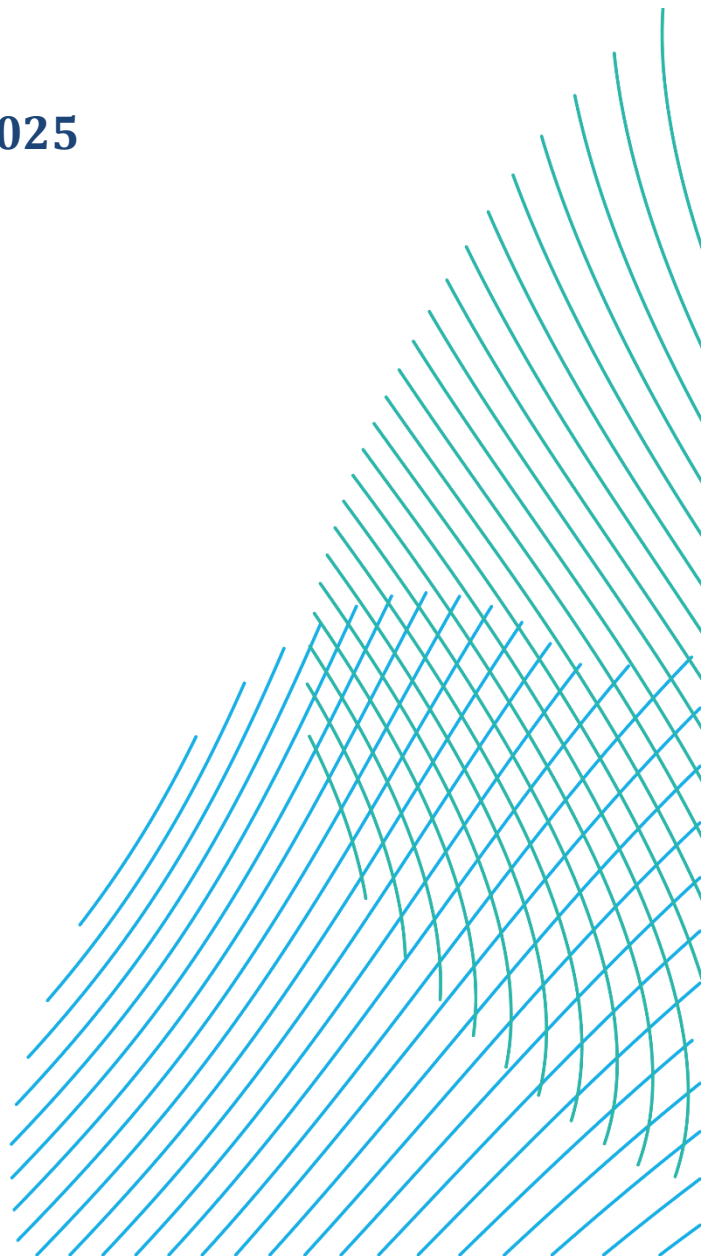




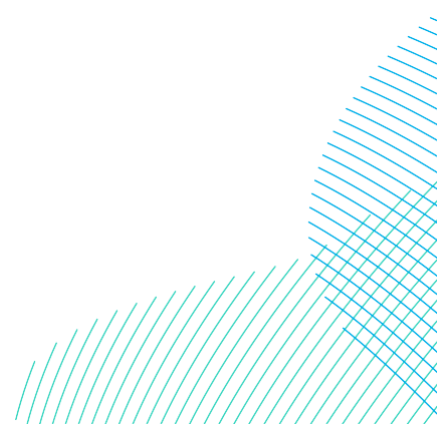
Statement of Common Ground with the Environment Agency (draft)

August 2025



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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Peartree Hill Solar Farm (the 'Proposed Development').
- 1.1.2 The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.
- 1.1.3 The SoCG is a 'live' document that has been prepared collaboratively by the Applicant and the Consultee (the Environment Agency).
- 1.1.4 The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2024 by the Department for Levelling Up, Housing and Communities¹.
- 1.1.5 This Guidance comments that:
"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority".
- 1.1.6 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between the Applicant and the Environment Agency on matters relating to the Proposed Development. Where matters are yet to be agreed, the parties will continue to proactively work to reach agreement.
- 1.1.7 The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and the Environment Agency.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) the Applicant and (2) the Environment Agency.

