

ANNEX 4:



Silvertown Tunnel
Responses to the Examining Authority's First
Written Questions

15th November 2016

Reference	Question to:	Question:	Response:
GA	General		
GA2	Applicant & All Interested Parties	<p>The Applicant in their Planning Policy Compliance Statement (APP-094) states that the scheme should be considered in accordance with the NPSNN. Please give your view as to whether this dDCO should be determined under the provisions of section (s)104 or s105 of the Planning Act 2008 (PA2008), having regard to the fact that the National Networks NPS (NPSNN) should either be regarded as designated for the purposes of s104 or alternatively should be considered as 'important and relevant' for the purposes of s105.'</p> <p>Any response should consider the scope and definitions within the NPSNN. In commenting on this issue regard should also be had to the nature of the Strategic Environmental Assessment (SEA) that was undertaken on the NPSNN and whether there have been any matters that have arisen since the publication of the NPSNN that may cause any of s104(4)-(8) to be applicable.</p>	<p>The London Borough of Newham ('the Council') respectfully defer to the Examining Authority (ExA) for consideration and determination as to whether the Application falls to be determined under section 104 or section 105 of the Planning Act 2008. Accordingly LBN respectfully request that in making this determination the ExA have regard to the recent decision of the Courts of Justice of the European Union, known as ClientEarth [2015] PTSR 909 and [2015] 3 CMLR 15) and the consequential finding by such court of the UK Government to be in breach of the Air Quality Directive obligations including Article 13 of such Directive.</p> <p>The Supreme Court has enforced that breach by requiring the government to take all necessary measures to secure Directive compliance within the shortest possible timeframe. In context s104 operates to require the application to be determined in accordance with NNNPS guidance, whilst regard is to be had to the Local Impact Report and other important matters, as well as recognising potential (not actual) breaches of European Directives. However the Supreme Court's finding in ClientEarth would require adherence to now outdated NNNPS guidance on air quality.</p> <p>It is submitted for the ExA consideration that the application of ClientEarth Nos 1 and 2 to section 104, it is reasonable to require the disapplication of section 104 and the application of section 105 by which to determine the application so as to enable parity of duty by the ExA (as an examination of the State) to ensure compliance by the Secretary of State "as soon as possible" with the Article 12 and 13 Directive requirements.</p>

DC	Wording of the DCO		
DC11	Applicant and Local Planning Authorities (LPAs)	<p>Article 2(1) “the Blackwall Tunnel area” means the Blackwall Tunnel and the Blackwall Tunnel approaches: Unlike the Silvertown Tunnel, the Blackwall Tunnel and its approaches are only defined by lines rather than areas on the Tunnels etc Plan (Doc 2.1)[APP-004]</p> <p>(a) Can the Applicant and LPAs confirm that the lines show the centre lines of the respective carriageways?</p> <p>(b) Article 38 applies Articles 41 to 46, 48 and 49 to the Blackwall Tunnel area; Article 48 is a power to make byelaws and Article 49 to impose fixed penalties. Therefore the area over which the powers are exercisable should be clear.</p> <p>(i) To what lateral extent from the lines shown on the Tunnels etc Plan are these provisions intended to apply?</p> <p>(ii) Should the Tunnels etc Plan define the lateral extent of the Tunnel area and approaches? If not, why not?</p>	<p>(a) The Council is not the Local Planning Authority (LPA) or Highway Authority (HA) for “the Blackwall Tunnel area” so would defer this question for consideration by the Royal Borough of Greenwich (RBG) and London Borough of Tower Hamlets (LBTH).</p> <p>(b)</p> <p>(i) The lateral extent to which the provisions are intended to apply is not known, and should be defined by TfL.</p> <p>(ii) The Council considers that the lateral extent of the Blackwall Tunnel Area should be known, so that the planning unit can be accurately identified and defined. LBN considers that the Applicant must include the Blackwall Tunnel within the red line area to which the DCO is to apply.</p>
TE	Terrestrial Ecology		
TE4	Applicant and LPAs	<p>(a) The arboricultural survey (ES Appendix 9.D)[APP-061] recommends in paragraph 5.1.1 that an arboricultural impact assessment is prepared when the proposed layout is finalised, with the assessment including a schedule of trees to be retained and removed. How is this to be secured in the dDCO? Are the LPAs content with this approach?</p> <p>(b) The ExA requests that the Applicant provide further information, so that the impact on trees can be better understood and taken into account by the ExA in making their recommendation. The ExA understands that final details are not yet available, but requests that this information is based on current knowledge and on a “worst case scenario”.</p>	<p>The Council considers that the wording of Requirement 6.(2), which defines the Landscaping Scheme, should be modified to include an Arboricultural Impact Assessment and Arboricultural Method Statement in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations (or any replacement British Standard).</p>

