Great North Road Solar and Biodiversity Park

Draft Statement of Common Ground with Nottinghamshire County Council

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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	6/08/25	ES	Head of Planning	1st Draft for NCC Review
Issue 2	25/11/25	ES	Head of Planning	2nd Draft for NCC Review
Issue 2	7/12/25	WL	Planning and Infrastructure Manager	Response to draft SoCG
Issue 3	9/12/25	ES	Head of Planning	D1 Draft for sign off
Issue 3	10/12/25	ES	Head of Planning	Updated to reflect NCC comments
Issue 4	14/01/26	ES	Head of Planning	Update to respond to NCC LIR

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) for a Development Consent Order (DCO) from the Secretary of State (SoS) for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Great North Road Solar and Biodiversity Park (the Development). The Application has been submitted by Elements Green Trent Limited (the Applicant).

1.1.2 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties, and where agreement has not (yet) been reached.

1.1.3 SoCGs are an established means in the planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

1.2.1 This SoCG has been prepared by (1) Elements Green Trent Limited as the Applicant and (2) Nottinghamshire County Council (NCC) (collectively, 'the Parties').

1.2.2 NCC is a host Local Authority. The Development is located within NCC's administrative area. NCC is listed as the local authority, in accordance with Section 42 of the PA 2008 and so has been consulted during the preparation of the Application and following its acceptance.

1.3 TERMINOLOGY

1.3.1 In the table in the Issues section of this SoCG:

- "Agreed" (Green) indicates where the issue has been resolved;
- "Under discussion" (Amber) indicates where a matter is the subject of ongoing discussion; and
- "Not Agreed" (Red) indicates a final position.

1.3.2 Where NCC expresses agreement, it does so only in so far as it has considered the issue with regards to its statutory remit and on the basis of the information provided by the Applicant. Agreement is offered without prejudice to the submissions of other interested parties who may have greater knowledge of technical or site-specific issues.

1.4 RECORD OF RELEVANT CORRESPONDENCE

1.4.1 The Applicant has undertaken consultation and engagement with NCC throughout the development of the Application. The Applicant consulted NCC, a local authority, in accordance with Section 42 of the PA 2008, about the Development and environmental impact assessment as part of the formal

pre-application consultation and publicity procedures. This process afforded NCC the opportunity to provide responses to the information provided at various stages of the pre-application process.

1.4.2 Appendix 1 sets out the discussions and correspondence that has taken place between the Parties to date.

1.4.3 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG.

2 CURRENT POSITION OF THE APPLICANT AND NCC

2.1 ECOLOGY AND BIODIVERSITY

Table 2-1 Ecology and Biodiversity

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
2.1.1	RR	Assessment Baseline for Decommissioning	Section 5.4.3.5 and Table 5.6 of **ES Volume 2, Chapter 5: Development Description [EN010162/APP/6.2.5]** [APP-048] provides the specification for mammal passes and gates. The location of these features will be refined based on the results of the pre-commencement surveys specified in **ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A]**. Requirement 12 in Schedule 2 to **Draft DCO [EN010162/APP/3.1B]** secures the detailed CEMP. This must be prepared in accordance with the **ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A].** **ES Volume 2, Chapter 2: Environmental Impact**	NCC has reviewed the Environmental Statement (ES) and associated documents in relation to ecology for the proposed development and has generally found the survey effort to be adequate. However, there are several clarifications sought, and further information is requested as follows: Fences should not be gated to allow smaller mammals such as brown hare and hedgehog to move around the Site. In addition, a plan showing the fencing and proposed location of all fence gaps/movement corridors will allow better understanding of the proposed free movement for terrestrial mammals across the site.	Under Discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			Assessment (EIA) [EN010162/APP/6.2.2] [APP-045] requires decommissioning effects to be assessed against the current 'do nothing' baseline rather the baseline at the time of decommissioning. This is the approach presented in **ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051]. **Section A5.6.6.13 of ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A]** includes details of the Decommissioning Ecological Management Plan (DEcMP). The DRP and DEcMP will be revised at Deadline 1 to include explicit consideration of designated sites, as they have been in section A5.3.11.2 of ES Volume 4, Appendix A5.3: **Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A]**.	Paragraph 8.8.4.3 of the ES suggests that the decommissioning impacts for sites designated for nature conservation have been assessed in line with the current baseline of the site, when the impacts should be assessed for the future baseline at the site. The land use of the site and species/habitats which currently utilise the site are expected to change over the lifetime of the development, thus impacting potentially more sensitive and rarer species. Further details are sought from the applicant to justify this predicted outcome of the decommissioning phase for sites designated for nature conservation. In addition, the Outline Decommissioning and Restoration Plan does not provide any details in relation to designated sites of nature conservation, whereas there is	

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			Requirement 19 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** secures the Decommissioning and Restoration Plan. This must be prepared in accordance with Volume 4, Appendix A5.6: **Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A].**	some limited information provided for the survey of habitats prior to the decommissioning phase. This document should include reference to update desk study and where necessary habitat/species surveys in relation to the potential impacts to designated sites in the future as it is likely these sites will change over the next 40 years.	
2.1.2	RR	Protected Species - Fish	An assessment of the effects of the Development on fish is provided in section 8**.9.4 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051]. The specification of HDD and its associated mitigation are provided in section A5.3.9.4.2 of **ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A].** The Outline CEMP includes the preferred timings of watercourse	No timings have been provided to undertake HDD works, and mitigation should include the avoidance of spawning season or any additional timings sensitive to fish species to prevent any disturbance. A5.3.11.11.3 Mitigation section defines mitigation measures for the potential effects on fish. The timing of works to avoid sensitive times of year includes a suggestion of the Autumn migration of eels, but no further details have been provided. Given the presence of fish within the watercourses is	Under Discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			crossings to account for the presence of sensitive fish species. Requirement 12 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]** secures that no phase of the authorised development may commence until a construction environmental management plan for that phase has been submitted to and approved by Newark and Sherwood District Council. This must be prepared in accordance with the **ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A].**	unknown, further mitigation is required. Therefore, specific times of the year when works can be undertaken, such as outside of the spawning season should be provided. The mitigation measures for HDD will also need to be updated to including timings as outlined above.	
2.1.3	RR	Protected Species - Breeding Birds	The baseline studies and survey methods for breeding birds are presented in **ES Volume 4, Appendix A8.4: Breeding Birds Baseline [EN010162/APP/6.4.8.4]** [APP-217]. Section A8.4.2.2 (paragraph 24) provides justification for the survey methods and section A8.4.2.4 describes potential limitations and how these have been addressed.	We have not had sight of the breeding bird survey results appendix and therefore will provide further comments on receipt of this information from the applicant. Our main queries prior to this are: Were specific nightjar and other crepuscular species surveys undertaken, given the	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			An assessment of the effects of the Development on breeding birds is provided in section 8.9.10 of ES Volume 2, Chapter 8**: Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051].	sites location within Sherwood Forest ppSPA. The ES chapter claims the surveys were undertaken in line with best practice guidelines and references, but this survey methodology requires a minimum of 6 surveys, and not four which the applicant has undertaken. In addition, this survey methodology also states: "Any deviation in the number of surveys must be supported with detailed and robust justification. Additional survey effort may need to be considered for large-scale projects with the potential to have significant impacts on birds, and/or for high profile, sensitive projects". Further justification for the level of survey effort undertaken is therefore sought. The site has been assessed as regional value to breeding birds with SPI, LBAP, LWS-qualifying species and	

