 paragraph 24.11.2 - Table 24.24: Summary of effects*
This table should be updated taking account of the Environment Agency's comments. In summary, the supporting FRA for the ECC does not adequately assess the impacts of works within the floodplain and demonstrate that the risk of flooding will not be increased. The Applicant is asked to refer to comments made on the Chapter 24 Appendix 2 Flood Risk Assessment ECC and 400kV (Document Reference: 6.3.24.2). Consequently, there is insufficient detail and inadequate additional mitigation measures within the CoCP.

13.1 6.2.24 Chapter 24 Hydrology Hydrogeology and Flood Risk Figures [APP-115]

13.1.1 We have reviewed these figures and have no comments to make on them.

13.2 6.3.24.1 Chapter 24 Appendix 1 Groundwater Risk Assessment [APP-210]

13.2.1 *Cable Laying Techniques, Chalk Depth and Private Drinking Water Supplies.*
Paragraph 59 states "*Trenchless cable installation - with a maximum dig depth of 6m below ground level, a proposed temporary sheet-piling depth of 10m BGL and a trenchless cable installation depth of up to 25m BGL".* It is recommended that the depth of chalk is accurately estimated. Groundwater can be artesian or sub artesian and it is considered this may have an impact on the method of works particularly under the sea bank.

13.2.2 We support the statement in paragraph 63 for further assessment. Also, it is noted that a survey is proposed for Bristol Farms Private Domestic Supply. Please see the comments in paragraph 13.2.6 below in relation to this.

13.2.3 This follows the recommendation found in Table 24.2 of Chapter 24 (Page 23) made by the Environment Agency at the Expert Topic Group Meeting on 19th July 2022 "*Outlined general methodology, study area, baseline environment and impacts to be scoped in and out. Environment Agency advised abstraction licenses and private and domestic water supplies should be considered as a potential receptor along the route."*

13.2.4 With regards to the statement, in paragraph 70 "*Given the nature of the geology it is considered highly unlikely that the trenchless works will encounter the underlying Chalk aquifer and therefore the potential for a hydraulic connection between the trenchless works and the water supply is assessed as very low. However, it is acknowledged that there is uncertainty as to the source of supply, if from the silty, sandy horizon identified within the superficial deposits there is the potential for a hydraulic connection to exist."* It is our view there is potential for heave due to upward pressure from groundwater in the chalk (this may also be the case for works that breach the chalk offshore too) and we recommend this is considered prior to the commencement of works.

13.2.5 With regards to the statement, in paragraph 80 "*The trenchless cable installation, which may reach a maximum depth of 25m BGL, is also considered to have a*

negligible impact on the local groundwater regime. A very limited preferential flow path would form in the geology immediately adjacent to the annulus space, however this would not be expected to impact the wider flow regime of the aquifer. Further, it is proposed that the trenchless works would not reach a depth below that of the Chalk's upper horizon, and therefore the chalk aquifer would not be encountered". Prior to the commencement of works, we would recommend a conceptual diagram to include accurate depths of geology and works be supplied; groundwater pressure within the chalk may have an impact on works and groundwater regime if a linkage is established – please see comments in paragraph 13.2.6 below in relation to this.

13.2.6 As outlined in various paragraphs above (13.0.3; 13.2.2 and 13.2.5), there appears to be a need for further investigations and risk assessments to be undertaken in relation to the protection of groundwater. We note that paragraph 55 of the Outline Code of Construction Practice [APP-268] says that the Applicant has committed to developing a Contaminated Land and Groundwater Plan. There is no further detail on this, although it is mentioned in the Schedule of Mitigation [APP-287] (page 25, item ref: 81) but appears to relate to a mitigation commitment more focused on contaminated land. We would therefore welcome discussions with the Applicant regarding how the various investigations and risk assessments, in relation to the protection of groundwater, which are still to be undertaken, are secured within the DCO. In summary, those outlined in our review relate to:

- Sea Bank Clay Pits;
- Potential for saline water to enter freshwater;
- Survey for Bristol Farms Private Domestic Supply;
- Risk assessments prior to trenchless cable installations.

13.3 6.3.24.2 Chapter 24 Appendix 2 Flood Risk Assessment ECC and 400kV [APP-211]

13.3.1 We have reviewed the Flood Risk Assessment (FRA) for the ECC and this is not yet adequate for the reasons explained in the paragraphs below. Accordingly, we wish to make a **holding objection on flood risk grounds** until we have sufficient information to determine if the project satisfies the Exception Test, in accordance with paragraph 5.8.11 of EN-1.

