

Mr Luke Simpson

The Planning Inspectorate
Tween Bridge Solar Farm Case Team
c/o QUADIENT
69 Buckingham Avenue
Slough
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Interested Party ref: F1C2DDF91

Your ref: EN010148

Date: 21 July 2026

Order Granting Development Consent for Tween Bridge Solar Farm at land either side of the M180, High Level Banks (the A18) and the Stainforth and Keadby Canal (EN010148)

Deadline 4: Representations on further information submitted at Deadline 3

Dear Sir

Pursuant to Deadline 4, the Environment Agency notes that the Examining Authority invites comments on any other submissions received at Deadline 3. Accordingly, we provide comments on those submissions, relevant to the Environment Agency's remit, together with a summary of the current matters still under discussion with the Applicant.

1.0 3.1 Draft Development Consent Order (Rev 6) [\[REP3-006\]](#)

1.1 *Part 4, Article 19, Discharge of water*

The Environment Agency has received no substantive response from the Applicant in respect of its representation regarding Article 19. We continue to maintain our position that paragraph 19(10) must be deleted. The Environment Agency does not agree to the inclusion of this paragraph because it does not 'own' watercourses, public sewers or drains. While there may be instances where the Environment Agency is a riparian landowner, even in such cases, where outfall infrastructure is required to facilitate discharge into a main river, permission must be sought under the Protective Provisions in Part 5 of Schedule 14 to the DCO. This requirement would apply in addition to the need to obtain consent to discharge into controlled waters under regulation 12(1)(b) of the Environmental Permitting Regulations 2016.

1.2 ***Requirement 14 Construction Environmental Management Plan***

The Environment Agency does not agree to the addition of sub-paragraph (4) to this Requirement, as this now specifically excludes remedial works in respect of contamination from the definition of 'commence' for the purposes of the CEMP. Please also refer to the Environment Agency's response to the Examining Authority's Question Q2.5.2 (Schedules) in relation to this matter.

1.3 ***Article 9 and Schedule 13, Part 5, For the protection of the Environment Agency***

The Environment Agency welcomes the deletion of paragraph 56(5) from the Protective Provisions. We can confirm that these are now agreed, insofar as they relate to the disapplication of Regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016, in respect of flood risk activities only. The Environment Agency reserves the right to seek further amendments to the Protective Provisions, if necessary, following completion of its review of the proposed acquisition of land, rights, and associated interests affecting the Environment Agency.

1.4 ***Request for additional Requirements - Land Contamination & Groundwater and Piling Risk Assessment***

The Environment Agency maintains its position in requesting additional requirements to secure these – please also see our answers to the ExA's questions Q2.5.2 (Schedules) and Q2.14.1 in relation to this.

2.0 **Book of reference [\[REP1-008\]](#)**

2.1 The Environment Agency is continuing to work with the Applicant's land agents to fully understand the implications of the proposed acquisition of land and rights on its undertakings.

2.2 Further information was requested in respect of the planting of species-rich grassland on the flood bank of the Stainforth and Keadby Canal (Plot 3/32). This has recently been received and is being considered by our Asset Performance Team. This land must be mown approximately three to four times per year to comply with flood risk management obligations. Therefore, this area may not be suitable for environmental mitigation, and the Applicant may need to identify suitable alternative land on which to deliver this mitigation.

2.3 The Environment Agency will need to maintain rights of access in certain areas where it is not the landowner to allow flood risk management activities to continue. For example, access will be required to the New Zealand

Pumping Station via Plot 2/67 for both routine maintenance and during flood events.

- 2.4 We will continue to liaise with the Applicant on these matters and update the ExA on progress at the earliest opportunity.

3.0 Biodiversity Net Gain (BNG) Assessment (Rev 3) [\[REP3-028\]](#)

- 3.1 The Environment Agency has reviewed the revised BNG Assessment and the Statutory Biodiversity Metric Calculation Tool [\[CR1-002\]](#) submitted as part of Change Request 1. In our Deadline 1 Written Representations [\[REP1-064\]](#) we outlined that Paragraph 2.12 of the BNG Assessment states that all ditches are to be retained and enhanced, but this was not reflected in the Metric. The submitted Metric still does not appear to reflect the BNG Assessment in this regard. The BNG Assessment also refers to slightly different figures for net gain compared to those included in the Metric.
- 3.2 In our previous representations, we also advised that the Metric did not appear to take into account impacts to existing culverts and new culverts. In line with The Statutory Biodiversity Metric User Guide (June, 2026), we consider that any new culverts should be recorded as lost. The updated Metric includes a note on tab 10, referring to 45 new culverts but it does not record any length of watercourse or units lost. This conflicts with the advice in the BNG Metric User Guide.
- 3.3 As noted in our Deadline 2 Written Representations [\[REP2-102\]](#), it is unclear whether the BNG Metric is complete due to there being no information on the Watercourse Creation tab. We consider it likely that additional enhancements may be required to ensure delivery of 10% net gain for watercourses.

4.0 Detailed Unexploded Ordnance Risk Assessment (Rev 1) [\[REP3-030\]](#)

- 4.1 The Environment Agency welcomes the submission of the Detailed Unexploded Ordnance Risk Assessment and the information provided is acceptable at this stage. Many UXO items contain compounds that can leach into soil if the casing corrodes; these can migrate into groundwater. It is important that the findings of any UXO risk assessment are incorporated, where appropriate, into future site investigations and risk assessments going forward.
- 4.2 If UXO is encountered during construction works, or if updated information comes to light, we should be notified and provided with a report documenting, explaining and demonstrating the location of the UXO, the measures

proposed to safely remove or decommission it, and the measures taken to prevent contamination from being released into the environment and Controlled Waters.

- 4.3 Records and photographic evidence should be obtained at all stages and included within a verification report to demonstrate that the UXO has been dealt with appropriately. We expect matters relating to contamination arising from UXO to be addressed in the same manner as general land contamination. Accordingly, our request for an additional Requirement [see [REP3-082](#) for the exact wording], together with the associated investigation, assessment and remediation procedures, applies equally to this matter.

5.0 Outline Construction Environmental Management Plan (Rev 4) [\[REP3-033\]](#)

- 5.1 We note the additional text added to this plan in respect of unexploded ordnance. The final CEMP will need to incorporate further details to address the information requirements of the Environment Agency, as set out in section 4.0 above.

6.0 Outline Battery Safety Management Plan (Rev 2) [\[REP3-035\]](#)

- 6.1 We welcome the amendments to the outline Battery Safety Management Plan which cross-reference the National Fire Chiefs Council's guidance. We also welcome the assurance that the Applicant will consult the Environment Agency regarding the drainage arrangements for the BESS sites.
- 6.2 We note that paragraph 7.9 has been added to the document to confirm that, as part of the detailed Battery Safety Management Plan (BSMP) [*we assume the reference to a detailed OSMP is a typo*], a post-incident recovery plan will be provided. We recommend that the removal of contaminants from the drainage system is also referenced in this paragraph, as the BSMP will need to set out in detail the measures that will be implemented to remove contaminants from the drainage system following an incident.

Summary

We welcome the additional information that has resolved some of the outstanding issues of concern included in our previous representation. However, there are still some matters that we need to consider further, and we will update the Examining Authority on these during the course of the examination.

Our views are given without prejudice to any future detailed representations that we may make throughout the examination process. We reserve the right to add to or

amend these representations, including requests for DCO Requirements, should further information be forthcoming during the examination on issues within our remit.

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

Yours sincerely

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Sustainable Places Planning Advisor

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