		(c) ES tables 9-10 and 9-11 identify the number of individual trees that would be lost from both sides of the river Thames. Are the trees that would be lost identified on a map in the ES? If not, please could the Applicant provide a plan that shows this information?	
TE6	Natural England (NE), London Borough of Newham, Royal Borough of Greenwich and other IPs with an interest in nature conservation	Do you agree with the Applicant's statement in paragraph 9.4.4 of the ES, that none of the nearby Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and non-statutory Sites of Interest for Nature Conservation (SINCs) would be directly affected by the proposed development?	As mapped on Drawing 9.2: Non-statutory Sites (Document Reference 6.2) both the Thames and River Lea/Bow Creek are SINCs of Metropolitan Importance. The Council is aware that discussions are ongoing between TfL and the MMO, as well as between TfL and Natural England concerning the potential impact of the proposed Scheme on marine and terrestrial biodiversity. At the current time, the Council does not wish to comment on the impact on biodiversity, but anticipates making further representations pending the outcome of the discussions between TfL, Natural England and the Marine Management Organisation.
TE7	Environment Agency (EA), NE, London Borough of Newham, Royal Borough of Greenwich and other IPs with an interest in nature conservation	Japanese Knotweed was found within the Order limits, as were other non-native species including Virginia Creeper and Butterfly-bush. Are Interested Parties (IPs) satisfied with the specific mitigation for these species as described in the Code of Construction Practice (CoCP) (Document reference 6.10) [APP-092]?	The Council defers to the Environment Agency in consideration of this matter, which is resourced to provide a technical response. The London Borough of Newham reserves the right to provide a further response to the Panel.
TE8	NE, London Borough of Newham, Royal Borough of Greenwich and other IPs with an interest in nature conservation	The ES [APP-031] states in section 9.4 that birds and bats were found within the Order limits. Are IPs satisfied with the specific mitigation for these animals as described in the CoCP (Document 6.10)[APP-092]?	The Council defers to the Environment Agency in consideration of this matter, which is resourced to provide a technical response. The London Borough of Newham reserves the right to provide a further response to the Panel.
TE9	NE, London Borough of Newham, Royal Borough of Greenwich and other IPs with an interest in nature conservation	The ES describes two Red Data Book invertebrate species that were found within the Order limits. Are IPs satisfied with the specific mitigation for this species as described in the CoCP (Document 6.10) [APP-092]?	The Council defers to Natural England in consideration of this matter, which is resourced to provide a technical response. LBN reserves the right to provide a further response to the Panel.
TE11	NE, London Borough of Newham and other IPs with an interest in nature conservation	The East India Dock Basin SINC is only 50m away from a construction traffic track-out route. Are IPs satisfied with the dust suppression measures that are proposed in the CoCP [APP-092] to protect this	The Council considers that LBTH is best placed to consider this question, as East India Dock Basin SINC lies within that Borough.

