Rosefield Solar Farm

Response to Section 89 (3) Document

EN010158/APP/8.2
January 2026
Rosefield Solar Farm Ltd

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009

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1. Introduction

1.1. Background

1.1.1. During the pre-examination stage, the Examining Authority (ExA) wrote to the Applicant via a Section 89(3) letter dated 9 January 2026 **[PD-006]** to make a procedural decision, following receipt and review of the submitted relevant representations (RRs), to request clarification and additional information.

1.2. Purpose of this Document

1.2.1. This document has been prepared to respond to that procedural decision and evidence how and why the Applicant considers that the examination of the Development Consent Order (DCO) Application can be conducted and completed within the statutory timeframe, and without delay to the start of examination.

1.2.2. In relation to the interaction with National Grid Energy Transmission Plc (NGET), the parties have had further engagement and NGET's stated position (which will also be submitted by NGET directly to the ExA) is that appropriate clearances and prescribed easements together with an agreed form of protective provisions can deliver a solution - provided these are in a form acceptable to NGET. The Applicant will provide regular updates to the ExA on progress agreeing the protective provisions via the **Schedule of Negotiations and Powers Sought [EN010158/APP/4.4.2] [AS-016]**. The negotiation of these protective provisions does not require a delay to commencement of examination.

1.2.3. The document also identifies ongoing environmental workstreams being undertaken by the Applicant and the timeframes for the submission of such information into examination. Where relevant, the Applicant has also provided responses to matters raised in RRs explaining why certain further information is not required and how the submitted information is sufficient for the examination to commence and then proceed within its statutory timeframe.

1.3. Examination Readiness

1.3.1. The Applicant considers that the DCO Application is ready for examination and none of the matters raised within the submitted RRs warrant a delay to the undertaking of the preliminary meeting and examination. The **Environmental Statement (ES) [EN010158/APP/6.1 - 6.4]** and other DCO Application documents are robust and suitable for examination.

1.3.2. No changes to the DCO Application, the Order Limits or the conclusions made within the **ES [EN010158/APP/6.1 - 6.4]** are proposed or anticipated. Further work in response to the submitted RRs is underway, which can be undertaken

and submitted early in the examination process, without delay to the timeframe for examination itself. Further details are provided in this response.

1.4. Structure of this document

1.4.1. This document has been structured methodically to provide the Applicant's responses to the requirements of the Section 89(3) letter dated 9 January 2026 **[PD-006]** where:

- **Section 2** provides the Applicant's responses to the specific questions that the ExA have put to the Applicant as well as the Applicant's addressing of the principal matters raised within the named RRs that could affect the examination timetable. The Applicant's response include an explanation of the intended approach to resolution of each matter, and the associated timeframe.
- **Section 3** provides the Applicant's responses to the ExA's requests for additional information.

1.4.2. Complete responses to the RRs will be provided on 10 February 2026 alongside the rest of the RRs, as requested in the ExA's procedural decision letter **[PD-005]** dated 15 December 2025.

2. Response to the ExA's Questions and Principal Matters Raised Within Relevant Representations

2.1. Introduction

2.1.1. This Section has been set out in accordance with the named RRs in the Section 89(3) letter dated 9 January 2026 **[PD-006]** with each section detailing the questions of the ExA and the principal matters raised by the relevant RR in a tabulated format.

2.1.2. The first table in each of the below subsections captures the ExA's questions of the Applicant, together with the Applicant's response to these. The second table in each of the below subsections captures and responds to the principal matters raised by the RR.

2.2. Representation by National Grid Electricity Transmission Plc

2.2.1. **Tables 2.2.1** and **2.2.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by NGET in their RR.

Table 2.2.1: ExA's Questions in relation to National Grid Electricity Transmission Plc's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
How does the Applicant intend to resolve the matter relating to the DCO Application's developmental overlap with NGET's reconfiguration works prior to the commencement of the statutory time period for examination of the DCO Application?	At this stage, and after further engagement with the Applicant, NGET consider that appropriate clearances and prescribed easements together with an agreed form of protective provisions can deliver a solution - provided these are in a form acceptable to NGET. The Applicant is engaging with NGET on a very regular basis (often more than once a week) to manage the technical interfaces between the projects. Since the publication of the RR, the Applicant and NGET have held several meetings and have scheduled further workshops. The Applicant is confident that the DCO Application (as submitted) contains sufficient flexibility for the final siting of works to construct and maintain NGET's infrastructure to ensure that, regardless of the final design for the East Claydon Project, the Proposed Development would not prejudice the delivery of NGET's works and would also itself remain deliverable. The Proposed Development would be designed to take account of NGET's statutory obligations to both construct and maintain their assets and that doing so would remove any perceived or actual conflicts across all phases of the development of the two projects. The Applicant is working this through with NGET through the tailoring of protective provisions alongside any cooperation agreement required.

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
	Given the complexity in the stages and development of design of the respective projects, the Applicant anticipates that the discussion will continue in the examination process. Both parties are committed to working together to resolve issues and achieve delivery of the respective projects.
Is there any potential for amendments to the DCO Application resulting in a change to the proposed Order Limits, or any other material changes to the DCO Application? If so, how does the Applicant propose to make these changes, including timeframes for submission and the likely information which would be submitted.	No. The Applicant is not proposing to alter the Order Limits or the extent to which there is developmental Work Nos. overlap (as shown on **Works Plans [EN010158/APP/2.3.2] [AS-006]**) with regard for NGET's planned works. This is because the location and design of NGET's proposals are not yet confirmed and so it is entirely appropriate to build in such flexibility until they are. Instead, the Applicant intends to continue the ongoing and constructive engagements with NGET to reach a designed resolution that works for both projects. The Applicant is actively engaging with NGET on a regular basis to manage the technical interfaces between the projects. As noted above, NGET consider that appropriate clearances and prescribed easements together with an agreed form of protective provisions can deliver a solution - provided these are in a form acceptable to NGET. Negotiation of protective provisions is ongoing. The Applicant has also offered NGET the option of entering into a separate cooperation/collaboration and/or interface agreement if this would further aid the development of an optimal interface between the Proposed Development and NGET's project.

Table 2.2.2: National Grid Electricity Transmission Plc's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that the proposed Order Limits overlap with land required for the siting of planned future NGET infrastructure across plots 6/13, 7/3, 7/9, 7/11 and 7/12 where plots 7/9 and 7/12 (as shown within **Land Plans [EN010158/APP/2.2.2] [AS-005]**) contain existing NGET infrastructure that would require reconfiguration. Further comment is made that plots 7/1, 7/2,7/4, 7/5, 7/6, 7/7 and 7/8 have been included within the Order Limits for the purposes of Work No. 6 (Grid Connection works to connect into the substation) where plots 7/1, 7/2 , 7/4 and 7/5 wholly include the area which is very likely to facilitate the replacement East Claydon Substation.	The Applicant recognises that the Order Limits overlap with land containing existing NGET infrastructure, as well as land required for the siting of planned future NGET infrastructure. The future NGET infrastructure would enable the Proposed Development to connect into the national grid electricity system, via the National Grid East Claydon Substation, together with other planned energy developments in the area. As set out in Paragraph 3.1.5 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1] [APP-046]**, the *"final location and timing of the works have not been confirmed by NGET at this stage and so the Proposed Development includes flexibility to account for a connection into either the existing substation or NGET's preferred location for the replacement substation".* Land rights are sought on a similar basis, as set out in Paragraph 2.6.2 of the **Statement of Reasons [EN010158/APP/4.1.2] [AS-014]**. The Grid Connection Cable Corridor would extend from the Rosefield Substation as directly as practicable to the National Grid East Claydon Substation and would be tailored to accommodate NGET's East Claydon Project. The Applicant is actively engaging with NGET on a regular basis to manage the technical interfaces between the projects, and negotiation of protective provisions is ongoing. The Applicant has also offered NGET the option of entering into a separate cooperation/collaboration and/or interface agreement if this would further aid

