



Botley West Solar Farm

STATEMENT OF COMMON GROUND –
The Environment Agency

EN010147/APP/11.7/3

22 July 2025

NPI-12426
Statement of
Common Ground -
The Environment
Agency
v2
22 07 2025

Approval for issue

Jon Alsop

22 July 2025

The report has been prepared for the exclusive use and benefit of our client and solely for the purpose for which it is provided. Unless otherwise agreed in writing by R P S Group Limited, any of its subsidiaries, or a related entity (collectively 'RPS') no part of this report should be reproduced, distributed or communicated to any third party. RPS does not accept any liability if this report is used for an alternative purpose from which it is intended, nor to any third party in respect of this report. The report does not account for any changes relating to the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report.

The report has been prepared using the information provided to RPS by its client, or others on behalf of its client. To the fullest extent permitted by law, RPS shall not be liable for any loss or damage suffered by the client arising from fraud, misrepresentation, withholding of information material relevant to the report or required by RPS, or other default relating to such information, whether on the client's part or that of the other information sources, unless such fraud, misrepresentation, withholding or such other default is evident to RPS without further enquiry. It is expressly stated that no independent verification of any documents or information supplied by the client or others on behalf of the client has been made. The report shall be used for general information only.

Prepared by:

RPS
101 Park Drive,
Milton Park, Abingdon,
Oxfordshire, OX14 4RY
United Kingdom

Prepared for:

Photovolt Development Partners GmbH,
on behalf of SolarFive Ltd.

Contents

SIGNATURES	IV
1 INTRODUCTION	1
1.1 DCO Reference.....	1
1.2 Date of Examination.....	1
1.3 Proposed Development.....	1
1.4 Statement Overview.....	1
1.5 Environment Agency Workpackage Tracker.....	2
2 RELEVANT SUBMISSIONS DOCUMENTS AND PLANS	3
3 RECORD OF RELEVANT CORRESPONDENCE	65
4 AREAS OF DISCUSSION BETWEEN THE PARTIES	76

Tables

Table 2.1: Draft DCO submission documents and plans record pursuant to The Environment Agency discussions – Hydrology	3
Table 2.2: Draft DCO submission documents and plans record pursuant to The Environment Agency discussions – Ecology.....	53
Table 4.1: Areas of Discussion between the Parties – Hydrology	74
Table 4.2: Areas of Discussion between the Parties – Ecology	194

Appendices

[Appendix A Record of Relevant Correspondence](#)
[Appendix B Environment Agency Work package Tracker](#)

SIGNATURES

This Statement of Common Ground has been prepared and agreed by SolarFive Ltd and The Environment Agency.

The Environment Agency

[Signature]

[Name]

[Title]

[Organisation]

[Date]

SolarFive Ltd

[Signature]

[Name]

[Title]

[Organisation]

[Date]

1 Introduction

1.1 DCO Reference

1.1.1 EN010147/APP/11.7/3

1.2 Date of Examination

1.2.1 May 2025 – November 2025

1.3 Proposed Development

1.3.1 The Applicant is seeking development consent for Botley West Solar Farm (the 'Project'), which in summary will comprise the construction, operation, maintenance and decommissioning of a photovoltaic ('PV') solar farm and associated infrastructure with a total capacity exceeding 50 megawatts ('MW'), in parts of west Oxfordshire, Cherwell and Vale of White Horse districts. The Project will export electricity for connection to the National Grid at Botley West.

1.3.2 The Project is classed as a 'nationally significant infrastructure project' ('NSIP') for the purposes of the Planning Act 2008 (PA 2008) and requires an application for a Development Consent Order (DCO). The application for development consent is being submitted to the planning inspectorate ('PINS'), with the decision on whether to grant a DCO to be made by the Secretary of State for Energy Security and Net Zero (the 'Secretary of State'), as required under the PA 2008.

1.3.3 This Statement of Common Ground (SoCG) has been prepared to support the DCO application made to the Secretary of State under section 37 of the PA 2008 for the proposed Project. The Application has been submitted by SolarFive Ltd (the Applicant).

1.3.4 A Location Plan can be found in the Examination Library at **[AS-024]** and a full description of the Project can be found at ES Chapter 6 - Project Description **[APP-043]**.

1.4 Statement Overview

1.4.1 This Statement of Common Ground ('SoCG') is a working draft document. It comprises a record of consultation held with the relevant SoCG organisation to date as appropriate, and is designed to evolve, representing the ongoing nature of these discussions throughout the Examination period.

1.4.2 This SoCG has been prepared between (1) the Applicant and (2) The Environment Agency (jointly referred to as the Parties).

1.4.3 An overarching Statement of Commonality **[EN01047/APP/11.6]** has been submitted alongside this document and should be referred to in conjunction with this SoCG.

1.4.4 The Examining Authority has requested that the SoCGs include the following matters as set out in the Rule 6 Letter **[PD-006]**:

- Methodology for environmental assessments;

- Data collection methods;
- Baseline data;
- Data/statistical analysis, approach to modelling and presentation of results;
- Expert judgements, assumptions and worst case scenario;
- Assessment of alternatives;
- Design development;
- Identification and sensitivity of relevant features and receptors;
- Construction and operational effects;
- Embedded and additional mitigation;
- Cumulative effects and mitigation; and
- Relevant wording in the draft Development Consent Order (dDCO)

1.4.5 It can be taken that any matters not specifically referred to in sections 3 and 4 of this SoCG are not of material interest or relevance to The Environment Agency's representations and therefore have not been considered in this document.

1.4.6 For the avoidance of doubt, this SoCG comprises contributions from the following environmental topic disciplines:

- Ecology and Nature Conservation
- Hydrology and Flood Risk

1.4.7 This statement addresses the following areas of common ground in relation to the Applicant Project Team's engagement with The Environment Agency to date:

- Relevant submission documents and plans
- Record of relevant correspondence to date
- Matters that are agreed
- Matters yet to be agreed
- Matters that are not agreed

1.4.8 As referenced above, c, d, and e (sections 4), summarises issues that are 'agreed', 'yet to be agreed' or are 'not agreed'. 'Not agreed' indicates a final position where the parties have agreed to disagree. 'Agreed' indicates that an issue has been resolved.

1.5 Environment Agency Workpackage Tracker

1.4.81.5.1 As requested by the Environment Agency, a workpackage tracker has been appended to this SoCG (Appendix B). It is intended that the EA will update this throughout the examination process.

2 Relevant Submissions Documents and Plans

2.1.1 A list of DCO documents and plans of relevance to engagement with The Environment Agency is identified in the tables below for ease of reference.

Table 2.1: Draft DCO submission documents and plans record pursuant to The Environment Agency discussions – Hydrology and Flood Risk

Document/Plan Ref.	Title	Examination Library reference	Rev./Dated
EN010147/APP/2.2	Streets, Access and Rights of Way Plans	APP-005	November 2024
EN010147/APP/2.6	Statutory and Non-Statutory Sites - Features of Nature Conservation Plan	APP-009	November 2024
EN010147/APP/2.8	Habitats of Protected Species Plan	APP-010	November 2024
EN010147/APP/2.9	Statutory and Non-Statutory Features of Historic Environment Plan	APP-012	November 2024
EN010147/APP/2.10	Hedgerow Removal Plans	APP-013	November 2024
EN010147/APP/3.1	Draft Development Consent Order	REP2-004APP-015	Rev3/ July 2025 November 2024
EN010147/APP/6.2	ES Volume 0, Non-Technical Summary	APP-037	P0/ November 2024
EN010147/APP/6.3	ES Volume 1, Chapter 9 Ecology and Nature Conservation	REP2-012APP-046	Rev2/ July 2025 P0/ November 2024
EN010147/APP/6.4	ES Volume 2, Figure 9.1 Statutory Designated Sites	APP-086	November 2024
EN010147/APP/6.4	ES Volume 2, Figure 9.2 Non-Statutory Designated Sites	APP-087	November 2024
EN010147/APP/6.4	ES Volume 2, Figure 9.3 a b & c Phase 1 Habitat Map	APP-088	November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.1 Desk Study	APP-150	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.2 Phase 1 Habitat Survey Report	APP-151	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.3 Hedgerow Survey Report	APP-152	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.4 Bat Survey Report	APP-153	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.5 Great Crested Newt (GCN) Survey Report	APP-154	P0/ November 2024