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
				Schedule 1 WCA species recorded. Should further analysis of this be undertaken given the potential qualification of a LWS feature.	
2.1.4	RR	Invasive Species - Invasive Non-Native Species	Invasive non-native [plant] species (INNS) are considered in ES Volume 2, **Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051] and scoped out of the assessment because of the effectiveness of embedded mitigation specified in section A5.3.11.12 of **ES Volume 4, Appendix 5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A]**. The long-term management and control of INNS will also be included in the Detailed Landscape and Ecological Management Plan (LEMP) and which is secured by Requirement 8 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** Requirement 12 in Schedule 2 of the **Draft DCO**	With the limited information provided within the reports, NCC cannot determine where the INNS are located within the order limits. Further clarification is sought from the applicant as well as a commitment to control and remove these species, as they are likely to spread both within the order limits and outside of the order limits over the 40 year lifespan of the proposals.	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			[EN010162/APP/3.1B] secures the Detailed CEMP. This must be prepared in accordance with the **ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A].** The Outline LEMP will be updated at Deadline 1 to ensure that the commitment to INNS is clearer, along with the Outline CEMP which would cover works during the construction stage.		
2.1.5	RR	Invasive Species - Water Vole and American Mink	American mink was not recorded during baseline surveys but was identified in the desk study reported in section 8.5.4 of ES Volume 2, Chapter 8: **Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051]. Section 8.8.13.2 of Chapter 8 includes a commitment to develop ES Volume 4, Appendix 5.1: **Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A]** over its lifetime in consultation with the Nottinghamshire Wildlife Trust	A commitment to regular monitoring of the Site in relation to the water vole population and control of American Mink should they be identified would be a welcomed as addition to the solar parks biodiversity commitments. This would also positively boost wider efforts such as the reintroduction of water vole in northern Nottinghamshire and other solar parks commitments to the control of this invasive species.	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			so that it contributes to the Nottinghamshire Water Vole Recovery Project. The Outline LEMP will be revised at Deadline 1, in consultation with the Nottinghamshire Wildlife Trust, the lead partner for the Recovery Project, to include a mechanism to include water vole monitoring and mink control during the operation of the Development. Requirement 8 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** secures the Detailed LEMP. This must be in accordance with **ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/6.4.5.1A]** and must be implemented as approved		
2.1.6	RR	Watercourse crossings	Watercourse crossings are considered in section 8.6.4 in ES **Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]** [APP-051] and their design and mitigation are A5.3.13 of **ES Volume 4, Appendix 5.3: Outline Construction Environmental**	Further justification for the use of Open Trench methods needs to be sought from the applicant for the watercourses subject to this method.	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			Management Plan (CEMP) [EN010162/APP/6.4.5.3A]. As specified in Table 9.1 in **ES Volume 2, Chapter 9: Water Resources [EN010162/APP/6.2.9]** [APP-052], watercourse crossings using open trench methods are proposed only for the least ecologically sensitive watercourses, typically small (non-WFD), seasonal, man-made field drains. Requirement 12 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]** secures the Detailed CEMP. This must be prepared in accordance with the **ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A].**		
2.1.7	RR	oLEMP	Part 14 in Table A5.1.3 of ES **Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A]** describes the number and specification of bird and bat boxes.	Within the OLEMP a number of wildlife boxes and refugia are proposed. Given the overall scale of the order limits a total of 23 bat boxes and 21 bird boxes including 2 barn owl boxes is not considered sufficient.	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			An increased number and range of bat and bird boxes will be specified in the final LEMP and will be agreed in advance with Nottinghamshire County Council and Newark and Sherwood District Council. Requirement 8 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** secures the Detailed LEMP. This must be in accordance with **ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/6.4.5.1A]** and must be implemented as approved.		

2.2 CULTURAL HERITAGE

Table 2-2 Cultural Heritage

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
2.2.1	Section 42 Statutory Consultation in	Policy Context	The Applicant considers that the Development is fully in accordance with national policy as	Noted.	Under discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
	the Consultation Report		set out in NPS EN-1 and NPS EN-3.		
2.2.2	Section 42 Statutory Consultation in the Consultation Report	Scope of Cultural Heritage Assessment	The Parties agree that the scope and methodology used for assessment is appropriate, and is presented in Section 11.4 of the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054].	Noted.	Agreed
2.2.3	Section 42 Statutory Consultation in the Consultation Report	Scope of Cultural Heritage Assessment (Heritage Receptor Viewpoints)	The Parties agree that the heritage receptor viewpoints used for assessment is appropriate, and is presented in Section 11.4 of the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054].	Noted.	Agreed
2.2.4	Section 42 Statutory Consultation in the Consultation Report	Scope of Cultural Heritage Assessment (Study Area for the Assessment)	The Parties agree that study area for the assessment is acceptable, and is presented in Section 11.4.2 the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-	Noted.	Agreed

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			054]. The study area map is provided in **ES Volume 3, Figure 11.1: Archaeology and Cultural Heritage Study Area [EN0101/APP/6.3.11A]**.		
2.2.5	Section 42 Statutory Consultation in the Consultation Report	Scope of Cultural Heritage Assessment (Identification of Sensitive Receptors)	The sensitive receptors identified within the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054] are agreed.	Noted.	Agreed
2.2.6	RR	AMS (Trial trenching)	The statement that the archaeological assessment work to date has been largely sufficient to provide an acceptable level of data to inform the ES is welcomed. In regard to the completeness of survey to date it should be noted that geophysical baseline survey coverage was c.90% and that trenching tested all geologies. This is considered to be proportionate, in line with developing best practice guidelines and sufficient to inform the ES.	We welcome the archaeological assessment work undertaken to date and broadly welcome the approach undertaken by the applicant. The desk-based assessment covers the full site and the geophysical survey has been undertaken on the majority of the order limits. This has been largely sufficient to provide an acceptable level of data to inform the baseline for the Environmental Statement (ES) and an initial phase(s) of trial trench evaluation.	Under Discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			The scope of post-consent investigation, provision for which is set out in the OAMS, will be agreed through continued engagement with NCC during the period of the examination. It is expected that the post-consent investigation and subsequent mitigation will be developed in line with emerging best practice as set out in Archaeology and Solar Farms: Good Practice Guide: *A toolkit for developers, archaeological advisors, consultants and contractors*. ES Volume 4, Appendix A11.8: Outline Archaeological Mitigation Strategy (AMS) [EN010162/APP/6.4.11.8A] has been updated at Deadline 2 to address the matters highlighted by NCC in respect of the programme of works and completion of the assessment work and provision for an updated AMS and its timely implementation prior to any	However, the applicant acknowledges that the geophysics results have not been tested in their entirety (Para. 48) which we consider a serious limitation when undertaking an appropriate assessment and gathering sufficient data to inform significance and impact. However, the OAMS has made provision for post consent geophysics and trial trench evaluation work that will potentially resolve the above issue if implemented appropriately. The OAMS has left the scope of this work to be agreed. We appreciate that solar farm development differs slightly from other development types and that some elements will not be fixed until post consent. While we maintain our position that the assessment work should be completed as part of the application/examination process to inform design, we	

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			construction work being undertaken.	accept that some evaluation work could be left until the detailed design has been fixed and when areas of higher impact can be properly targeted for intrusive evaluation. For instance, panel arrays may have a relatively low impact if cables are clipped up behind rather than buried in trenches behind, and details on this will help influence the level of intrusive evaluation required to characterise the archaeology and assess impact. During the examination period, we would expect to further refine the OAMS in consultation with the applicant and their consultants and agree an outline programme for the post-consent completion of the assessment work. There will also need to be specific wording included in the DCO with respect to the archaeology requirement which secures completion of the assessment work and provision for an	

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
				updated AMS and its timely implementation prior to any construction work being undertaken. We are confident that these issues can be resolved with the applicant and their consultant if they continue to engage with us by the end of examination.	
2.2.7 / 5.1.11	LIR	Assessment of Effects (Archaeological remains)	As set out in Section 11.8 of the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054], five instances of possible minor to moderate effects to buried archaeological remains, therefore potentially significant in EIA terms, have been identified. These effects have been assessed prior to the implementation of the additional mitigation measures. Additional mitigation in the form of preservation in situ or preservation by record, in accordance with the **ES Volume**	In summary, based upon the work completed to date and subject to the applicant refining the details of the post-consent trenching and OAMS to our satisfaction, the impact of the Development on buried heritage would be neutral. However, without an agreed scheme for the post consent geophysics and trial trench evaluation work, the harm to buried heritage could be significant.	Under discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			4, Appendix A11.8: Outline AMS [EN010162/APP/6.4.11.8] [APP-269] will reduce the previously reported significant effects to minor adverse or negligible effects which are not significant in EIA terms.		
2.2.8		Assessment of Effects (Setting of the heritage assets)	No significant effects to heritage assets arising from change within their setting leading to a reduction in significance have been identified as part of the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054]. Given the above, the Development is considered to be in accordance with paragraphs 2.10.107 to 2.10.119 of NPS EN-3.	Noted	N/A

Trial Trenching: Position

2.2.1 **Applicant Response**: For background and context, EN-3 confirms that appropriate desk-based assessment, and where necessary, a field evaluation, in consultation with the local planning authority, should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets (paragraph 2.10.113).