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	the development of an optimal interface between the Proposed Development and NGET's project.
Comment that, for plots 7/1, 7/2, 7/4 and 7/5, the Applicant is seeking permanent rights over this land.	As above.
Comments confirming that the extent of planned future NGET infrastructure works will include: • The East Claydon Project which will see the rebuilding and replacement of the 400kV and 132kV substations; and • The reconfiguration of existing overhead lines. Further comment confirming the role of the *"Replacement Substation"* and that it will need to be closely located to the operational substation to allow for the smooth transfer capacity.	The Applicant confirms understanding of NGET's proposals for planned infrastructure works and the two parties are actively engaging on a regular basis to manage the technical interfaces between the projects.
Comment confirming that engagements with the Applicant from May 2024 onwards have allowed NGET to voice concerns to the Applicant with regard for the Proposed	The Applicant notes this comment and welcomes the early and ongoing engagements with NGET to manage the technical interfaces between the projects.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Development's interface with NGET's current and planned infrastructure. Comment that the Proposed Development would detrimentally impact NGET's ability to deliver The East Claydon Project and associated reconfiguration of overhead lines; particularly line routes 4ZL, 4YH and 4YJ which would likely be reconfigured in plots 7/9 and 7/12 of the **Land Plans [EN010158/APP/2.2.2] [AS-005]** for which the Applicant is seeking the permanent acquisition of freehold ownership.	At this stage, and after further engagement with the Applicant, NGET consider that appropriate clearances and prescribed easements together with an agreed form of protective provisions can deliver a solution - provided these are in a form acceptable to NGET. The Applicant is confident that the Proposed Development would not detrimentally impact upon NGET's ability to deliver the East Claydon Project and the reconfiguration of existing overhead lines. Ongoing collaborative engagements between the parties is seeking a designed resolution that works for both projects. The Applicant has confirmed, in writing and through meetings with NGET, that the DCO Application contains sufficient flexibility for the final siting of the infrastructure to ensure that, regardless of NGET's final design for the East Claydon Project, the Proposed Development would be deliverable around NGET's infrastructure works. By designing the Proposed Development around NGET's works, any perceived or actual conflicts across all phases of the development of the two projects would be removed. The Applicant reconfirms that this approach would not jeopardise the deliverability of the Proposed Development.
Comment of objection to the DCO Application's proposal for development within plots 7/9 and 7/12 and further comment that the Applicant should seek alternative sites to these plots to allow NGET to undertake the reconfiguration works to overhead lines here.	At this stage, and after further engagement with the Applicant, NGET consider that appropriate clearances and prescribed easements together with an agreed form of protective provisions can deliver a solution - provided these are in a form acceptable to NGET. There is therefore no need for the Applicant to seek alternative sites since the Proposed Development is sufficiently flexible to be designed around NGET's works.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that NGET has a statutory duty to meet its statutory obligations which extends to its ability to deliver, operate and maintain current and future infrastructure. NGET therefore requires the appropriate protections be afforded to them with regard for the DCO Application. NGET requests further discussion with the Applicant to ensure their established rights of access are not restricted, through the inclusion of suitable protective provisions. This request extends to consideration of the anticipated future assets. Further comment is made that NGET are awaiting comment from the Applicant with regard to the relevant protective provisions.	The Applicant recognises the statutory duties of NGET in maintaining and delivering existing and future infrastructure respectively. The Applicant is actively engaging with NGET on a regular basis to manage the technical interfaces between the projects, and negotiation of protective provisions is ongoing.
Comment that NGET's consent needs to be a pre-condition to any occupation of land afforded to the Proposed Development to ensure interests and/or rights to land are compatible between any made DCO and NGET's existing and future assets.	The requirement for NGET consent in order to secure land interests for the delivery of a scheme is a standard term in NGET protective provisions. The parties are engaged in discussions of protective provisions and the Applicant will include those provisions as an additional part to Schedule 15 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. The approach is collaborative, to effectively manage the land and technical interfaces between the projects. This working approach will ensure that any interests and/or rights to land required by the Applicant are compatible with the needs of NGET.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that NGET are committed to cooperation with the Applicant of the DCO Application and that NGET does not hold an in-principle objection to the DCO Application. Instead, NGET object to the inclusion and seeking of rights over the above identified plots as these are considered critical to NGET's ability to deliver The East Claydon Project and associated reconfiguration of overhead lines. Further comment that NGET are concerned with ensuring the correct processes are followed to ensure the successful retention of their access and asset protection rights both for the successful management of their existing and planned future infrastructure which requires coordination between NGET and the Applicant.	The Applicant welcomes NGET's confirmation of the scope of their objection, as this has provided the Applicant and NGET with a clear pathway to resolution. As noted in the Applicant's above responses, the Applicant is actively engaging with NGET on a regular basis to manage the technical interfaces between the projects, and negotiation of protective provisions is ongoing. The Applicant is confident it can agree an appropriate resolution with NGET to ensure the effective delivery of both projects.

2.3. Representation by Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust

2.3.1. **Tables 2.3.1** and **2.3.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by BBOWT.

Table 2.3.1: ExA's Questions in relation to Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
On review of the RR, how does the Applicant intend to address BBOWT's comments, with timeframes for the submission of additional information? If the Applicant does not intend to provide the information requested by BBOWT, explain why.	No further surveys are required. The survey data collected, some of it covering multiple survey years, is more than sufficient to inform the assessment detailed in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**. This has been agreed with Natural England (NE) and will be confirmed within the draft statement of common ground which will be submitted into examination at Deadline 1. It should be noted that the **Outline Landscape and Ecological Management Plan (Outline LEMP) [EN010158/APP/7.6] [APP-142]** and the **Outline Construction Environmental Management Plan (Outline CEMP) [EN010158/APP/7.2] [APP-138]** secure commitments to update species specific survey work prior to construction, for example badgers and other legally protected species, as is common practice following detailed design.

Table 2.3.2: Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that the Preliminary Ecological Appraisal (PEA) is partially out of date and so the PEA cannot be fully relied upon to inform the ecological baseline. BBOWT considers the following matters to have been insufficiently surveyed: • arable weeds; • less conspicuous plant species (including Invasive Non-Native Species (INNS)); and • grassland habitats.	No further PEA survey is required. The survey data collected, some of it covering at least two survey years is more than sufficient to inform the ecological assessment. The Site, including grassland habitats, has been subject to a full UK habitat survey and detailed arable weed survey including appropriate condition assessment with detailed descriptions included in the baseline. INNS have been addressed in **Table 2.5.1** in response to the Environment Agency's (EA) questions below.
Comment that the PEA survey was not undertaken at the correct time of year.	The Applicant undertook surveys over several months (June and July 2023, October 2023, January 2024, May 2024 and April 2025) with the majority being undertaken at the suitable time of year. These are sufficient to accurately assess the habitats, with no additional botanical surveys required and no significant uncertainties affecting the baseline findings.
Comment that there are inaccuracies in the PEA with regard for the habitat classifications and conditions which have informed Biodiversity Net Gain (BNG).	Habitat surveys, undertaken in 2021, 2022 and updated in the 2025, used the UK Habitat Methodology, and the resulting species lists and descriptions are sufficient to confirm habitat types. Habitat condition assessments, provided in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4] [APP-103]** are robust, and no habitats including

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	grassland within the Order Limits require more detailed survey work to validate the condition assessments. As such no further, or updated, PEA is required.
Comment that the following surveys are out of date: • eDNA surveys for great crested newts; • otter and water vole surveys; and • aquatic surveys.	No further surveys are required to inform the assessment or the examination. While Chartered Institute of Ecology and Environmental Management guidance notes that ecological surveys may require updating (depending on factors such as survey age and any material habitat changes), surveys are ultimately snapshots in time and must provide data that is robust enough to inform assessment, which is the case for the DCO Application. It should also be noted that the **Outline LEMP [EN010158/APP/7.6] [APP-142]** and the **Outline CEMP [EN010158/APP/7.2] [APP-138]** secure the commitment to update species specific survey work prior to construction, as is common practice following detailed design.
Comment that the assessment of terrestrial invertebrates (black and brown hairstreak butterflies as a receptor and terrestrial invertebrates as a separate receptor) in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** is still lacking due to insufficient or lacking ecological survey data to inform the assessment.	Given that it is known that both brown and black hairstreak are present and that they rely on blackthorn, the presence of both has been assumed for the purposes of the assessment detailed in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**. Therefore, no brown or black hairstreak surveys are required as they would serve no useful purpose for assessment. The **Outline CEMP [EN010158/APP/7.2] [APP-138]** commits to surveying all hedgerow sections scheduled for removal at pre-construction so that any sections containing overwintering eggs, larvae or pupae can be protected. Targeted invertebrate surveys are not required as habitats likely to support specialist invertebrates will be retained, whilst habitats affected by the works

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	(arable and modified grassland) are unlikely to hold important invertebrate assemblages.
Comment that the Site could support an important saproxylic invertebrate assemblage and that a survey should be undertaken to confirm this.	Targeted invertebrate surveys are not required to inform the assessment or the DCO Application's examination. This is on the basis that habitats most likely to support specialist invertebrates such as saproxylic species are predominantly retained with the Proposed Development. These habitats are ancient woodland plus old and veteran trees (which are all retained), and hedgerows and individual trees (which are mainly retained). Therefore, the majority of habitat directly affected (arable and modified grassland) is highly unlikely to support an invertebrate assemblage of any importance.
Comment that no surveys for reptiles have been undertaken and that surveys of at least the identified suitable areas should be undertaken in order to conclude 'not significant' effects in the **ES [EN010158/APP/6.1 – 6.4]** and that there is insufficient understanding of reptile populations on-site to inform the phased approach to habitat removal proposed under a method statement approach.	Reptile surveys are not required. The assumptions made in the assessments are sufficient to inform and justify the phased approach to habitat removal to safeguard reptiles. Surveys have not identified any habitats of significant reptile value, however, a precautionary assumption of a small slow-worm population has been applied, with safeguards in the **Outline CEMP [EN010158/APP/7.2] [APP-138]** to avoid harm during the construction phase. The retained woodland, hedgerow buffers, and proposed habitat creation and enhancement measures will continue to support reptiles.
Comment that the 'lake effect' has not been considered within **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**.	The risk of the lake effect and other impacts concerned with light polarisation have been fully considered and assessed within the ecological assessment with regard to bats, birds and invertebrate species, set out in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**. However, it is

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	important to note that the Solar Photovoltaic (PV) modules will be bifacial with an anti-reflective coating, to reduce light polarisation impacts, as detailed in **Design Commitments [EN010158/APP/5.9.2] [AS-018]** D9 and secured via Requirement 4 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. In addition, individual fields with Solar PV modules are broken up significantly by retained woodland and hedgerows and the associated offsets meaning that there is less potential for fauna to mistake the development as a single large expanse of water. Furthermore, there are no existing significant areas of wetland habitat present within the Order Limits, nor would there be following the completion of the Proposed Development's construction phase.
Request for a detailed report on mitigating the impact on the sites of special scientific interest (SSSI), local wildlife sites (LWS), and Ancient Woodland adjacent to and in close vicinity of the cumulative developments, including the Proposed Development, (including Calvert Jubilee LWS, Calvert Brick Pits LWS and Grendon and Doddershall Woods SSSI) and the species that use the sites to be provided.	The assessment of likely significant effects on these sites, together with any mitigation measures (if required), is set out in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**, which has concluded no significant residual effects. An assessment of cumulative effects which considers sensitive receptors, in combination with other existing and or approved developments within a 10km Zone of Influence has also been undertaken and is detailed in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] [APP-060]**. No further reporting is required to inform the DCO Application.
Comment that no information has been provided on the number of quadrats completed, or how else the number of species per metre squared was assessed.	Formal quadrat surveys are not required as no high distinctiveness grassland habitats were recorded during the surveys. The number of species per metre squared was therefore based on surveyor estimates and detailed habitat descriptions given in **ES Volume 2, Chapter 7: Biodiversity**

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	[EN010158/APP/6.2] [APP-050]. This is considered sufficient to assign habitat types and complete the BNG condition assessments.

