The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

Our ref: XA/2025/100424/02-L01
Your ref: EN010162

Date: 16 January 2026

To whom it may concern

ENVIRONMENT AGENCY RESPONSE DEADLINE 1 SUBMISSIONS.

GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK

This response constitutes the Environment Agency's Deadline 2 response in regards to the applicant's response to our Relevant Representation [RR-054] (dated 30 September 2025, ref. XA/2025/100424/01-L01). We have reviewed the Deadline 1 submissions, and other application documents that have been updated since submission. Following our review, we have responded to the outstanding issues raised within our Relevant Representation [RR-054] (dated 30 September 2025, ref. XA/2025/100424/01-L01) in turn below.

Please note, our response to the examining authorities written questions (1) will be submitted in a separate letter (reference number XA/2025/100506/01-L01, dated 16 January 2026).

For our response, we have provided the following appendices consisting of:

- Appendix A:
  - Our comments regarding the issues we raised in our Relevant Representation
- Appendix B:
  - A summary of our position

Yours faithfully

[redacted]
Planning Specialist

Direct e-mail NITeam@environment-agency.gov.uk

Appendix A - Our comments regarding the issues we raised in our Relevant Representation

EA001 Groundwater and contaminated land

We do not consider this issue resolved.

We were concerned regarding the definition of commence within the 3.1 Draft Development Consent Order - Rev 1 [APP-007]. Specifically, we were concerned that works considered under “permitted preliminary works” are pre-commencement activities, that could be undertaken without the controls that only apply following commencement.

To consider this issue resolved, the applicant should amend the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030], specifically section A5.3.6 paragraph 24 to state:

“*The Environment Agency will be consulted to confirm that the chosen method of dealing with any identified contamination is appropriate for controlled water protection*.”

Once this change is made, we will consider this issue resolved.

EA002 Groundwater and contaminated land

We do not consider this issue resolved.

We were concerned that there was a lack of detail regarding the unexpected contamination protocol within the 3.1 Draft Development Consent Order - Rev 1 [APP-007] requirement 16 (Ground Conditions) (2).

We require the [REP1-030] 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 to be updated to include the following wording for an unsuspected contamination protocol:

1. In the event that contaminated land is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, then no further development (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located. It must be reported as soon as reasonably practicable to the local planning authority, and where necessary, the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the local planning authority, and where necessary, the Environment Agency.

2. Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the local planning authority, following consultation with the Environment Agency.
3. Remediation must be carried out in accordance with the approved scheme under sub paragraph (2).
4. Following the implementation of the remediation strategy approved under sub-paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency.

Alternatively, a new requirement for an unsuspected contamination protocol based on the above wording, can be input into the draft development consent order.

We are pleased to see that the 3.1B Draft Development Consent Order (Clean) - Rev 3 states that we are a relevant authority to be consulted on the following requirements:

- 12 (Construction environmental management plan);
- 13 (Operational environmental management plan);
- 16 (Ground conditions);
- 19 (Decommissioning and restoration)

EA003 Water quality
We are satisfied and consider this issue resolved.

We were concerned that under Requirement 16 ground conditions, we were not listed to be consulted alongside the planning authority in regard to (1) and (2).

We have reviewed the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-007], and can confirm we have been included as a relevant authority for the approval of Requirement 16 (1) (2).

EA004 Flood risk
We are satisfied and consider this issue resolved.

We were concerned that under Requirement 9 Fencing and other means of enclosure, we were not listed to be consulted alongside the planning authority in regard to (1) and (2)

We have reviewed the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-007], and can confirm we have been included as a relevant authority for the approval of Requirement 9 (1) (2).

EA005 Flood risk
We do not consider this issue resolved.

We were concerned that Protective provisions for the protection of the Environment Agency are included in Schedule 13 (part 4).

Protective provision are still included in the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-007].

We cannot agree to the disapplication of Flood Risk Activity Permits (FRAPs) or any other permitting legislation; therefore the protective provisions cannot be included in the draft DCO.

To resolve this issue, the protective provisions will need to be removed.

EA006 Water quality
We are satisfied and consider this issue resolved.