2.2.2 Applicants should consider steps to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting (paragraph 2.10.117). Careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design and prominence, may cause substantial harm to the significance of the asset (paragraph 2.10.118).

2.2.3 **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054] recognises that groundworks during construction have the potential to affect buried archaeological remains, although it states that the overall footprint of the development (including piling, topsoil stripping, cable trenching and foundation excavation) is anticipated to be very limited in extent, and subsequently the potential for remains to be potentially encountered and impacted is also limited.

2.2.4 In terms of mitigation, EN-3 says that the ability to microsite specific elements during construction should be an important consideration when assessing the risk of damage to archaeology (paragraph 2.10.137) and that the SoS, where requested, should consider granting consents that allow for micro siting (paragraph 2.10.138).

2.2.5 The Applicant completed a desk-based assessment and a geophysical survey was undertaken covering the majority of areas where physical development is proposed within the Order limits to establish a baseline understanding of the potential for sub-surface archaeology. The Applicant recognised and responded to comments raised by the County Archaeologist. To mitigate this the Applicant has included flexibility in the Works Plans to relocate Development elements and/or utilise non-invasive installation methods (ballast) to avoid any impact on sub-surface archaeology.

2.2.6 In addition, the Applicant has completed a number of targeted trenches and boreholes, which have been discussed and agreed with the County Archaeologist. These have been targeted to the areas of greatest archaeological potential identified during the desk-based assessment and geophysical survey and also where the geophysical survey had interpreted discoveries as being of likely geological origin rather than archaeological interest and in areas where there was no specific intelligence to suggest archaeology, but to test the quality of the geophysical survey. The quantity of evaluation trenching is considered to be proportionate at this stage and further evaluation will take place post-consent as detailed in the **Outline AMS (TA A11.8**

[EN010162/APP/6.4.11.8A]) (see Section 11.8.4).

2.2.7 The nature of much of the Proposed Development is considered to result in minimal ground disturbance and a suite of proposed mitigation measures in the **Outline AMS (TA A11.8 [EN010162/APP/6.4.11.8])** [APP-269], including the commitment to pre-construction trial trenching will be delivered. Following the implementation of the proposed embedded mitigation, the **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11]** [APP-054] concludes that the effects on potential archaeological remains relate to six instances of possible minor to moderate effects to buried archaeological remains. Mitigation in the form of preservation in situ or preservation by record, in accordance with the **Outline AMS (TA A11.8 [EN010162/APP/6.4.11.8A])**, will reduce the previously reported significant effects to negligible adverse effects which are not significant in EIA terms.

2.2.8 The Applicant notes the Solar Energy UK Position Statement ("Solar farms and the assessment of buried archaeological remains") which has been informed by input from the Chartered Institute of Archaeologists (CifA). It suggests the impact of piling in an absolute worse-case scenario equates to 6m2 per hectare, but typically will be much less than this. By comparison effects for residential or commercial developments are 100% of the area. It also notes that there are disadvantages with pre-determination trial trenching, including carbon emissions, and therefore pre-determination trenching should only be used where absolutely necessary to confirm the significance of a potential asset.

2.2.9 The Applicant considers its approach on this matter is appropriate and proportionate. The combination of desk based assessment, geophysical survey and targeted trial trenching has resulted in a thorough understanding of the likely impacts of the Proposed Development, which it considers are relatively limited. Additional pre-construction trial trenching is then secured in the **Outline AMS (TA A11.8 [EN010162/APP/6.4.11.8A])** and, in the event that this identifies new archaeology, the Works Plans include the flexibility to mitigate any impact on this heritage assets without any significant impact on the delivery of the Development.

2.2.10 This approach is considered to be consistent with EN-3 and is consistent with recent NSIP decisions, such as the Mallard's Pass DCO.

2.3 HYDROLOGY

Table 2-3 Hydrology

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
2.3.1	Section 42 Statutory Consultation in the Consultation Report	Policy Context	The Parties agree that the Development is fully in accordance with national policy as set out in NPS EN-1 and NPS EN-3.	Noted.	Under discussion
2.3.2	Section 42 Statutory Consultation in the Consultation Report	Engagement with the local Flood and Water Management Team	The Parties agree that there has been effective engagement with NCC Flood and Water Management Team on the Water Environment.	Noted.	Under discussion
2.3.3	Section 42 Statutory Consultation in the Consultation Report	Scope and Methodology of Water Environment Assessment	The Parties agree that the scope and methodology of the **ES Volume 2, Chapter 9: Water Resources [EN010162/APP/6.2.9]** [APP-052] is agreed.	Noted.	Under discussion
2.3.4	Section 42 Statutory Consultation in the Consultation Report	Design Mitigation (SuDS)	The Parties agree the water management measures to control surface water runoff and drain hardstanding and other structures during the construction, operation and decommissioning of the Development are appropriate. They are set out in Section 5.3.9	Noted.	Under discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
			Pollution Prevention Plan of the **ES Volume 4, Appendix 5.3: Outline Construction Environmental Management Plan (oCEMP) [EN010162/APP/6.4.5.3A]**. The detailed CEMP is secured by Requirement 12 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**. The Applicant considers the approach and the mitigation measures set out in the oCEMP are appropriate.		
2.3.5		Assessment of Effects	No likely significant adverse effects has been identified, following the embedded measures (outlined **ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A]**) in the design of the Development. Table 9.11 in **ES Volume 2, Chapter 9: Water Resources [EN010162/APP/6.2.9]** [APP-052] summarises the predicted effects of the Development on water resources.	TBC	Under discussion
2.3.6	RR	Flood Risk	Please refer to Appendix 2 of this SoCG, which provides a detailed response to the AECOM note.	NCC has commissioned a consultant to review the Flood Risk Assessment (FRA) and	Under discussion

Ref	Relevant Documents	Description of Matter	Applicant's Position	NCC's Position	Status
				Drainage Strategy. The details of this review will be provided in the NCC LIR.	

2.4 MINERALS

Table 2-4 Minerals

Ref	Documents Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.4.1	Section 42 Statutory Consultation in the Consultation Report	Policy Context	The Parties agree that the Development is fully in accordance with NPS EN-1, EN-3 and EN-5.	Noted	Agreed
2.4.2	RR	Designated Sites	As set out in Section 10.5 of **ES Volume 2, Chapter 10: Ground Conditions and Land Contamination [EN010162/APP/6.2.10]** [APP-053], no geological conservation sites have been identified within the Study Areas.	Noted.	Agreed
2.4.3	RR	Assessment Methodology	The Parties agree that the assessment methodology for **ES**	NCC considers that the assessment methodology for	Agreed

Ref	Documents Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			Volume 2, Chapter 10: Ground Conditions and Land Contamination [EN010162/APP/6.2.10] [APP-053] is agreed.	assessing impacts on minerals by the proposed development is adequate. The applicant for the DCO has undertaken a Minerals Resource Assessment to consider the impacts on the sand and gravel and brick clay resource as well as the permitted Egmanton Oil well sites.	
2.4.4	RR	Mitigation Measures	**ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A]** sets out best practice measures to ensure any environmental impacts during construction, and in terms of land contamination, are minimal. A final CEMP will be secured by Requirement 12 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B].**	Noted.	Agreed
2.4.5	RR	Assessment of Effects	With respect to mineral safeguarding, the Development is of a temporary nature and therefore does not present permanent sterilisation of the mineral resources beneath the Study Areas.	NCC considers that the assessment work undertaken by the applicant to assess the impact on minerals is sufficient and does not have any outstanding concerns.	Agreed

Ref	Documents Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			With the embedded mitigation measures proposed, all effects in relation to ground conditions and land contamination would be minor adverse, or less, and not significant in terms of the EIA Regulations.		