Document/Plan Ref.	Title	Examination Library reference	Rev./Dated
EN010147/APP/6.5	ES Volume 3, Appendix 9.6 Invertebrate Survey Report	APP-155	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.7 Reptile Survey Report	APP-156	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.8 Badger Survey Report [CONFIDENTIAL]	APP-157	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.9 Breeding Bird Survey Report	APP-158	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.10 Wintering Bird Survey Report	APP-159	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.11 Dormouse Survey Report	APP-160	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.12 Arable Weeds Survey Report	APP-161	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.13 Biodiversity Net Gain Assessment	APP-162	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.14 Habitats Regulations Assessment Report	APP-163	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.15 Veterans Tree Survey Report	APP-164	P0/ November 2024
EN010147/APP/6.5	ES Volume 3, Appendix 9.16 Section 42 Consultation Responses	APP-165	P0/ November 2024
EN010147/APP/7.3.3	Landscape, Ecology and Amenities Plan	REP2-016APP-228	Rev2/ July 2025 P0/ November 2024
EN010147/APP/7.6.1	Outline Code of Construction Practice – Part 1	APP-232	P0/ November 2024
EN010147/APP/7.6.1	Outline Code of Construction Practice – Part 2	APP-233	P0/ November 2024
EN010147/APP/7.6.2	Outline Operational Management Plan	REP2-017APP-234	Rev2/ July 2025 P0/ November 2024
EN010147/APP/7.6.3	Outline Landscape and Ecology Management Plan	REP2-019APP-235	Rev2/ July 2025 P0/ November 2024
EN010147/APP/7.6.4	Outline Decommissioning Plan	APP-236	P0/ November 2024

Table 2.2: Draft DCO submission documents and plans record pursuant to The Environment Agency discussions – Ecology

Document/Plan Ref.	Title	Examination Library reference	Rev./Dated
6.3 - ES Chapter 10 - Hydrology and Flood Risk	Hydrology and Flood Risk	APP-047	November 2024
6.4 ES - Figure 10.1	Study Area	APP-089	November 2024
6.4 ES - Figure 10.2	Hydrological Features	APP-090	November 2024
6.4 ES - Figure 10.3	WFD Catchments (surface water)	APP-091	November 2024
6.4 ES - Figure 10.4	Flood Warnings Alerts	APP-092	November 2024
6.4 ES - Figure 10.5	Drinking Water Protected Areas and Nitrogen Vulnerable Zones	APP-093	November 2024
6.4 ES - Figure 10.6	BGS 150k Bedrock Geology	APP-094	November 2024
6.4 ES - Figure 10.7	BGS 150k Superficial Geology	APP-095	November 2024
6.4 ES - Figure 10.8	WFD Catchments (groundwater)	APP-096	November 2024
6.4 ES - Figure 10.9	Designated Sites	APP-097	November 2024
6.4 ES - Figure 10.10	EA Flood Map for Planning	APP-098	November 2024
6.4 ES - Figure 10.11	Hydraulic Modelling Results	APP-099	November 2024
6.4 ES - Figure 10.12	Water Abstractions, Pollution Incidents and Discharge Consents	APP-100	November 2024
6.5 ES - Appendix 10.1	Flood Risk Assessment	APP-166	November 2024
6.5 ES - Appendix 10.2	Conceptual Drainage Strategy	APP-167	November 2024
6.5 ES - Appendix 10.3	Hydraulic Modelling Report	APP-168, APP-169 and APP-170	November 2024
6.5 ES - Appendix 10.4	Hydrology report	APP-171	November 2024
6.5 ES - Appendix 10.5	Surface Water Modelling Report	APP-172	November 2024
6.5 ES - Appendix 10.6	Surface water and Groundwater abstractions, pollutions incidents and discharge consents Report	APP-173	November 2024
6.5 ES - Appendix 10.7	Water Framework Directive Assessment	APP-174	November 2024

3 Record of Relevant Correspondence

- 3.1.1 The Project has been the subject of pre-application engagement with The Environment Agency, and both parties continue to engage throughout and beyond the submission of the DCO application for the Project.
- 3.1.2 **Appendix A** identifies the discussions and correspondence that have taken place between the Applicant's project team and The Environment Agency to date.

DRAFT

4 Areas of Discussion between the Parties

Table 4.1: Areas of Discussion between the Parties – Hydrology and Flood Risk

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.1.1	XA/2025/100270/01 [RR-0308-001]	Inspection and Surveys	<p>Issue Unknown condition and geometry of flood assets near cable crossings.</p> <p>Impact Potential damage to flood assets, increasing flood risk vulnerability</p> <p>Solution Conduct pre-works and post-works surveys of flood assets, considering settlement and vibration impacts. Include remediation for defects.</p> <p>Additional Comment The Applicant should consider as-built drawings and will need to carry out an investigation to determine the flood asset geometry and whether buried elements are present. EAREQ-001: We request the inclusion of a DCO Requirement to provide a pre-works and post-works survey of the flood assets intersected by the cable crossings with consideration of settlement and adverse effects from vibration. Remediation for defects identified. HDD offsets should be informed by as-built drawings and surveys.</p>	The inclusion of pre-works and post-works surveys of flood assets are to be has been added as a commitment to an updated version of 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] as embedded mitigation as embedded mitigation.	Discussions ongoing Agreed
Agreed 4.1.2	XA/2025/100270/01 [RR-0308-001]	Horizontal Directional Drilling Cable Depth	<p>Issue Proposed HDD depth may restrict adaptability of flood assets</p> <p>Impact The shallow depths of HDD may lead to increased flood risk if future flood defence assets cannot be adequately designed and installed.</p> <p>Solution Require a minimum HDD depth of 5m below hard bed and flood assets. Provide general arrangement drawings showing proximities.</p> <p>Additional Comments We are seeking a cable depth of 5m below hard bed and flood assets for main rivers to allow for future replacement of flood assets (e.g. sheet piling) and allow dredging of the watercourse in future. The Applicant has proposed a HDD depth of 2m below hard bed and 1.5m below flood assets. The proposed depth below a flood asset will need to be demonstrated to be safe.</p> <p>EAREQ-002: We request the inclusion of a DCO Requirement to ensure HDD occurs at a minimum cable depth of 5m below hard bed and flood assets.</p>	The Applicant confirms that HDD depth under main rivers would be at least 1.5m below flood assets and 2m below hard bed. The applicant has agreed that a 5 meter depth will be used below watercourses and flood assets. This has been presented and committed to as an update to commitment 10.4 within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] as embedded mitigation. The actual depth of the HDD at main rivers would likely be deeper. Drill profiles will be determined and confirmed depths provided during detailed design.	Discussions ongoing Agreed
4.1.3	XA/2025/100270/01 [RR-0308-001]	Horizontal Directional Drilling Horizontal Distance (Entry / Exit Pits)	<p>Issue Unclear compliance with local plan for main rivers.</p> <p>Impact</p>	The inclusion of a 10m buffer distance to be provided across the development from the banks of the watercourses, or the leeward extent of the flood asset (whichever is most conservative. This will be has been addedupdated as	Discussions ongoing Agreed

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>Inadequate buffer from watercourses, increasing flood risk.</p> <p>Solution</p> <p>Maximise HDD entry and exit pit distances from watercourses, measured from top of bank or most landward extent of the flood asset (whichever is more conservative).</p> <p>Additional Comments</p> <p>The Applicant should look to maximise the distance of the HDD entry and exit pits distances from the watercourse, we would therefore look for there to be compliance with the local plan for main rivers. Note that this distance should be measured from the top of bank or most landward extent of the flood asset (whichever is more conservative). We would advise consistency across the whole site where feasible e.g., 10m. EAREQ-003: We request the inclusion of a DCO Requirement to maximise the distance of the HDD entry and 5 exit pits distances from the watercourse compliant with the local plan for main rivers.</p>	<p>commitment 10.4 to an updated version of 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] as embedded mitigation.</p>	
4.1.4	XA/2025/100270/01 [RR-0308-001]	Spoil from Excavation	<p>Issue</p> <p>Potential placement of spoil in flood-prone areas.</p> <p>Impact</p> <p>Increased flood risk from displaced floodwaters.</p> <p>Solution</p> <p>Store spoil outside the design flood extent wherever possible.</p> <p>Additional Comments</p> <p>EAREQ-004: We request the inclusion of a DCO Requirement to ensure spoil is stored outside the design flood extent and outside of Flood Zone 3b.</p>	<p>The majority of temporary facilities will be placed outside of Flood Zone 3. However, 2 HDDs (two options in Swinford bridge HDD 6), and another one (HDD 12) have HDD construction compounds that are within flood zone 2/3. In these locations, any temporary spoil material during construction will be stored outside of Flood Zone 3. A commitment has been added to ensure spoil is stored outside of Flood Zone 3. This is included as commitment 10.16 within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] as embedded mitigation</p>	<p>Discussions ongoing Agreed</p>
4.1.5	XA/2025/100270/01 [RR-0308-001]	Freeboard to Solar PV Panels	<p>Issue</p> <p>Proposed 200mm freeboard is insufficient to address flood risk.</p> <p>Impact</p> <p>Inadequate protection from flooding for PV panels and sensitive equipment.</p> <p>Solution</p> <p>A requirement regarding this issue is necessary. Please see Issue ref. EAREQ-005</p>	<p>Solar panels will be located within Flood Zone 1. As such will sit outside of fluvial flood extents. The lowest leading edge of the panels will be set at 0.8m across the height.</p> <p>There are limited areas of the site where surface water flood depths could reach 600m in accordance with published surface water maps. At these limited locations, the panels will still have a freeboard, but this is less than 300mm. The area in question constitutes less than 1% of the total site area. Therefore, only a small portion of the solar panels would experience flooding at their base, and the depth of flooding is limited.</p> <p>A freeboard of 3200300mm is deemed appropriate in these locations, given the nature of the development feature type, which is waterproof. The design team and client were comfortable with the impact that any minor flooding in these areas could have on the development and the operational capacity.</p>	<p>Discussions ongoing Agreed</p>
4.1.6	XA/2025/100270/01 [RR-0308-001]	Code of Construction Practice, Operational Management Plan,	<p>Issue</p> <p>Detailed Code of Construction Practice (CoCP), Operational Management Plan (OMP), and Decommissioning Management Plan</p>	<p>Provision for preparation of a Flood Risk Management Plan to be prepared as part of the Outline CoCP, has been included as commitment 10.10 within 6.3 - ES Chapter 10 - Hydrology and</p>	<p>Discussions ongoing</p>

