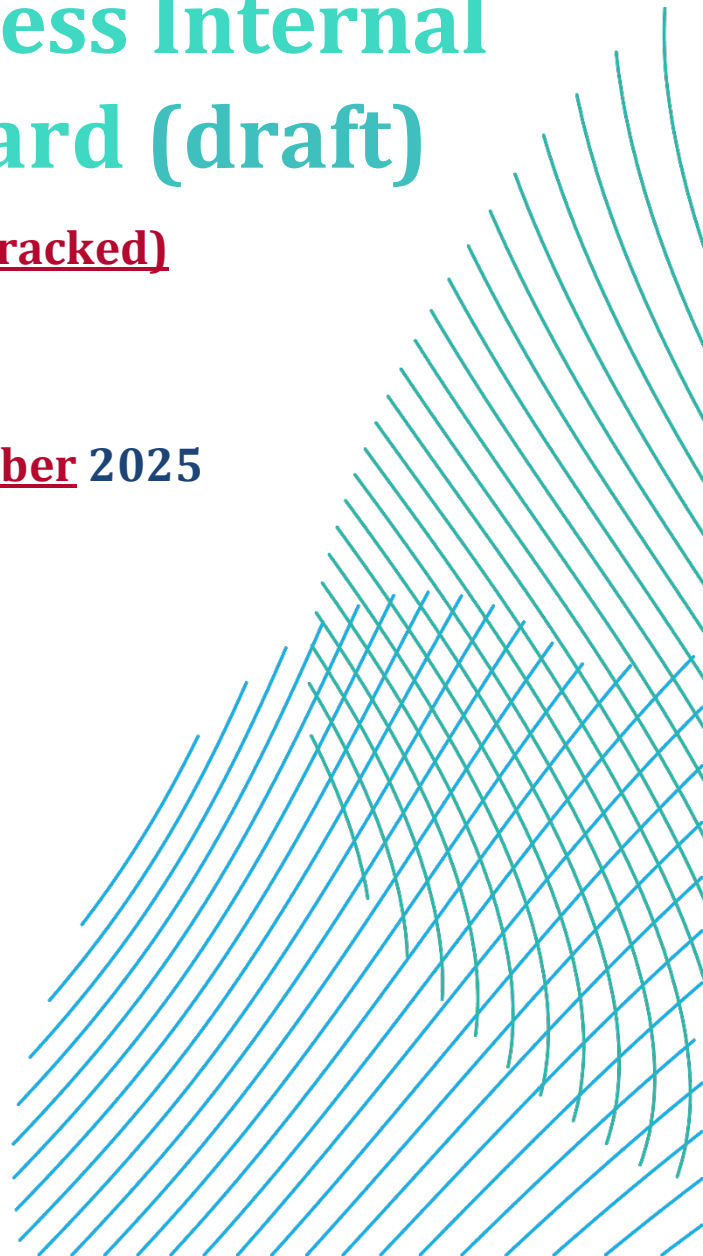




# Statement of Common Ground with Beverley and North Holderness Internal Drainage Board (draft)

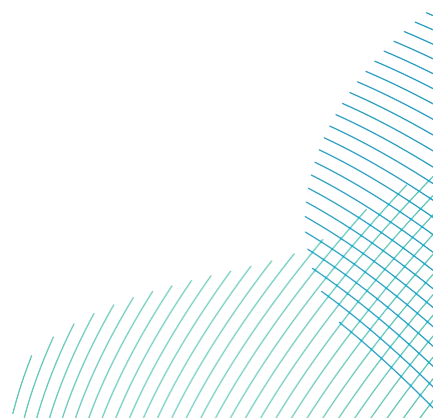
Revision 2 (tracked)

August~~September~~ 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 (Beverley and North Holderness Internal Drainage Board).
- 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 Communities<sup>1</sup>.
- 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".*

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

- 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 Beverley and North Holderness Internal Drainage Board 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 Beverley and North Holderness Internal Drainage Board.