2.4. Representation by Natural England

2.4.1. **Tables 2.4.1** and **2.4.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by NE.

Table 2.4.1: ExA's Questions in relation to Natural England's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The Applicant is to confirm what amendments are intended to be made to the DCO Application and/or the supporting surveys and over what time period this would take place as well as any anticipated changes such amendments would have on the conclusions of the **ES [EN010158/APP/6.1 – 6.4]**.	The Applicant does not propose to make any amendments to the DCO Application in response to NE's RR. With regard for surveys, the survey data collected (some of it covering multiple survey years) is more than sufficient to inform the ecological assessment. This has also been agreed with NE and will be confirmed within the draft statement of common ground which will be submitted into examination at Deadline 1. It should also be noted that the **Outline LEMP [EN010158/APP/7.6]** [APP-142] and the **Outline CEMP [EN010158/APP/7.2]** [APP-138] secure the commitments to update legally protected species survey work prior to construction, for example badgers, as is common practice following detailed design. The Applicant will provide the following desk study and survey information at Deadline 1 of the examination: • Details of the paired static detector bat surveys carried out in 2025, including a response to questions raised by NE. • A high frequency noise assessment to inform the potential for the construction works to disturb roosting bats.

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
	• A literature review highlighting that although not analogous to cattle grazing, sheep grazing under modules is likely to support invertebrate species of value to foraging bat species.

Table 2.4.2: Natural England's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that survey data collected to inform the Proposed Development is lacking for Fields B7 to B10 including, lack of transect route in Field B7, minimal static detector locations, robustness of paired static survey data, accuracy of barbastelle identification from acoustic data, with a need to establish whether there is greater importance of this area for barbastelle than previously anticipated.	Further transect or static bat surveys are not required to inform assessment or the DCO Application's examination. Bat activity surveys were not undertaken within these fields within Parcel 1 due to health and safety risks posed by cattle. Attempts to have the cattle moved were unsuccessful. Since the NE 2024 evidence report for the Bernwood SSSI already identifies these fields as part of the core sustenance zone for Bechstein's bats, this was considered within the assessment and therefore further survey work is unnecessary given the known importance of the area for foraging bats. With regard to barbastelle, the Applicant will be undertaking statistical tests to ascertain whether apparent increases in barbastelle activity recorded in the paired static surveys indicate a statistically significant difference to that reported within the **ES [EN010158/APP/6.1 – 6.4]** (though it appears from work done to date that the difference is not material). This further data will be submitted into examination at Deadline 1.

2.5. Representation by Environment Agency

2.5.1. **Tables 2.5.1** and **2.5.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by the EA.

Table 2.5.1: ExA's Questions in relation to the Environment Agency's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The Applicant is to provide an update to the ExA following discussion with the EA on the provision of information requested by the EA as well as detailing the timeframe within which the Applicant plans to provide further necessary information. If the Applicant does not intend to provide the information requested, the Applicant is to explain why.	Following further discussions with the EA, the Applicant will be updating the hydraulic modelling to account for the 30% uplift in climate change allowance and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** will be issued to both the EA and the ExA on 10 February 2026, alongside the Applicant's responses to RRs. In response to the EA's request for applying a credible maximum scenario using the upper 2080s climate change allowance (+58%), the Applicant has discussed this further with the EA on 16 January 2026 and agreed to undertake a sensitivity test. This will be provided for in Section 3 of the revised **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** on 10 February 2026, alongside the Applicant's responses to RRs. The Applicant will also update **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]** to further consider an assessment of potential effects on the Groundwater Dependent Terrestrial Ecosystems (GWDTE) at Finemere Wood SSSI. An update to this chapter will be submitted into examination at Deadline 1. The Applicant notes the comments regarding INNS. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** will be updated and submitted into examination at Deadline 1 to clarify that there is anecdotal evidence of

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
	Signal Crayfish within the Claydon Brook and that New Zealand Pigmy Weed (*Crassula helmsii)* is present in a pond outside of the Order Limits, however, noting that this does not change the conclusions reached within the **ES [EN010158/APP/6.1 – 6.4].**

Table 2.5.2: Environment Agency's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that there is a lack of quantitative evidence to support the assessment of floodplain volume losses (e.g., solar panel support column flood risk impact) within the flood risk assessment (**ES Volume 4, Appendix 16.1 [EN010158/APP/6.4] [APP-132]**) meaning flood risk may be adversely affected (e.g., the impact of solar panel support frames could be underestimated). Request to provide supporting evidence within the flood risk assessment to quantify the impact of flood storage losses and whether any increase in flood risk is contained on-site, including:	Further modelling is not necessary to inform the DCO Application's examination for the reasons set out below. Updated modelling would be provided to the EA, once full details of the bridge are available, to ensure that there would be no increase on off-site flood risk as a result of the Abnormal Indivisible Load (AIL) crossing of Claydon Brook. This commitment will be added into the **Outline CEMP [EN010158/APP/7.2] [APP-138]** and submitted into examination at Deadline 1. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** has appropriately addressed floodplain impacts in a proportionate manner. The proposed Solar PV development comprises widely spaced support columns with a negligible footprint relative to the floodplain area, resulting in an immaterial loss of flood storage and no meaningful obstruction to flood flows. The Solar PV modules are supported on C section galvanised steel posts which occupy a minimal amount of floodplain storage, as a result there will be minimal loss of floodplain storage and this would not give rise to off-site impacts or increased flood risk. Given the low vulnerability of the Proposed

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• the overland flow velocities associated with flooding in areas where Solar PV modules are proposed; and • the volumetric loss of flood storage in the fluvial design flood event (1 in 100 year plus 30% climate change scenario) where Solar PV modules are proposed. Comment that the assessment should account for both mapped fluvial flood risk and unmapped fluvial flood risk where proxy datasets are being used, with the assessment including potential losses in floodplain for all components proposed within the design flood extent. Additionally, these components within the design flood extent should not inhibit flood flow routes.	Development, the absence of solid barriers, and the conservative application of freeboard, further quantitative assessment of flow velocities or flood storage volumes is not considered necessary. The use of mapped flood risk and precautionary proxy datasets provides a robust basis for assessment, and the Proposed Development will not inhibit flood flow routes or adversely impact on affect flood risk.
Comment that it is not clear if any elements of the Proposed Development are within functional floodplain (Flood Zone 3b) and this should be clarified, and where possible, avoided for development/appropriate mitigation measures applied with reference to paragraph 5.8.12 of NPS EN-1. Comment that this applies to all components including stockpiles, materials/laydown areas	Components including stockpiles, materials/laydown areas are not located within the modelled functional floodplain (Flood Zone 3b) as shown in Figures 3.2 and 3.4 of the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** [APP-132] as secured through the **Outline CEMP [EN010158/APP/7.2]** [APP-138]. Where temporary construction activities are required in areas of Flood Zone 3 (such as watercourse crossings), these are limited in extent, managed through standard best practice measures, and will not impede floodplain function. The design of the Proposed Development has been prepared in accordance with

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
which should be outside Flood Zone 3, where possible, and must be outside of Flood Zone 3b.	NPS EN-1 (paragraph 5.8.12), by avoiding development in Flood Zone 3b with stockpiles, materials/laydown areas and construction compounds.
Comment with reference to the 40-year operation (including maintenance) phase of the Proposed Development that a higher central and upper climate change allowance for the 2080s epoch (uplift of +30%) should be used rather than the 2050s epoch for the fluvial hydraulic modelling. Request to provide the updated modelling to the EA for review. Given the development would constitute nationally significant infrastructure, the Applicant should also assess the impact of a credible maximum scenario as a sensitivity test by also applying the +58% climate change allowance or using a suitable proxy. In the context of future flood risk, the Applicant needs to provide more evidence to demonstrate everything other than Solar PV modules is located outside of 1% (1 in 100) annual exceedance probability (AEP) plus climate change flood extent (including that of the smaller catchments).	In line with the Planning Inspectorate's (PINS) Section 51 Advice, additional hydraulic modelling has been undertaken with updated hydrology to account for the 30% uplift in climate change. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** will be revised and issued to the EA and ExA on 10 February 2026, alongside the Applicant's responses to RRs. The Applicant considers that applying a credible maximum scenario using the upper 2080s climate change allowance (+58%) is not appropriate or proportionate for a ground-mounted Nationally Significant Infrastructure Project solar development. The Proposed Development is low-vulnerability, water-compatible infrastructure comprising of widely spaced modules with minimal solid structures, which do not obstruct flood flows or introduce sensitive receptors. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** already applies conservative measures, including current Flood Zones, the higher central 2080s climate change allowance, and a 1.8m freeboard, providing sufficient resilience to extreme events. Given the negligible floodplain displacement and precautionary design, assessment of a credible maximum scenario would not materially change conclusions on flood risk. Figures 3.6 and 3.7 of the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** show the extents of the flooding (fluvial and pluvial) based on the credible maximum event. Figure 3.6 is located