2.5 TRAFFIC AND ACCESS

Table 2-5 Traffic and Access

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.5.1	Section 42 Statutory Consultation in the Consultation Report	National Policy Compliance	The Parties agree that the Development is fully in compliance with NPS EN-1, EN-3 and EN-5.	Noted	Under Discussion
2.5.2	RR	Scope and Methodology of Traffic and Access	Paragraph 43 of **ES Volume 2, Chapter 14: Traffic and Access [EN010162/APP/6.2.14]** [APP-057] notes that '*Whilst some traffic may arrive from the west, along the A617, before pursuing the permitted routes, given the location of the Development in the context of the wider*	The Transport Assessment (TA) acknowledges that traffic will arrive from the west but states that this will be minimal.	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
		Assessment (Study Area)	*road network, such movements would represent a small percentage of the traffic volumes on this road and would not be significant. The oCTMP [EN010162/APP/6.4.5.2] ensures that construction traffic will only arrive at a site access from specified direction and via route that has been included within this assessment. The key construction routes for HGV and non-HGV traffic are shown in Figure 14.2 [EN010162/APP/6.3.14.2] along with the link identification numbers used within this assessment, which are also listed in Table 14.2*'. The Applicant therefore considers that a realistic worse case assessment has been undertaken, and the controls set out within **ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2A]** are then secured through Requirement 14 of Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.	However, this is not justified and appears to be contrary to the Travel to Work Areas diagram in Figure 13.1. It is stated that assigning all traffic from the A1 provides a robust assessment, but applying the 'Rochdale Envelope' principle in this light would also suggest a requirement to test the outcome if all traffic approached from the west.	
2.5.3	Section 42 Statutory Consultation in the Consultation Report	Scope and Methodology of Traffic and Access Assessment (Identification of Sensitive Receptors)	The Parties agree that the sensitive receptors of the **ES Volume 2, Chapter 14: Traffic and Access [EN010162/APP/6.2.14]** [APP-057] is agreed.	Noted.	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.5.4	Section 42 Statutory Consultation in the Consultation Report	Baseline of the Traffic and Access Assessment	The Parties agree that the baseline of the **ES Volume 2, Chapter 14: Traffic and Access [EN010162/APP/6.2.14]** [APP-057] is agreed.	Noted.	Agreed
2.5.5	Section 42 Statutory Consultation in the Consultation Report	Scope of Traffic Surveys	The Applicant has understood the scope of the traffic surveys in the **ES Volume 2, Chapter 14: Traffic and Access [EN010162/APP/6.2.14]** [APP-057] is agreed.	Noted.	Under Discussion
2.5.6	RR	Phasing	Section 5.5.1 of **ES Volume 2, Chapter 5: Development Description [EN010162/APP/6.2.5]** [APP-048] notes that '*The construction is likely to be undertaken in at least five phases' and that it is 'likely that the main elements of construction activity (i.e., excluding enabling works/site clearance, re-instatement and landscaping) would be underway on a maximum of half the proposed solar area at any one time. In practice it is likely to be much less than this, but the above has been used for assessment purposes as a worst-case'*. Paragraph 98 then notes the '*worst-case estimate of the construction programme, with the minimum*	NCC has sought for clarification regarding the Phasing Requirement and whether the TA has considered the worst case scenario that the requirement could allow for.	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			anticipated phasing, as used for assessment in the EIA, is provided in Table 5.11. It should be noted that, although Table 5.11 shows 5 phases, the separation between phases is spatial but not necessarily temporal, with phases 1 and 3 being concurrent and 2, 4 and 5 being concurrent. This is equivalent, therefore, to two temporal phases with two or three construction teams operating concurrently. **ES Volume 2, Chapter 14: Traffic and Transport [EN010162/APP/6.2.14A]** has been updated to assess a combination of the two highest monthly periods of traffic from two concurrent phases. The results are presented in the updated ES Volume 2, Chapter 14: Traffic and Transport [EN010162/APP/6.2.14A] remain unchanged. These phasing assumptions are then set out within the **ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2A]**, which secures a detailed CTMP for each phase of the development. This is secured by Require 14 of the **Draft DCO [EN010162/APP/3.1B]**. Details of the phasing of the Authorised Development are then secured by Requirement 3 of Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			The Applicant is therefore confident that assessment considers a realistic and robust worst-case scenario.		
2.5.7	RR	Trip Generation	The Applicant considers the trip generation calculations for the most concentrated phase for traffic generation is appropriate and has outlined the phasing that will be used during the construction period to deliver the Development. The Applicant will have full control of who can access the Site, to the extent that only workers travelling by a vehicle needed for their trade, such as transit vans/trucks containing tools, being allowed on-site. These commitments are then set out in the **Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2A]** [REP1-028] and further details set out in the Detailed CTMP secured by Requirement 14 of Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.	Whilst the calculations for HGV loads appear conservative, the operative trip generation has been calculated against an assumption of 50% travelling by shuttle bus, alongside a car share ratio of 1.5. These assumptions appear to be very optimistic, and whilst travel planning measures may be included in the draft Travel Plan, it may not be considered reasonable to force staff to travel by a specified means as this could be challenged. If applying the Rochdale Envelope approach therefore, it is not thought appropriate	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				to apply such optimistic discounts.	
2.5.8	RR	Accesses	The Access Routes Hierarchy is shown in **ES Volume 3, Figure 5.1: Works Areas [EN010162/APP/ 6.3.5B]**. The Site Access locations are then shown at **ES Volume 3, Figure 14.4: Site Access Locations [EN010162/APP/6.3.14A]** and **ES Volume 3, Figure 14.5: Passing Place Locations [EN010162/APP/6.3.14A].** **ES Volume 4, Appendix A14.1: Transport Statement [EN010162/APP/6.4.14.1A]** Appendix D provides the site access designs, including their form, key dimensions and demonstrates their suitability through swept path analysis of the largest anticipated HGV entering and exiting each respective location. This analysis of the construction access points confirms that they can be designed to meet relevant design standards. The Applicant will engage with NCC (the Local Highway Authority) to provide any further information, including the timing of Road Safety Audits.	No consideration to the form of access appears to have been given. The traffic information supplied identifies that a number of the accesses trigger the requirement in DMRB CD123 for further assessment, during both the construction and operational phase. Where only occurring in the construction phase, mitigation in the form of traffic management may be acceptable, but locations where this would be required should be identified. Information regarding the number of HGVs at each access was requested, and whilst information in Appendix F provides a breakdown, it is difficult to link the	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				accesses in here to those described elsewhere and therefore clarity is required. Whilst a statement is made that the access drawings are outline drawings and detailed designs will be forthcoming at the appropriate time, the principle of acceptability needs to be established. There are a number of accesses, either proposed or amended (with increased usage) which have apparent highway safety concerns. All new or amended accesses should therefore be subject to a Stage 1 Road Safety Audit, as required by the Nottinghamshire Highway Design Guide, to inform this process.	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
5.4.23	LIR	Road Safety Audits	The **ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2A]** sets out that Road Safety Audits would be prepared for each construction access point being brought into use. Where necessary, site-specific traffic management measures will be put in place to ensure that they are safe during construction and if necessary, operation (via the Detailed Operational Environmental Management Plan. This would include measures such as temporary speed reductions, stop/go boards, temporary traffic signals, road marshals, signage and other types of warning signs	Whilst a statement is made that the access drawings are outline drawings and detailed designs will be forthcoming at the appropriate time, NCCs view is that the principle of acceptability needs to be established at this stage. There are a number of accesses, either proposed or amended (with increased usage) which have apparent highway safety concerns. The Nottinghamshire Highway Design Guide (NHDG) states that all new accesses or where there is an increase in use of existing accesses will be supported where there is not a road safety problem of where a road safety problem can be removed (Part 1.2 of the NHDG).	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.5.9	RR	Passing Places	The proposed passing places are shown on **Streets and Access Plan [EN010162/APP/2.8A]**[AS-007] [AS-008] [AS-009] [AS-010], and then described in Schedule 4 (Alterations to Streets) of the **Draft DCO [EN010162/APP/3.1B]**. **ES Volume 4, Appendix A14.1: Transport Statement [EN010162/APP/6.4.14.1A] Appendix** E provides the passing place designs, including their key dimensions and demonstrates their suitability through the use of swept path analysis. With regard to the access works, Article 16 of the Deadline 1 Draft DCO provides that "*The undertaker may, for the purposes of the authorised development—* *(a) form and lay out the permanent means of access, or improve existing means of access, in the approximate locations specified in Part 1 (permanent means of access to works) of Schedule 6 (access to works);* *(b) form and lay out the temporary means of access in the approximate location specified in Part 2 (temporary means of access to works) of Schedule 6 (access to works); and*	It is requested that the applicant provide clear information on where both the existing and proposed passing places referred to are, in conjunction with evidence on spacing. To assist, NCC consider the standards set out in 'HS2 Rural Road Design Criteria' to be suitable to apply here.	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			(c) with the approval of the highway authority, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development." It is considered that these are appropriate mechanisms by which to control the street works that may be required in order to deliver the Project.		
2.5.10		Mitigation Measures	The Applicant considers the measures that are set out within **ES Volume 4, Appendix 5.2: Outline Construction Traffic Management Plan (oCTMP) [EN010162/APP/6.4.5.2A]** and **ES Volume 4, Appendix 5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A]** are appropriate. **ES Volume 4, Appendix 5.2: oCTMP [EN010162/APP/6.4.5.2A]** will be used as a basis for the final CTMP to be submitted for approval to NSDC in consultation with NCC and National Highways. The detailed CTMP will be secured by Requirement 14 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]** **ES Volume 4, Appendix 5.6: Outline Decommissioning and Restoration Plan [EN010162/APP/6.4.5.6A]** includes provision for	TBC	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			the final DRP to include a Decommissioning Traffic Management Plan (DTMP). The detailed DRP will be secured by Requirement 19 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**		
2.5.11		Assessment of Effects	The Applicant considers that the effects associated with traffic movements during construction and decommissioning is short term and temporary. Due to the reduced traffic levels throughout the operational phase compared to the construction phase, effects on collisions and safety, severance, driver delay, pedestrian delay and amenity and hazardous loads are considered to be negligible and not significant. Therefore, the Applicant considers that the effects associated with traffic movements on the environmental receptors are acceptable. This is set out in **ES Volume 2, Chapter 14: Traffic and Access [EN010162/APP/6.2.14]** [APP-057].	TBC	Under discussion
2.5.12	RR	Other Matters – Access Drawings	**ES Volume 4, Appendix A14.1: Transport Statement [EN010162/APP/6.4.14.1A] Appendix D** provides the site access designs, including their form, key dimensions and demonstrates their suitability through swept path analysis of the largest anticipated HGV entering and exiting each respective location.	There are a number of access drawings referred to in the DCO where the full extents of highway where works are required is not identified. The applicant should acquire details of the highway boundary	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			The Applicant considers that this is an appropriate level of design to allow NCC (the Local Highway Authority) to confirm that they are acceptable in principle.	and ensure that the drawings are adequate. Furthermore, it appears that all accesses where works are required are not listed in the schedules. We would also expect drawings to cover all works required such as vegetation management for visibility splays. Please note that the size of the drawings is such that opening simultaneously with related documents, manipulating and measuring of the drawings is difficult. It would be helpful to split them further.	
5.4.24	LIR	Access visibility splays	Access visibility splays and forward visibility splays are now shown on the drawings.	Visibility splays are not shown on all accesses, and forward visibility (over 1.5x SSD) is not shown on any, meaning that it is unclear whether visibility can be	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				achieved either within highway or within the order limits. These should be established to identify areas where splays are required to be cleared and then maintained, not just during construction but also operational phases, particularly if they fall outside of the highway boundary. These may also require removal of hedgerows. There is a concern that there appear to be a number junctions where splays would fall outside of the DCO extents and therefore it is unclear what powers the applicant would have to clear or maintain them.	