13.3.2 As a general comment, the FRA shows the ECC lies within Flood Zones 2 and 3. However, it would be extremely beneficial to show the route in comparison to the flood mapping conclusions stated within Section 24.5 (overtopping, breach and modelled flood extents); as has been done for the Flood Map for Planning and Surface Water Flood Map (Figures 24.2.6.1-4 and Figures 24.2.7.1-4). The hazard mapping and fluvial model extents should be used (once demonstrated that scenarios are suitable) to consider the impact of working within the floodplain and inform the mitigation (i.e. no mitigation necessary as certain areas are not within hazard mapping extents / defended fluvial extents, areas to avoid as they are within the fluvial floodplain, areas where the working area needs to be limited and include breaks in stockpiles to allow flood flows through and within flood cell).

13.3.3 Additional Data – River Steeping Hazard Mapping
Section 24.1.4 paragraph 15 - the FRA does not refer to the River Steeping hazard mapping. The mapping/data should be used to adequately assess the impact to and from the development and to ensure any required mitigation measures are included. This mapping is key to assessing residual risk, working

within the tidal and fluvial floodplains, the impact upon floodplains, third parties and emergency planning.

13.3.4 Use of Environment Agency Modelling

*Section 24.1.5 paragraph 19 and section 24.5 - w*ith reference to the overtopping and breach modelling, the Environment Agency tidal hazard mapping was completed for the 2006 (present day) and 2115 climate change scenarios. This modelling utilised the climate change guidance at the time. The FRA must demonstrate that the climate change allowances used and scenarios within the Environment Agency modelling are appropriate to use. This point applies to the Steeping Hazard Mapping and any fluvial modelling used.

13.3.5 Lifetime of the Development and Climate Change

Section 24.1.5.1 paragraph 20 and section 24.1.5.5 paragraph 25 - The ECC and 400kV FRA (and ONSS FRA) states that these elements are to be designed for a 35-year design life. Based on the project becoming operational by 2030, its lifetime will extend to 2065.

13.3.6 Please see comments in paragraph 13.4.3 below in respect of planning policy requirements and the lifetime of development/climate change.

13.3.7 Also, it is not clear how the H++ allowance has been considered in the assessment of risk for the onshore ECC.

13.3.8 *Section 24.1.5.3 paragraph 22* - Table 24.2 Peak Rainfall Intensity Climate Change Allowances has two references to the Welland Management Catchment. We assume that this table should reference peak rainfall intensity climate change allowances for the Welland and Witham Management Catchments.

13.3.9 HDD Pit Bunding

Section 24.4.2 paragraph 65, section 24.4.7.4 paragraphs 99 and 100 and section 24.7.1.4 paragraph 148 - There are several references to bunding of the HDD pits. Further detail on the bunding proposal is required. For example, to what level Ordnance Datum (ODN) and for how long?

13.3.10 Noise Bund

Section 24.4.2 paragraph 66 and section 24.7.4 paragraph 149 - The FRA must include an assessment to demonstrate the impacts of any land raising for the noise bund on overland flow routes and set out any mitigation required. Factors such as breach parameters, expected depths and nearby receptors must be reviewed and considered.

13.3.11 Flooding from Rivers or Fluvial Flooding

Section 24.4.1, section 24.5.1.2 paragraph 113, section 24.5.2.1 and section 24.4.7 - In addition to fluvial flood risk, residual risk must be considered and assessed as part of the FRA. As advised in our comments on additional data, the Environment Agency has undertaken fluvial hazard mapping for the River Steeping and Wainfleet Relief Channel. Fluvial flooding can result from defence exceedance. Please also see comments on working within the floodplain and flood risk mitigation.

13.3.12 Flooding from the Sea or Tidal Flooding

Section 24.4.2 paragraphs 64, 68, 69 and 71, Section 24.4.7 and Section 24.8 - The standard of protection varies along the tidal defences and in some areas (the Wash and the River Welland) is lower. Please also see comments on the HDD

pit bunding, noise bund and working within the floodplain and flood risk mitigation.

13.3.13 Working Within the Floodplain and Flood Risk Mitigation

Section 24.5.2.1 paragraph 117, Section 24.5.3, Section 24.7 and section 24.7.1.4 paragraph 148 - The onshore cable route includes temporary compounds and temporary working areas (including stockpiles and noise bunds) within the floodplain. The FRA must demonstrate that the development will not increase the risk of flooding to third parties and the surrounding area etc. The FRA must assess the impacts of land raising / storage on the displacement of floodwater from fluvial sources and whether any floodplain compensatory storage is required. Given limited areas of undefended fluvial flood areas, compounds, storage areas and stockpiles should be located outside of these areas. The FRA must also assess the impacts on the tidal and defended fluvial floodplains, particularly with regards to flood flow routes, to demonstrate that the proposed development will not increase flood risk to third parties, by deflecting flood water. Paragraph 5.8.12 of EN-1 also states that *'there should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site'.*

13.3.14 We note that Drawing 15 in the Onshore Works Plans [APP-005] shows that the temporary work area for Work No. 19 is within 8.0m of the Wainfleet Relief Channel defences. We advised the Applicant in our response to the Section 42 Project Update Autumn Consultation, any temporary working areas must be set back a least 8.0m from the toe of the raised defences to ensure that they are not impacted and that Environment Agency access to the defences is not restricted. The Applicant should consider issues such as space for equipment, stockpiles etc alongside this restriction.

