Planning Inspectorate

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Alt Ref: ENVPAC/1/NIT/00019
Your Ref: EN010159

Date: 03 December 2025

Dear Sir/Madam

ONE EARTH SOLAR FARM

RESPONSE TO DOCUMENTS SUBMITTED AT DEADLINE 5

Thank you for consulting us on the additional documents submitted by the applicant on the 12 November 2025. We have reviewed the submissions and have the following comments to make within appendix 1 (response to submitted documentation).

We are expecting submission by the applicant of an updated Statement of Common Ground at Deadline 6 and have been in discussions with the applicant around the updated Flood Risk Assessment and we will be looking to submit comments once reviewed.

We can also confirm we have agreed the Protective Provisions with the applicant and agreed the wording of Requirement 22 which we expect to be included in the dDCO and FRA which the applicant is proposing to submit at deadline 6.

Please also see a list of key issues as highlighted below in our Work Package Tracker, Appendix 2, we are in regular consultation with the applicant to work through these issues and we are expecting some of these matters to be agreed following the below alterations made to the recommended documentation.

We trust this advice is useful.

Yours sincerely

Mr James Cordell
Planning Advisor - National Infrastructure Team

Appendix 1 – Response to documents submitted at deadline 3
Appendix 2 – Environment Agency Work Package Tracker

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Appendix 1

Water Quality

EAWQ – Watercourse Buffer Distances		
Chapter 5 Description of the Proposed Development Outline Construction Environmental Management Plan	Issue:	Watercourse buffer distance is incorrect. In Table 3.5 of the CEMP, on page 42, it says "Watercourses will have a minimum buffer of 8m, ponds 10m, and a 16m buffer to the River Trent."
	Impact:	If distances are not sufficiently away from the edge of the watercourse, then it can increase the risk of contamination in the event of a drilling fluid breakout.
	Solution:	Amend the distance to the 10m from top of bank of watercourses, in line with best practice and other documentation (i.e. Table 3.4 in the CEMP and C4 in Volume 7.0: Other Documents Commitments Register).
Additional comments:		

EAWQ – WFD References		
Appendix 7.4 – Stage 1 WFD Screening Assessment	Issue:	All Environmental Management Plans for all phases (Construction, Operation and Decommissioning) and the Battery Safety Management Plan (BSMP) should be referenced in the WFD Assessment when providing details of embedded mitigation measures.
	Impact:	Currently only the CEMP is referenced in the WFD Assessment, and this makes it hard to interpret which measures are included to ensure that there are no negative impacts to the existing watercourses and waterbodies.
	Solution:	Section 4 of the WFD Assessment must be updated to reference the OEMP and the BSMP for continuity to understand all measures. Please add an additional section to the WFD Assessment titled 'Decommissioning Mitigation' which captures which measures will be implemented during decommissioning so that it can be concluded that the decommissioning will not cause or contribute to deterioration of the existing watercourses or groundwater bodies or jeopardise their potential to achieve good status. This may have similarities to the construction section but should reference the DEMP.
Additional comments:		

EAWQ – Herbicides

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Outline Operational Environmental Management Plan Appendix 7.4 Stage 1 WFD Screening Assessment Outline Landscape and Ecology Management Plan	Comments:	Table 3-4 of the OEMP says that "Should any herbicide or other spray chemical be needed in small volumes, a method statement, operating procedure or similar will be prepared prior to the work commencing", however there is no reference to the oLEMP here. For consistency between documents, we strongly encourage a reference to be added. Section 4.1 of Appendix 7.4 says that "It is not proposed that harsh chemicals or pesticides will be utilised for vegetation management", which we acknowledge. However, it goes on to say that "Full details of vegetation management will be outlined within the Landscape and Ecology Management Pan (LEMP), post consent". Whilst we accept that we can review the final LEMP and provide further comments at that stage, we would like to note that no specific details are currently included in the outline LEMP. Sections 5.4.14 and 5.4.25 only say that "chemical and mechanical control" may be used to maintain a weed free strip either side of the hedgerow.