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
		Decommissioning Management Plan	<p>(DMP) not yet developed. The construction phase flood risk management depends on the Outline CoCP.</p> <p>Impact</p> <p>Potential oversight in flood risk management and inadequate mitigation of construction-related flood risks.</p> <p>Solution</p> <p>Flood risk management to be included within the CoCP.</p> <p>Additional Comments</p> <p>The Environment Agency should be consulted on the detailed CoCP, OMP, and DMP.</p>	Flood Risk [APP-047] as embedded mitigation. The inclusion of this and the details during the Detailed CoCP preparation will include consultation with the EA.	Agreed
4.1.7	XA/2025/100270/01 [RR-0308-001]	Design Life / Time-limited Agreement and Decommissioning Management Plan	<p>Issue</p> <p>Uncertainty in decommissioning phase impacts on flood risk and the potential extension beyond 2069 without reassessment.</p> <p>Impact</p> <p>Adverse effects on flood risk during decommissioning and Increased flood risk due to outdated climate change projections.</p> <p>Solution</p> <p>Consult the Environment Agency on the DMP before decommissioning. Clarify timelines and components to be removed or retained.</p> <p>Additional Comments</p> <p>We would expect the Environment Agency to be consulted on the DMP prior to the decommissioning phase commencing. We note the inclusion of a requirement for decommissioning to be commenced no later than 37.5 following the date of final commissioning. However, if there are delays in construction and commissioning and the proposal is extended beyond 2069 (inclusive of the decommissioning phase), the reassessment of flood risk and mitigation will be needed as it would extend into the next climate change projection epoch https://www.gov.uk/guidance/flood-risk-assessments-climatechange-allowances</p>	<p>We note the comment regarding the potential for construction delays to potentially require a reassessment of flood risk and mitigation for the decommissioning phase. Should this occur then the EA will be reconsulted as part of a resubmission of flood risk and mitigation requirements. The proposed consent is time limited. Requirement 14 of Schedule 2 in the draft DCO [REP2-004] secures that "decommissioning of the authorised development must commence no later than 37.5 years following the date of final commissioning". As set out in Table 6-1 of the Project Description chapter [APP-043], decommissioning is anticipated to run from April 2066 to March 2068.</p>	Discussions ongoing
4.1.8	XA/2025/100270/01 [RR-0308-001]	Evidence Gap(s) and the Placement of Component	<p>Issue</p> <p>Flood risk hasn't been adequality assessed. There exist evidence-gaps relating to flood risk, notably for watercourse catchments of less than 3km²</p> <p>Impact</p> <p>Inappropriate placement of components, potentially increasing flood risk.</p> <p>Solution</p> <p>Address evidence gaps using appropriate methods. Place permanent development in Flood Zone 1, outside of the design flood extent, and</p>	<p>The comment regarding catchments less than 3 km2 was received as part of the PEIR comments dated 30 November 2023 – 8 February 2024 (reference: XA/2024/100059/01-L01). Following receipt of these comments, RPS provided a technical note under reference: HLEF 82808_WestBotley_ResponsetoEA_TN_v1-FINAL dated 11th June 2024. This note provided further information regarding the points raised by the EA in the consultation comments. Following the submission of this note, a meeting was held by RPS with the EA on the 24th July to discuss the technical note. Most of the comments were agreed to have been resolved and clarified within the Technical Note during the meeting. However, additional information was requested for several outstanding comments, including catchments less than 3 km2. A further technical note was submitted on the 23rd August 2024</p>	Discussions ongoing Agreed

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>1000-year Surface Water Flood (SWF) proxies. Conduct site-specific hydraulic modelling where needed.</p> <p>Additional Comments</p> <p>The Applicant should ensure that where there are evidence gaps relating to flood risk that they have applied an appropriate method to ensure that the permanent development is outside of areas of flood risk. This should be a combination of placing components within Flood Zone 1, placing outside of the site-specific hydraulic modelling design flood extent, and placing outside of the 1000-year SWF proxies used for the fluvial flood risk of a watercourse (where the climate change uplift has been demonstrated to be conservative). Note that we would expect site specific hydraulic modelling of fluvial flood risk for main rivers. We need clarity about where the Applicant is proposing to use SWF modelling as a proxy for fluvial flood risk, this should be represented on a map for clarity. Similarly, it should be demonstrated where the Applicant is stating that the flood risk is purely SWF risk, as they are proposing permanent components in some of these extents. Notably the proposed substation(s) are potentially within an area which may be at risk of flooding, but this has not been modelled – this will need site-specific hydraulic modelling. As the flood risk in this area is complicated, it would be helpful to have a meeting to talk through which methods are considered acceptable for each watercourse where evidence-gaps exist within the study area.</p> <p>By way of example: FRA 3.4.15 which suggests that the section of the Central Site Area located in the Cherwell Council boundary is wholly located in Flood Zone 1. Along the Rowel Brook at coordinates (446312, 214649), the Flood Map for Planning (FMfP) does not show a representation of fluvial flood risk as the catchment is less than 3km² and there is no existing site-specific hydraulic modelling. In cases like this within the study area, we need specificity on the approach taken to address the flood risk evidence-gap.</p> <p>There exist at least three areas of concern within the southern parcel in the context of a fluvial flood risk evidence-gap, namely watercourses at coordinates (444840, 205274), (445353, 205449), and (446472, 205824).</p>	<p>(reference: XA/2024/100059/01-L01). This latest technical note details how 1000-year surface water extents are used as a proxy to assess catchments of a small size using ReFH2 to assess the peak flows, as discussed and agreed in the aforementioned meeting.</p>	
4.1.9	XA/2025/100270/01 [RR-0308-001]	Evidence Gap(s) and the Placement of Component	<p>Issue</p> <p>No consideration of flood risk in the upper reaches of the Rowel Brook has been provided within the Flood Risk Assessment other than a reference to the existing Flood Zones.</p> <p>Impact</p> <p>Flood risk to the development could be underestimated.</p> <p>Solution</p> <p>Consider the flood risk to the development associated with the Rowel Brook. The upper reaches of this watercourse do not have any Flood Zone mapping due to the small size of the catchment. Undertake an assessment of flood risk for the upper reaches of the Rowel Brook. Confirm if infrastructure is outside of the design flood extent. If infrastructure is being placed in areas of flood risk associated with</p>	<p>The upper reaches of the Rowel Brook has a catchment less than 3 km². A technical note was submitted on the 23rd August 2024 (reference: XA/2024/100059/01-L01). This latest technical note details how 1000-year surface water extents are used as a proxy to assess catchments of a small size using ReFH2 to assess the peak flows, as discussed and agreed in a meeting with the EA. As such, this assessment is included within the FRA surface water and ordinary watercourses section and considers the risk from this source; ES - Appendix 10.1 Flood Risk Assessment [APP-166].</p>	Discussions ongoing