		SINC from fugitive dust? If not, why not?	
TE12	NE, London Borough of Newham, Royal Borough of Greenwich and other IPs with an interest in nature conservation	<p>Are IPs satisfied with the measures set out at section 7.2 of the CoCP [APP-092] proposed by the Applicant for checking whether there are any black redstarts breeding within the Order limits before construction commences?</p> <p>Are IPs content with the proposed mitigation for this species, (and all other species of breeding birds)? If not, why not?</p>	The Council defers to Natural England in consideration of this matter, which is resourced to provide a technical response. LBN reserves the right to provide a further response to the Panel.
AQ	Air Quality		
AQ1	Applicant, Greater London Authority (GLA), London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets and other IPs with an interest in air quality	Paragraph 6.1.1 of the ES [APP-031] explains that the air quality assessment uses 2021 as the year for the basis of modelling air quality levels for both the proposed scheme and the situation without the scheme. Is the use of 2021 as the base year sufficiently robust to provide air quality modelling data for the whole of the operational phase, given the stated life of the scheme being 120 years and, if the Order is made, Silvertown tunnel is not proposed to be operational until 2023?	The Council considers that using an earlier year (2021 vs 2023) is more likely to give a more pessimistic result (i.e. overstate pollution levels) and therefore the use of 2021 as base year is not a significant concern.
AQ2	Applicant, GLA, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets and other IPs with an interest in air quality	<p>The ES, in table 6.1 (page 6-11) [APP-031] explains that the Applicant has not carried out an assessment of the proposed development in terms of whether it is “air quality neutral”. This term is derived from the Mayor’s Air Quality Policy.</p> <p>(a) Please can the Applicant provide a copy of the following ES references [APP-031], Mayor’s Air Quality Strategy, Greater London Authority (Ref 6.13) and GLA Air Quality Neutral Planning Support, Air Quality Consultants Ltd, 2013 (Ref 6.14) to the Examination as PDFs?</p> <p>(b) Please can the Applicant explain why it has not provided an assessment of the scheme in terms of whether it is “air quality neutral”?</p> <p>(c) Please can GLA and the Local Authorities confirm that the assessment of air quality impacts undertaken by the Applicant is sufficiently robust in the absence of this information?</p> <p>Please can the GLA and the Local Authorities confirm</p>	<p>With regard to Air Quality Neutral’ policies, the current guidance deals with major developments impact and these are defined in the London Plan as: residential developments of ≥10 dwellings (or, where the number is not given, ≥0.5 ha); and for all other uses, a floor space ≥1000 m2 or a site area ≥1 ha</p> <p>The Mayor’s Air Quality Strategy aims to make new developments ‘air quality neutral or better’ - by making better use of the planning system to ensure no new development has a negative impact on air quality in London.</p> <p>TfL has taken this to mean that major infrastructure projects are not classed as major development – and therefore do not require an air quality neutral threshold. Whilst this appears perverse - given the Mayor of London’s commitment to reducing pollution and to working with the Boroughs to achieve this – there appears to be no explicit recognition that major</p>

		whether these documents remain extant and whether there are any other London based air quality policy documents (apart from the London Plan and their own Unitary Plans) that are relevant to the Examination?	<p>infrastructure schemes should be subject to an Air Quality Neutral policy.</p> <p>The policy document DfT HA207/07 does not appear to have been considered, which explains that where local air quality is adversely affected, Tunnel portals and ventilation shafts should be sited so that the openings do not impact on air quality at sensitive locations. The build-up of pollution in tunnels means that the air expelled from them contains higher concentrations than those observed near open roads. As such the Council considers that there is considerable scope for optimising portal design to facilitate improved dispersion and dilution.</p>
AQ4	Local Planning Authorities	<p>Paragraph 6.3.40 of the ES [APP-031] states that <i>“In order to undertake the [air quality] modelling, detailed traffic data was obtained for the Base Year, Reference Case and Assessed Case”</i>.</p> <p>Do the relevant highway/planning authorities agree to the approach taken by the Applicant in the ES in basing the air quality modelling work on these traffic data sets?</p>	The Council has concerns with the Assessed Case traffic model, as is extensively detailed in the Local Impact Report and Written Representation. As such, the Council has concerns with reliance on the outputs of this model in forming the basis for any Environmental Impact Assessment.
AQ8	London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets	<p>(a) Are the LPAs satisfied with the locations chosen for the identification of sensitive receptors? If not, why not?</p> <p>(b) Are the LPAs satisfied with the methodology used for the assessment of air quality? If not, why not?</p> <p>(c) Are the LPAs satisfied with the Applicant’s conclusions in relation to the predicted potential impacts in relation to air quality at or near sensitive receptors? If not, why not?</p> <p>(d) Are the LPAs satisfied with the Applicant’s conclusions in relation to the predicted potential impacts in relation to air quality impacts in relation to sensitive receptors? If not, why not?</p>	The Council has concerns that committed developments in the surrounding areas have not been adequately considered or assessed. Notwithstanding the Council’s concerns as outlined in response to AQ2 and AQ4 above, the adopted methodology, for the assessment of air quality is broadly accepted. As the outputs of the Assessed Case are not accepted by the Council there are concerns regarding the impact at the Hoola development and the lack of mitigation.
AQ9	London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets, No to Silvertown, Public Health England (PHE) and other IPs interested in air	Are the LPAs, No to Silvertown, PHE and other IPs (who have responded on air quality matters) satisfied with the mitigation proposed by the Applicant in relation to locations and sensitive receptors where there would be a significant impact in terms of predicted air quality changes arising from the development? If not, why not?	The Council is not satisfied with the mitigation proposed in relation to locations and sensitive receptors. Most notably there are concerns that the Hoola development moves from compliant to non compliant regarding Air Quality limits and objectives, and has a significant adverse change. The Council submits that no evidence has been provided to