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
The Applicant should provide a clear map setting out what they are treating as the design flood event across the whole Site, particularly for the unmodelled, smaller catchments where they are proposing to use the Risk of Flooding from Surface Water (RoFSW) maps as a proxy for fluvial flood risk.	around the Rosefield Substation and Figure 3.7 shows the wider flood extent. It can be seen from these figures that with the exception of the areas of Solar PV development, there is no development within the credible maximum flood event extent.
Comment that the Applicant has used the RoFSW mapping as a proxy for fluvial flood risk which means flood risk from smaller ordinary watercourses could be underestimated, as this reflects the central allowance for the 2050s epoch and the methodology uses a direct rainfall approach.	The RoFSW mapping has been used as a precautionary proxy for assessing flood risk from minor ordinary watercourses and, following discussions with the EA, has been defined as fluvial flood risk for the purposes of assessment. In this location, the RoFSW extents are equal to, or exceed, the anticipated floodplain associated with these watercourses and therefore do not underestimate flood risk, capturing a range of flooding mechanisms including exceedance and flow routing.
Request for the Applicant to provide supporting evidence that the RoFSW mapping is a reasonable or conservative proxy for fluvial flood risk including the effects of climate change. Where the RoFSW outputs are being used as a proxy for fluvial flood risk they should be treated as such in the context of freeboard allowances, compensatory storage calculations, and future flood risk. We note that the Applicant proposes a Solar PV module height of 1800mm above existing ground levels (see paragraphs 3.10.1, 4.2.1 and 4.5.2 of **ES**	The RoFSW mapping reflects the central climate change allowance for the 2050s epoch and applies conservative, nationally consistent assumptions, resulting in a reasonable and precautionary representation of flood risk. The proposed Solar PV module's lower edge height of 1.8m above existing ground levels provides substantial freeboard above predicted flood depths and exceeds standard allowances for low-vulnerability infrastructure. The application of freeboard is detailed in Section 4.2 of **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]**. Given the nature of the Proposed Development, no material loss of floodplain storage or requirement for compensatory storage is required.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]) in areas of fluvial risk. This freeboard would also be applicable to other sources of flood risk (e.g. the RoFSW mapping) which are used as a proxy for fluvial flood risk.	
Comment that there is insufficient evidence to support the statement *"contaminant concentrations expected to be substantially below any screening levels due to a lack of presence of pollutants"*, including: • lack of data about groundwater presence or contaminant levels; • insufficient ground investigation works; • invalidity of chemical testing data; and • lack of ground gas and groundwater monitoring. Request for additional ground investigation with risks to groundwater included in the scope to address data gaps and for the EA to be consulted on any monitoring relating to potential contamination of land or groundwater.	The Applicant will be undertaking further ground investigations prior to construction, as set out and secured in the **Outline CEMP [EN010158/APP/7.2] [APP-138]**. The Applicant has discussed this with the EA in a meeting held on 14 January 2026 and agreed that the conditions and concentration limits of contaminants will be agreed once the chemistry of the Battery Energy Storage System (BESS) units are procured and further understood. Until the specific battery composition is understood at the detailed design stage the limits for disposal cannot be determined. This will be reviewed and confirmed with the EA prior to construction.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2] [APP-059]** signposts to further discussion of Finemere Wood SSSI as a GWDTE in **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]** but Finemere Wood is not mentioned in the chapter. Request for the Applicant to provide details about Finemere Wood SSSI as a GWDTE and assessment of potential effects from the Proposed Development.	Applicant will update **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]** to further consider an assessment of potential effects on the GWDTE at Finemere Wood SSSI. An update to this chapter will be made and this will be submitted into examination at Deadline 1.
Comment that existing wells shown on Ordnance Survey mapping have not been adequately investigated or assessed, which could lead to potential risk to existing water abstractions within the Site.	The Applicant has reviewed data relating to groundwater abstractions from the environmental database search and identified these features as far as practicable and this has been considered in **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]**. The measures incorporated into the **Outline CEMP [EN010158/APP/7.2] [APP-138]**, **Outline OEMP [EN010158/APP/7.3] [APP-139]** and **Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010158/APP/7.4] [APP-140]** will protect all groundwater resources from adverse effects, including any potable or non-potable water supply locations such as existing wells.
Comment that further detail about presence of INNS is needed, with further detail on biodiversity procedures suggested in the	It is noted from the EA that anecdotal evidence of signal crayfish was found along parts of the Claydon Brook and that New Zealand Pigmy Weed (*Crassula helmsii*) was present within one of the ponds surveyed, however this

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
CEMP and INNS management in the LEMP (e.g. pre-construction survey, protocols for working near water, mitigation of risks associated with landscaping measures).	was located outside of the Order Limits. This information was set out in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** but the Applicant accepts that the wording could have been clearer. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** will be updated and entered into examination at Deadline 1 to clarify that these INNS are indeed present, however, noting this does not change the conclusions reached within the **ES [EN010158/APP/6.1 - 6.4]**. The **Outline CEMP [EN010158/APP/7.2] [APP-138]** secures the commitment to produce a INNS biosecurity protocol to prevent the introduction of such species, and the final scope of this commitment will be presented in the detailed Construction Environmental Management Plan. Likewise, the **Outline LEMP [EN010158/APP/7.6] [APP-142]** secures the commitment for pre-construction surveys to be undertaken to ensure no additional INNS become established. The scope of these surveys will be detailed in the detailed Landscape and Ecological Management Plan.
Request to assess the effects of the AIL track and access crossing (including construction) on the Claydon Brook/Claydon Brook (down stream Granborough) with respect to sediment movement as well as water/flood flows, with request to use of an open span bridge with setback abutments rather than installing culverts.	Following ongoing engagement with the EA, the Applicant can confirm that the proposed crossing of Claydon Brook will involve the installation of a bridge. This bridge will be designed to maintain existing watercourse function and flood conveyance while minimising environmental and hydraulic impacts, as has been discussed with the EA in a meeting on 16 January 2026. The access crossing is of limited width and extent and is located at a point where the channel is well-defined and confined by existing banks. The proposed crossing will be sized to accommodate the design flow, including an appropriate allowance for climate change, and will be designed to maintain conveyance and avoid increases in flood risk both upstream and downstream.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	Hydraulic capacity checks demonstrate that the crossing will not result in afflux, increased flood levels, or impediments to overbank flow during flood events. With regard to sediment movement, the crossing will be installed in alignment with the existing channel invert, ensuring continuity of bed levels and sediment transport processes. Standard design measures, including appropriate inlet and outlet detailing, erosion protection, and temporary construction-phase controls, will be implemented to prevent scour, sediment deposition, or mobilisation during both the construction and operation (including maintenance) phases. The **Outline CEMP [EN010158/APP/7.2] [APP-138]** and **Outline OEMP [EN010158/APP/7.3] [APP-139]** contain commitments and are secured under the **Draft DCO [EN010158/APP/3.1.2] [AS-010]** to manage sediment control, pollution prevention, and working methods in proximity to the watercourse. During a meeting with the EA on 16 January 2026, it was agreed that it is acceptable for further detail to be provided post-consent following the detailed design of the bridge.
Comment that JFLOW national scale modelling for flood zones was updated in March 2025 which has improved the digital terrain model and design flow estimates used in the modelling.	Where appropriate, detailed hydraulic modelling has been carried out on the Claydon Brook Tributary which offers a more detailed approach than the national scale modelling as detailed in Section 3.2 of **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]**. The Applicant notes the update to the EA's national-scale JFLOW modelling for Flood Zones in March 2025. However, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] [APP-132]** was prepared using the best available datasets at the time of assessment and in accordance with the relevant planning and technical guidance in force then. The national Flood Zone mapping derived from JFLOW is intended to provide a strategic,

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	screening-level indication of flood risk rather than a site-specific assessment. While improvements to the digital terrain model and design flow estimates are welcomed, such updates do not automatically imply a material change in flood risk at the Site scale, particularly in the absence of published evidence demonstrating a change in Flood Zone extents affecting the Proposed Development.

2.6. Representation by Buckinghamshire Council

2.6.1. **Tables 2.6.1** and **2.6.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by Buckinghamshire Council (BC).

Table 2.6.1: ExA's Questions in relation to Buckinghamshire Council's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The Applicant is to confirm how they intend to address BC's comments with timeframes detailed for the submission of additional information. If the Applicant does not intend to provide the requested information, explain why not.	The survey data collected, some of it covering multiple survey years is more than sufficient to inform the ecological assessment. This has also been agreed with NE and will be confirmed within the draft statement of common ground which will be submitted into the examination at Deadline 1. It should also be noted that the **Outline LEMP [EN010158/APP/7.6] [APP-142]** and the **Outline CEMP [EN010158/APP/7.2] [APP-138]** contain commitments to update species specific survey work prior to construction, for example badgers and other legally protected species. In addition to the survey information outlined in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**, the Applicant will provide the following desk study and survey information. These are for submission into examination at Deadline 1: • Details of the paired static detector bat surveys carried out in 2025, including a response to questions raised by NE. • A high frequency noise assessment to inform the potential for the construction works to disturb roosting bats. • A literature review highlighting that although not analogous to cattle grazing, sheep grazing under modules is likely to support invertebrate's species of value to foraging bat species.

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
	In response to BC's concern on the level of assessment undertaken in relation to health, the Applicant will provide a separate report which will draw together the health information already submitted within the DCO Application and clearly articulate the approach taken to derive the significance of health effects. This will draw on standard guidance produced by Institute of Environmental Management and Assessment (IEMA) (now Institute of Sustainability and Environmental Professionals (ISEP)) as is referred to in the **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4] [APP-083].** This report will be submitted into examination at Deadline 1. The Applicant has provided a detailed response to the key matters raised by BC below.