We were concerned that we were not listed to be consulted on the following management plans:

- 12 (Construction environmental management plan)
- 13 (Operational environmental management plan)
- 19 (Decommissioning and restoration)

We have reviewed the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-007], and can confirm we have been included as a relevant authority to be consulted on the following:

- 12 (Construction environmental management plan)
- 13 (Operational environmental management plan)
- 19 (Decommissioning and restoration)

EA007 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that 6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] does not mention the aquifer status of the bedrock, or describe the superficial deposits that underlie the proposed scheme.

6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] has not been updated. We require the applicant to update 6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] to include the aquifer statuses across the scheme to resolve this issue.

EA008 Water quality
We do not consider this issue resolved.

We were concerned that there were insufficient measures to avoid chemical pollution from Battery Fire.

6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] has not been updated. Therefore, our issue remains unresolved.

The applicant has updated both the [REP1-039] 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 and [REP1-032] 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2, to state:

- an automatic penstock will be used;
- a backup power system;
- regular testing will occur

We require the 6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] to be updated to include the above measures.

Further to the above, we require a commitment to providing a maintenance schedule for the SuDs. We recommend this is added to Table A5.4.D-1 of the 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2 [REP1-032].

Please note this issue interlinks with issue EA010.

EA009 Water quality and Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that there was a lack of Clarity on how fire water will be treated or disposed of. We stated that our preferred method of firewater disposal should be via tankering methods.

6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] has not been updated. Therefore, our issue remains unresolved.
We require the applicant to update the following documents to outline how fire water will be disposed of in the event of a BESS fire:

- [REP1-030] 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2
- [REP1-032] 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2
- [REP1-039] 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3

EA010 Water quality and groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that there was a lack of post-fire pollution prevention controls regarding the firewater basin and SuDS system.

6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] has not been updated. Therefore, our issue remains unresolved.

We note that document [REP1-032] 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2 has been updated to include the:

"the provision of an automated penstock on the outfall of the containment system".

We agree with the inclusion of this measure.

We note the updates made to the 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2 [REP1-032] and the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] that now describe replacing the lining, or clay base, if contaminants are present after the event of a fire. However, it is not clear if it is the impermeable lining that is being referred to. This issue therefore remains unresolved.

We require the following to resolve this issue:

- Update 6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1 [APP-052] to clarify that in the event of a fire, any containment systems for firewater would be thoroughly cleaned before any penstock was re-opened and drainage resumes;
- Update the 6.4.5.4A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 - Outline Fire Safety Management Plan (Clean) - Rev 2 [REP1-032] and the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] to clarify whether the impermeable lining is being referred to

Please note this issue interlinks with issue EA008.

EA011 Water quality and groundwater and contaminated land
We consider this issue resolved.

We were concerned there was insufficient detail regarding foul water treatment and disposal.

The applicant has updated section A.5.5.1 of the 6.4.5.5A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 - Outline Environmental Management Plan (Tracked) - Rev 2 [REP1-035] to state that the management of foul water will be set out in the final Outline Environmental Management Plan. We have been listed as a relevant authority to be consulted for requirement 10 (Surface

and foul water drainage) in the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-005]. The updates made to these documents have resolved our concerns.

EA012 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that the assessment in document 6.2.10 Environmental Statement Report Volume 2 – Chapters Chapter 10 – Ground Conditions and Land Contamination - Rev 1 [APP-053] had been carried out in accordance with the Design Manual for Roads and Bridges (DMRB) and associated supporting documents. These documents contain outdated and incorrect information.

For this issue to be resolved, the applicant should:

- Assign medium sensitivity to source protections zones (SPZ) as outlined in (Table 3.70 in LA 113 – as referred to in Table 3.11 of LA 109).
    - Table 10.17 the SPZ 3 is assigned a low sensitivity. This is not an appropriate consideration of sensitivity.
- Neither LA 109 or 113 include private water supplies as receptors. These receptors should be considered.

EA013 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned by inconsistency of wording of the discovery strategy in the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204] and Requirement 16 of the 3.1 Draft Development Consent Order - Rev 1 [APP-007].

We acknowledge that we will be consulted on requirement 16. However, the applicant should amend document 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030], specifically section A5.3.6 paragraph 24 to state:

"*The Environment Agency will be consulted to confirm that the chosen method of dealing with any identified contamination is appropriate for controlled water protection*."

Once this change is made, we will resolve this issue.

EA014 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that mitigation measures to prevent risks to controlled waters from foundations were insufficient.