## **1.2 Parties to this Statement of Common Ground**

- 1.2.1 This SoCG has been prepared by (1) the Applicant and (2) Beverley and North Holderness Internal Drainage Board.
- 1.2.2 The Beverley and North Holderness Internal Drainage Board works to manage the water levels and reduce flood risk to people and property. There is the potential for the Proposed Development to have an effect on water bodies managed by the Beverley and North Holderness Internal Drainage Board.
- 1.2.3 Collectively, the Applicant and Beverley and North Holderness Internal Drainage Board 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 Beverley and North Holderness Internal Drainage Board 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 June 2024**

Date	Purpose of engagement	Description
6 June 2024	To agree the approach to surface water drainage.	Online meeting to discuss the approach to drainage and mitigation of possible prolonged periods of flooding.
November – December 2024	To consult on the disapplication of licencing.	Email correspondence to discuss the proposed disapplication of relevant licencing.
23 January 2025	To confirm that Water would be scoped out as an ES chapter.	Email from the Applicant stating that, in agreement with the Environment Agency, surface water and flood risk would be scoped out of the ES.
<u>September 2025</u>		<u>Email correspondence to confirm the Board's position.</u>
June 2025	To provide an update on the Proposed Development and to consult with the Board on the documents submitted in support of the DCO Application.	Online meeting to discuss updates to the Flood Risk Assessment (that was developed into the <b>ES Volume 4 Appendix 5.6 Flood Risk Assessment [PAD-021 – PDA-028]</b> submitted at Procedural deadline A) and follow-up correspondence regarding the surface water drainage strategy.

### 3 Current Position

- 3.1.1 The table below provides a summary of the current position of the Applicant and Beverley and North Holderness Internal Drainage Board 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 Beverley and North Holderness Internal Drainage Board in relation to specific matters that have been under discussion to date**

Ref	Topic	Beverley and North Holderness Internal Drainage Board Position	Applicant's Position	Status
IDB01	Riparian buffers  <i>Hydrology and Flood Risk</i>	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board ('the Board') states that, as a general principle, no development should occur within 9 metres (m) of the top of the embankment of any Board-maintained watercourse. For ordinary (non-Board maintained) watercourses, the required buffer is 3m for buildings, structures, fences, walls, planting, or hardstanding, and 9m for solar PV modules.	The Applicant agrees to this request. The design of the Proposed Development has incorporated the buffers required by the Board.  To the extent that any work was proposed in, on, under, over or within 9m from bank top of a watercourse under the control of the Board, this would need to be agreed with the Board pursuant to the protective provisions set out in Schedule 12, Part 3 (For the protection of the drainage authorities) of the <b>Draft Development Consent Order (DCO) [EN010157/APP/3.1 Revision 4]</b> .	Agreed
IDB02	Access tracks  <i>Hydrology and Flood Risk</i>	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board states that if Type 3 material (with a 30% voids ratio) is used for access tracks, this is viewed as "permeable" and not requiring a drainage strategy. If Type 1 materials or other impermeable materials are used, this is viewed as "impermeable" and requiring a drainage strategy.	Internal access track design, including materials, will be confirmed as part of the detailed design stage and submitted to East Riding of Yorkshire Council for approval as part of Requirement 3 of the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> .  The Applicant will continue to liaise with the Board on this matter.	Under discussion
IDB03	Bridge/culvert	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal	The Applicant agrees to this request. It is the Applicant's intention to utilise existing culvert	Agreed

Ref	Topic	Beverley and North Holderness Internal Drainage Board Position	Applicant's Position	Status
	crossings over watercourses  <i>Hydrology and Flood Risk</i>	Drainage Board requests that details of any bridge/ culvert crossings over any watercourses within its district will need to be discussed and agreed with the Board.	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 crossings required to be lower than is shown on <b>ES Volume 3, Figure 3.6: Indicative Culvert Crossing Points [APP-060]</b> ). Crossing design would be controlled by the protective provisions within Part 3 of Schedule 12 to the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> , which require plans to be submitted to the Board for approval at the detailed design stage.  <b>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3]</b> and <b>ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping report [EN010157/APP/6.4 Revision 2]</b> have been updated to clarify the approach to watercourse crossings and are submitted at Deadline 1.	
IDB04	Cables	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board requests that the Applicant seek prior written consent	The Applicant agrees to this request. As set out in the <b>Outline Construction Environmental Management Plan [EN010157/APP/7.2 Revision 2]</b> the Applicant proposes to use	Under discussion