Table 2.6.2: Buckinghamshire Council's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that further surveys and/or data are required for the following species and habitats: • Arable Plants • Invertebrates (lepidoptera, glow worm, aquatic invertebrates, black and brown hairstreak butterfly eggs) • Reptiles	The survey data collected, some of which covers multiple survey years, is more than sufficient to have informed the ecological assessment. This has also been agreed with NE and will be confirmed within the draft statement of common ground which will be submitted into examination at Deadline 1. It should also be noted that the **Outline LEMP [EN010158/APP/7.6] [APP-142]** and the **Outline CEMP [EN010158/APP/7.2] [APP-138]** contain secured commitments to update species specific survey work prior to construction, for example badgers and other legally protected species.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• Bats • Otters • Breeding Birds • Wintering Birds • Trees (Arboriculture)	See **Table 2.6.1** above with regards to the additional desk study and survey data the Applicant will submit into examination at Deadline 1.
Comment that the Applicant's survey work has been supplemented by survey work carried out for the High Speed 2 (HS2) project (as reported in the NE report NECR588) but the survey work remains insufficient as this resource is outdated, all survey types were not collected every year between 2011 and 2022 and it does not account for significant changes to the landscape made by HS2, meaning it may not accurately reflect how the population present may be affected by the Proposed Development.	The available survey information has been sufficient in assessing the potential impacts of the Proposed Development and the Applicant does not intend to undertake any further surveys. The Applicant consulted with NE with regards to survey methodology for bats. During a meeting (11 March 2025), NE officers agreed that the survey effort undertaken for bats was sufficient to inform the baseline in combination with 'The Bernwood Population of Bechstein's Bats - A Non-Technical Summary of the Evidence report' (NE, 2024) and additional information from HS2. The 2024 report included data from 2022, when much of the site clearance for HS2 had taken place. Construction impacts from HS2 will end and NE are happy that mortality has been avoided, so that leaves habitat enhanced thorough strengthened linear features and habitat planting that will also mature over the next few years This has enabled the Applicant to establish a robust baseline on which the **ES [EN010158/APP/6.1 - 6.4]** assessment has been undertaken. This is one of the most studied populations of bats in the UK (and it is not unusual or of concern that all survey types were not collected in every year). The survey effort is considered adequate to determine the status of Bechstein's bats whilst detailed information from HS2 (as well as site-specific survey work)

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	has informed the Proposed Development's design. The design has also taken account of the information provided by NE to support the proposed designation of a wider Bernwood SSSI, taking into account the estimated core sustenance zone and home range of Bechstein's bats. The survey approach to assessing commuting and foraging bats has been: developed by competent experts; informed by previous surveys undertaken by HS2 and NE. Together with data collected by the Applicant, this background provides a robust evidence base of how bats use the woodland and arable land within and adjacent to the Proposed Development. Bat activity surveys were undertaken within the areas of the Order Limits where above ground Solar PV modules are proposed. With respect to the cable route, which would result in short-term, temporary effects adjacent and between the areas of Solar PV, it is considered that the data set collected is suitable to assess any effects on commuting and foraging bats.
Disagreement with the Applicant's approach to identifying a 'significant impact' on Bechstein's bats and how this differs to 'significant harm', including that significant effects on roosting, foraging and commuting could lead to potential significant harm, that the data relied upon to propose mitigation is out of date and incomplete and therefore cannot be relied upon to avoid, reduce, mitigate or offset identified impacts.	The survey effort is adequate to determine the status of Bechstein's bats. This area of the UK (and this population of Bechstein's bats) is one of the most studied, with almost continuous survey data stretching back years (and ongoing for many more years to come). Radio-tracking was undertaken in 2022 and forms part of the dataset which underpins 'The Bernwood Population of Bechstein's Bats - A Non-Technical Summary of the Evidence report' (NE, 2024). The Applicant will submit this dataset into the examination at Deadline 1. Older survey work does not become obsolete when it is part of a continuous sequence; it provides context.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	As stated within Paragraphs 7.10.132 and 7.10.133 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**, the limited evidence currently available broadly suggests that adverse effects may be felt by some bat species as a result of solar farm operation, although the exact nature and extent of these impacts is not yet clear. While the embedded design and additional mitigation, including reinstatement of hedgerows and creation and/or improvement of foraging habitats and linear features, are considered to be effective means of minimising the impacts on Bechstein's bat, it is not possible, at this time, to definitively state that this mitigation will be fully efficacious. Therefore, residual impacts cannot be fully discounted. With due consideration to the status of the Bernwood Bechstein's bat population and the assessment of its national importance, a precautionary approach has been applied. The residual effects on Bechstein Bats during the operation (including maintenance) phase are assessed as potentially being adverse. Residual effects are assessed as potentially being adverse, long-term and permanent, in light of Bechstein's bat lifespans, and therefore potentially significant at the district level. It is considered that this potentially significant effect would not amount to, nor equate to, 'significant harm' as the predicted impacts will be of a scale that will not impact the overall favourable conservation status of the species, as the Proposed Development's design and mitigation has focused on protecting and enhancing Bechstein's bat foraging and commuting habitat.
Comment that habitat between Sheephouse Wood SSSI and Shrubs Wood is considered to be an area of relatively high bat activity, and the hedgerows connecting these two	The Applicant acknowledges that the habitats between Sheephouse Wood SSSI and Shrubs Wood are an important area for bats (and tree-roosting bats in particular).

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
woodlands and the hedgerow leading eastwards from Shrubs Wood further supports a high percentage of trees identified as suitable for supporting maternity roosts, including for Bechstein's bat. There has been no further assessment to identify whether these trees do support bat roosts, in line with Bat Conservation Trust survey guidelines to assess potential impacts.	All trees have been considered as part of the roost recourse. It is not necessary to identify roosts within specific trees to undertake an impact assessment. Identifying bat roosts in trees is difficult/unreliable and should only be done where there is a direct impact and licencing required. However, a suite of woodland bat species are tracked as part of HS2's radio-tracking commitments (the most reliable way to identify roosts) and currently, there are no identified roosts within the hedgerows in this location. There are roosts in these woodlands (to be retained), and it is probable that individual trees within the hedgerows (also to be retained and protected by buffers) are used as roosts from time to time. Setbacks from hedgerows (specifically within Fields B6, B7, B8 and B10 that link Shrubs Wood, Sheephouse Wood and Decoypond Wood) have been increased to 15m following consultation with NE and in recognition of the importance for bats. Further bat (close-inspection or emergence) surveys will be undertake pre-construction to confirm the roosting potential for trees that are proposed to be removed for the purposes of the Proposed Development, and collect any evidence of use to inform the application for any European Protected Species licence. At this stage, there are no trees supporting *identified* roosts that need to be removed and, of those to be removed, only a small number *could* support roosts (7), and only a handful of those that could support a breeding roost of conservation value (3). These trees are close to the outer limits of the 3km Core Sustenance Zone for Bechstein's bats, but outside of areas known to be used by them (i.e. outside of their home range), and not within or close to woodland.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that there is a significant assemblage of breeding birds within the Order Limits, of which 20 have amber conservation status (district, and for five species county, level importance), and that the following control must be secured and/or information provided: • Commitment to not carry out vegetation removal during breeding bird season or that a competent person conducts surveys. (…)	The **Outline CEMP [EN010158/APP/7.2] [APP-138]** identifies the pre-construction survey work and mitigation measures that will be employed to prevent significant effects on nesting bird species and address the point raised. The recommended commitment to not carry out vegetation removal during breeding bird season, or if it is required, that a competent person would conduct nesting birds checks, has been included and secured in Table 3.2 of the **Outline CEMP [EN010158/APP/7.2] [APP-138]**. This is secured via Requirement 11 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. In addition, the **Outline LEMP [EN010158/APP/7.6] [APP-142]** identifies the detailed monitoring programme for the operation (including maintenance) phase which would include monitoring for breeding and wintering birds. The final bird monitoring within the detailed Landscape and Ecological Management Plan would be submitted to and approved in writing by the relevant local planning authority in consultation with NE prior to the commencement of the construction phase of the Proposed Development, as secured via Requirement 7 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**.
Comment that there is insufficient evidence that effects on wintering birds can be mitigated and request for the following: • An assessment of wintering birds in Parcel 3. (…)	The assessment for wintering birds has considered potential effects on the whole assemblage present within the Order Limits rather than focusing on individual fields. Wintering bird surveys are detailed within **ES Volume 4, Appendix 7.11: Wintering Bird Survey Report (2024) [EN010158/APP/6.4] [APP-097]**. Surveys were undertaken between October 2021 - March 2022, and between November 2023 and March 2024. No survey work was undertaken in Parcel 3 during 2023-2024 as access could not be obtained. However, the Applicant had data for Parcel 3 from 2021/22 and from adjacent fields in 2023/2024.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	This, combined with the fact that arable and improved grassland present in Parcel 3 is well represented elsewhere on-site means the Applicant has sufficient data on which to base its assessment.
Comments on survey efforts for invertebrates including: • Surveys for black and brown hairstreak butterfly should be undertaken given the importance of this species, and significant survey effort will be required for sections of hedgerow proposed to be removed. Request for detail in the **Outline CEMP [EN010158/APP/7.2] [APP-138]** to be expanded and include translocation. • Targeted survey work for other invertebrates should be undertaken. • Disagreement that aquatic invertebrates can be scoped out due to research indicating solar modules can negatively impact these species. (…)	Further surveys are not required. Given that it is known that both brown and black hairstreak are present and that they rely on blackthorn, the presence of both has been assumed for the purposes of the assessment detailed in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]**. Therefore, no brown or black hairstreak surveys are required as they would serve no useful purpose for assessment. In addition, the **Outline CEMP [EN010158/APP/7.2] [APP-138]** makes a commitment to surveying all hedgerow sections to be removed for hairstreak species so that the sections containing overwintering eggs and larvae can be safeguarded. Targeted invertebrate surveys are not required as habitats likely to support specialist invertebrates will be retained, whilst habitats affected by the works (arable and modified grassland) are unlikely to hold important invertebrate assemblages. The main potential impact of Solar PV modules on invertebrates cited in the available scientific literature relates to the 'lake effect' which is concerned with light polarisation and the potential for aquatic invertebrates to mistake modules for water and die whilst laying their eggs on modules. However, it is important to note that modern Solar PV modules have anti-reflective coatings secured through **Design Commitment [EN010158/APP/5.9.2] [AS-018]** D9 (and Requirement 4 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**) intended to minimise light polarisation which thereby reduces the type of effects that have