	quality matters		support the statement that the exposure will not be significant by 2023.
AQ14	Applicant, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets	Would the proposed development create any hindrances to the LPAs achieving their targets in relation to demonstrating best efforts in achieving Air Quality Standards objectives?	As outlined in response to AQ9 above, it is clear that there would be some worsening of pollution in relation to receptors within the Borough. As such, the ability of the Borough to achieve compliance with Air Quality Standards objectives would be made more difficult.
AQ15	Applicant, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets and other IPs who have an interest in air quality matters	<p>(a) The ExA requests the Applicant, LPAs and other IPs (who have included representations about air quality in their RRs) to confirm that they are satisfied that the proposed development would not lead to a significant air quality impact? If not, why not?</p> <p>(b) Are the LPAs who would host the proposed development, as well as the LAs in the near vicinity of the scheme, satisfied that the proposed development would not lead to a deterioration in air quality in a zone/agglomeration (as defined in NN-NPS paragraph 5.13)? If not, why not?</p> <p>(c) Do the LPAs consider that the proposed development would affect their ability, in air quality non-compliant areas, to achieve compliance within the most recent timescales reported to the European Commission?</p> <p>(d) Do the LPAs consider that the mitigation measures proposed would ensure that the net impact of the proposed development would not delay the point at which a zone would meet compliance timescales? Do the LPAs consider that the proposed development conforms to their local air quality action plans?</p>	<p>As set out in response to Questions AQ8, AQ9 & AQ15, the Council considers that the proposed development would lead to a significant air quality impact in the Borough.</p> <p>The conclusions of Department of the Environment Food and Rural Affairs (DEFRA) 2015 Air Quality Plan (AQP) would indicate that modelling has underestimated future air pollution levels which could delay the date of compliance. This cannot be known without running the air quality model to confirm the impact and determine whether the impact was significant enough to delay overall compliance.</p>
NV	Noise & Vibration		
NV4	London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	Are the LPAs that would host the proposed development satisfied that the noise impacts arising from both the construction phase and operational phase have been assessed in accordance with the correct standards?	The Council are satisfied that the correct standards have been used, however there are concerns over some of the reported monitoring results and therefore conclusions drawn.