The applicant has not amended document 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] in relation to a Foundation Works Risk assessment. As there is no commitment to a Foundation Works Risk Assessment, this issue is not resolved.

EA015 Water quality
We consider this issue resolved.

We were concerned that there was a lack of detail regarding how fuel, oil and chemicals would be stored in bunded areas.

The applicant has provided appropriate mitigation measures relating to the risks from fuels, oils and other chemicals within the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] and the 6.4.5.5A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 - Outline Environmental Management Plan (Tracked) - Rev 2 [REP1-035]. We therefore consider this issue resolved.

EA016 Water quality
We do not consider this issue resolved.

We were concerned that there was uncertainty around launch pit location details, and their distance from the top of the bank of watercourses.

The applicant has not provided any updated information regarding Horizontal Directional Drilling (HDD) in the revised 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) – Rev 2 [REP1-030]. Therefore, this issue is not resolved.

To resolve this issue the applicant should provide further detail around the launch pit locations, and precautions in (originally in paragraph 93 of the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204] should be developed into a Drilling Fluid Breakout Management Plan.

EA017 Water quality
We do not consider this issue resolved.

We were concerned that there was a lack of detail regarding contamination determination within the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204].

We note that the applicant has outlined in Table A5.5.3 of the 6.4.5.5A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 - Outline Environmental Management Plan (Tracked) - Rev 2 [REP1-035] that SuDS will be checked quarterly.

Section A5.3.9.6.1 of the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] does not specifically state that water quality within SuDs will be monitored.

To resolve this issue, we require:

- Clarity of what SuDs will be proposed for the construction compound within the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030];
- A SuDs maintenance schedule to be included in the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030]

EA018 Biodiversity
We are satisfied and consider this issue resolved.

We were concerned that there was insufficient wording of the biosecurity measures relating to construction activities, which involve contact with water or aquatic ecosystems, within the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204].

The revised wording in the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] has been sufficiently modified to reflect the potential presence of aquatic Invasive Non-Native Species and associated increased risk of accidental spread within watercourses. This issue can therefore be resolved.

EA019 Biodiversity
We do not consider this issue resolved.

We were concerned that there was displacement of water vole without sufficient mitigation implemented prior to displacement.

The 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] does not include a commitment to provide appropriate mitigation

habitat for water vole prior to construction works commencing. We therefore cannot resolve this issue.

Regarding works within proximity to ordinary watercourses, we defer to the local Internal Drainage Board. However, we recommend that ordinary watercourses are included within a commitment to provide mitigation habitat prior to the construction works commencing, within the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030].

Additional comment
We note that table A5.1.5 the 6.4.5.1A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.1 - Outline Landscape and Ecology Management Plan (Clean) - Rev 2 [REP1-025] states that “Additional management of the Riparian Corridor will be informed by the Nottinghamshire Wildlife Trust’s Water Vole Recovery Programme, details of which will be finalised following consent.” We are pleased with this approach.

EA020 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204] didn’t state that hydrogeological risk assessments would be carried out to assess the risks of HDD installation methods in areas close to groundwater receptors.

The applicant has not amended document 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030] in relation to a hydrogeological risk assessment for any HDD works. As there is no commitment to a hydrogeological risk assessment, this issue is not resolved.

EA021 Water quality
We consider this issue resolved.

We were concerned there was insufficient detail regarding foul water treatment and disposal.

The applicant has updated section A.5.5.1 of the 6.4.5.5A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 - Outline Environmental Management Plan (Tracked) - Rev 2 [REP1-035] to state the management of foul water will be set out in the final Operation Environmental Management Plan (OEMP). Furthermore, we have been listed as a relevant authority to be consulted on requirement 10 (surface and foul water drainage) in the 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-005]. The updates made to these documents resolve our concerns.

EA022 Water quality
We consider this issue resolved.

We were concerned that there was a lack of detail about refuelling vehicles during the operation phase. It was unclear whether it would occur in designated bunded areas, and if any oil inceptors would be used around hard standings.

The applicant has provided the appropriate mitigation against the risks from fuels, oils and other chemicals via updating the [REP1-030] 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 and the [REP1-035] 6.4.5.5A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 - Outline Environmental Management Plan (Tracked) - Rev 2. We therefore consider this issue resolved.

EA023 Groundwater and contaminated land
We consider this issue resolved.