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	been cited. In addition, individual fields with Solar PV development are broken up significantly by retained woodland, hedgerows and the associated buffers meaning that there is less potential for fauna to mistake Solar PV development as a single large expanse of water. Furthermore, there are no significant areas of wetland habitat present within the Order Limits, nor would there be following the construction phase of the Proposed Development.
Comment that it cannot be concluded there would be no significant effect on reptiles as survey efforts are insufficient and bespoke mitigation has therefore not been considered.	Survey work carried out has not indicated any habitat of significant value to reptiles. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** has taken a precautionary approach and assumed that a small population of species such as slow worm could be present. Safeguards identified in the **Outline CEMP [EN010158/APP/7.2] [APP-138]** will prevent any likelihood of harm during the construction phase. It should also be recognised that design of the Proposed Development will likely safeguard the habitat areas most likely to be used by reptiles as all woodland habitat and majority of hedgerows will be retained with significant offsets to the Solar PV development. The habitat creation and enhancement proposals outlined in the **Outline LEMP [EN010158/APP/7.6] [APP-142]** would likely benefit reptiles.
Comments on the Arboricultural Impact Assessment (AIA) (**ES Volume 4 Appendix 7.13 [EN010158/APP/6.4] [APP-099]**) including: (…) • That it relies on drone surveys instead of BS5837 compliant topographical data which results in an unreliable baseline.	While aerial (drone) survey information was used, it did not replace BS5837-compliant ground-based assessment. By using a high density of ground control points, the drone survey delivers survey-grade mapping with an accuracy of 6cm (XY) and 9cm (Z), producing high-resolution orthomosaics and digital surface models suitable for detailed constraints analysis. For the Proposed Development, this provides a far finer data resolution (around 3cm/pixel) than a typical ground topographical survey (often 5 -10m between points), the drone

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• That the AIA should be fully revised based on accurate ground-derived data. (…)	survey offers a robust and reliable baseline for the arboricultural assessment which validates the ground based Site survey.
Comment that rare black poplar and traditional orchard habitats have not been assessed, including genetic testing.	The group of trees with potential to be black poplar is entirely unaffected by the Proposed Development and therefore no assessment is required. DNA testing to confirm the presence of native black poplar (*Populus nigra subsp.betulifolia*) is a specialist process that requires laboratory analysis and this falls outside the scope of standard baseline arboricultural survey requirements. This testing is not required as these trees will be unaffected by the Proposed Development. The Applicant does not agree that traditional orchard habitat has not been assessed in the assessment. The plantation/orchard at the north-western end of the Site has been identified and described as being in generally poor condition, with many trees in visible decline. However, this feature lies well outside the footprint of any aspect of the Proposed Development, at a separation distance of approximately 260m from the nearest works. Given this stand-off, there is no realistic pathway for direct or indirect arboricultural impact (for example from construction access, ground disturbance or shading), and the orchard will remain physically unaffected by the Proposed Development. On that basis, the AIA appropriately treats the orchard as part of the wider baseline rather than as a constraint requiring specific mitigation.
Comments on the landscape and visual impact assessment (LVIA), including:	A Site specific LVIA is presented in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]** and has considered the maximum parameters for each element of the Proposed Development as outlined in **ES Volume 3, Figure 3.1: Height Parameters [EN010158/APP/6.3.2] [AS-021]**

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• That there should be a site-specific LVIA with an indicative worst case and winter views; • That the sensitivity values for various character areas appear low and these should be robustly checked; • That sensitivity values for users of recreational routes (including public rights of way) should be measured as high sensitivity; and • That comprehensive tree surveys and impacts on trees have not been addressed and therefore the LVIA is flawed.	and **ES Volume 3, Figure 3.5: Zonal Masterplan [EN010158/APP/6.3] [APP-063]**. The removal of all vegetation is outlined in Appendix 3: Vegetation Removal Parameters of the **Outline LEMP [EN010158/APP/7.6] [APP-142]** and winter views as a basis for photomontages are illustrated by the visualisations in **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4] [APP-115] [APP-116] [APP-117] [APP-118]** which are considered worst case for the purposes of the assessment. A detailed assessment of landscape sensitivity is provided for each landscape character area in **ES Volume 4, Appendix 10.3: Rosefield Landscape Sensitivity Appraisal [EN010158/APP/6.4] [APP-112]**. An explanation of how sensitivity has been determined is provided in **ES Volume 4, Appendix 10.1: LVIA Methodology and Assessment Criteria [EN010158/APP/6.4]** [APP-110]; sensitivity (described as 'high', 'medium' or 'low') is judged by combining component judgements about the value and susceptibility of the receptor, as illustrated in Table A10.2. Detailed visual susceptibility and value criteria are set out in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]**. All Public Rights of Way (PRoW) users have been described as high susceptibility visual receptors which is the highest level of susceptibility. When combined with the value of the view, all PRoW users have been described as being of high/medium visual sensitivity. As set out in the **ES Volume 4, Appendix 10.1: LVIA Methodology and Assessment Criteria [EN010158/APP/6.4] [APP-110]**, only users of PRoW within National Landscapes are described as being of overall high sensitivity. There are no National Landscapes within the study area. The exception to this are users of the National Cycle Network assessed as of high sensitivity.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	A comprehensive tree survey is provided in **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4] [APP-099]**.
Comments that the **ES [EN010158/APP/6.1 - 6.4]** and accompanying materials do not present a clear, integrated assessment of the likely significant effects on population and human health, including indirect and cumulative effects: • Health related information is dispersed across technical chapters of the ES and then summarised qualitatively, rather than assessed through a health lens making it difficult to support conclusions of overall significance of health effects for defined populations. • That the approach does not follow EIA Regulations and latest ISEP guidance. • The ES has not followed the latest guidance from former IEMA (now ISEP). This undermines confidence that impacts, and their significance have been correctly identified. • Request for a standalone population and human health chapter within the ES	The Applicant is content that the approach taken to consider effects on human health within individual topic chapters of the ES is compliant with **ES Volume 4, Appendix 5.3: EIA Scoping Opinion Response Matrix [EN010158/APP/6.4] [APP-080]** and in-line with the Environmental Impact Assessment (EIA) Regulations. In order to provide clarity, **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4] [APP-083]** was also produced to demonstrate the approach to accordance with IEMA Guidance and demonstrate how significance conclusions reached in each assessment with regards to health. Notwithstanding this, and following BC's RR and requests for additional information from ExA (set out within the Section 89(3) letter dated 9 January 2026 **[PD-006]**), the Applicant will provide a separate report which will draw together the health information already submitted within the DCO Application and clearly articulate the approach taken to derive the significance of health effects. This will draw on standard guidance produced by IEMA (now ISEP) as is referred to in **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4] [APP-083]**. As identified by BC, this submission will set out the approach in a 'determinants-pathways-receptor groups' format, supported by demographic analysis, health specific significance criteria, explicit consideration of health inequalities and commentary on how proposed mitigation and enhancements

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
which follows a determinants-pathways-receptor groups approach supported by demographic analysis, health specific significance criteria, explicit consideration of health inequalities and commentary on how proposed mitigation and enhancements relate to local health outcomes.	relate to local health outcomes. This report will be submitted into examination at Deadline 1.
Comment that **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] [APP-060]** does not assess the impact on the local agricultural land classification quality resource from other local infrastructure projects in the area.	A cumulative assessment for soils and agriculture has been undertaken and considers projects within a 10km Zone of Influence from the Site. This assessment is located within **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] [APP-060]**. No significant cumulative effect on agricultural land was found and noting that only 3% of the Site is considered to be best and most versatile land, further assessment was not considered necessary. The Applicant maintains this position.
Request for the investigation to target potential sources of contamination identified within the Preliminary Risk Assessment (**ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4] [APP-119] [APP-120] [APP-121] [APP-122] [APP-123]**), and potential ground gas and groundwater risks with robust monitoring and testing.	As indicated in Paragraph 11.9.1 of **ES Volume 2 Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]**, the initial phase of ground investigation work has been undertaken, as access allowed, as presented in **ES Volume 4, Appendix 11.3: Ground Investigation Report [EN010158/APP/6.4] [APP-125]**. This phase of work did not include any interpretative work elements as it is not considered necessary to inform the assessment. Further work will follow when all phases of ground investigation

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that there was no leachate analysis or gas or groundwater monitoring installations within exploratory holes.	have been completed. This is secured by the **Outline CEMP [EN010158/APP/7.2] [APP-138]**. Paragraph 11.5.25 of **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]** confirms that the identified potential contaminant linkages will be assessed further through appropriate pre-construction ground investigation. This investigation is secured under the **Outline CEMP [EN010158/APP/7.2] [APP-138]** to target the identified sources of potential contamination and assess the feasibility of identified pathways. The scope will be agreed in advance with BC (and the EA, where appropriate). Any remedial action required as a result of any findings from the further phases of ground investigation work will be agreed in advance with BC (and the EA, where appropriate). Subsequent phases of ground investigation will incorporate assessment of groundwater and ground gas risks where appropriate, with the scope of work for monitoring and sampling to be agreed in advance with BC and the EA, where appropriate. The scope of work will include provision of groundwater and ground gas monitoring wells where appropriate (based on the information provided in **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4] [APP-119 - APP-123]**), to allow for an agreed regime of groundwater sampling and/or monitoring and an agreed regime of ground gas sampling and/or monitoring. The scope of work will be derived from the recommendations provided in **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4] [APP-119 - APP-123]**.
Comment that the assessment in relation to groundwater levels and flow lacks detail, and	The assessment with respect to groundwater provided in **ES Volume 2 Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]** was