2.6 PUBLIC RIGHTS OF WAY (PROW)

Table 2-6 Public Rights of Way (PRoW)

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.6.1	Section 42 Statutory Consultation in the Consultation Report	Scope of the Recreation Assessment	The Parties agree that the Recreation Assessment considers the PRoW impact. As such, the scope for the Recreation Assessment is agreed, as presented in **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A].**	Noted	Agreed
2.6.2	Section 42 Statutory Consultation in the Consultation Report	Baseline Survey	The Parties agree that the baseline survey as set out in **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]** is agreed. There are 117 PRoWs within the Recreation Study Area, as listed in Table 18.4 of the **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]**. These PRoWs are made up of 95 FP, 18 BW, three BOATs and one RBs. There is one LDF within the Recreation Study Area. The Robin Hood Way is a 107-mile LDF which partially passes	Noted.	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			through the edges of the Order Limits around the south-eastern extent of the village of Eakring.		
2.6.3	Section 42 Statutory Consultation in the Consultation Report	Impacted PRoWs	As set out in **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]**, out of the 117 identified PRoW, eight will be diverted (using seven diversion routes) during all phases and one will be diverted only during the construction and decommissioning phase, as described in Table 18.6 of the ES Chapter. 21 new permissive footpaths and six new permissive bridleways have been proposed and will be created during the construction phase so that they are open for use during the operational phase. A new circular recreational route has been proposed, covering 50.6 km, including 38.1 km of existing paths and 12.5 km of new permissive route, as described in Table 18.7 of the **ES Volume 2,**	Noted.	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			Chapter 18: Recreation [EN010162/APP/6.2.18A].		
2.6.4		PRoW Management Measures (PRoW Buffer)	The Applicant considers that the width of PRoW will not be impacted as a result of the development. As secured in the **Concept Design Parameters and Principles [EN010162/APP/7.14A**], where routes run adjacent to solar panels, there will be a minimum of 10 m between the centre of the route and solar PV panels. The minimum legal width of existing PRoWs will also be maintained. New and existing hedgerows will be maintained throughout the life of the development, with new trees incorporated throughout where appropriate, screening views of panels from the route. The measures for hedgerow planting is provided in Table A5.1.3 of the **ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/ 6.4.5.1A]**, which will be detailed in the detailed LEMP. The detailed LEMP is	Noted	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			secured by Requirement 8 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.		
2.6.5	RR	PRoW Management Measures (PRoW Diversions)	The Applicant notes NCC's comments and is not aware of any errors in either the Draft DCO or the **Public Right of Way Diversions and Permissive Routes Plan [EN010162/APP/2.4]**. The Applicant notes that there is an error in **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]** in Table 18.6 and **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]** in Table A18.1.3, in relation to NT|Eakring|FP13, which connects to NT|Eakring|FP14 and NT|Eakring|FP15, rather than NT|Eakring|FP16. A revised version of both documents has been provided at Deadline 1. The proposed changes to the PRoWs are outlined in Section 18.6.1 of **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]**, with	Generally, the PRoW network has been considered and managed well, with the majority of paths not physically affected by the development, which is appreciated. Only seven paths are proposed to be diverted, and these are commented on below, with one temporary closure. • Averham FP 6: Both the exits to the road should be retained as part of the diversion • Carlton on Trent FP 6 & 10: This is a diversion of FP 6 and the almost full extinguishment of FP 10 (the remaining 20m being the link to Ossington Road from the diverted FP6.This link to the road is not shown clearly on the plan . The diversion of FP 6 should be extended to meet the end point of FP 10 to provide a	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			supporting information provided in **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]** and **ES Volume 4, Appendix 4.1: Public Right of Way Strategy [EN010162/APP/6.4.4.1]** [APP-200]. Out of the 117 identified PRoWs, eight will be fully or partially closed, with diversions in place to maintain the continuity of connection to the wider PRoW network. Seven of these, that currently pass through Work no. 1 Solar PV area, will be diverted during all phases. One route (NT|Sutton on Trent|BW14) will be diverted only during the construction and decommissioning phase. No path would be closed without an alternative or replacement being opened first. The specific points raised by Nottinghamshire County Council are addressed below: • Footpath Diversion 1 will retain both road accesses from the A617.	safe exit to the same point without having to use the road. This will allow better connectivity to remain after decommissioning and reduce the distance of road walking in the future. There also needs to be an exit here onto the unnamed road opposite the start of Permissive FP 5. • Laxton & Moorhouse FP 11: Acceptable • Weston FP10: Acceptable • Eakring FP 13: The diversion will connect to FP 15 & 14 not FP16 • Eakring FP 14: There is an error on the **Public Rights of Way Diversions and Permissive Routes Plan [EN010162/APP/2.4]** [APP-020].(diversion no 6, page 20) where the alternative route is not shown correctly Kelham FP 7A: Acceptable	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			• A small section of NT|Carlton-On-Trent|FP10 is retained in the northwest corner of field 180, where users can access Ossington road or continue on Footpath Diversion 2. • NT|Carton-on-Trent|FP6's end point on the unnamed road has no connections and would require extensive road walking to reach NT|Carton-on-Trent|FP11 or Ossington Road. Users can connect to New Permissive Footpath 5 from either Footpath Diversion 2 or NT|Carton-on-Trent|FP11, which reduces the need for walking on the unnamed road and increases the safety of the network. NT|Eakring|FP13 does connect to NT|Eakring|FP14 and NT|Eakring|FP15, not NT|Eakring|FP16.	It is accepted that there will be minimal disruption to other RoW during construction, operation and decommission but these seem to be understood and plan to be manged with minimal disruption to the access. The Draft DCO will require to be updated with the changes to the description of the diversion as noted above in Schedule 5 Part 3. The following information is required in the schedule to accompany the plans (a width, description of the surface, OS grid refence points (8 figure) and directions between the start and end points. We are happy to comment on these once drawn up prior to the DCO being confirmed. It is imperative that these are correct otherwise it may lead to inaccurate diversions that can in turn lead to further legal problems.	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			Proposed changes to PRoW can be viewed in the **Public Rights of Way Diversions and Permissive Routes Plan [EN010162/APP/2.4]** [APP-020]. **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]** provides measures to manage closures, diversions, and new permissive routes. The management plan has sought to ensure continued recreational use of the PRoWs during construction, operation and decommissioning of the Development. **ES Volume 4, Appendix 5.6: Outline DRP [EN010162/APP/6.4.5.6A]** sets out that the Applicant will undertake a review of PRoW within the Order Limits prior to decommissioning, and in the final DRP will set out any proposals for changing PRoW at that time. This could include reverting the routes of diverted PRoW back to their current routes. The final DRP will be submitted to NSDC for	Outline DRP: Potential to return RoW to their original route: should this be considered it would be through the Highways Act s119, and must meet certain tests. It is also subject to public consultation and may not be successful	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			approval prior to commencement of decommissioning. Requirement 18 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** secures that no phase of the authorised development may commence until a recreational routes management plan for that phase have been submitted to and approved by Newark and Sherwood District Council. This must be in accordance with **ES Volume 4, Appendix 18.1: Outline Recreational Routes Management Plan[EN010162/APP/6.4.18.1A]**. It appears that there may be some misunderstanding from NCC on how the plans and rights of way schedules should be interpreted. The Applicant has offered to meet with NCC Officers to provide further explanation, and to ensure that the provisions within the DCO are fully understood.		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			The details of decommissioning works and environmental management measures would be subject to agreement with planning authority before they commence. This is also secured through Requirement 19 in Schedule 2 to the **Draft DCO [EN010162/APP/3.1B]** which provides that prior to commencement of any decommissioning works for any part of the Development, a decommissioning and restoration plan must be submitted for approval. This would be done in consultation with Nottinghamshire County Council. NCC are correct to point out that the Outline DRP allows to either retain the diversions, or allow for an option where the PRoW diversions are restored to their original route, and this being conditional on NCC agreeing to this.		