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			this watercourse, then hydraulic modelling will be required to quantify the risk to and from any development.		
4.1.10	XA/2025/100270/01 [RR-0308-001]	Evidence Gap(s) and the Placement of Component	<p>Issue</p> <p>This section notes that permanent development and temporary development have been restricted to area outside the 100 year plus 46% fluvial and the 1000 year surface water flood extent associated with ordinary watercourses. This is welcomed although it is not clear what scenario the 100 year plus 46% fluvial extent relates to as the higher central scenario for the Gloucestershire and the Vale management catchment for the 2050s and 2080s epoch respectively is 19% and 41%. For the Cotswolds management catchment this is 21% and 43% respectively</p> <p>Impact</p> <p>Climate change allowances presented appear to be incorrect which could be misleading.</p> <p>Solution</p> <p>Correct the section of the report which refers to the 1 in 100 year plus 46% fluvial extent or provide clarity as to what this scenario relates to.</p>	<p>Hydraulic modelling was undertaken to explore a greater developable area within the flood zones. The approach has since been simplified and development has been instead steered to Flood Zone (outside of the 1 in 1000 year extent). This updated approach will be <u>has been</u> detailed within an updated ES Appendix 10.1 Flood Risk Assessment [APP-166].</p>	Discussions ongoing Agreed
4.1.11	XA/2025/100270/01 [RR-0308-001]	Evidence Gap(s) and the Placement of Component	<p>Issue</p> <p>Watercourses have not been assessed due to conclusion of zero impact through the use of riparian buffers, even though easements and buffers are under 10m from the banktop (i.e. 20 within BNG riparian zone), e.g. watercourses having an 8m buffer during works. Some easements are calculated from the centreline of the channel (Appendix 10.1 Sections 2.4.23/2.5.3)</p> <p>Impact</p> <p>Threats to the environment may not be properly quantified and possible BNG uplift for watercourses may not be achieved.</p> <p>Solution</p> <p>Either conduct MoRPh surveys/River Corridor Assessments to establish correct BNG and increase the buffer/easement distance.</p> <p>Additional Comments</p> <p>BNG watercourse metric should be applied if there is a watercourse within, or in 10m proximity of, the development site Red Line Boundary (RLB) including the riparian zone. Therefore, if there are watercourses, including ditches, still within the site boundaries, a BNG watercourse assessment should be applied and watercourse metric calculated.</p>	<p>Clarity will be <u>has been</u> added to updated 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] and supporting appendices to confirm that a 10m development stand-off buffer includes the construction phase. This will be <u>has been</u> added as an updated commitment within embedded mitigation 10.2. Buffer will be taken from the top of the banks of the watercourses. A plan will be provided to support the commitment.</p>	Discussions ongoing Agreed
4.1.12	XA/2025/100270/01 [RR-0308-001]	Evidence Gap(s) and the Placement of Component	<p>Issue</p> <p>The Rowel Brook is hydrologically linked to SSSI site Rushy Meadows. It also discharges into the WFD waterbody "Oxford Canal" and as such takes its WFD classification from that waterbody, which is currently moderate, however it has not been assessed.</p>	<p>6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] report will be <u>has been</u> updated to identify the location of the SSSI and proposed works upstream of this.</p>	Discussions ongoing

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.1.13	XA/2025/100270/01 [RR-0308-001]	Flood Zone 3a and 3b	Impact <p>Not properly assessing watercourses, especially those with hydrological connections to SSSI sites, could lead to damage to SSSI sites and missed opportunities for ecological uplift.</p>	<p>The applicant has, where possible, sought to direct the development to areas assessed as Flood Zone 1. However, there are, on occasion, other material constraints which direct development to a higher risk of flooding. An assessment of cable route corridor options was undertaken to assess multiple routes in line with environmental constraints. However, appropriate mitigation measures are implemented in these situations. In each instance, the crossing of floodplain 3b is necessary to facilitate the crossings, and therefore, modelling would be unlikely to add any further information to the chosen route.</p>	Discussions ongoing
			Solution <p>Assess watercourses properly.</p>		
			Issue <p>Unclear intersections of proposal with Flood Zones 3a and 3b.</p> Impact <p>Unknown impacts on flood risk from structures (temporary works, compounds, or permanent structures) within Flood Zone 3.</p> Solution <p>The Applicant should provide mapping that shows Flood Zones 3a and 3b in the context of the proposed components and the cable corridor route. The corridor route should minimise interaction with Flood Zone 3b, and route selection should be informed by this consideration.</p> Additional Comments <p>Part of the application site is likely to lie within the 3.3% annual exceedance probability (AEP) flood outline, which is identified by the Table 1 of the Flood Zone and flood risk tables of the PPG as within Flood Zone 3b (the functional floodplain). Please be aware that development should be avoided within the 3.3% AEP (Flood Zone 3b) where possible, which is defined by the PPG as land where water from rivers, or the sea, has to flow or be stored in times of flood.</p>		
4.1.14	XA/2025/100270/01 [RR-0308-001]	Reservoirs	Issue <p>Potential impact on nearby reservoir.</p>	<p>One reservoir has been identified within the study area, which is Farmoor Reservoir. Whilst we note the comment, Thames Water are responsible for Farmoor Reservoir and has been consulted as part of the DCO application. Thames Water have raised no concern regarding potential impact to this reservoir or additional detailed assessment beyond that made within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047].</p>	Discussions ongoing
			Impact <p>Increased flood risk from reservoir failure.</p>		
			Solution <p>Liaise with reservoir undertakers to assess impacts and acceptability of works near reservoirs</p> Additional Comments <p>Contact the Undertaker of Farmoor reservoir for their input, especially in relation to acceptability of works in proximity to the reservoir as this may pose a risk and require input from a qualified engineer to ensure this is safe.</p>		
4.1.15	XA/2025/100270/01 [RR-0308-001]	Flood Risk Assessment	Issue <p>Potential gaps in the FRA.</p>	<p>The FRA details how flood risk has been assessed by the NPPF (set out in Table 1.4) and NPS (set out in Table 1.3) of the FRA; ES - Appendix 10.1 Flood Risk Assessment [APP-166]. These tables set out the key provisions that were undertaken in line with the guidance. Additional information was added to the FRA</p>	Discussions ongoing
			Impact		

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			Incomplete understanding of flood risks and mitigation. Solution Cross-check the FRA against government guidelines to ensure comprehensive coverage.	since the PEIR comments were received from the EA. These consultation comments and responses are detailed within 6.5 ES - Appendix 9.16 Section 42 Consultation Responses [APP-165] .	
4.1.16	XA/2025/100270/01 [RR-0308-001]	Temporary Facilities Plan	Issue Lack of fluvial flood risk mapping in relation to temporary facilities. Impact Inadequate placement leading to increased flood risk. Solution Provide Temporary Facilities Plan relative to fluvial flood risk mapping, including hydraulic modelling and proxies. Additional Comments Provide the Temporary Facilities Plan relative to fluvial flood risk mapping used to inform the placement of components 10 (e.g., site specific hydraulic modelling flood extents and proxies for fluvial flood risk, and Flood Zones).	The majority of temporary facilities will be placed outside of Flood Zone 3. However, 2 HDDs (two options in Swinford bridge HDD 6), and another one (HDD 12) have HDD construction compounds that are within flood zone 2/3. <u>The HDD compounds have been moved to ensure a 10m buffer from the watercourses and ensure they are outside of the provided Flood Zone 3b extents.</u> The inclusion of a Temporary Flood Management Plan will be added <u>has been added</u> as a commitment <u>10.17</u> within the updated 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] as embedded mitigation. A plan showing the location of the temporary facilities overlain on flood maps will be provided.	Discussions ongoing Agreed
4.1.17	[RR-0308-001]	Crossing Schedules Map	Issue No map supporting watercourse crossings Impact Unclear assessment of impacts on watercourses and flood risks Solution Provide a map showing proposed crossings of watercourses within the Crossing Schedule.	A plan showing the location of the watercourse crossings will be overlain on flood maps and will be submitted.	Discussions ongoing Agreed
4.1.18	XA/2025/100270/01 [RR-0308-001]	Buffers/Easements	Issue The majority of watercourses will have a minimum buffer of 8m maintained during works to protect the feature. Impact Buffer strips less than 10m are not effective at allowing space for commuting by mammals and the maintenance of a natural river corridor. Solution Riparian buffer strips measure a minimum of 10m from the bank-top for all watercourses on the site, unless existing physical constraints prevent this, and that this is defined in the Outline CoCP. This will allow for the natural river corridor to be maintained and free movement of riparian mammals up and down the system.	Clarity will be <u>has been</u> added to updated 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047] and supporting appendices to confirm that a 10m development stand-off buffer includes the construction phase. This will be added as an updated commitment <u>10.2</u> within embedded mitigation. Buffer will be taken from the top of the banks of the watercourses. A plan will be provided to support the commitment.	Discussions ongoing Agreed ment in principle