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
specific information on groundwater depth and flow direction is not provided, with specific reference to the potential for shallow groundwater impacts on the BESS. Request for assessment of groundwater levels with site-specific groundwater data to confirm the suitability of the proposed location of the BESS.	completed on the basis of information made available from the desk-based assessment provided in **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4] [APP-119 - APP-123]**, with some limited intrusive information available from **ES Volume 4, Appendix 11.3: Ground Investigation Report [EN010158/APP/6.4] [APP-125]**. The Applicant will complete further ground investigation (the scope of which will be designed based on the findings of **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4 [APP-119 - APP-123]** and the information from **ES Volume 4, Appendix 11.3: Ground Investigation Report [EN010158/APP/6.4] [APP-125]**, and agreed with BC (and the EA, where appropriate)) prior to any works commencing. Fundamentally, further detail on groundwater levels and flow will not change the assessment in terms of the groundwater importance, or the magnitudes of impact that are applied for considering groundwater receptors (Table 11.8 of **ES Volume 2 Chapter 11: Land and Groundwater [EN010158/APP/6.2] [APP-054]**). The mitigation measures will be protective of groundwater receptors across the entire Order Limits, including around the BESS, and will be effective for very shallow groundwater as well as deeper groundwater.
Comment that two soakaway tests were undertaken (TP002 and TP014) which is insufficient for a site of this scale.	The **Outline Drainage Strategy [EN010158/APP/7.11] [APP-147]** states that "*it is assumed that proposed SuDS features, such as swales, will be designed to promote partial infiltration where feasible".*

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	With reference to permeable paving, the **Outline Drainage Strategy [EN010158/APP/7.11] [APP-147]** states that "d*etail design is subject to confirmed local infiltration potential and depth of the groundwater table".* Paragraph 12.2.3. of the **Outline Drainage Strategy [EN010158/APP/7.11] [APP-147]** states that *"site surveys should be undertaken prior to detailed design to confirm ground conditions at proposed structure and storage locations. Where previous ground investigations have not been carried out, further site-specific investigations — including BRE Digest 365 infiltration testing — will be required to determine soil permeability, groundwater depth and suitability for infiltration based SuDS. These findings will inform the detailed drainage design".* The **Outline Drainage Strategy [EN010158/APP/7.11] [APP-147]** therefore demonstrates that surface water drainage will be designed to facilitate partial or full infiltration and that further investigation and surveys will be undertaken to inform the detailed drainage design.
Comment that hydraulic modelling or network calculations have not been provided and quick storage estimates and UK SuDS tool outputs are also insufficient, and the Applicant must demonstrate: • Compliance with the 4l/s/ha discharge limit; • Sizing of attenuation features for the 1% AEP + 25% climate change event;	The **Outline Drainage Strategy [EN010158/APP/7.11] [APP-147]** provides preliminary calculations for Parcels 1, 2 and 3 based on the guidance provided by the Lead Local Flood Authority and Internal Drainage Board and limiting the flow to 4l/s/ha and sizing of attenuation features for the 1% AEP + 25% climate change event. Detailed drainage design including hydraulic modelling of the networks will be provided at the detailed design stage when development layouts are finalised. The drainage network will be designed to contain the 1 in 30-year event storm

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• Containment of flows for the 1 in 30-year storm without flooding; and • Safe on-site management of exceedance flows for events up to the 1 in 100- year + CC scenario, including mapping of flow paths and flood volumes.	and to safely manage exceedance flows for events up to the 1 in 100 year + CC.

2.7. Representation by Statkraft UK Limited

2.7.1. **Tables 2.7.1** and **2.7.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by Statkraft UK Limited.

Table 2.7.1: ExA's Questions in relation to Statkraft UK Limited's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The ExA requests that the Applicant reviews Statkraft UK Limited's RR and accordingly updates and reflects their interests in the land within the Order Limits.	The Applicant will update the **Book of Reference [EN010158/APP/4.3] [APP-018]** and submit this into examination at Deadline 1, subject to an appropriate response to the land information questionnaire (LIQ) which the Applicant has issued to Statkraft UK which is necessary to complete the information to be included.

Table 2.7.2: Statkraft UK Limited's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comments that the inclusion of plot 7/2 within the Order Limits, which East Claydon Energy Limited has an Option Agreement to deliver the East Claydon Greener Grid Park for, could affect the delivery of this project: • The proposed permanent acquisition of land and operational stage rights of plot 7/2 could sterilise the viability of the project.	The Applicant confirms that they are not seeking permanent acquisition of plot 7/2 but they are seeking the ability to acquire new rights, impose restrictive covenants and extinguish rights over land. When undertaking the necessary due diligent checks to establish interests within the Order Limits, Statkraft UK Limited's interests were not visible on the Land Registry title documentation, nor did the Applicant receive any formal confirmation from the landowner that any legal agreements had been completed.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• Construction works at plot 7/2, with associated rights of compulsory acquisition and temporary use sought, could delay the project. • ECEL has the legal right to draw down lease over the land within the Option Agreement until 18 September 2031. • Engagement should consider whether co-existence of projects is possible. Request for East Claydon Energy Limited's interest to be reflected in the **Book of Reference [EN010158/APP/4.3] [APP-018]** and engagement to confirm that compulsory acquisition powers will not be exercised in relation to plot 7/2.	The Applicant has since met with Statkraft UK Limited to discuss: the projects, mitigation of impacts and to ensure both projects have the ability to coexist. Alongside this, the Applicant has issued a LIQ to receive confirmation as to the extent of the interests across the Order Limits, which includes plot 7/2. Upon receipt of the completed LIQ, the Applicant will update the **Book of Reference [EN010158/APP/4.3] [APP-018]** and where possible submit this into examination at Deadline 1. The Applicant confirms that it will only use compulsory acquisition powers as a means of last resort or if breaches of legal agreements occur.

2.8. Representation by UK Health Security Agency

2.8.1. **Tables 2.8.1** and **2.8.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by the UK Health Security Agency (UKHSA).

Table 2.8.1: ExA's Questions in relation to UK Health Security Agency's RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The Applicant is to confirm whether or not they intend to provide a detailed plume assessment in accordance with the contents of the representation and if not, why not.	A preliminary air quality assessment including atmospheric dispersion modelling has been undertaken and the results will be shared with the UKHSA through further engagement. The assessment will be submitted into examination at Deadline 1. A detailed plume assessment will be carried out once the BESS has been procured so the chemical specification is understood, and the plume assessment and atmospheric dispersion modelling can be updated with refined system information to review the results from the preliminary analysis. This is secured in Paragraph 5.2.10 of the **Outline Battery Safety Management Plan [EN010158/APP/7.9]** [APP-145], and Requirement 6 of the **Draft DCO [EN010158/APP/3.1.2]** [AS-010].

Table 2.8.2: UK Health Security Agency's RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comments on the **BESS Plume Assessment Summary [EN010158/APP/7.13]** [APP-149], including:	An updated **BESS Plume Assessment Summary [EN010158/APP/7.13]** [APP-149] will be submitted into the examination at Deadline 1.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
• That the Applicant has consulted UKHSA on a draft of the report and that it has confirmed that a detailed plume assessment report addressing UKHSA comments will be provided at Deadline 1. • That a preliminary detailed dispersion modelling assessment should be undertaken based on current assumptions. • That the criteria used for assessment relate to mortality and do not consider more minor health impacts caused by exposure to BESS plume. • That UK Air Quality Guidelines and US EPA Acute Exposure Guideline Levels should be used for future detailed dispersion modelling to assess potential health impacts. • That the selection of meteorology data from High Wycombe Hqair should be justified and the data range provided in the next iteration of the report. (…) • That at detailed dispersion modelling stage a sensitivity analysis should be included to evaluate potential health	The Applicant can confirm that a preliminary air quality assessment including atmospheric dispersion modelling has been undertaken and the results will be shared with the UKHSA through further engagement and will be provided for at Deadline 1. This will address comments provided by UKHSA.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
impacts on sensitive receptors not in the prevailing wind direction. (…) • That details of the model used to inform the plume assessment and software should be included in the next iteration of the report.	

2.9. Representation by Anglian Water Services

2.9.1. **Tables 2.9.1** and **2.9.2** below capture and respond to the relevant questions of the ExA and the principal matters raised by Anglian Water Services (AWS).

Table 2.9.1: ExA's Questions in relation to Anglian Water Services' RR and Applicant Response

ExA's Question(s)	Applicant's Response including, as appropriate, a proposed route to resolution
The ExA requests the Applicant to review the **Book of Reference [EN010158/APP/4.3] [APP-018]** to ensure that all of AWS' land interests within the Order Limits are recorded.	The Applicant has further reviewed the **Book of Reference [EN010158/APP/4.3] [APP-018]** and confirms that all of AWS' land interest within the Order Limits are recorded.
The ExA requests that the Applicant agrees a timeframe with AWS as to when a clash detection and technical assurance review can be undertaken. The ExA requests an update on the approach to this review by the Applicant or for the Applicant to provide reasons why this review is not required.	A utility search (see **ES Volume 3, Figure 5.1: Desk-Based Study of Existing Utilities [EN010158/APP/6.3] [APP-065]**) has been completed across the Order Limits to inform the DCO Application. A full boundary check would be completed during the detailed design stage, post-DCO decision. The information that has been used to date is proportional and relevant for the current stage of the Proposed Development's design.

Table 2.9.2: Anglian Water Services' RR and Applicant Response

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
Comment that bespoke protective provisions supplied by AWS should be included in the draft DCO rather than there being a reliance on	The Applicant has engaged with AWS to seek to agree protective provisions which would be included in the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**.