We were concerned that some electrical cables may be left in situ, following decommissioning of the development.

The applicant has updated document 6.4.5.6A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.6 - Outline Decommissioning and Restoration Plan (Clean) - Rev 2 [REP1-036], specifically section A5.6.2.1.
This section now includes a commitment to complete a risk assessment for any cables that are proposed to be left in situ once the site is decommissioned. We find this acceptable and therefore consider the issue resolved.

EA024 Groundwater and contaminated land
We do not consider this issue resolved.

We were concerned that surface water and groundwater quality monitoring carried out as part of the 6.4.5.6 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.6 – Outline Decommissioning and Restoration Plan - Rev 1 [APP-207], would be carried out without a commitment to remediation of any identified pollution.

Section A5.6.6.8 of the 6.4.5.6A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.6 - Outline Decommissioning and Restoration Plan (Clean) - Rev 2 [REP1-036], has been updated to include reference to remediation of surface and groundwaters if monitoring detects any pollution. However, it states “Any pollution by the Development identified in this monitoring will be remediated insofar as is practicable.” This should be expanded to include adhering to the guidance on dealing with pollution within Land Contamination Risk Management.

Additionally, we note that the 6.4.5.5 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.5 – Outline Operation Environmental Management Plan - Rev 1 [APP-206] does not contain details of surface water monitoring during operation. Section A5.3.9.6.1 of the 6.4.5.3 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204] provides details of surface water monitoring during construction. We require the OEMP to be updated to include details of surface water quality monitoring.

To resolve this issue we require:

- Inclusion of adhering to the guidance on dealing with pollution within Land Contamination Risk Management within the sentence “Any pollution by the Development identified in this monitoring will be remediated insofar as is practicable.” Of the 6.4.5.6A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.6 - Outline Decommissioning and Restoration Plan (Clean) - Rev 2 [REP1-036];
- Inclusion of details of surface water quality monitoring in the 6.4.5.5 Environmental Statement Volume 4 – Technical Appendices Technical Appendix A5.5 – Outline Operation Environmental Management Plan - Rev 1 [APP-206]

EA025 Flood risk
We do not consider this issue resolved.

We were concerned that there was limited detail on the siting of construction compounds, equipment and materials.

In the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] the applicant has committed to not placing construction compounds within Flood Zone 3a or 3b. However, the applicant has not mentioned material or equipment. The applicant needs to commit to not placing material or equipment storage within floodzone 3 (both 3a and 3b), or provide necessary mitigation measures to be implemented and ensure there is no adverse impacts on flood risk.

EA026 Flood modelling
We consider this issue resolved.

We were concerned that the measurement of climate change for sea level rise was not considered appropriately. The application of climate change for sea level rise is not based on a percentage increase, but rather an increase in water level in metres to a given year in the future.

Section A9.1.1.3.2.2 of the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] still refers to the application of tidal

climate change as a percentage. This is misleading, as tidal climate change is applied by increasing sea levels to reflect climate change, and not by scaling flows by a percentage as is the case when applying climate change to fluvial (river) flows. It is not critical for this project, given the proposed development's location is within the fluvial dominant reach of the River Trent, and is not affected by tidal flooding in the tidal design event (0.5% plus upper climate change), based on Environment Agency detailed hydraulic modelling (Jacobs, 2023). Additionally, section A9.1.1.23 shows how the 0.5% (1 in 200) Upper End tidal 2121 scenario flood extent does not encroach into the order limits for the development.

We are satisfied to resolve this issue, even though the Flood Risk Assessment (FRA) text has not been updated, as it will not materially alter the conclusions.

EA027 Flood modelling
We do not consider this issue resolved.

We were concerned there was a lack of clarity regarding mitigation proposed in the BESS area, where water depths exceed 0.4 metres. It was unclear whether the BESS infrastructure would be raised above the design flood level, and whether any subsequent loss of fluvial floodplain storage would be mitigated.

Section A9.1.2.3.5 Work Area 5a BESS remains unchanged in the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039]. Paragraph 13 on page 42 of the FRA states that the placement of above ground infrastructure will avoid areas of flooding greater than 0.4 metres, except for a very small area in the north of Work Area 5a. Ordinary Watercourses are located in the vicinity of the Battery Energy Storage System (BESS), we raised this comment to better understand the mitigations that are being proposed, and whether there is any loss of floodplain storage associated with the BESS.