Ground Water & Contaminated Land

GWCL – Testing Post Fire Event		
oOEMP and Outline Battery Safety Management Plan	Comments:	Section 5.1.7 of the updated oBSMP (REP5-044) now references chemical analysis using UKAS and MCERTS (where applicable) accredited methods for water samples. It is then stated that the water samples would be checked against the list of surface water specific substances in 'the surface water pollution risk assessment guide', however no referencing is provided. We assume the reference is to Surface water pollution risk assessment for your environmental permit - GOV.UK. This should be more clearly referenced. Alternatively, the Applicant could state that screening will be carried out in accordance with current Environment Agency guidance using applicable statutory water quality criteria. We acknowledge that details of the sampling methodology, locations and analytical parameters will be determined post-consent and established in the detailed BSMP and OEMP.

GWCL – Aquifer Classifications		
WFD Screening Assessment	Comments:	Section 7.4.11 states that where superficial units are present within the Order Limits these are classified as Secondary A aquifers, then immediately afterward contradicts this statement by stating that there is a small area of Secondary undifferentiated aquifer associated with till deposits between Ragnall and Darlton. The stated aquifer classifications are correct, but this section should be rephrased to avoid confusion.

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GWCL – SPZ Study Area		
WFD Screening Assessment	Comments:	Section 7.4.11 states that there are no groundwater SPZs within the Study Area. This is incorrect, as although the SPZs associated with Anglian Water abstractions to the north of the Order Limits are located outside the 250m study area buffer shown on Figure 8.7 Groundwater Abstraction Points (Drawing EN10159/APP/6.20/8.7) the hydrology and hydrogeology study area search buffer has been set at 1km, as stated in Section 7.3.1 and shown in Figure 7.1.

GWCL – Surface Water Drainage Systems		
Chapter 5 Description of the Proposed Development	Comments:	Section 5.4.3 of Chapter 5 states that surface water drainage systems will include oil water separators, and Section 5.4.45 states that substation compounds and SuDS features serving them will include impermeable lining and automatic penstock valve systems. However, Section 7.5.21 of Chapter 7 only references impermeable lining to the BESS SuDS features, and no reference to the use of oil water separators or secondary containment for substation equipment containing potential contaminants is present. The Applicant should clearly outline the committed design mitigation to prevent contaminants from substation plant containing hazardous chemicals, such as transformers, from releasing contamination to the surface water drainage system from both spills and leaks during operation and fire events.

GWCL – Emergency Response Plan		
Outline Construction Environmental Management Plan	Comments:	Section 2.10.1 of the report states that an Emergency Response Plan (ERP) will be developed for the Proposed Development in consultation with the relevant local authority planning officer, emergency services including the local fire service, and the Environment Agency in relation to responding to flood warnings and events. The ERP should identify the importance of notifying downstream river/groundwater abstractors should impacts to surface water and/or groundwater occur, to ensure that Environment Agency incident response personnel are made aware of this as a priority. All relevant incident response parties should be made aware of the ERP and provided with immediate access to it.

GWCL – Draft DCO		
Draft DCO Drainage 11	Comments:	*Drainage 11.— (1) No part of the authorised development may commence until written details of the drainage management plan for that part have been submitted to and approved by the relevant*

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		planning authority for that part, such approval to be in consultation with Anglian Water. Given the significance of the BESS and substation surface water drainage systems the Environment Agency should also be named as a consultee for this item.

GWCL – Discovery Protocol		
Outline Decommissioning Environmental Management Plan	Comments:	The oDEMP now includes a statement (Table 3.17) that groundworks personnel will be briefed on the Discovery Protocol for unexpected contamination and will maintain vigilance for visual and olfactory signs of contamination, particularly in areas of historic mineral extraction. For completeness, this statement should also be included in Table 3.5 Hydrology.

GWCL – Substation Compounds		
Chapter 5 Description od the Proposed Development	Comments:	Section 5.4.31 refers to two supporting documents, the outline Battery Safety Management Plan (oBSMP) and Unplanned Emissions Assessment, however both are given the referencing information for the oBSMP. Sections 5.4.42 to 5.4.47 provides outline details of the design of the Substation Compounds. The Applicant should provide more detail of the hazardous and polluting substances anticipated to be present within Substation plant and equipment, such as oil-filled transformers, and the design and operational measures to contain these substances, such as: • Secondary containment systems such as double-skinned tanks and bunding; • Leak detection and level monitoring systems; • Bund water management; and • Oil water interceptors. Oil containment must be in accordance with the Control of Pollution (Oil Storage) Regulations 2001, and the Applicant should employ best practice pollution controls for oils and other hazardous and polluting substances.