¹ Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (April 2024)

- 1.2.2 The Environment Agency are responsible for protecting and improving the environment in England. They are the regulator of major industry, waste management, water environment, land, and biodiversity, all of which the Proposed Development has the potential to affect.
- 1.2.3 Collectively, the Applicant and the Environment Agency are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 Section 3 of this document sets out the relevant matters raised though discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
- "Agreed" indicates where the issue has been resolved between the parties and is not anticipated to be subject to further discussions;
 - "Under discussion" indicates where a matter remains in active dialogue between the parties and a final position has not yet been reached;
 - "Not Agreed" indicates where the parties have established a final position that they cannot resolve the matter and will remain a point of difference.

2 Record of Engagement

2.1 Summary of consultation and engagement

- 2.1.1 The parties have been engaged in consultation and engagement throughout the development of the Proposed Development. Table 1 shows a summary of the meetings and correspondence that has taken place between the Applicant and the Environment Agency in relation to the Proposed Development. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

Table 1: Record of Engagement since July 2022

Date	Purpose of engagement	Description
July – October 2022	Initial consultation with the Environment Agency's area team (for Yorkshire).	Online meeting and follow-up correspondence to discuss available flood modelling and to understand what would be required for an application.
26 March 2024	To agree the scope of consultation with the Environment Agency's national team (N.B. all subsequent engagement was with the national team).	Online meeting to confirm the topics on which the Applicant would consult the Environment Agency.
27 March 2024	To agree the scope of the hydraulic modelling.	Online meeting to discuss the scope and approach to the hydraulic modelling.
June – July 2024	To consult on a draft version of the Hydraulic Modelling Report.	Email correspondence regarding a draft version of the Hydraulic Modelling Report (later developed into Appendix C to the submitted ES Volume 4, Appendix 5.6: Flood Risk Assessment [APP-102]).
July 2024	To discuss the Environment Agency's response to the Preliminary Environmental Information Report	Online meeting and follow-up correspondence to discuss the Environment Agency's comments on the PEIR and the draft version of the Hydraulic Modelling Report.

Date	Purpose of engagement	Description
	(PEIR) and the draft Hydraulic Modelling Report.	
22 July 2024	To consult on a draft version of the WFD Screening and Scoping Report.	Online meeting to discuss the Environment Agency's comments on the document later developed into the submitted ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [APP-102] .
August 2024	To seek approval of the Hydraulic Modelling Report Addendum.	Email correspondence regarding the Hydraulic Modelling Addendum (that had been requested following the meeting on 1 July 2024).
October – November 2024	To consult on the draft Development Consent Order and Explanatory Memorandum.	Email correspondence to discuss working versions of the documents that were developed into the submitted Draft Development Consent Order [APP-019] and the submitted Explanatory Memorandum [APP-020] .
November 2024	To consult on the disapplication of licencing.	Email correspondence to discuss the proposed disapplication of relevant licencing.
November 2024 – January 2025	To provide an update on the project, to outline how the Environment Agency's statutory consultation comments had been addressed in the relevant DCO Application documentation and to reach agreement on any outstanding issues prior to submission.	Email correspondence to consult on the following documents: <ul style="list-style-type: none"> • A draft version of the Habitats Regulations Assessment – Information to Inform Appropriate Assessment (later developed into the submitted Habitats Regulations Assessment - Information to inform Appropriate Assessment [APP-145]);

Date	Purpose of engagement	Description
		<ul style="list-style-type: none"> An updated draft version of the WFD Screening and Scoping Report (later developed into the submitted ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [APP-101]) A draft version of the Flood Risk Assessment (FRA) (later developed into the submitted ES Volume 4, Appendix 5.6: Flood Risk Assessment [APP-102]).
January 2025	To reach agreement that a full WFD Assessment was not required and that Water could be scoped out as an ES chapter.	Online meeting and follow-up correspondence to discuss the Environment Agency's comments on the draft WFD Screening and Scoping Report and the draft FRA.
26 February 2025	To make the Applicant aware of updated flood and coastal erosion risk data.	Email from the Environment Agency stating that new flood and coastal erosion risk data had been released on 28 January 2025 with further data to be published on 25 March 2025, and requesting that the Applicant assess the implications of this.
April 2025	To consult on protective provisions.	Email correspondence relating to the Applicant's proposed amendments to the Environment Agency's updated protective provisions (dated January 2025).
24 April 2025	Monthly progress meetings throughout the Pre-examination and Examination period.	Online meetings to discuss the Environment Agency's relevant representation responses and how the
23 May 2025		
26 June 2025		
24 July 2025		

Date	Purpose of engagement	Description
		Applicant proposes to address them
5 June 2025	To discuss potential impacts of electro-magnetic fields (EMF) on fish.	Online meeting to clarify the information required in relation to assessment of EMF impacts and fish.