To resolve our concerns, the applicant should include additional detail within the FRA. This should focus on clarifying if there is any loss of fluvial floodplain storage associated with the BESS. Additionally, the applicant should identify any potential impacts from the BESS due to a loss of flood plain storage on flood risk to third parties, and whether the area of larger flood depths (>0.4 metres) can be avoided for development altogether.

EA028 Flood risk
We do not consider this issue resolved.

We were concerned that there was contradictory information within figure 9.18 of the Response to Section 51 following Acceptance - 6.4.9.1A Environmental Statement Volume 4 – Technical Appendices Technical Appendix A9.1 – Flood Risk Assessment (Clean) - Rev 2 [AS-051]. The Applicant referred to Figure 9.18 to show that all panels would be placed outside of the design event. However, this figure was named '1% AEP Defended Extents (CCP1)'. It was unclear whether the extent shown in this figure included the addition of 39% for the allowance of climate change.

The CCP1 dataset is the Environment Agency's climate change projection dataset. For the Risk of Flooding from Rivers and Sea dataset, this reflects a central uplift of climate change for the 2050s epoch (2040 to 2069). For the Flood Map for Planning a central uplift for the 2080s epoch (2070 to 2125) was utilised. The map in figure A9.18 of the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] shows the 1% defended extent (Risk of Flooding from Rivers and Sea) with climate change applied (CCP1). The climate change applied for this dataset is the central allowance for the 2050s epoch which reflects a 17% uplift for the Lower Trent and Erewash management catchment. Within section A9.1.1.11 Flood Studies page 18 paragraph 56 the Environment Agency's CCP1 climate change dataset is erroneously referred to as +23%, which reflects the higher central uplift for the 2050s epoch. The Environment Agency climate change projection (CCP1) applied to the Risk of Flooding from Rivers and Sea dataset reflects the central allowance for the 2050s epoch (+17%). In the case of the Flood Map for Planning, the central allowance for the 2080s epoch (+29%) was applied.

The FRA should be updated to correctly refer to the climate change allowances applied to Environment Agency datasets (CCP1). It should then be identified if this has any implications for the proposed development, noting that a central allowance, rather than a higher central allowance, has been used in the CCP1 data.

Additional comment
With respect to the Trent there are no concerns as climate change has been assessed appropriately based on the detailed modelling available (+39% higher central applied).

EA029 Flood risk
We do not consider this issue resolved.

We were concerned that areas designated as 'environmental mitigation areas' within the Response to Section 51 following Acceptance - 6.4.9.1A Environmental Statement Volume 4 – Technical Appendices Technical Appendix A9.1 – Flood Risk Assessment (Clean) - Rev 2 [AS-051] may restrict the Environment Agency flood response team's access to watercourses in times of a flood.

The applicant has not addressed this within the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039]. Therefore, we cannot resolve this issue.

Appendix B – A summary of our position

Subject	Relevant Rep Reference	Deadline 1
Groundwater and contaminated land	EA001	Not Resolved
Groundwater and contaminated land	EA002	Not Resolved
Water quality	EA003	Resolved
Flood risk	EA004	Resolved
Flood risk	EA005	Not Resolved
Water quality, groundwater and contaminated land	EA006	Resolved
Groundwater and contaminated land	EA007	Not Resolved
Water quality	EA008	Not Resolved
Water quality, groundwater and contaminated land	EA009	Not Resolved
Water quality, groundwater and contaminated land	EA010	Not Resolved
Water quality, groundwater and contaminated land	EA011	Resolved
Groundwater and contaminated land	EA012	Resolved
Groundwater and contaminated land	EA013	Not Resolved
Groundwater and contaminated land	EA014	Not Resolved
Water quality	EA015	Resolved
Water quality	EA016	Not Resolved
Water quality	EA017	Not Resolved
Biodiversity	EA018	Resolved
Biodiversity	EA019	Not Resolved
Groundwater and contaminated land	EA020	Not Resolved
Water quality	EA021	Resolved
Water quality	EA022	Resolved
Groundwater and contaminated land	EA023	Resolved
Groundwater and contaminated land	EA024	Not Resolved
Flood risk	EA025	Not Resolved
Flood modelling	EA026	Resolved
Flood modelling	EA027	Not Resolved
Flood modelling	EA028	Not Resolved