GWCL – Pollution Mitigation Measures		
Appendix 7.2 Flood Risk Assessment and Drainage Strategy	Comments:	Other than referring to the use of an impermeable lined SuDS drainage system for the Substation compound areas, the FRA and Drainage Strategy does not provide outline details of proposed water pollution mitigation measures at these compounds, such as bunding of features containing hazardous and polluting substances, and the use of oil water interceptors to prevent hydrocarbon spills and leaks

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		from entering the drainage network. This information should be included for completeness. Table 4-1 states that “Features serving the BESS compound areas will therefore have an impermeable lining to prevent infiltration to the ground.” This sentence should also include the Substation compound areas for consistency. Table 4-10 presents a summary of indicative SuDS maintenance proposals. This should also include proposals for the inspection and maintenance of surface water drainage pollution prevention infrastructure such as bunds and oil water interceptors. The Maintenance Regime section on Page 63 contains a typo *“third part”*, which should be corrected. Drawing title ‘Surface Water Drainage Strategy Eastern BESS Compound’ shows two detention basins, Detention Basin 2 and Detention Basin 3. These are shown discharging via automatic penstock valve to two indicative ordinary watercourses. Our records contradict the layout of the ordinary watercourses as shown in the drawing – the northern ordinary watercourse, receiving water from Detention Basin 2, is consistent with our data, however the southern ordinary watercourse, receiving discharge from Detention Basin 3, is not present on our records. Our records show the indicated discharge point instead connects to an unnamed ordinary watercourse which flows northward to join the same ordinary watercourse that Detention Basin 2 is shown to discharge to. The Applicant should confirm the drainage layout at the proposed discharge points and update the figures accordingly if found to be inaccurate.

GWCL – Firewater Testing		
Outline Battery Safety Management Plan	Comments:	Figure 2.2 of the oBSMP shows a notably different layout from that shown in the drawing ‘Surface Water Drainage Strategy Eastern BESS Compound’ presented in the FRA and Drainage Strategy. These should be consistent with one another. Section 3.5.31 refers to the use of an aerosol suppression system within the BESS enclosures, which may involve ‘Clean agent’ extinguishing systems. Section 4.5.3 later refers to the possibility of the use of a ‘dry agent’ system. It is unclear whether these are the same systems. The Applicant should confirm that no suppression systems will contain

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		hazardous or polluting chemicals that may pose an inherent contamination risk to controlled waters. Details of the chemical composition and hazard properties of the suppression aerosol or dry agent (such as Material Safety Data Sheets) should be provided for review when available. Section 5.1.7 refers to comparison of sample analytical data with a list of surface water specific substances in the water pollution risk assessment guide, however no reference to this document is provided. The Applicant should ensure that this is referenced correctly. Section 5.1.11 states that a site-specific assessment will be carried out to inform detailed design, with ground monitoring equipment to be provided to enable early detection and management of spills. We look forward to reviewing this when it becomes available.

Biodiversity

EAFBG-001 Fish Species		
Environmental Statement Chapter 6 Section 6.10.4 – 6.1.10	Issue:	The ES has only assessed river lamprey and sea lamprey.
	Impact:	There are records in the River Trent of populations of Atlantic salmon (*Salmo salar*), brown/sea trout (*Salmo trutta*), European eel (*Anguilla anguilla*) and notable coarse fish, including barbel (*Barbus barbus).* By not including all fish in the baseline, impact-pathways may cause damage to fish or habitat
	Solution:	Include all fish species present in the River Trent in the EIA
Additional comments:	Atlantic salmon are an Annex II species of the Habitats Directive. Brown/sea trout are listed as a S41 Priority Species of the NERC (Natural Environment and Rural Communities) Act. European eel are listed as critically endangered on the IUCN Red List of Threatened Species, they are also listed as a species of principal importance under Section 41 of the Natural Environment and Rural communities (NERC) Act 2006. They are also protected under The Eels (England and Wales) Regulations 2009. Barbel are an Annex V species of the Habitats Directive. Note that EMF impacts on additional fish species is detailed in Appendix 2.4: Electromagnetic Fields Impact Report.	