13.3.15 Please also see the comments on the HDD pit bunding and noise bund.

13.3.16 Chapter 24 Hydrology Hydrogeology and Flood Risk (Document Reference: 6.1.24) includes embedded mitigation (e.g. any stockpiles along the onshore ECC would be kept to the minimum possible size with gaps to allow surface water runoff to pass through). This measure does not relate to flood flows and further assessment is required on the impacts on the floodplain and third parties. Whilst paragraph 148 (of this FRA) advises that regular breaks will be created within the stockpiles to allow overland flow, these must be considered and assessed in respect of the floodplain and overland flood flows. Please note that this information is vital to adequately assess flood risk and demonstrate that flood risk from the development is not increased.

13.3.17 Any temporary compounds or storage areas must be set back further than 8.0m from non-tidal main rivers and 16.0m for tidal main rivers (taken from the brink of the watercourse or landward toe where there is a raised defence).

13.3.18 We support the production of the Emergency Flood Response Plan. Emergency plans are a key part of flood risk mitigation with respect to the safety of people and the recoverability of the site (to ensure that the development remains operational or can be brought back online after flooding), particularly in respect of breach risk. However, we do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. The Local

Cont/d..

Planning Authority will be able to provide further advice on Emergency Flood Response Plans.

13.3.19 Conclusion

Section 24.8 - The conclusions should be updated once the FRA has been revised to take account of the comments raised above. As we have advised in paragraph 13.3.12 above, the standard of protection varies along the tidal defences. It also varies for fluvial watercourses along the ECC route. The route lies within Flood Zone 3 'high probability', with "Flood risk" being a combination of both the probability and the potential consequences of flooding.

13.4 6.3.24.3 Chapter 24 Appendix 3 Flood Risk Assessment OnSS [APP-212]

13.4.1 The Applicant has submitted detailed hydraulic modelling, which has been used to produce the submitted FRA for the Onshore Substation. The Environment Agency has reviewed the model and it is not yet considered fit for purpose. The Applicant is currently reviewing our feedback on the model and until this has been approved, the FRA could be subject to change. As such, this also forms part of our **holding objection in respect of flood risk** as we are unable to confirm that the project passes the flood risk Exception Test, as outlined in paragraph 5.8.11 of EN-1, i.e. that the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.

13.4.2 Paragraph 21 outlines the anticipated lifetime of development and states "The OnSS is to be designed for a 35-year design life", this anticipates the development will be operational up to 2065, which is the basis for the FRA. However, given the proposed mitigation strategy includes the construction of the development platform (the raising of the site level), and the DCO does not include any provision to ensure this is removed in 2065, this is not currently acceptable. This is one aspect of the hydraulic model that we are querying.

13.4.3 The Flood Risk and Coastal Change section of the Planning Practice Guidance (Reference ID: 7-006-20220825) states that "T*he lifetime of a non-residential development depends on the characteristics of that development, but a period of at least 75 years is likely to form a starting point for assessment*". It also states that "*Where development has an anticipated lifetime significantly beyond 100 years such as some major infrastructure projects……..it may be appropriate to consider a longer period for the lifetime of development*…." We are aware that many Nationally Significant Infrastructure Projects have a much longer operational life than the original 'component' design life, i.e. wind turbines are renewed at the end of their design life and windfarms continue to be maintained and operated. As this project does not have a specific decommissioning date in the DCO, it is our view that a period of at least 75 years should be assessed.

13.4.4 Paragraphs 100 to 105 outline some potential anomalies within the hydraulic modelling and this is an issue that we will work with the Applicant to resolve. We will provide additional comments on this in due course.

13.4.5 Paragraphs 106 to 111 discuss procedures that will be included as part of an Operational Emergency Flood Response Plan. This appears to be secured in Schedule 1, Part 3, Requirement 18(2)(h) to be submitted and approved as part of the Code of Construction Practice, which we welcome.

13.4.6 Conclusions: as mentioned in paragraph 13.4.1 above, the FRA could be subject to change as a result of the outcome of the hydraulic model and we will provide

further advice on this during the Examination.

14.0 6.1.31 Chapter 31 Climate Change [APP-086]

14.1 We have reviewed this chapter but have no specific comments on its content. The Environment Agency's comments regarding climate change are included above in its comments on the assessment of flood risk.

15.0 8.1 Outline Code of Construction Practice [APP-268]

15.1 We have reviewed this plan and are generally satisfied with the scope of topics the Applicant has included. We welcome our inclusion as a consultee to Requirement 18 (in Schedule 1, Part 3 of the DCO), to enable us to review and comment on the final plan.