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.6.6		PRoW Management Measures (Temporary PRoW Closure)	The Applicant considers the measures to manage the diverted ProWs are appropriate, as set out in the **ES Volume 4, Appendix 18.1: Outline Recreational Routes Management Plan[EN010162/APP/6.4.18.1A]**. All proposed diversions and temporary closures to PRoW will be permitted through the **Draft DCO [EN010162/APP/3.1B]**. Local closures may occur where works pass a small section of the route. In these circumstances, the route would remain open with a localised diversion in place when works are occurring. Temporary diversions could be undertaken using Article 13 of the DCO, or through a be subject to a Temporary Traffic Regulation Order (TTRO). The powers included in the DCO are standard for Projects of this nature and have been used widely in recent DCOs.	It is unclear what is meant by "local closures" Any temporary closures (with or without a diversion) of the RoW will be subject to a TTRO and should be contained within Schedule 5, Part 2.It is noted that only one path is proposed to be temporarily closed although it is indicated that smaller ones are also required. These should also be included in the Schedule Any diversions put in place are unlikely to be on highway and therefore the responsibility and liability for the safety of the public on these diversions lies with the developer	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.6.7		PRoW Management Measures (New Permissive Routes)	The Applicant considers the management of new permissive routes are appropriate, as set out in the **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]**. The Applicant will install and maintain the proposed permissive routes for the lifetime of the Development. At decommissioning, the proposed permissive routes could revert to private land with no public access, which is set out in **ES Volume 4, Appendix 5.6 Outline DRP [EN010162/APP/6.4.5.6A].**	Accepted	Agreed
2.6.8	RR	Draft DCO, Article 14 (As built PRoW details)	Article 14 relates to the Permanent closure of public rights of way, with Article 14(2) provides that a closure could not occur unless a substitute public right of way has been completed to the satisfaction of the street authority, or a temporary alternative route is first provided and maintained until the permanent substitute public right of way is provided, again to the satisfaction of the street	With reference to A4.1.5 Approach to diversions of PRoW in Volume 4 Technical Appendices Technical Appendix A4.1 – Public Rights of Way Strategy Document reference – EN010162/APP/6.4.4.1], the DCO (Sec 14(4) & (5)) states that the order shall provide enough detail for the surveying authority (NCC) to modify the definitive map of rights of way. The specific details	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			authority. Article 14(4) then relates to the provision of as built details following opening of a PRoW diversion. As set out in paragraph 3.3.13 of the **Explanatory Memorandum [EN010162/APP/3.3A]**, Article 14(4) and (5) '*make provision that would require the undertaker, following the opening for public use of new or altered public rights of way to notify the surveying authority of the "as built" alignments of those public rights of way, together with a statement of modifications to the definitive map. This notification is deemed to be a legal event order modifying the definitive map accordingly. The purpose of this provision is to facilitate the prompt updating of the definitive map by avoiding imposing a requirement on the surveying authorities to make legal event orders to modify the definitive map as a consequence of the Project*'. The wording of the Article is considered to provide NCC with	of the information required must be clarified as the details currently in the DCO is not sufficient. See comments in 2.9.5	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			an appropriate opportunity to request the details that would be reasonably be required to confirm the as built details of any PRoWs created for the Development. As noted in paragraph 3.3.14, this wording is updated from the model provisions, with similar wording employed on several made Orders in respect of public right of way closures, including The Drax Power (Generating Stations) Order 2019, A66 Northern Trans-Pennine Development Consent Order 2024, and Sizewell C (Nuclear Generating Station) Order 2022. The Secretary of State has therefore considered this to be an appropriate form of wording to secure the relevant details.		
2.6.9	RR	Recreational Route Management (Definitions of Public Rights of Way)	**ES Volume 4, Appendix A18.1: Outline Recreational Routes Management Plan (oRRMP) [EN010162/APP/6.4.18.1A]** **Section A18.1.4: Definitions** The Application notes that NCC are correct in highlighting that	With reference to A18.1.4 in Volume 4 – Technical Appendices Technical Appendix A18.1 – Outline Recreational Routes Management Plan	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			paragraph 17 of **ES Volume 4, Appendix A18.1: Outline Recreational Routes Management Plan (oRRMP) [EN010162/APP/6.4.18.1A]** incorrectly refers to Table A18.1.2 as defining each PRoW. This should say Table A18.1.2 sets out the definitions of the public access routes referred to in the document. The definition of a cycle track has been quoted from S.329 of Highways Act 1980. The definition of a Restricted Byway is taken from S.48 of the Countryside and Rights of Way Act 2000. References to these definitions has also been updated. These amendments have been included in an updated document has been included at Deadline 1. **A18.1.5.2 Signage** The Applicant notes the County's request to be consulted in relation to the details of recreational route signage and a commitment to this	Document reference – EN010162/APP/6.4.18.1], NCC made the following comments: • A18.1.4 - A cycle track is not part of the RoW network and sits within the adopted highway envelope if properly recorded. A Restricted Byway is for all public access with the exception of road legal motorised vehicles • 18.1.5.2 Signage - Signage, detailed plans of dates etc should be in consultation/agreement with NCC (not NSDC) as the highways authority to ensure awareness and management with other closures in the area that may impact • A18.1.5.3. Management of closures - Does the DCO give the ability to arrange	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			effect has been included at Deadline 1. Requirement 18 of Schedule 2 of the DCO has also been updated to clarify that consultation with the County Authority must be undertaken in discharging details submitted pursuant to this requirement. Please refer to the updated Draft DCO. **A18.1.5.3. Management of closures** NCC have questioned whether the DCO would allow the Undertaker to arrange for PRoW diversions outside of the highway boundary. The Applicant confirms that yes, the DCO would give the Undertaker the power to divert PRoWs within the Order limits. Section A18.1.5.4 of **Outline Recreational Routes Management Plan (oRRMP) [EN010162/APP/6.4.18.1A]** then confirms that the Undertaker would install and maintain those diversions. This approach is	temporary closures with the alternative route that is not on a highway. This is not normally the case unless the landowner agrees to take on the responsibility for the safety of the public when on a route that is not on a highway.	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			consistent with a number of other DCOs. **A18.1.5.6 Diversions** As set out in paragraph 45 of the **Outline Recreational Routes Management Plan (oRRMP) [EN010162/APP/6.4.18.1A]**, it '*is anticipated that diversions will be kept in situ upon decommissioning, especially where routes are diverted around field edges, however, this will be confirmed upon decommissioning through the Decommissioning and Restoration Plan (DRP)'*. This is considered to be an appropriate approach, as it assumes that PRoW diversions would be kept in place following decommissioning, but allows this position to be confirmed with NCC at that point in time. This affords flexibility to the local highways authority to confirm the position as part of the decommissioning stage.	• A18.1.5.6 Diversions Potential to return RoW to their original route: should this be considered it would be through the Highways Act s119, and must meet certain tests. It is also subject to public consultation and may not be successful	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			A18.1.5.7 Enhancement Measures Requirement 18 of Schedule 2 of the Draft DCO secures the Recreational Routes Management Plan. This would provide further details of the measures set out in the **Outline Recreational Routes Management Plan [EN010162/APP/6.4.18.1A]**, including the locations of the interpretation boards and picnic areas. These would be agreed with the planning authority, in consultation with NCC. **A18.1.5.8 Safety measures** Noted.	• A18.1.5.7 Enhancement - While the interpretation boards and picnic area are recognised as an enhancement, the location of these is paramount as is the clarification of maintenance during the development and what happens on decommissioning. These are not part of the RoW remit and NCC would be unlikely to take on future maintenance if they remained post-decommissioning • A18.1.5.8 Safety measures - We are pleased to see that all measures are being taken to keep the public safe and avoid the use of limitations such as stiles or gates on the RoW network	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.6.10		PRoW surfacing	The Applicant considers the approach to any new surfacing is appropriate. Any new surfacing would be set out within **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]**. The detailed RRMP will be submitted for approval to Newark and Sherwood District Council in consultation with NCC, prior to implementation. The commitment is secured In Requirement 18 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.	Noted	Agreed
2.6.11		Assessment of Effects (PRoW)	Effects on Public Rights of Way and Permissive Routes are described and assessed in **ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18A]**. Visual effects on users of Public Rights of Way are assessed in **ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment [EN010162/APP/6.2.7]** [APP-050].	This is assessed by NSDC's Landscape Consultant. Noted and appreciated	N/A