3 Current Position

- 3.1.1 The table below provides a summary of the current position of the Applicant and the Environment Agency in relation to specific matters that have been under discussion to date.
- 3.1.2 Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.
- 3.1.3 As noted above, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement has been reached between the parties.

Table 2: Current position of the Applicant and the Environment Agency in relation to specific matters that have been under discussion to date

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
Ecology				
EA01	Biodiversity Net Gain (BNG) Strategy <i>Biodiversity</i>	In their relevant representation [RR-005] (Appendix C), the Environment Agency indicates that it is satisfied with the Applicant's BNG Strategy.	The Applicant welcomes this response. See ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [APP-114] for details.	Agreed
EA02	Figham Pastures Local Wildlife Site (LWS) – HDD <i>Biodiversity</i>	In their relevant representation [RR-005] (EA08), the Environment Agency requests that construction should avoid the large sedge bed on Figham Pastures Local Wildlife Site (LWS), close to the River Hull and south of Beverley Beck. The Environment Agency suggests that the proposed HDD under the River Hull be extended across the LWS to avoid directly damaging habitats on the site at all.	The final cable design and HDD pit location have not yet been determined as survey work at the detailed design stage will determine the most appropriate locations. A number of technical constraints exist which require further investigation until viability can be determined, and a detailed cable route design will be produced post-consent. However, the Applicant intends to HDD under the River Hull and continue the HDD until after Beverley and Barmston drain, thereby HDD-ing under the large sedge bed that lies between the two watercourses. The Applicant will continue to consider all options and will continue to engage with the Environment Agency on this matter.	Under discussion
EA03	Electro-magnetic fields (EMF) and fish <i>Biodiversity</i>	In their relevant representation [RR-005] (EA18), the Environment Agency feels there is insufficient evidence or detail to support the assumption that electro-magnetic fields (EMF) from cables at 7m	Section 7.5 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2] has been updated to provide additional information of existing studies on	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
		depth under the River Hull will not have an impact on fish. The Environment Agency requests details of the magnetic field strength and how it compares to natural background levels.	<p>known magnetic fields from National Grid monitoring of cables buried at approximately 1m, which shows magnetic field levels below those which occur naturally. Given that the depth of cables under the River Hull for the Proposed Development would be seven times greater, it is reasonable to assume that the resultant magnetic field would be even lower and much less than the naturally occurring magnetic field. As such, no significant effects are anticipated.</p> <p>The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2] is submitted alongside this document at Deadline 1.</p>	
EA04	<p>River lamprey – timing of works</p> <p><i>Biodiversity</i></p>	In their relevant representation [RR-005] (EA19), the Environment Agency acknowledges that the Applicant states “preferred timings to undertake the HDD would be during spring/summer (April to September)” in the HRA, but the Environment Agency wishes to see a commitment to completing the HDD crossings of the River Hull between April to September to avoid noise and vibration impacts during the peak lamprey migration period, and for this to be secured through the CEMP.	<p>The preferred timings to undertake the HDD would be during spring/ summer (April to September), when the ground conditions would be drier, which would avoid the peak river lamprey migration period. While the Applicant cannot commit to this restriction at this stage, it will adhere to these timings where possible.</p> <p>As detailed in Section 7.5 of the updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2], in the unlikely event that it is not possible to avoid the River Lamprey migration period, no adverse</p>	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
			<p>effects on the integrity of the SAC/Ramsar site populations are anticipated given that the HDD under the River Hull would be at a minimum depth of 7m, very short-term (estimated to take a maximum of 24 hours), and that fish without a swim bladder (which includes lamprey) have the lowest sensitivity to noise/ vibration.</p> <p>The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2] is submitted alongside this document at Deadline 1.</p>	
EA05	Mammal entrapment <i>Biodiversity</i>	In their relevant representation [RR-005] (EA21), the Environment Agency requests that the Outline CEMP be updated to include measures to mitigate the risk of mammal entrapment from open trench cutting.	The Applicant agrees to this request. The Outline Construction Environmental Management Plan (Outline CEMP) [EN010157/APP/7.2 Revision 2] has been updated to include such measures and is submitted alongside this document at Deadline 1.	Under discussion
Water Resources				
EA06	Abstraction/ De-watering and consumptive water supply <i>Water Resources</i>	In their relevant representation [RR-005] (EA20), the Environment Agency notes that abstraction is considered to be unlikely but should pumping or dewatering activities be required, applications would be made by the contractor before abstraction or impoundment commences. It notes that the water requirement for HDD has not been evaluated.	<p>The Applicant notes the need to appraise water supply sources and secure adequate licences early in the pre-construction programme.</p> <p>The Applicant has produced a standalone water resources note (Appendix 1 - Water Resources Technical Note to the Response to Relevant Representations [EN010157/APP/8.3], which is submitted alongside this document at Deadline 1) to clarify that water used during construction</p>	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
		<p>In their relevant representation [RR-005] (EA23), the Environment Agency also notes that adequate water supply would be required during construction for activities such as dust/ particulate matter suppression, wheel washing, etc, but such a supply has not been identified</p> <p>The Environment Agency recommends that a water supply strategy is undertaken to options appraise different sources of supply well in advance of commencement, as part of the planning phase of the project, which can include potential for the need to abstract for dewatering, noting that it is at the Applicant's risk (in terms of potential delays) if adequate licences have not been identified and secured ahead of construction commencement.</p>	<p>would be tankered in from mains and therefore no abstractions would be required. There will be a betterment in terms of water use during operation, compared to the existing water use within the Order Limits, given the negligible use when the Proposed Development is operational.</p> <p>No water is to be abstracted for HDD works. HDD wastewater (including bentonite) will be removed from site in bowser trucks and, where necessary, remaining wastewater will be incarcerated within the launch pit and transported to a specialised local facility for disposal. Should abstraction be required, suitable licences would be sought post consent and prior to commencement of Proposed Development.</p>	
Flood Risk				
EA07	Flood modelling <i>Hydrology and Flood Risk</i>	In a letter dated 29 August 2024, the Environment Agency confirmed that the hydraulic modelling was appropriate and considered fit for purpose.	The Applicant welcomes this response. The Hydraulic Modelling Report and the Hydraulic Addendum can be found at Appendix C of ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] .	Agreed
EA08	Sequential Test	In their relevant representation [RR-005] (Additional advice), the Environment Agency indicates it is satisfied that the Applicant has addressed the need for the	The Applicant welcomes this response. See the Planning Statement [APP-147] and ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] for details.	Agreed