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.1.19	XA/2025/100270/01 [RR-0308-001]	Updated Risk of Flooding from Surface Water data	<p>Issue</p> <p>This section notes that the identified surface water risk is shown in the online EA Risk of Flooding from Surface Water (RoFSW) dataset. Please note, an updated RoFSW dataset was published on the 28th January 2025 which does include climate change for the 2050s epoch. Further information is available online here: : Updates to national flood and coastal erosion risk information - GOV.UK</p> <p>Impact</p> <p>Updated data is available which may change the flood risk understanding for smaller ordinary watercourses</p> <p>Solution</p> <p>In the light of updated Risk of Flooding from Surface Water (RoFSW) data it would be prudent to confirm that the conclusions of the original assessment using the 1 in 1000- year dataset still remain valid.</p>	<p>RPS are undertaking a technical notehave updated ES - Appendix 10.1 Flood Risk Assessment [APP-166] to include the latest EA surface water maps., which will assess the existing and updated surface water mapping to confirm the approach remains valid. This will be supplied to the EA.</p>	<p>Discussions ongoing agreement in principle Agreed</p>
4.1.20	XA/2025/100270/01 [RR-0308-001]	Flood Risk Summary Central Site reporting error	<p>Issue</p> <p>This section notes that permanent development and temporary development have been restricted to area outside the 100 year plus 46% fluvial and the 1000 year surface water flood extent associated with ordinary watercourses. This is welcomed although it is not clear what scenario the 100 year plus 46% fluvial extent relates to as the higher central scenario for the Gloucestershire and the Vale management catchment for the 2050s and 2080s epoch respectively is 19% and 41%. For the Cotswolds management catchment this is 21% and 43% respectively</p> <p>Impact</p> <p>Climate change allowances presented appear to be incorrect which could be misleading.</p> <p>Solution</p> <p>Correct the section of the report which refers to the 1 in 100 year plus 46% fluvial extent or provide clarity as to what this scenario relates to.</p>	<p>Hydraulic modelling was undertaken to explore a greater developable area within the flood zones. The approach has since been simplified and development has been instead steered to Flood Zone (outside of the 1 in 1000 year extent). This updated approach will behas been detailed within an updated ES Appendix 10.1 Flood Risk Assessment [APP-166].</p>	<p>Discussions ongoing agreement in principle Agreed</p>
4.1.21	XA/2025/100270/01 [RR-0308-001]	Hydraulic Model (Fluvial)	<p>Issue</p> <p>The hydraulic modelling report is incomplete. The hydraulic modelling report for the River Evenlode is fundamentally the same as the hydraulic modelling report which was reviewed by the Environment Agency in November 2023.. With regards to the hydraulic modelling, several comments were raised by the Environment Agency on the modelling. The Environment Agency has not received any response in relation to the comments on the River Evenlode hydraulic modelling. A key comment was with regards to a verification exercise of the model results, for example comparing the median annual water level (L-med) at the gauge Cassington Mill gauge with the 2-year water level in the hydraulic model. Similarly, a sense check of design water levels in the hydraulic model against the historic water level record at Cassington Mill is required to verify the sensibility of the results</p> <p>Impact</p>	<p>Hydraulic modelling was undertaken to explore a greater developable area within the flood zones. The approach has since been simplified and development has been instead steered to Flood Zone (outside of the 1 in 1000 year extent). This updated approach will behas been detailed within an updated ES Appendix 10.1 Flood Risk Assessment [APP-166].</p>	<p>Discussions ongoing agreement in principle Agreement in principle</p>

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			It is not possible to verify the model results. Solution Provide a response to the comments raised by the Environment Agency on the River Evenlode Hydraulic modelling in November 2023. A sense check of design water levels in the hydraulic model against the historic water level record is required This would involve extending the hydraulic model further downstream past the Cassington Mill gauge. If it is not possible a comparison of design flows at the model outlet with design flow estimates at the Cassington Mill gauge would provide some confidence that modelled flows are reasonable and of the right magnitude.		
4.1.22	XA/2025/100270/01 [RR-0308-001]	Hydraulic Model (Fluvial)	Issue Hydraulic model is incomplete thus flood risk not understood. A lumped flow estimation point is not included at the downstream end of the study extent, for example at the Cassington Mill gauge. This would enable comparisons to be undertaken with the flows at the outlet in the hydraulic model. Impact It is difficult to verify the model results as there is no flow estimation point at the catchment outlet. Solution Consider adding a lumped flow estimation point at the downstream end of the study extent, at the Cassington Mill gauge. This would help to verify the hydraulic model flows at the catchment outlet and would add confidence to the model results.	Hydraulic modelling and supporting hydrology was undertaken to explore a greater developable area within the flood zones. The approach has since been simplified and development has been instead steered to Flood Zone (outside of the 1 in 1000 year extent). This updated approach will be <u>has been</u> detailed within an updated ES - Appendix 10.1 Flood Risk Assessment [APP-166].	Discussions ongoing Agreement in principle
4.1.23	XA/2025/100270/01 [RR-0308-001]	Hydraulic Model (Fluvial)	Issue The Cassington Mill gauge (National River Flow Archive Number 39034 – suitable for pooling) is not included in the pooling group which has been used in the hydrological assessment. This gauge should be included within the hydrological assessment as it is located on the watercourse which has been modelled. Impact The hydrological assessment would have benefited from the inclusion of the Cassington Mill gauge within the pooling group. This is a gauge which is located on the River Evenlode and including it would help to improve confidence in the design flow estimates for the River Evenlode. Solution Clarify the rationale for not including the Cassington Mill gauge in the pooling group and undertaking an Enhanced Single Site Analysis (ESS). Confirm if design flow estimates vary significantly if Cassington Mill is included.	Baseline model files to be supplied to the EA for their consideration. The surface water modelling was undertaken to support potential betterment upstream of Cassington and has been undertaken as enhanced mitigation, commitment 10.14 within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047]. At the detailed design stage, option modelling will be undertaken (where required) to quantify the betterment provided, and this will be submitted to the EA.	Discussions ongoing Agreement in principle
4.1.24	XA/2025/100270/01 [RR-0308-001]	Hydraulic Modelling (Cassington)	Issue	Baseline model files to be supplied to the EA for their consideration. The surface water modelling was undertaken to support potential betterment upstream of Cassington and has	Discussions ongoing

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>This section notes that design proposals for intervention measures are likely to be iterative and further stakeholder engagement is required. While this is welcomed, we appreciate that modelling has not been reviewed.</p> <p>Impact</p> <p>Flood risk is not understood.</p> <p>Solution</p> <p>Provide a copy of the hydraulic model files so that the baseline flood risk representation can be appraised. Once a proposed option is developed within the modelling water level and extent difference mapping should be presented so that any betterment can be quantified.</p>	<p>been undertaken as enhanced mitigation, commitment 10.14 within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047]. At the detailed design stage, option modelling will be undertaken (where required) to quantify the betterment provided, and this will be submitted to the EA.</p>	<p>Agreement in principle</p>
4.1.25	XA/2025/100270/01 [RR-0308-009]	Missing and outdated guidance and policy	<p>Issue</p> <p>Some key guidance and policy documentation is missing or has been updated since issue of the ES:</p> <ul style="list-style-type: none"> • The Water Supply (Water Quality) (Amendment) Regulations 2018 not cited. • Environmental Damage (Prevention and Remediation) (England) (Amendment) Regulations 2019 not cited. <p>21 National Planning Policy Framework (NPPF) was updated following issue of the Environmental Statement (ES), in December 2024. The Environment Agency's Approach to Groundwater Protection, February 2018.</p> <p>Impact</p> <p>Aspects of the ES may not adequately address current guidance and policy requirements.</p> <p>Solution</p> <p>Applicant to update references in the ES and ensure any relevant changes in policy or guidance are reflected appropriately.</p>	<p>ES will be <u>has been</u> updated to include the latest policy documentation. This will be <u>has been</u> included within 6.3 - ES Chapter 10 - Hydrology and Flood Risk [APP-047].</p>	<p>Discussions ongoing Agreement in principle</p>
4.1.26	XA/2025/100270/01 [RR-0308-010]	Hydrogeology	<p>Issue</p> <p>The summary of the hydrogeological setting of the Proposed Development presented in the ES is very limited, presenting no discussion of groundwater depths (such as presented in Table 5.5 of Appendix 10.7), anticipated flows within the onsite superficial and bedrock aquifers and potential connectivity between groundwater and surface water bodies.</p> <p>Impact</p> <p>Limited groundwater characterisation information is presented or discussed, such that we do not consider the applicant has demonstrated a sufficient understanding of the hydrogeological setting of the site and therefore may not adequately identify all potentially significant risks posed by the development.</p> <p>Solution</p>	<p>Further groundwater and surface water information is detailed within the Desk Top Study and Preliminary Risk Assessments [APP-175 to APP-194]. Groundwaters and surface waters are sensitive receptors considered within the Conceptual Site Models presented. The identification of any pollutant linkages using the source-pathway-receptor approach considers the potential pathway connectivity between receptors. To inform detailed design and further development of the Code of Construction Practice (CoCP) (and supporting technical assessments) a ground investigation will be undertaken (CoT 11.2). The ground investigation will include groundwater monitoring at strategic locations.</p> <p>The detailed CoCP will include mitigation and control measures to ensure the protection of sensitive receptors (CoT 11.6 to prepare a Pollution Prevention Plan).</p>	<p>Discussions ongoing</p>