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			The majority of potential effects on PRoW and other recreation receptors were assessed as being negligible and not significant. For some PRoW, adverse effects were assessed during construction, operation, and decommissioning, but were found to be not significant in EIA terms as the affected PRoW are of local use or importance. **ES Volume 4, Appendix 18.1: Outline RRMP [EN010162/APP/6.4.18.1A]** has sought to ensure continued recreational use of the PRoWs during construction, operation and decommissioning of the Development. The detailed RRMP will be secured In Requirement 18 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**. As such, the Applicant considers the Development is fully in compliance with the policies set out in both NPS EN-1 and NPS EN-3.		

2.7 WASTE

Table 2-7 Waste

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.7.1	Section 42 Statutory Consultation in the Consultation Report	Policy Context	**ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16]** [APP-059] has had appropriate regard to relevant planning policies. The Parties agree that the Development is fully in compliance with the saved Policies from the Nottinghamshire and Nottingham Waste Local Plan (adopted 2002) and Nottinghamshire and Nottingham Waste Core Strategy (adopted 2013). The policies are set out within the **Planning Statement [EN010162/APP/5.4A]** and **ES Volume 2, Chapter 6**: **Planning Policy [EN010162/APP/6.2.6]**.	Noted.	Agreed
2.7.2	Section 42 Statutory Consultation in the	Waste Management	The waste management measures for construction, operation and decommissioning phases are outlined in the Site Waste Management Plan (SWMP), secured through the **ES Volume 4,**	Noted.	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
	Consultation Report		**Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A]**, **ES Volume 4, Appendix 5.5: Outline OEMP [EN010162/APP/6.4.5.5A]**, and **ES Volume 4, Appendix 5.6: Outline DRP [EN010162/APP/6.4.5.6A]**. The Applicant has considered opportunities to minimise waste as far as possible through measures set out within the management plans. As set out in **ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16]** [APP-059], the Applicant anticipates that waste generated during construction will be minimal. Excavated soil would be either stored for re-use or re-used within the Order Limits. During the operational phase, all electrical equipment will be fully recycled. This measure is set out in **ES Volume 4, Appendix 5.5: Outline Operation Environmental Management Plan [EN010162/APP/6.4.5.5A]**		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			and the detailed OEMP is secured by Requirement 13 of the **Draft DCO [EN010162/APP/3.1B].** At the decommissioning stage, all of the Development (other than vegetation) is assumed, as a worst-case, to be removed. As outlined in **ES Volume 4, Appendix 5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A]**, the substation elements and access tracks may be retained, subject to the final DRP as secured through Requirement 19 in Schedule 2 of the **Draft DCO [EN010162/APP/3.1B]**.		
2.7.3	RR	Assessment Methodology	PV panels, inverters, BESS and transformers are all electrical equipment, and the PV support structures are metal. Many manufacturers already offer schemes to reuse and recycle these components. Given the scale of deployment of solar, it is entirely reasonable to assume that the majority of this equipment will	NCC would consider that the applicant has not fully assessed the impacts of the proposal on waste, in terms of landfill and cumulative impacts. NCC considers that the applicant should have considered a worst-case scenario in that waste, particularly at the decommissioning phase, may need to be landfilled. The	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			be recycled or reused following decommissioning. This is consistent with how all large scale solar projects are being assessed. It is therefore considered that the waste arisings during the decommissioning presented in the **ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16]** [APP-059] is a reasonable worst-case scenario, and the assessment uses the IEMA's guidance on Materials and Waste in Environmental Impact Assessment (2020). As noted in paragraph 235 of **ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16]** [APP-059], "The waste assessment for Gate Burton Energy Park (PINS Project Reference EN010131, document EN010131/APP/8.33), set out why a meaningful assessment of potential waste	cumulative impact of this proposal with other similar schemes in the area should also have been assessed. This would have ensured that the impact of the proposal on landfill capacity, with this identified as the sensitive receptor for waste, has been fully considered and assessed if capacity to enable the recovery and recycling of solar panels is not developed. This is in line with other NSIP schemes proposed in the area. The limited landfill capacity in Nottinghamshire also stresses the importance of the solar industry promoting development of specific recycling facilities and working with the Waste Planning Authority to ensure sufficient recycling capacity for this and other projects in the area.	

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			arisings against existing landfill capacity is not possible." **ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16]** [APP-059] does not assume an ability to add further capacity to landfill. As noted in paragraph 236, the Nottinghamshire and Nottingham Waste Needs Assessment makes the prediction that there will be no capacity for any further CD&E waste before the end of the plan period (which is 2038, 30 years earlier than the Development's expected decommissioning date). The only reasonable assumption (based on NCC's document) is therefore that either additional capacity will be made available, or alternatives to landfill will be developed to meet capacity. It would be consistent with recent practice, waste policy and sustainable development for alternatives to landfill to be developed to meet capacity, and		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			this is what has been assumed in ES Chapter 16. As such, the Applicant considers that the waste assessment methodology and mitigation measures are appropriate. There would be unlikely to be any adverse impacts on existing waste facilities.		

2.8 CUMULATIVE EFFECTS

Table 2-8 Cumulative Effects

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
2.8.1	RR	Cumulative	Existing developments are considered as part of the baseline. Proposed developments, that may be part of the future baseline, are identified using an approach that follows PINS guidance. Stages 1 and 2 (other developments to be considered in the assessment of cumulative effects) are described in Section 2.3.8 of **ES Volume 2, Chapter 2: Environmental Impact Assessment (EIA)**	NCC believes that the cumulative impact of this development should be given significant weight especially considering the proposed lifetime of this development, being 40 years.	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			[EN010162/APP/6.2.2] [APP-045] and **ES Volume 4, Appendix A2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1A]** [APP-191]. Sites identified to be considered in the assessment of cumulative effects include, amongst others: • The A46 upgrade; • Changes to mineral extraction proposals; and • Solar and BESS proposals. Stages 3 and 4 are reported by environmental topic as appropriate in chapters 7-19. All potential cumulative effects are assessed as not significant, except for those relating to climate change, for which Section 15.6 of identifies that, "When considered cumulatively with UK-wide renewable energy development, it will have a major and significant beneficial effect by actively reversing the risk of severe climate change relative to the baseline scenario."		