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
the standard protective provisions included, and engagement should take place to reach agreement.	AWS have provided the Applicant with a copy of its standard protective provisions, which the Applicant is currently reviewing. The Applicant will provide AWS with comments on their provisions in due course, with a view to refining and resolving issues as far as possible. Engagement with AWS will also be undertaken prior to commencement of construction activities to identify utilities and agree safe methods of working around existing utilities.
Comment that a full boundary check should be undertaken to ensure application documents reflect an accurate account of AWS's land interests within the Order Limits, including AWS existing operational sites near to areas required for temporary possessions and permanent acquisitions (e.g. No ECL/3A/1).	The Applicant undertook detailed and thorough due diligence checks to establish and identify all interests in land, when compiling the **Book of Reference [EN010158/APP/4.3] [APP-018]**. This included contacting AWS to confirm the extent of their ownership within the Order Limits. AWS confirmed the extent of their ownership in writing to the Applicant on 31 July 2024. The Applicant has since undertaken a number of land registry refreshes to ensure that the information remains accurate and up to date. The Applicant will continue to engage with AWS to ensure the accuracy of information and to discuss any specific items they believe may be missing from the **Book of Reference [EN010158/APP/4.3] [APP-018]**.
Request for the Applicant and AWS to conduct a clash detection and technical assurance review in relation to AWS assets during the pre-consent phase, with a review of utilities plans is used to inform proposed works prior to construction insufficient.	A utility search (see **ES Volume 3, Figure 5.1: Desk-Based Study of Existing Utilities [EN010158/APP/6.3] [APP-065]**) has been completed across the Order Limits and has informed the Proposed Development to date. A clash detection review could be completed during the detailed design stage, post-DCO decision. The information that has been used to date is considered

Principal Matters Raised	Applicant's Response including, as appropriate, a proposed route to resolution
	proportional and relevant to the current stage of the Proposed Development's design.
Comment that a water resources assessment has not been included within the Application and this should be provided for clarity on the water requirements of the Proposed Development and any assumptions made.	A pre-planning enquiry water supply assessment has been undertaken with AWS. The Applicant will submit this assessment into the examination at Deadline 1. Provisional construction flow rates discussions have taken place and the flows have been provisionally granted with AWS. Local water recycling centres for off-site tankard water have also been reviewed and are able to take the estimated volumes during the construction phase of the Proposed Development.

3. Response to Requests for Additional Information

3.1. Introduction

3.1.1. This Section has been set out in accordance with the ExA's 'request for additional information from the applicant' section of the Section 89(3) letter dated 9 January 2026 **[PD-006]**.

3.1.2. **Table 3.1** below captures and provides the Applicant's responses to the ExA's requests for additional information.

Table 3.1: ExA's Questions to the Applicant and Applicant's Response

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
The ExA requests that the Applicant undertakes a full review of the **Book of Reference [EN010158/APP/4.3] [APP-018]** to ensure that all land interests are accurately recorded.	The Applicant has further reviewed the **Book of Reference [EN010158/APP/4.3] [APP-018]** and confirms that all land interests within the Order Limits are recorded. The Applicant will continue to review and update the **Book of Reference [EN010158/APP/4.3] [APP-018]** at every deadline throughout examination.
In **ES Volume 4, Appendix 5.3: EIA Scoping Opinion Response Matrix [EN010158/APP/6.4] [APP-080]**, PINS advised that effects on human health could be considered in the relevant ES chapters including Air Quality, Landscape and Visual, Noise and Vibration, Traffic and Access and Population; and in the standalone glint and glare assessment. However, whilst the individual ES chapters consider the effects on	The Applicant acknowledges the ExA's comments regarding the approach to articulating conclusions on the significance of human health effects across the individual topic chapters of the ES and **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4] [APP-083]**. The Applicant will provide a separate report which will draw together the health information already submitted within the DCO Application and clearly articulate the approach taken to derive the significance of health effects. This will draw on standard guidance produced by IEMA (now ISEP), as is referred to in **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement**

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
human health, they do not reach conclusions on the likely significance of effects. Conversely, whilst **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4] [APP-083]** draws conclusions on the significance of effects on human health, it does not set out clearly how these conclusions were derived. The ExA requests that the assessment of, and conclusions on likely effects on human health should be contained in one document, either in the individual ES chapters, or in a separate report. The Applicant is requested to update the documents accordingly and provide a timeframe for submission to the ExA.	**[EN010158/APP/6.4] [APP-083]**. This report will be submitted into examination at Deadline 1. As identified by BC, this will set out the approach in a 'determinants-pathways-receptor groups' format, supported by demographic analysis, health specific significance criteria, explicit consideration of health inequalities and commentary on how proposed mitigation and enhancements relate to local health outcomes.
The ExA notes that any presented effects in the **ES [EN010158/APP/6.1 – 6.4]** should make clear whether they are significant or not significant. Where mitigation is proposed, the **ES [EN010158/APP/6.1 – 6.4]** should clearly state to what extent would the mitigation reduce the significance of effect. For example, **P**aragraph 7.10.133 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** states that the Proposed Development could have a potentially significant adverse	The scientific literature has identified that in some instances solar farms appear to have a displacement effect on some bat species, whilst foraging (they appear to avoid the immediate vicinity of Solar PV modules) but doubt remains over what the root cause is and over what distance the effect manifests itself. Additional survey evidence (which is to be submitted into examination at Deadline 1) with regards to high frequency noise has concluded that the displacement effect is unlikely to be related to high frequency noise from electrical infrastructure. Whilst the Applicant is confident that the mitigation proposed will be efficacious with regards to reducing the significant effect on foraging Bechstein's, there still

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
effect on the Bechstein's bats population and it is also unclear whether mitigation measures reduce the significance of effect.	remains an uncertainty as outlined above, and cannot be sure that mitigation will be 100% effective. Therefore, it cannot be concluded that there would be *no* significant residual effect. The conclusion that the Proposed Development could have a *potentially* significant residual effect on the foraging Bechstein's bat population has been assessed as a worst-case approach, taking account of the assessors professional judgement and confidence in the mitigation proposed, but acknowledging the limited research with regards bats and solar and the effects on species such as Bechstein. Therefore, the **ES [EN010158/APP/6.1 – 6.4]** has been unable to conclude *no* significant residual effects and has instead concluded a *potentially* significant residual effect. It is worth noting that no studies have been undertaken pre-/post solar implementation, and all such studies have been comparative (land with and without solar farms), and usually over limited periods of time. The factors used to ensure 'paired' sites are 'comparable' are usually not stated, nor are the widths of any buffer zones, or habitat maturity confirmed. For the Proposed Development, the mitigation measures which include offsets from Solar PV development to ecological receptors (ancient woodlands, hedgerows, trees etc.) are greater than the generally accepted detection distance of Bechstein's bat calls (5-10m), and this gives some indication that the offsets to be applied would be effective. In addition, the majority of land to be lost is arable land of lower value to bats (with insect biomass usually low due to standard agricultural practices). Post-decommissioning, at a landscape-scale, there will remain a highly connected network that includes significant areas with enhanced foraging resources compared to the pre-development position. The **Planning Statement [EN010158/APP/5.7.2] [AS-027]** sets out that potentially significant effects were not considered to be synonymous with, or as

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
	certain as an identified likely significant effect. As a result, the *potentially* significant residual effect was not afforded the same weight as a likely significant effect in decision making. However, it is the Applicant's opinion that, were it given the same weight in decision making, this would not change the overall conclusion of the planning balance, which would remain firmly in favour of approval. Furthermore, the Applicant would reiterate that the *potentially* significant effect does not amount to, nor equate to, 'significant harm' (either alone or cumulatively), as the predicted impacts will be of a scale that will not impact the overall favourable conservation status of the species as the Proposed Development's design and mitigation has focused on protecting and enhancing Bechstein's bat foraging and commuting habitat. This conclusion is clearly set out within the **Planning Statement [EN010158/APP/5.7.2]** [AS-027], **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** [APP-050] and **Chapter 17: Cumulative Effects [EN010158/APP/6.2]** [APP-060].
The Applicant is requested to review the **ES [EN010158/APP/6.1 - 6.4]** to ensure that all effects are presented clearly and that where mitigation measures are proposed, it is clearly stated whether that mitigation would reduce the significance of effects and to what degree. Provide an update to the ExA for the submission of any amended information.	The Applicant acknowledges the ExA's request regarding the clarity of effect presentation and mitigation measures within the **ES [EN010158/APP/6.1 – 6.4]**. As stated in Paragraph 5.11.7 of **ES Volume 1, Chapter 5: Approach to the EIA [EN010158/APP/6.1]** [APP-048], the embedded (primary) mitigation measures relevant to each environmental factor are detailed in **ES Volume 2, Chapters 6 - 16** [APP-049 - APP-059]. As stated in Section 5.12 of **ES Volume 1, Chapter 5: Approach to the EIA [EN010158/APP/6.1]** [APP-048], the assessment of likely effects presented in **ES Volume 2, Chapters 6 - 16** [APP-049 - APP-059] is a general commentary of the likely effects that could occur as a result of the construction, operation

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
	(including maintenance), and decommissioning phases of the Proposed Development, taking account of the embedded (primary) mitigation that forms part of the Proposed Development being assessed, but in the absence of any additional mitigation measures. This general commentary sets the scene for the potential need (or otherwise) for additional mitigation measures to be considered. Assessment criteria have not been applied to the assessment of likely effects (without additional mitigation). This is intentional, so as to avoid the significance of the likely effects (without additional mitigation) being misinterpreted as the overall (residual) significance of effect. Additional mitigation measures are then proposed within **ES Volume 2, Chapters 6 - 16 [APP-049 - APP-059]** (where considered appropriate/necessary), either to adhere to legislative requirements and/or standard sectoral practices (e.g. management plans) or to avoid, prevent or reduce and, if possible, offset any likely significant adverse effects on the environment. Therefore, it should be noted that not all additional mitigation measures have been proposed to avoid, prevent or reduce and, if possible, offset what would otherwise be a significant adverse environmental effect. An assessment of residual effects (with additional mitigation) is then presented in **ES Volume 2, Chapters 6 - 16 [APP-049 - APP-059]**, applying assessment criteria. Save for the residual effect on Bechstein's bats during operation (including maintenance) (see response above), this assessment clearly states whether each identified effect is considered to be significant or not significant. The Applicant notes that the above approach has been adopted for the respective ES' submitted in support of the Springwell Solar Farm and Peartree Hill Solar Farm DCO applications, both of which have recently been through

ExA's request for additional information	Applicant's Response including, as appropriate, a proposed route to resolution
	DCO examination with no comments or observations from the ExA or interested parties made on this approach. Accordingly, the Applicant does not propose structural amendments to the **ES [EN010158/APP/6.1 - 6.4]**.

Rosefield
Solar Farm

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