15.2 Section 5.6 Contaminated Land and Groundwater

Paragraph 55 mentions the Applicant's commitment to developing a Contaminated Land and Groundwater Plan as part of the construction documentation, but this appears to focus on land contamination. As mentioned in paragraph 13.2.6 above further assessments in relation to the protection of groundwater are required and we would welcome discussions on whether the Code of Construction Practice (or a Contaminated Land and Groundwater Plan document under this 'umbrella') would cover these matters.

15.3 Section 5.8 Flood Management

The impacts of working within the floodplain (temporary compounds and temporary working areas, including stockpiles and noise bunds) were not sufficiently assessed within the ECC and 400kV FRA (Document Reference: 6.3.24.2). There are no mitigation measures for the impacts of working within the floodplain (temporary compounds and temporary working areas, including stockpiles and noise bunds); mitigation measures may be required.

15.4 Section 5.10 Watercourse crossings

Paragraph 86 mentions the installation of temporary bridges. The prior approval of the Environment Agency will be required for any works in, over, under or within 8m of a main river (16m if tidal), on or within 16 metres of a sea defence or within the floodplain if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.

15.5 There are a number of the proposed trenchless main river crossings that could meet an available Environmental Permitting Regulations Exemption, known as a FRA3 Exemption. If the Applicant decides to utilise this Exemption, it may be beneficial to have measures in place for monitoring pre and post-construction to demonstrate compliance with the Exemption. These could be included in the CoCP. For main river trenchless crossings, these could include:

a. Topographical survey of the defence at monitoring points (cross sections) pre, during and for two years post-construction;

b. Photographic surveys of the defence (landward, crest and riverward face) pre, during and for two years post-construction;

c. During construction, monitoring and notification procedures for settlement or damage to the defence.

Any settlement or damage to a defence would need to be rectified, and the Environment Agency notified.

16.0 8.1.3 Outline Soil Management Plan [APP-271]

16.1 We have reviewed this plan and we are satisfied with the scope of topics the

Applicant has included. We welcome our inclusion as a consultee to Requirement 18 (in Schedule 1, Part 3 of the DCO), to enable us to review and comment on the final plan.

17.0 8.1.4 Outline Pollution Prevention and Emergency Incident Response Plan [APP-272]

17.1 We have reviewed this plan and we are satisfied with the scope of topics the applicant has included. We welcome our inclusion as a consultee to Requirement 18 (in Schedule 1, Part 3 of the DCO), to enable us to review and comment on the final plan.

18.0 8.1.6 Outline Site Waste Management Plan [APP-274]

18.1 We have reviewed this plan and we are satisfied with the scope of topics the Applicant has included. We welcome our inclusion as a consultee to Requirement 18 (in Schedule 1, Part 3 of the DCO), to enable us to review and comment on the final plan.

18.2 We support reducing the soil stores to a minimum and the provision of gaps. However, as advised in our comments on Chapter 24 and the ECC FRA (see paragraph 13.3.13 above), these must also be considered and assessed in respect of the floodplain and overland flood flows. Please note that this information is vital to adequately assess flood risk and demonstrate that flood risk from the development is not increased.

19.0 8.4 Outline Project Environmental Management Plan [APP-277]

19.1 We have reviewed this plan (for issues within the Environment Agency's remit) and we are satisfied with the scope of topics the Applicant has included.

20.0 8.5 Outline Cable Specification and Installation Plan [APP-278]

20.1 We have reviewed this plan (for issues within the Environment Agency's remit) and we are satisfied with the scope of topics the Applicant has included.

21.0 8.12 Outline Operational Drainage Management Plan [APP-286]

21.1 We have reviewed this plan (for issues within the Environment Agency's remit) and we are satisfied with the scope of topics the Applicant has included.

22.0 8.13 Schedule of Mitigation [APP-287]

22.1 This document sets out how the mitigation measures identified for the project taken from the CoCP will be implemented and secured. We request that this document be updated to include the mitigation measures requested above for the CoCP.

23.0 9.2 Cable Statement [APP299]

23.1 We have reviewed this document and have no comments to make on it.

24.0 Further representations

24.1 In summary, we can confirm that we have no objection to the principle of the proposed development, as submitted. The issues and holding objection outlined above are all capable of resolution and we look forward to receiving additional information to resolve our outstanding concerns. We will also continue to work with the Applicant to agree on the wording of the Protective Provisions and the legal agreement.

Cont/d..

24.2 We reserve the right to add or amend these representations, including requests for DCO requirements and Protective Provisions should further information be forthcoming during the examination on issues within our remit.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.

Yours faithfully

Annette Hewitson
Principal Planning Adviser

Direct dial [redacted]
Direct e-mail [redacted]environment-agency.gov.uk

End