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
	<i>Hydrology and Flood Risk</i>	Sequential Test within its Planning Statement (it is not the Environment Agency's role to determine whether or not the Sequential Test has been passed).		
EA09	Lifetime of the Proposed Development <i>Hydrology and Flood Risk</i>	In their relevant representation [RR-005] (EA11), the Environment Agency notes that the FRA is based on 'decommissioning commencing before 2070' and requests that the Applicant consider the inclusion of a Requirement that will ensure that decommissioning is completed no later than 2070 or extends the assessment of risk and climate change allowances into the 2080s epoch (2070 and beyond).	<p>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] and the supporting modelling are based on more severe flow increases than the climate change allowances in the period 2070-2125. Consequently, should the lifetime of the Proposed Development extend marginally into the 2080s epoch, the FRA concludes that the Proposed Development is resilient to anticipated flood risk for that short period. Therefore, the mitigation recommended in the FRA is a robust approach to safeguarding against the potential of extreme climate change over the whole lifetime of the Proposed Development. Finally, it should be noted that the Decommissioning Environmental Management Plan would be based on the flood risk profile and best available information on flood risk posed to the Site at that time.</p> <p>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] has been updated to include text to address the decommissioning timing and is submitted alongside this document at Deadline 1.</p>	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
EA10	Impacts on flood defences <i>Hydrology and Flood Risk</i>	In their relevant representation [RR-005] (EA12), the Environment Agency requests that the Applicant confirm crossing types for all crossings and provide drawings for areas where there is potential for interaction with flood defences (within 8 metres of landward toe), confirming minimum distances. Any below ground crossings should investigate any interactions with embankments or other structures and ensure they do not compromise flood defence foundations.	It is the Applicant's intention to utilise existing culvert crossings and/or bridge structures where possible. Pre-construction structural surveys will be undertaken to determine the most appropriate crossing at each location (it is expected that the pre-construction surveys would result in the number of new culverts required to be lower than is shown on ES Volume 3, Figure 3.6: Indicative Culvert Crossing Points [APP-060]). Crossing design is controlled by the protective provisions within the Draft Development Consent Order [EN010157/APP/3.1 Revision 4] , which require a detailed design to be submitted to the Environment Agency for approval at the detailed design stage.	Under discussion
EA11	Risk of surface water flooding update <i>Hydrology and Flood Risk</i>	In their relevant representation [RR-005] (EA14), the Environment Agency requests that the Flood Risk Assessment be updated to reference the latest Risk of Flooding from Surface Water mapping data, which was superseded by more recent data, published in January 2025.	The Applicant agreed to this request. The updated ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] that was submitted to the Planning Inspectorate on 8 July 2025 reflected the latest Risk of Flooding from Surface Water mapping data from January 2025, as well as the revised Flood Map for Planning updates from March 2025.	Under discussion
EA12	Functional floodplain <i>Hydrology and Flood Risk</i>	In their relevant representation [RR-005] (EA15), the Environment Agency notes that the FRA indicates that all water sensitive equipment will be outside of the modelled 1 in 20-year event and therefore	The Applicant agrees to this request. In the absence of modelled 1 in 30-year event outputs, ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] has been updated to use the 1 in 50-year outputs	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
		outside of Flood Zone 3b, the functional floodplain. However, the Environment Agency feels the functional floodplain extent could be underestimated and therefore requests confirmation that water sensitive equipment is located outside of the 1 in 30-year flood extent.	to ensure a conservative estimate and is submitted alongside this document at Deadline 1. This confirms no sensitive equipment is to be placed in the 1 in 50-year extent nor any stockpiling located in this area.	
EA13	Temporary construction impacts - Cumulative impacts to flood risk <i>Hydrology and Flood Risk</i>	In their relevant representation [RR-005] (EA17), the Environment Agency is pleased to note that stockpiling is proposed to be outside of the 1 in 20-year event outline but requests that the Applicant undertake an assessment of the cumulative impacts to flood risk, such as multiple storage areas and multiple new crossings over main rivers. This assessment should inform the design approach. It is best practice to minimise impacts from crossing structures and where possible use clear span designs.	ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] , and associated modelling, has been updated to simulate the impact of stockpiled material being located in the floodplain, resulting in a negligible impact on predicted flood levels and is submitted alongside this document at Deadline 1. As set out in ref. EA10 in this table, crossing types will be confirmed at the detailed design stage following structural survey work. They will be designed so that they do not compromise existing flood defence assets or have a significant adverse impact on flood risk, channel flows or watercourse morphology in order to ensure compliance with relevant policy and legislation. Detailed design drawings will be submitted to the Environment Agency under the protective provisions for approval, and this will be accompanied by an assessment of the impact on flood risk and hydrology.	Under discussion
Water Quality				