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			Applicant to provide greater detail with respect to the anticipated groundwater regime present within the Study Area.		
4.1.27	XA/2025/100270/01 [RR-0308-014]	Surface Water and Groundwater Abstractions	<p>Issue</p> <p>The baseline identifying the surface water abstraction licences currently in the study area is incomplete.</p> <p>Impact</p> <p>Without establishing the abstraction licenses within the baseline conditions, the ES cannot properly assess the potential effects of the proposed development on water quality and water users.</p> <p>Solution</p> <p>The following abstraction licenses should be included in the baseline conditions of the hydrology and flood risk chapter.</p> <ul style="list-style-type: none"> • 28/39/16/0078 – Potable Water Supply (Thames Water Utilities Ltd) • 28/39/14/0294 – Spray Irrigation (Storage) 28/39/14/0285 – Make-Up or Top Up Water (Amenity) 	<p>ES will be <u>has been</u> updated to include the noted abstraction licences. This will be <u>has been</u> included within <u>the updated 6.4 ES – Figure 10.12 [APP-100], 6.5 ES - Appendix 10.6 Surface water and Groundwater abstractions, pollutions incidents and discharge consents Report [APP-173].</u></p>	<p>Discussions <u>ongoing</u></p> <p>Agreed</p>
4.1.28	XA/2025/100270/01 [RR-0308-015]	Temporary dewatering	<p>Issue</p> <p>The applicant proposes to scope out impacts associated with temporary dewatering to enable construction, based on adherence to best practice method statements, and informed by proposed site investigation and monitoring.</p> <p>Impact</p> <p>Risk that the proposed best practice method statements may not be sufficient to protect groundwater quality from detrimental impacts.</p> <p>Solution</p> <p>We recommend that the applicant provides confirmation of the proposed scope of site investigation and monitoring, in particular in areas of the site underlain by Principal and Secondary A aquifers. We consider post-consent groundwater monitoring to be important for reducing uncertainty.</p> <p>Additional Comments</p> <p>The BGS groundwater level data presented by the applicant to date (Table 5.5) is highly limited, comprising eight records and showing groundwater being absent in some exploratory holes in total and ranging from 1.70 to 18.22 metres below ground level across other locations. The data indicates groundwater levels locally within anticipated PV array foundation depth, which may necessitate temporary or permanent dewatering. This should be considered by the applicant.</p>	<p>Groundwater monitoring requirements are to be added to 6.3 – ES Chapter 10 – Hydrology and Flood Risk [APP-047].</p> <p>Further ground investigation will be undertaken in line with commitment 11.2, which will inform the design of the PV array foundations. The ground investigation (CoT 11.2) will include groundwater monitoring at strategic locations to inform detailed design and groundwater management during construction.</p> <p>It is not expected that any dewatering will be required. However, if it is, ground water levels would be expected to recover after construction. Commitment 11.3 also relates to remediation.</p>	<p>Discussions ongoing</p>
4.1.29	XA/2025/100270/01 [RR-0308-016]	Groundwater dependent terrestrial ecosystems	<p>Issue</p> <p>Although the report makes brief reference to groundwater dependent terrestrial ecosystems (GWDTEs) in Section 2.2.4 and reproduces the results of chemical and quantitative GWDTE tests for the various WFD Groundwater bodies present within the study area, the report</p>	<p>WFD Chapter will be <u>has been</u> updated to include further details on GWDTE's. To be <u>has been</u> included within 6.5 ES - Appendix 10.7 Water Framework Directive Assessment [APP-174].</p>	<p>Discussions <u>ongoing</u></p> <p>Agreed</p>

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>does not provide a summary of designated GWDTEs within the study area (available at GWDTEs England).</p> <p>Impact</p> <p>Potentially significant groundwater dependent ecological receptors within the study area may not be suitably identified.</p> <p>Solution</p> <p>The WFD Assessment should be amended to take account of any GWDTEs within the study area</p>		
4.1.30	XA/2025/100270/01 [RR-0308-017]	WFD Screening	<p>Issue</p> <p>Matters screened in and out in Stage 1 are discussed in Table 5.4 of Appendix 10.7. Temporary dewatering to enable construction (construction phase) is screened out on the basis of adherence to best practice method statements, supported by site investigation and monitoring before, during and after dewatering and excavation activities. Pollution risk and altered drainage patterns from general construction activities (construction phase) are screened out based on adherence to best practice method statements and the temporary nature of the construction works. Creating or altering pathways along which existing poor quality groundwater can migrate (construction phase) is screened out based on adherence to best practice method statements and the temporary nature of the construction works. The information provided by the applicant to date is indicative that groundwater may be locally present at foundation depth</p> <p>Impact</p> <p>Risk that there is insufficient characterisation of groundwater levels and flows, and of shallow ground conditions, to ensure that the proposed mitigation is sufficient to protect the Secondary A and Principal aquifers underlying the site.</p> <p>Solution</p> <p>We recommend that temporary dewatering, pollution risk and altered drainage and creating or altering pathways should be screened in for consideration in the WFD Assessment.</p>	<p>WFD Chapter will-behas been updated to include the temporary dewatering, pollution risk and altered drainage and creating or altering pathways to be screened in. This will-behas been included within 6.5 ES - Appendix 10.7 Water Framework Directive Assessment [APP-174].</p>	Discussions ongoing Agreed
4.1.31	XA/2025/100270/01 [RR-0308-018]	Water Supply Strategy	<p>Issue</p> <p>Water supply and demands for aspects of the construction phase of the project, such as Horizontal Directional Drilling (HDD) and dust suppression, have not been evaluated.</p> <p>Impact</p> <p>Access to water in the summer will not be possible outside of public water supply.</p> <p>Solution</p> <p>A Water Supply Strategy should be provided which provides an initial options appraisal of sources of supply, potential restrictions and plan to mitigate for water unavailability (e.g. on-site storage).</p> <p>Additional Comments</p>	<p><u>The applicant proposed to prepare a Water Supply Strategy post consent.</u></p> <p><u>Potential water supply sources would be a mains water connection (subject to local capacity and agreement with the water utility provider) and / or off-site delivery via water tankers or bowzers from approved sources.</u></p> <p>Mitigation for water unavailability, would be through the provision of on-site non-potable water storage tanks (bowser-fed) and water reuse and recycling, particularly for closed-loop HDD systems.</p> <p><u>This has been added to the updated 7.6.1 - Outline Code of Construction Practice - Part 1 and Part 2 [APP-232 and APP-233].</u></p>	Discussions ongoing

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>The proposal description includes the need for HDD as a trenchless technique for the laying of below ground cables. This technique can require significant and continuous water supply which is not evaluated in the ES. Other consumptive 31 uses of water identified by the project description include dust suppression and washing.</p> <p>Surface water or groundwater abstraction will require licences determined and issued by the Environment Agency. There is a bespoke Thames licensing strategy which applies to applications for the consumptive surface water abstractions and groundwater abstractions in direct hydraulic continuity with a river or water dependent habitat features. For abstraction below 2 Megalitres per day (Ml/d), no abstraction can take place when the average of the daily mean flows of the preceding 5 days in the River Thames as gauged at Kingston is equal to or less than Q50 (1780 Ml/d). More information can be found in the Cotswolds and Thames Abstraction licensing strategies.</p> <p>This may have practical implications for the construction phase of the project as access to water will be limited for much of the summer season and during periods of prolonged dry weather outside of the summer. It is at the applicant's risk if the water supply has not been considered adequately. Underestimated licence determination timescales and inadequate preparation for licence conditions restricting access to water pre-commencement of construction may cause delays.</p>	Comment noted.	
4.1.32	Draft Development Consent Order	Disapplication of legislative provisions	<p>1.7.4 Disapplication of legislative provisions Article 6, together with Schedule 3, of the dDCO [REP1-004] relate to the disapplication of legislative provisions. Set out whether there are any anomalies on the list, whether there is any disagreement in respect of any provision being disappplied and set out any reasons behind this disagreement (if any exist).</p> <p>Comment: We note within Schedule 3 of the dCO that environmental legislation, as regulated by the Environment Agency, has not been included. We have not received a formal request to disapply environmental legislation relating to this scheme and therefore expect any relevant permits and licences to be applied for in due course.</p>	The Applicant is seeking to disapply the need for Flood Risk Activity Permits under the Environmental Permitting (England and Wales) Regulations 2016. This is being sought through Article 6(1)(e) of the draft DCO [REP2-004]. Instead, the EAs approval will be sought under the terms of the protective provisions. Whilst the protective provisions remain subject to negotiation, a draft form of protective provisions is included within Schedule 15, Part 7 of the draft DCO. The Applicant appreciates that the Environment Agency will only agree to the disapplication of the requirement for the Flood Risk Activity Permit once the wording of the protective provisions is agreed and the Applicant is currently awaiting a response from the Environment Agency on the protective provisions. The Applicant expects an agreed position on the protective provisions to be met during the Examination which will allow the Environment Agency to give its consent for the disapplication sought under Article 6(1)(e). This approach is standard across solar DCOs and is recorded in the Consents and Licenses Required Under Other Legislation [APP-035].	Discussions ongoing