NV5	London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	<p>The ES [APP-031], in table 14-4 describes the pre-application discussions that took place between the Applicant and the host boroughs in relation to noise and vibration assessment.</p> <p>Are the LPAs satisfied with the locations chosen by the Applicant for assessment as noise sensitive receptors?</p>	The Council are satisfied with the noise monitoring locations chosen to assess the scheme but have concerns over some of the reported monitoring results and therefore conclusions drawn.
NV10	London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	<p>(a) Do the LPAs consider that the proposed hours of work for all non 24/7 construction activities should be controlled through a requirement within the dDCO? If so, please indicate.</p> <p>(b) The CoCP [APP-092] in section 2.3 states that non tunnel construction works would be 08:00 to 18:00 Monday to Friday and 08:00 to 14:00 on Saturdays, with up to an hour either side of these times for start-up and close-down of activities. Additionally some activities may take place outside these core hours, in which case they would be subject to agreement with the local Environmental Health Officers. Are the LPAs satisfied with these timings for all non 24 hour activities?</p>	<p>The Council has powers under Section 60 and 61 of Control of Pollution Act 1974 (as amended) to control working hours. In addition the Construction Code of Practice specifies operating hours so any breach would be a breach of an agreed document and therefore of the DCO. Placing additional controls within the DCO may hinder any flexibility that may be possible in certain circumstances.</p> <p>The Council understands that TfL intends to incorporate Newham's standard working hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Newham are satisfied with these revised hours of work for all non-24 hour activities.</p>
NV16	London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	<p>The ES tables 14-15 and 14-18 [APP-031] relate to tunnelling noise and vibration. Table 14-15 is based on "professional judgement" and table 14-18 is based on "professional judgement and input from HS2 Information Paper E23".</p> <p>Please can the LAs provide their views on the acceptability (or otherwise) of using "professional judgement" in these tables in ES Chapter 14?</p>	Noise and vibration from tunnelling should be of no significance due to the location of the worksite and distance to closest receptors so this isn't something that the Council would contest at the current time.
NV17	London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	<p>A number of limitations and assumptions are presented in paragraph 14.3.102 - 14.3.105 of the ES (and in table 14-22) [APP-031].</p> <p>Please can LAs comment on the acceptability of an assumed 80% "on-time" being described as "conservative" in relation to construction plant noise?</p>	The Council understands that some plant will be operated on a 24/7 basis and therefore for that plant 100% on time will be needed.
NV19	London Borough of Newham, Royal Borough of Greenwich and London	(a) Are the LPAs satisfied with the Applicant's proposed arrangements for HGV routing during construction, should the dDCO be made, whereby the CTMP is a	The Council considers that given a waste receptor site is not identified within the proposals, the appropriateness of HGV routing cannot be

	Borough of Tower Hamlets and other IPs with an interest in lorry routing	<p>requirement of the CoCP (through Requirement 5)?</p> <p>(b) Is there the possibility that significant deviations from the agreed/assessed lorry routes would lead to noise and air emissions which are outside those assessed in the ES?</p>	<p>determined.</p> <p>If vehicles are introduced into areas not currently used for construction lorries, such as Tidal Basin Road, around the Hoola, then this will have an adverse effect for noise.</p> <p>If vehicles depart the site via Lower Lea Crossing rather than the slip-road up to Silvertown Way then this could have a beneficial impact to local receptors, compared to the currently planned routes.</p>
NV28	Applicant, LPAs, Public Health England and other IPs	<p>NPPF Paragraph 123 requires planning policies and decisions to aim to avoid noise from giving significant adverse impacts on health and quality of life as a result of new development.</p> <p>(a) Please can the Applicant explain how the proposed development would meet this aspect of the NPPF?</p> <p>(b) Are IPs satisfied that if the Order was made, the development would meet this aspect of the NPPF? If not, why not?</p>	<p>(b) The Council has concerns with the impact of traffic on the Hoola Building both for noise and air quality. NPPF 123 requires significant impacts to be avoided and adverse impacts to be mitigated and minimised. This has not been achieved for this building.</p> <p>Environmental Health Officers feel sensitivity testing on different traffic scenarios is lacking in the application. Therefore the potential impacts on health and quality of life, if the sole traffic scenario is not correct, has not been adequately assessed.</p>
HT	Heritage and Townscape (Visual Impact)		
HT1	Applicant, Historic England, Royal Borough of Greenwich and London Borough of Newham	<p>dDCO Requirement 5 states that a Written Scheme of Investigation (WSI) is required as part of the CoCP, prior to commencement. As currently drafted, this would be produced in consultation with Historic England.</p> <p>Historic England has requested to approve/discharge the WSI, not just to be a consultee.</p> <p>Please can the relevant LPAs, Historic England and the Applicant provide their views on the appropriate approval body for the WSI and how this is to be secured in the dDCO, bearing in mind that the current definition of “commencement” would authorise archaeological investigations in advance of approval of the CoCP?</p>	<p>The Council relies on the expertise of Historic England in dealing with matters of Archaeological Importance. As such, the LBN agrees that Historic England would be the appropriate approval body for the WSI.</p> <p>The Council considers that “commence”, and commencement by association, need not be defined within Article 2 and should be interpreted as having its ordinary meaning. If a particular article or requirement seeks to vary the ordinary use of the word “commence” it should do so accordingly, and that variation should be clearly stated.</p>
HT11	London Borough of	Do the LAs agree with the Applicant’s assessment of	Requirement 3 (design principles and design review

	Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets	impacts from the proposed development upon townscape as “slight” and therefore not significant?	<p>panel) of the Draft DCO sets out that the authorised development must be designed and implemented in accordance with the design principles (document reference 7.4) and through engagement with the Silvertown Tunnel Design Review Panel in the manner provided for by the design principles. Requirements 4 (detailed design of above ground buildings and structures), 6 (landscaping scheme) and 9 (external lighting and details) may also provide the framework by which the local planning authority could secure that the proposals have no detrimental townscape impact.</p> <p>The Council has engaged in discussions with TfL on potential amendments to the design principles and anticipates making further representations regarding the specific wording of requirements. Until such time as agreement has been reached on these matters, the Council cannot be satisfied that the Proposal would not have significant townscape impacts.</p>
LI	Lighting		
LI4	Applicant, Royal Borough of Greenwich and London Borough of Newham	<p>Paragraph 15.3.20 of the ES [APP-031] states that the <i>“design of lighting for Scheme buildings has not been completed at this stage and has therefore not been assessed...detailed lighting design would be carried out in accordance with guidelines for the reduction of obtrusive light (refer to Section 15.5...”</i>.</p> <p>(a) Please can the Applicant explain why a lighting assessment could not be undertaken on the basis of the information provided within Doc 6.3.4.2 [APP-047]?</p> <p>(b) Please can the LPAs confirm whether they consider this approach acceptable?</p>	It is the view of the Council that a lighting assessment should be undertaken on the basis of information provided within Doc 6.3.4.2.
ME	Marine Ecology		
ME1	Natural England (NE), Marine Management Organisation (MMO) and other IPs with an interest in marine ecology	<p>No surveys were undertaken to establish the marine mammal, fish and shellfish baseline; this was limited to desk based research.</p> <p>Please can IPs confirm that they are content with this approach?</p>	The Council does not wish to make a submission at this stage and reserves the right to make a submission at a later date.

ME7	The Applicant, EA, NE, the MMO, London Borough of Newham and Royal Borough of Greenwich	<p>The EA, in its RR [RR-299] identifies a discrepancy between the information provided in the CMS [APP-046] in relation to the techniques to be used in piling and those described in paragraph 10.6.69 of the ES [APP-031]. The EA also makes a request for a piling method statement to be secured through the dDCO.</p> <p>(a) Can the Applicant please confirm the techniques to be used for piling, including providing a map showing the location and duration at each piling site;</p> <p>(b) Should this be different to that assessed in the ES, the Applicant is requested to provide a revised assessment; and</p> <p>(c) Do other IPs consider that there should be a piling method statement secured through a Requirement in the dDCO or condition in the dDML which identifies piling methods, locations, duration (number of days and hours per day), seasonal limitations on piling and where/how soft start procedures would be implemented?</p>	The Council does not wish to make a submission at this stage and reserves the right to make a submission once the information requested of the Applicant is available.
SW	Surface Water, Flood Risk Assessment and Water Framework Directive Assessment		
SW7	The EA, London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets and other IPs	<p>Please can the EA and LPAs and any other IPs interested in surface drainage matters provide their views on the disapplication of section 24 of the Water Resources Act 1991 (regarding the need for an abstraction licence), as currently drafted in Article 3(n) in the dDCO.</p> <p>The Applicant's proposal is that these matters would be enforced through the CoCP (Groundwater Monitoring and Verification Plan).</p>	<p>The Council has no particular objection to this Article, however, it is noted that the abstraction and discharge of potentially contaminated water from the operation of dewatering pertains to matters of water quality rather than surface or ground water flood risk.</p> <p>Accordingly, the Council considers that the Environment Agency is best placed to comment on the suitability of this proposal.</p>