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
EA14	WFD - pollution mitigation <i>Water Resources</i>	In a letter dated 13 January 2025, the Environment Agency confirmed that matters relating to mitigating potential pollution in relation to groundwater and contaminated land could be addressed outside the scope of the WFD assessment process.	The Applicant welcomes this response.	Agreed
EA15	Water Framework Directive (WFD) Assessment <i>Water Resources</i>	In a letter dated 22 January 2025, the Environment Agency confirmed that a full WFD Assessment was not required based on the conclusions of the WFD Screening and Scoping Report.	The Applicant welcomes this response. See ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [EN010157/APP/6.4 Revision 2] for details.	Agreed
EA16	Damage to land drains <i>Water Resources</i>	In their relevant representation [RR-005] (EA10), the Environment Agency requests that the Applicant update the Outline CEMP to include a commitment to inspect land drains to ensure no damage has occurred or pollution pathways created. If land drains have been damaged, then a remediation plan should be implemented during the construction phase.	The Applicant agrees to this request. The Outline CEMP [EN010157/APP/7.2 Revision 2] has been updated to include the commitment to inspect land drains to ensure no damage has occurred or pollution pathways created. If land drains have been damaged, any remedial works will be identified and a plan for their delivery will be implemented. The updated Outline CEMP [EN010157/APP/7.2 Revision 2] is submitted alongside this document at Deadline 1.	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
EA17	Land Drains Risk Assessment <i>Water Resources</i>	In their relevant representation [RR-005] (EA24), the Environment Agency requests that the Outline CEMP be updated to include completion of a risk assessment of damaged land drains. This assessment should determine if mitigation is required to protect controlled waters.	The Outline CEMP [EN010157/APP/7.2 Revision 2] has been updated to include a commitment to complete a risk assessment of damaged land drains to determine if mitigation is required to protect controlled waters. If mitigation is required to protect controlled waters, this will be secured through the Construction Environmental Management Plan. The updated Outline CEMP [EN010157/APP/7.2 Revision 2] is submitted alongside this document at Deadline 1.	Under discussion
Groundwater Protection				
EA18	Surface Water Drainage Strategy <i>Water Resources</i>	In their relevant representation [RR-005] (EA16), the Environment Agency requests that the Applicant provide a detailed drainage strategy that demonstrates how surface water will be managed, including at BESS compounds, converters, substation and inverter locations to ensure pollution prevention measures are robust given the sensitive groundwater receptors beneath the Site. This should include measures to protect controlled water receptors from contamination. This should be supported by the completion of conceptual site model outlining possible pollutants, pathways and receptors.	ES Volume 4, Appendix 10.1: Preliminary Risk Assessment [APP-124 – APP-126] incorporates an initial conceptual site model based on desk-based assessment and sets out that this will be refined following completion of pre-construction, intrusive site investigation work to determine the viability of the potential contaminant linkages and conclude whether additional work is required or whether the potential contamination linkage to be considered to be not viable. The Applicant will continue to engage with the Environment Agency regarding the management of surface water.	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
EA19	Hydrogeological Risk Assessment <i>Water Resources</i>	In their relevant representation [RR-005] (EA22), the Environment Agency requests the production of a site-specific Hydrogeological Risk Assessment to assess risks to sensitive groundwater receptors in relation to HDD crossings. This should be included as an appendix to the CEMP, with the Outline CEMP updated to reflect this.	The Applicant has committed to undertaking pre-construction intrusive site investigation work, which will provide site-specific information on the existing groundwater conditions at proposed HDD crossing locations. There will also be information available from the wider site investigation that will provide details of whether there are any existing potential contamination sources. This set of data will be reviewed to present a refined conceptual site model for the Proposed Development. This will allow any outstanding potential risks to be identified, and at this point it can be determined which (if any) of the HDD crossing points require further assessment in terms of risks to groundwater. The need for specific crossing point Hydrogeological Risk Assessments could then be determined on a location-specific basis, with consultation and agreement from the Environment Agency.	Under discussion