Table 4.2: Areas of Discussion between the Parties – Ecology

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.2.1	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Survey methodology	Other than where noted below, survey scope and methodology agreed	Other than where noted below, survey scope and methodology agreed	Agreed.

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.2.2	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Assessment approach, scope and methodology	Other than where noted below, assessment approach, scope and methodology agreed	Other than where noted below, assessment approach, scope and methodology agreed	Agreed.
4.2.3	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Legislation	Volume 1 Chapter 9: Ecology and Nature Conservation: 9.2: Environmental legislation does not list some recent (2024) legislation pertaining to BNG. The following should be included: Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, for completeness.	Agreed.	Agreed.
4.2.4	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Water vole and otter surveys.	<p>Issue:</p> <p>The impacts on protected species are not understood. Species-specific water vole and otter surveys have not been completed.</p> <p>Impact:</p> <p>The applicant does not provide enough evidence to assess the likely negative effects on riparian mammals. The purpose of ecology surveys is to provide baseline information presence/absence, utilisation of habitat, etc.) to determine whether a project will have a negative impact on a protected species, and to inform whether mitigation is required.</p> <p>Solution:</p> <p>Conduct otter and water vole surveys to establish the presence or absence of said species, the potential risks and any mitigation and compensation required. The surveys should follow best practice guidelines. The development should also consider potential enhancement opportunities for the species within the design. For example, potential enhancement may include habitat improvements or connectivity of the riverine corridor through the development.</p> <p>Table 9.10.1 should also be updated following otter and water vole surveys if evidence of shelters are discovered, as both species may need to be monitored as part of a mitigation licence.</p> <p>Additional Comments:</p> <p>The provision of a buffer alone is not enough to avoid potentially negative impacts to otters and water voles, due to the potential to disturb either species during construction on or near watercourses (e.g. installing watercourse crossings, riparian enhancement works, etc.). In addition by law its an offence for Riparian mammal shelters (burrows, holts and couches) are protected from disturbance.</p>	<p>Although not surveyed for specifically, otter have been recorded using the Evenlode and it is possible that water vole may also be present. Therefore, both species were considered as receptors within ES Chapter 9 Ecology and Biodiversity [APP-046]. This assessed the potential impacts of the Project on both species, including with respect to potential disturbance during construction. The conclusion of that assessment was that while there may be some short term and localised disturbance from noise at a distance to these species, there would be no significant effect from any potential impact.</p> <p>This conclusion took account of the use of appropriate buffer zones around water courses and water bodies along with hedgerows and other linear features that might be used by commuting or sheltering otter. The Project retains all water courses and hedgerows with appropriate buffers. It also does not result in the loss of any woodland and maintaining connectivity between woodlands and water course features is ensured within the masterplan through the provision of the buffers around water courses, hedgerows etc. Indeed, the masterplan would improve connectivity between these features compared to the baseline as the majority of the fields present across the Project site have little or no field margin. Once built, the Project would provide a minimum of 5m of margin either side of all hedgerows.</p> <p>The use of a buffer zone of between 3-5 m from the toe of banks around water courses to avoid impacts to water vole is recommended within the Water Vole Mitigation Handbook (Dean et al 2016). The Project includes buffer zones of at least 8m from all watercourses, well above this recommended minimum. As such, the Applicant does not agree that further surveys for water vole or otter are necessary since all impacts are avoided.</p> <p>The Project includes enhancement with respect to both species through the provision of the buffer zones and the enhanced Evenlode Corridor. Some of the smaller water courses on the Project site are currently farmed up to the top of the embankment and will be subject to agricultural run off from fertiliser and other chemical additions. The removal of these agricultural inputs and the provision of a much wider buffer along the top of the bank will help ensure that both species are</p>	Discussion ongoing.

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
				protected and their aquatic and terrestrial habitats enhanced.	
4.2.5	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Water vole habitat	<p>Issue:</p> <p>Assessment of effects section does not include an assessment of the impact of temporary and permanent habitat loss during construction and decommissioning on water vole.</p> <p>Impact:</p> <p>Lack of consideration regarding the sensitivity of water voles to impacts during the construction and decommissioning stages, There are multiple records of water voles on main rivers and ordinary watercourses that are connected to the site (e.g. Rowel Brook).</p> <p>Solution:</p> <p>Amend Section 9.9 to consider the impact of construction and decommissioning on water voles.</p>	As set out in section 9.6.77 of ES Chapter 9 Ecology and Biodiversity [APP-046], the potential presence of water vole on the Project site is considered by virtue of the consideration of their habitat within the impact assessment (i.e. water courses and water bodies). All such habitat that could be used water vole within the Project site is to be maintained with an appropriate buffer and will be protected during both construction and decommissioning. As such, there would be no impacts to water vole during these phases of development.	Discussions ongoing.
4.2.6	6.5 ES - Appendix 9.13 Biodiversity Net Gain Assessment [APP-162]	Biodiversity Net Gain- watercourses	<p>Issue:</p> <p>The BNG assessment is incorrect, The baseline habitat scores have only been calculated for on-site area and hedgerow habitats.</p> <p>Impact:</p> <p>Watercourses within the Scoping Boundary have not been assessed as part of BNG, on the basis that “none are being impacted by the project” (Section 9.1.6 oLEMP), even though watercourses may be impacted during the construction and decommissioning phases (e.g. installation of crossings, riparian works, etc.). There is also a lack of ambition with regards to leaving a measurably positive impact on watercourses following the development.</p> <p>Solution: Measure watercourse lengths within the scheme and use the watercourse metric to calculate baseline habitat scores and propose to achieve a BNG target of at least 10% for watercourses.</p> <p>Additional Comments:</p> <p>For potential BNG opportunities, we recommend the applicant refers to both the mitigation measures within the Water Framework Directive and opportunities identified within any Local Nature Recovery Strategies.</p>	The Statutory Biodiversity Metric (DEFRA, 2024) is completed and appended to Appendix 9.13 Biodiversity Net Gain Assessment [APP-162]. Appendix 9.13 will be updated to include the watercourse section of the metric which will be assessed and completed for all watercourse associated units on the Project site.	Discussions ongoing.
4.2.7	6.5 ES - Appendix 9.13 Biodiversity Net Gain Assessment [APP-162]	Biodiversity Net Gain- monitoring	<p>Issue:</p> <p>Monitoring and inspection section includes a plan to conduct river condition assessments, to “ensure that the assumptions with respect to biodiversity net gain were being achieved.”.</p> <p>Impact:</p> <p>The statement is contradictory to Section 9.1.6, which states that BNG is not being delivered for watercourses.</p> <p>Solution:</p> <p>Whilst we support the delivery of river condition assessments, we encourage that these are done with a plan to deliver watercourse BNG enhancements.</p>	The Statutory Biodiversity Metric (DEFRA, 2024) is completed and appended to Appendix 9.13 Biodiversity Net Gain Assessment [APP-162]. Appendix 9.13 will be updated to include the watercourse section of the metric which will be assessed and completed for all watercourse associated units on the Project site.	Discussions ongoing.