Ref	Topic	Beverley and North Holderness Internal Drainage Board Position	Applicant's Position	Status
	<i>Hydrology and Flood Risk</i>	from the Board if proposing to insert a cable under a watercourse within the Board's district. The Board would prefer for any cables crossing watercourses to be laid above any existing culverts so that they do not affect water flows and do not therefore require the Board's consent in terms of the cables themselves. If this is not feasible, directional drilling must be used. The Board will not accept open cut crossings.	horizontal directional drilling (HDD) or crossings above watercourses. The Applicant is not proposing to use open cut methods to cross Board-maintained watercourses.  The Applicant notes the need to seek written approval from the Board prior to installing cables over or HDD-ing under watercourses within the Board's district and this is secured in the protective provisions for the benefit of the Board set out in the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> .	
IDB05	Disapplication of legislation  <i>Policy and Legislation</i>	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board confirms it is in agreement in principle with the disapplication of sections 23, 30, and 32 of the Land Drainage Act 1991 on the basis that the protective provisions set out in Part 3 of Schedule 12 of the draft Development Consent Order would have effect. The Board confirms agreement with the protective provisions other than in relation to Section 17 of Part 3 Schedule 12, where it requests clarification that the	The Applicant welcomes this response. The protective provisions in Schedule 12, Part 3 of the <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> have been amended to state that the 9m buffer will be measured from bank top.  The updated <b>Draft DCO [EN010157/APP/3.1 Revision 4]</b> is submitted at Deadline 1.	Under discussion

Ref	Topic	Beverley and North Holderness Internal Drainage Board Position	Applicant's Position	Status
		9m buffer would be from bank top rather than the water's edge or centre of the watercourse.		
IDB06	Surface water drainage strategy – solar panels  <i>Hydrology and Flood Risk</i>	In its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board confirms it will not request a drainage strategy for the solar panels themselves on the basis that there must be a greenfield buffer area of 9m from the bank top of a Board-maintained watercourse and to an ordinary (non-Board maintained) watercourse, and that the area underneath the solar panels must have continuous grass/ vegetation all year round.	The Applicant welcomes this response. As set out in the <b>Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3]</b> , the design of the Proposed Development includes a minimum 10m offset from all watercourses (other than locations where span bridges are required to be installed or where existing crossing points or culverts require upgrading) and the solar PV modules would have grass beneath them year-round.	Agreed
IDB07	Surface water drainage strategy – inverters, substations, compounds  <i>Hydrology and Flood Risk</i>	It was originally agreed with East Riding of Yorkshire Council (Local Lead Flood Authority) and the Beverley and North Holderness Internal Drainage Board in an online meeting on 6 June 2024 that there would be no positive drainage. Instead, rainwater would be directed to ground as per the existing Site response to rainfall.	The concept drainage strategy within <b>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3]</b> has been updated to include a formal drainage strategy (with positive drainage) for the substation hardstanding areas. The Applicant proposes to drain the proposed hybrid pack areas to ground, mimicking the existing Site response to rainfall.	Under discussion

Ref	Topic	Beverley and North Holderness Internal Drainage Board Position	Applicant's Position	Status
		However, in an email dated 26 June 2025 and in its relevant representation <b>[RR-004]</b> , Beverley and North Holderness Internal Drainage Board has since requested a formal drainage strategy for impermeable areas over 50m <sup>2</sup> .	The Applicant will continue to liaise with the Board on this matter.  The updated <b>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3]</b> is submitted at Deadline 1.	
IDB08	Scoping out Water as a chapter in the ES  <i>Approach to EIA</i>	The Board <u>confirmed via email on 1 September 2025 that it has no objection to the Applicant's approach of scoping out Water as a standalone ES chapter will continue to liaise with the Applicant on this matter.</u>	<u>The Applicant welcomes this response.</u> The Applicant reached agreement with the Environment Agency <u>prior to submission of the DCO Application</u> that surface water and flood risk would be scoped out of the ES as a standalone <u>Water</u> chapter on the basis that <b>ES Volume 4, Appendix 5.6: Flood Risk Assessment [EN010157/APP/6.4 Revision 3APP-102]</b> (which demonstrates no significant impact) and <b>ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping Report [EN010157/APP/6.4 Revision 2APP-101]</b> <u>we</u> are submitted in support of the DCO Application, <u>with G</u> groundwater quality remains <u>ing</u> scoped into <b>ES Volume 2, Chapter 10: Land, Soils and Groundwater [APP-046]</b> . <u>Further explanation of the approach is provided within ES Volume 1, Chapter 5: Approach to the EIA [APP-041].</u>	<u>Agreed Under discussion</u>

## 4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of the Beverley and North Holderness Internal Drainage Board:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

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