EA20	Decommissioning of below ground cables <i>Water Resources</i>	In their relevant representation [RR-005] (EA25), the Environment Agency requests that the Decommissioning Environmental Management Plan include an environmental risk assessment prior to the decommissioning phase, to assess the best environmental options and determine the final approach regarding leaving below ground cables in situ at the end of the Proposed Development's life. If the	The Applicant agrees to this request. The Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010157/APP/7.4 Revision 2] has been updated to include a commitment to undertake an environmental risk assessment prior to the decommissioning phase with regard to cables being left in situ.	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
		Applicant wants to leave cables in-situ indefinitely, they must demonstrate that it would not pose a potentially significant source of contamination to controlled waters.	The updated Outline DEMP [EN010157/APP/7.4 Revision 2] is submitted alongside this document at Deadline 1.	
EA21	Outline Soil Management Plan – Remediation Strategy <i>Water Resources</i>	In their relevant representation [RR-005] (EA26), the Environment Agency requests that the Outline Soil Management Plan be updated to include details on how any required remediation would be carried out in accordance with its Land Contamination Risk Management guidance.	The Applicant agrees to this request. The Outline Soil Management Plan (Outline SMP) [EN010157/APP/7.8 Revision 2] has been updated to state that any remediation of contamination that is determined to be necessary prior to construction works commencing for the Proposed Development would be carried out in accordance with the Environment Agency's Land Contamination Risk Management guidance. The updated Outline SMP [EN010157/APP/7.8 Revision 2] is submitted alongside this document at Deadline 1.	Under discussion
Waste				
EA22	Waste Management Strategy <i>Waste</i>	In their relevant representation [RR-005] (Appendix C), the Environment Agency indicates that it is satisfied with the Applicant's approach to waste management.	The Applicant welcomes this response. Waste management measures are set out in the relevant management plans, including the Outline Operational Environmental Management Plan [EN010157/APP/7.3 Revision 2] , Outline DEMP [EN010157/APP/7.4 Revision 2] and Outline Site Waste Management Plan [APP161] .	Agreed
Geomorphology				
EA23	Use of Culverts	In their relevant representation [RR-005] (EA06), the Environment Agency requests	It is the Applicant's intention to utilise existing culvert crossings and/or bridge structures where	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
	<i>Hydrology and Flood Risk</i>	that the Applicant avoid the use of culverts wherever possible. Should there be no reasonable alternative to installing a new culvert, clear justification must be given, including any reasons why the culvert is required beyond the construction phase, and impacts should be assessed across all phases if needed. Where existing culverts require upgrading/ reinforcing due to project needs, the Applicant should consider replacing them with clear span options.	<p>possible. For the purposes of the assessment, 20 locations (see ES Volume 3, Figure 3.6: Indicative Culvert Crossing Points [APP-060]) are assumed to require either the installation of a temporary span bridge or culvert, or reinforcement or widening of the existing culvert/bridge structure. To ensure a worst-case scenario has been assessed, it has been assumed that all existing crossings will require a new culvert structure. It is however expected that following pre-construction structural surveys the number of new culverts required would be lower.</p> <p>The crossings over minor watercourses, which are likely to be wet for much of the year, would be facilitated by box culverts. These would be fitted with a mammal shelf and the bed substrate would match that of the watercourse within the vicinity of the crossing.</p>	
EA24	<p>Culverts – Post Decommissioning</p> <p><i>Hydrology and Flood Risk</i></p>	In their relevant representation [RR-005] (EA07), the Environment Agency notes that culverts are proposed to remain in-situ after decommissioning and requests that the Applicant fully consider the need for culverts across all phases of the Proposed Development. Should there be no reasonable alternative, the Applicant should consider what impact the removal of culverts (if installed/reinforced) would	The Applicant will continue to engage with the Environment Agency on this matter.	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
		have in terms of meeting (and possibly exceeding) WFD objectives.		
Environmental Statement (ES) – scoping out factors as standalone chapters				
EA25	Water <i>Approach to EIA</i>	In a letter dated 22 January 2025, the Environment Agency agreed that Water could be scoped out as a chapter in the ES on the basis that the Flood Risk Assessment and Water Framework Directive Screening and Scoping Report would be submitted with the DCO application; groundwater impacts would continue to be scoped in via the Land, Soil and Groundwater ES chapter; and any remaining issues would be addressed through the DCO Examination.	The Applicant welcomes this response. Please see ES Volume 2, Chapter 5: Approach to the EIA [APP-041] , ES Volume 2, Chapter 10: Land, Soil and Groundwater [APP-046] , ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [EN010157/APP/6.4 Revision 2] and ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3] for details.	Agreed