EAFBG-006 Watercourse Classifications BNG		
Environmental Statement Chapter 6	Issue:	Fledborough Beck is still classified as a ditch along with other named watercourses within the Biodiversity Net Gain Metric.

Appendix 6-10 Biodiversity Net Gain Assessment	Impact:	It cannot be demonstrated that the river elements of the site within the red line boundary have been considered.
	Solution:	Correctly identify Fledborough Beck as 'other rivers and streams' and reassess the BNG watercourse metric.
Additional comments:		

EAFBG – Ditch Enhancement		
REP3-0 Response to D2 Submission R2R10	Comments:	Viability of assuming ditches can be assumed to be changed to 'good'. In order to achieve 'good condition' the created habitats will need to secure all of the stated condition criteria. Whilst it is accepted that changed management practices will benefit water quality, presumably there are ditches receiving water from offsite areas outside of the applicant's control, and therefore viability of achieving these is open to question. For example, the condition assessment mentions road run off as an issue. The applicant's response points to measure (planting aquatic vegetation) not mentioned in the oLEMP or commitments. To achieve good status, control over the water levels is required which again the applicant may not be able to control. There is no commitment to monitor/control non-native species (accept Mink) in the oLEMP or commitments. Overall, we would be more confident assuming enhancement of ditches to a moderate condition.

Appendix 2

Subject	Topics	Assessment	Impact	Solution	Agreed requirement/ or updated assessment	Note:
Ecology and Biodiversity	**Biodiversity Net Gain**	**Working on solution**	**Working on solution**	**Working on solution**	**Working on solution**	EAFBG-006 - Clarity needed on the watercourses included within the metric, some may be missed/classified as ditches.
	Decommissioning Management Plan (DMP)	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Ecological Assessment	**Agreed**	**Agreed**	**Agreed**	**Agreed**	EAFBG-001 - Fish species missing from EIA, sufficient mitigation for all species has been provided.
	Water Environment Report / WFD	**Agreed**	**Agreed**	**Agreed**	**Agreed**	

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	Flood Risk Assessment	**Working on solution**	**Working on solution**	**Working on solution**	**Working on solution**	EAFM-02 - Flood flows from areas where the panels sit below the deign flood level could influence flow rates which has not been quantified.
	Detailed Flood Modelling (Flood Risk Assessment)	**Working on solution**	**Working on solution**	**Working on solution**	**Working on solution**	EAFM-02 - Flood flows from areas where the panels sit below the deign flood level could influence flow rates which has not been quantified.
Geomorphology	**Water Environment Report / WFD**	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
Groundwater Protection &	**WFD Assessment**	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Decommissioning Management Plan (DMP)	**Agreed**	**Agreed**	**Agreed**	**Agreed**	

Contaminated Land	**Hydrogeology Sensitivities**	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Surface water and Groundwater abstractions, pollutions incidents and discharge consents Report	**Agreed**	**Agreed**	**Agreed**	**Agreed**	EAGWCL-002 - No reference to private groundwater abstractions has been made and it is unclear what information sources have been used to identify the discussed groundwater abstractions. EAGWCL004 - Figure 8.7 shows additional groundwater abstraction point which may not be considered.

	Contaminated Land	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Piling Risk Assessment	**Agreed**	**Agreed**	**Agreed**	**Agreed**	EAGWCL-005 - no commitment to producing a Foundation Works Risk Assessment (this could be completed through the oCEMP)
Surface Water Quality	**Battery Safety Management Plan (BSMP)**	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Decommissioning Management Plan (DMP)	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
	Modelling	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
Water Resources	**Water Supply Strategy**	**Agreed**	**Agreed**	**Agreed**	**Agreed**	

	Water Resources Assessment	**Agreed**	**Agreed**	**Agreed**	**Agreed**	
Permitting	**Consents Strategy**	**Not Agreed**	**Not Agreed**	**Not Agreed**	**Not Agreed**	EAGCC-01 - Delays to the delivery of the scheme where consents and agreements are insufficiently comprehensive, to ensure the EA can effectively deal with permit applications.