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
4.2.8	7.6.3 Outline Landscape and Ecology Management Plan (Rev 1) [REP2-019]	River Evenlode habitat enhancement	<p>Issue:</p> <p>Proposal to maintain existing river corridor habitat within Zone 2 (Evenlode Corridor), including marginal and aquatic planting.</p> <p>Impact:</p> <p>Not ambitious enough to only consider the riparian habitat. Proposal only appears to be focus on the River Evenlode, despite other watercourses be present within the scheme boundary (e.g. River Thames, Limb Brook, Chil Brook, etc.).</p> <p>Solution:</p> <p>The proposal needs to include in-channel habitat enhancements measures. This could be achieved through increasing the in-channel habitat diversity, improving channel morphology and removing barriers.</p>	The delivery of the Evenlode Corridor will provide over 100ha of wet grassland habitat and other riparian features. The Project order limits do not include the River Evenlode channel itself and, as such, works within the channel are not being considered as part of the Corridor enhancement.	Discussions ongoing.
4.2.9	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Watercourse buffers	<p>Issue:</p> <p>The majority of watercourses will have a minimum buffer of 8m maintained during works to protect the feature.</p> <p>Impact:</p> <p>Buffer strips less than 10m are not effective at allowing space for commuting by mammals and the maintenance of a natural river corridor.</p> <p>Solution:</p> <p>Riparian buffer strips measure a minimum of 10m from the bank-top for all watercourses on the site, unless existing physical constraints prevent this, and that this is defined in the Outline CoCP. This will allow for the natural river corridor to be maintained and free movement of riparian mammals up and down the system.</p>	<p>The use of 8m minimum buffers with respect to most watercourse through the Project is standard best practice with respect to such features. As such, this has been adopted, where it is possible to do so. This includes both within the illustrative masterplan as a design principle and also during construction to protect these features. The provision of these buffers is set out in section 8.2 of the oLEMP [APP-235] and section 1.10.12 of the outline Code of Construction Practice [APP-232].</p> <p>Updated position Deadline 3 – the Applicant has committed to all watercourses having at least a 10m buffer. This will be reflected in updated control documents including the oLEMP.</p>	Discussions ongoing. <u>Agreed</u>
4.2.10	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Fish effects- HDD impacts	<p>Issue:</p> <p>Fish have not been included in the assessment of the construction of the cable route corridor which is proposed to cross the River Evenlode and River Thames.</p> <p>Impact:</p> <p>Although Horizontal Directional Drilling is less impactful than open trench cable laying, there is still the potential for continuous noise associated with vibrations from the drilling to impact on fish species in the River Evenlode and River Thames, especially where it has been proposed to last up to one year. Impacts from noise and vibration are more likely where the drill depth is relatively shallow. Impacts on fish from noise lasting up to a year could result in fish avoiding key lifecycle habitat and thus impact on long term recruitment.</p> <p>Solution:</p> <p>An assessment on fish species from the impacts of any noise during the cable laying must be detailed in the ES. Where necessary mitigation measures should be included to make any impacts negligible and detailed in the OCEMP and CEMP. This may involve a timing restriction to avoid any key spawning or migratory periods and/or drilling to a greater depth to ensure a sufficient buffer.</p>	Even for the longest HDD under the River Thames, the period the drilling would be near or under the river would only be circa 2 weeks. As such, any vibration impact would be very short term. Notwithstanding this, at this stage, the final depths of the HDDs to be used to cross water courses has not been determined as the ground conditions are not yet known. As set out in section 3 of ES Appendix 6.2 Cable Laying Methodology and HDD Crossing Locations, the depth of the HDD could be between 1.5 and 30m. The final depth will therefore be chosen to ensure that there are no potential vibration impacts to water courses once the ground conditions (and therefore transmission of vibration) has been determined.	Discussions ongoing.

Ref	Relevant Application Document	Summary of Description of Matter	Environment Agency Current Position	Applicant Current Position	Status
			<p>Additional Comments:</p> <p>Underwater noise or vibration may affect natural migratory fish behaviour and in extremities, kill fish. If it is assumed that noise and vibration from HDD is negligible to fish, then this needs to be backed up with evidence. Guidance on assessing the impacts on fish can be found in Sound Exposure Guidelines for Fishes and Sea Turtles (Popper et al., 2014). These guidelines provide recommendations for setting criteria (including injury and behavioural criteria) for fish. HDD would class as a continuous noise source for fish.</p>		
4.2.11	6.3 Environmental Statement Chapter 9: Ecology and Nature Conservation (Rev 2) [REP2-012]	Fish effects- Electromagnetic fields (EMFs)	<p>Issue:</p> <p>Fish have not been included in the assessment of the operation of the cable route corridor which is proposed to cross the River Evenlode and River Thames.</p> <p>Impact:</p> <p>Electromagnetic fields (EMFs) emitted from high voltage cables can have behavioural impacts and impacts on fish egg development.</p> <p>Solution:</p> <p>Appropriate measures are to be put in place by the developer, so that EMFs are not detectable by fish from the installation of underground cables.</p> <p>Additional Comments:</p> <p>Studies have found EMF's can affect individual organisms during embryonic and larval stages. Lamprey spp. (present in the River Thames and Evenlode), spend their juvenile stages on the bed of the river (normally in silty areas). As such this could lead to localised impacts on any fish near the power cables, where there could be an increase in EMF. Additionally, the behaviour of migratory species (brown/sea trout, European eel) present in the River Thames and Evenlode may be impacted by any increase in EMF. It is noted that shielding of cables and depth of cables under the watercourse may offer suitable mitigation.</p>	All cables will be appropriately shielded typically using metallic sheaths or armouring as per industry standards to prevent increase in EMF.	Discussions ongoing.

Appendix A

Record of Relevant Correspondence

Date	Form of Correspondence	Topics Discussed	Outcomes
Hydrology and Flood Risk			
November 2022	Attempted to establish the EA's opinion on placing solar panels in areas potentially at risk of river flooding (Flood Zone 3).	Attempted to establish the EA's opinion on placing solar panels in areas potentially at risk of river flooding (Flood Zone 3).	Agreed
July 2023	Detailed proposals to place solar panels within areas at risk of flooding from the 1 in 30-year and 1 in 100-year fluvial flood events.	Following development of the plans the site has been sequentially steered towards areas of low risk (Flood Zone 1). As such response from this is no longer relevant.	Agreed
September 2023	Provided a main point of contact by the EA and discussed timescales regarding data provision to the EA.	Discussed proposals and agreed to provide additional information as design information comes forward.	Agreed
June 2024	A technical note was issued to the EA following the PEIR consultation comments.	Followed up with a meeting.	Agreed
July 2024	Teams meeting to discuss the Technical Note in response to PEIR comments	Approach agreed verbally, determined to be followed up in a subsequent letter.	Agreed
August 2024	A technical note was issued to the EA following their PEIR consultation comments.	Awaiting response	In progress
<u>July 2025</u>	<u>A meeting was held with RPS, the EA and the applicant.</u>	<u>Discussed the outstanding SoCG points. A number of these were agreed in principle.</u> <u>Awaiting EA to follow up and confirm agreed approach.</u>	<u>In progress</u>
Ecology			
8/11/2023	Meeting.	EA Ecologist unavailable.	N/A

Date	Form of Correspondence	Topics Discussed	Outcomes
<u>29/07/25</u>	<u>Meeting</u>	<u>Outstanding issues to be discussed.</u>	

DRAFT

Appendix B
Environment Agency Work package Tracker

DRAFT

Workpackage Tracker

Project Name:
Date Updated:

COST RECOVERY STATUS:

Percentage Spent to Date	RAG Status	Note
90%	Red	No further work to be carried out until additional funding is secured
75%	Amber	Further negotiation will be required
10%	Green	Funding available

OVER-ARCHING TRACKER

Subject	Work package	Scope	Method and Assumptions	Results of Assessment (i.e Impact)	Mitigation / Enhancements Agreed	Requirement	Note:
Ecology	Biodiversity Net Gain Strategy						
	Ecological Assessment (Onshore)						
	Ecological Assessment (Marine)						
	Water Environment Regulations Compliance						
Water Resources	Water Supply Strategy						
Flood Risk	Flood Risk Assessment						
	Hydraulic Model						
Water Quality	Outline Construction Environmental Management Plan						
	Outline Operational Environmental Management Plan						
	Decommissioning Environmental Management Plan						
	Outline Battery Safety Management Plan						
	Water Quality Modelling						
	Water Environment Regulations Compliance						
Groundwater Protection	Outline Construction Environmental Management Plan						
	Decommissioning Environmental Management Plan						
	Contaminated Land Assessment						
Waste	Waste Management Strategy						
Geomorphology	Water Environment Regulations Compliance						
	Coastal Processes Assessment						

Over-Arching Tracker
RAG Status Key:

Red - Not Agreed

Amber - Working on a Solution

Green - Agreed

DISAPPLICATION

Type of Consent	Disapplication Agreed? (Yes/No)	Protective Provisions Agreed? (Yes / No)