EA26	Major accidents and disasters <i>Approach to EIA</i>	The Environment Agency confirmed that this topic could be scoped out of the ES at the Environmental Impact Assessment Scoping stage (see ES Volume 4, Appendix 5.2: Scoping opinion [APP-098]).	The Applicant welcomes this response. Mitigation measures are secured in relevant management plans. See ES Volume 2, Chapter 5: Approach to the EIA [APP-041] for details.	Agreed
Development Consent Order – Requirements				
EA27	DCO definitions - permitted preliminary works	In their relevant representation [RR-005] (EA01), the Environment Agency requests that either '(e) remedial work in respect of any contamination or other adverse ground conditions' is removed from the "site	The Applicant's proposed drafting is consistent with the majority of recently made solar DCO decisions (including the East Yorkshire Solar Farm Order 2025, the West Burton Solar Project Order 2025, and Heckington Fen Solar Park	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
	<i>Human Health</i>	preparations work” definition in Article 2, or Requirement 4 is amended to include the following clause, “for the purposes of 4(1) ‘commence’ must include ‘remedial work in respect of any contamination to ensure that remedial works benefit from the mitigation measures within the Construction Environmental Management Plan (CEMP).	Order 2025) and thus reflects a well precededent approach. The drafting has been included to ensure that there is a proportionate degree of flexibility available to the Applicant, since without it the carrying out of each of the activities comprised within the definition of “permitted preliminary works” would be sufficient to require the submission of detailed plans for approval under Schedule 2 to the draft Development Consent Order. This would be disproportionate to the nature of the works involved, which are, in each case, minor and are not expected to give rise to any significant environmental effects.	
EA28	Consultation on Requirement 4 <i>Human Health</i>	In their relevant representation [RR-005] (EA02), the Environment Agency requests to be a named consultee for the discharge of Requirement 4 (CEMP).	The Applicant agrees to this request. The Draft Development Consent Order [EN010157/APP/3.1 Revision 4] has been amended accordingly and is submitted alongside this document at Deadline 1.	Under discussion
EA29	Consultation on Requirement 6 <i>Consultation and Engagement</i>	In their relevant representation [RR-005] (EA03), the Environment Agency requests to be a named consultee for the discharge of Requirement 6 (Soil Management Plan) with regard to potential impacts to groundwater.	The mechanism to manage/ prevent groundwater contamination is contained within the Outline CEMP [EN010157/APP/7.2 Revision 2] . The Environment Agency has been added as a consultee on Requirement 4 (CEMP) in the updated Draft Development Consent Order [EN010157/APP/3.1 Revision 4] , which is submitted alongside this document at Deadline 1. This is considered to give the Environment Agency sufficient opportunity to review the	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
			measures to manage/ prevent groundwater contamination.	
EA30	Consultation on Requirement 8 <i>Human Health</i>	In their relevant representation [RR-005] (EA04), the Environment Agency requests to be a named consultee for the discharge of Requirement 8 (Battery Safety Management Plan).	The Applicant agrees to this request. The Draft Development Consent Order [EN010157/APP/3.1 Revision 4] has been amended accordingly and is submitted alongside this document at Deadline 1.	Under discussion
EA31	Unsuspected contamination <i>Human Health</i>	In their relevant representation [RR-005] (EA05), the Environment Agency requests the inclusion in the DCO of an additional Requirement to deal with unsuspected contamination. The commitments in the Commitment Register relating to how unexpected contamination will be managed are not considered sufficiently robust.	<p>The Applicant considers it more appropriate for this to be addressed in ES Volume 4, Commitments Register [EN010157/APP/6.4 Revision 2] and the Outline CEMP [EN010157/APP/7.2 Revision 2] and Outline DEMP [EN010157/APP/7.4 Revision 2], which have been updated to include a commitment for unsuspected contamination based on the wording provided by the Environment Agency in their relevant representation (EA05).</p> <p>The updated documents are submitted alongside this document at Deadline 1.</p>	Under discussion
Consents and Permitting				
EA32	Disapplication of permits – Environmental Permitting Regulations 2016	In their relevant representation [RR-005] (Disapplication of Legislative Provisions), the Environment Agency agrees in principle to the disapplication of Regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 in respect of	The Applicant will continue to engage with the Environment Agency to agree to the protective provisions for the benefit of the Environment Agency prior to the close of the Examination. The Applicant will share details of proposed crossings and associated work once the detailed designs	Under discussion

Ref	Topic	Environment Agency's Position	Applicant's Position	Status
	<i>Policy and Legislation</i>	flood risk activity permits, subject to the agreement and inclusion of suitable protective provisions within the DCO. This is also subject to the Applicant providing detailed drawings of any new structures and a basic method statement for all major works.	are sufficiently progressed (see ref. EA10 in this table).	
EA33	Disapplication of permits – Water Resources Act 1991 <i>Policy and Legislation</i>	In their relevant representation [RR-005] (Disapplication of Legislative Provisions), the Environment Agency is not in a position to agree to disapplication of byelaws made under paragraphs 5, 6 or 6A of Schedule 25 (byelaw making powers of the appropriate agency) of the Water Resources Act 1991 in respect to byelaws, without demonstration of need by the Applicant.	The disapplication of the byelaws made under paragraphs 5, 6 or 6A of Schedule 25 of the Water Resources Act 1991 is sought on the basis that byelaws made under those provisions address matters whose merits and acceptability can, and will, already have been sufficiently considered and resolved if the Development Consent Order is made, including by means of the protective provisions currently under discussion with the Environment Agency. Such matters should therefore not be the subject of further regulatory consideration or control, which would cause unnecessary uncertainty and duplication, and may unjustifiably delay the implementation of the Proposed Development.	Under discussion

4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:
On behalf of the Environment Agency:
Name:

Signature:

Date:
On behalf of the Applicant:
Name:

Signature:

Date:

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