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			These effects will be mitigated following the implementation of the embedded mitigation measures secured by the Requirements set out in Schedule 2 of the Draft DCO.		

2.9 DEVELOPMENT CONSENT ORDER (DCO)

Table 2-9 Development Consent Order

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
6.2.	LIR	General	This is noted.	The County Council is the Local Highway Authority (LHA) for the order limits of the proposed project. The following comments are made with respect to PART 3 of the Draft DCO (STREETS).	N/A
6.3	LIR	Part 3 – Streets	This is noted.	Article 10 allows the undertaker to perform street works on any of the streets specified in Schedule 3, subject to the NCC Permit Scheme Order 2020. This will ensure the LHA is able retain coordination and control	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				of road works to reduce disruption for road users.	
6.4	LIR	Part 3 – Streets	Schedule 4 sets out the streets that are to be permanently altered (Part 1) and temporarily altered (Part 2) by reference to the streets and access plans (EN010162/APP/2.8), this includes the temporary passing places. This Schedule relates to Articles 11 (Power to alter layout, etc., of streets) and 12 (Construction and maintenance of altered streets) and sets out where the streets are publicly or privately maintained. Further information on passing places is now provided in the TA in Section A14.1.5.6.	Article 11 allows the undertaker to carry out alterations or works to any of the streets specified in Schedule 4. Please note that the alterations described in Schedule 4 are not currently agreed because the transport assessment methodology is yet to be agreed (see Section 5.4). Furthermore, NCC would require such works to be subject to full technical approval from the street authority with the costs to the street authority to be covered by the undertaker.	Under discussion
6.5	LIR	Part 3 – Streets	The Applicant has proposed passing places for the duration of the construction and decommissioning phases. The Applicant is seeking to discuss NCC's request for these measures to be made permanent	Schedule 4 Part 2 (Temporary Alteration of Layout) refers to temporary passing places – these should be permanent and therefore included at Part 1 (Permanent Alteration of Layout).	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			and will provide an update in due course.		
6.6	LIR	Part 3 – Streets	Noted	Article 12 states that alterations to each of the streets specified in Schedule 4 would be completed to the reasonable satisfaction of the street authority. This is agreed to be necessary.	Agreed
6.7	LIR	Part 3 – Streets	Article 16 was drafted before it had been determined that there were to be no specified temporary means of access. As such, article 16(b) has been deleted, as has the reference to Part 1 of Schedule 6. The Applicant is seeking to discuss NCC's request for further information on the access junctions and will provide an update in due course.	Article 16 allows the undertaker to form and lay out temporary and permanent means of access at the locations described at Schedule 6. The proposed accesses are not currently agreed, as explained at Section 5.4. Furthermore, such works should be subject to full technical approval from the street authority with the costs to the street authority to be covered by the undertaker. Please note that Article 16 refers to Part 1 (permanent access) and Part 2 (temporary access) of Schedule 6, but Schedule 6 appears to be a single entity with no parts.	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
6.8	LIR	Part 3 – Streets	Article 14(5) sets out that the plans and statement of modifications lodged are deemed to be an order modifying the definitive map and statement made under section 53(3)(a) of the Wildlife and Countryside Act 1981. As such, the plan and statement must accord with the Act and any Regulations made thereunder, namely The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993. The 1993 Regulations specify the form a modification order must take (Regulation 4), with the detail being set out in Schedule 2 to the 1993 Regulations. As such, the applicant does not consider that the DCO requires amendment in this respect and please note that this follows precedent DCO drafting. Details of changes to PRoW can be seen on the **Public Rights of Way Diversions and Permissive**	Article 13 allows the undertaker to temporarily close the PROWs described in Schedule 5. It is noted that this would be subject to first consulting the street authority. Where a PROW is to be permanently closed under Article 14, Paragraph 4 and 5 states that the diversion order shall provide enough detail for the surveying authority (NCC) to modify the definitive map of rights of way. The specific details of the information required must be clarified – this could be set out within the oCTMP or oPROWMP.	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			Routes Plan [EN010162/APP/2.4A].		
6.9	LIR	Part 3 – Streets	The Applicant notes this point. It suggests that the commitment to notify relevant stakeholders is set out within the ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2B] . A commitment to this effect has been added to the Deadline 2 version of the Outline CTMP, but the Applicant would welcome further discussion with NCC on this matter.	Article 17 allows the undertaker to temporarily place traffic signs and signals in the extents of the road as described in Schedule 8 and to impose traffic regulation measures, with the written consent of the traffic authority. NCC would seek clarity on the proposed procedure for consultation and approval of any TTRO and recommend that this is agreed with NCC and described within the oCTMP. Whilst the requirement to publish the proposed measure in one or more local newspaper is noted, it is standard practice within Nottinghamshire for a bulletin to be issued to relevant stakeholders. NCC would request the cooperation of the undertaker in this respect, by either directly issuing the bulletin itself or by supplying the dates/times, locations and diversions and contact numbers	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				for the LHA to issue a 'roadworks bulletin'.	
6.10	LIR	Schedule 1 (Authorised Development)	Access visibility splays and forward visibility splays have been added to the relevant drawings and are included in the Applicant's Deadline 2 submission.	In addition, Schedule 1 (Authorised Development) describes the works (i.e., 'Works No.8') to facilitate access to Work Nos. 1 to 7. This includes creation of accesses, creation and maintenance of visibility splays, works to widen and surface existing highways, and making passing places. It is unclear if Works No.8 could be delivered within the order limits as the visibility splays are not drawn and as such the extents to which the maintenance is required is unknown. As the DCO only confers powers within the order limits, it is unclear under what powers the visibility splays would be maintained, should they exceed the order limits. This same principle also applies to the widening of carriageways as without swept paths it is not known what maintenance is required and	Under discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				whether this is achievable within the order limits.	
6.14	LIR	Schedule 14 – Procedure for Discharge of Requirements	The Applicant agrees to this and has updated this in the Deadline 2 version of **Draft Development Consent Order [EN010162/APP/3.1C].**	NCC notes that where an application to discharge a requirement is made a fee is to apply and must be paid to the relevant discharging authority for each application. It is noted that in relation to those requirements where NCC would be the relevant planning authority, a fee of £2535 applies for the first application for each requirement. This includes 7 (fire safety management), 10 (surface and foul water drainage), 14 (construction traffic management plan) and 18 (recreational enhancements and routes). NCC would request this fee also applies to 11 (archaeology) given the scale of work involved and considers the proposed fee of £145 to be too low for this requirement. The costs to the council should be adequately covered and the fees should be	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				index linked from the date of the DCO.	
2.9.1 / 6.15	Section 42 Statutory Consultation in the Consultation Report	Schedule 14 (Procedure for discharge)	Schedule 14(2) of the **Draft Development Consent Order [EN010162/APP/3.1B]** sets out the procedure for discharge of requirements. Once an application is submitted for such an approval, the authority must respond within a period of 10 weeks beginning with the day immediately following that on which the application is received by the relevant authority 2025. The 10 week timeframe is consistent with other consented DCOs e.g. Longfield Solar Farm Order 2023.	NCC considers that notification of a decision within 10 weeks as a standard approach is insufficient. NCC is particularly concerned with the resourcing of such requirements and therefore consider that a more appropriate default period equating to Major Environment Impact Assessment development for a planning application of 16 weeks is more appropriate. Whilst NCC note that Schedule 14 includes for the ability to agree an alternate period, the expectation for 10 weeks would be set by its inclusion in the standard wording. The project is significant in size and scale and the information submitted for many of the requirements is likely to involve a significant amount of information and an appropriate time period must be afforded for NCC to consider	Under Discussion

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				this, including time to consult with other relevant organisations. This issue would be compounded by the combination of other NSIP projects within the county, should they gain development consent. These projects follow a similar timeline and will place cumulative pressure on the statutory functions of the planning department.	

2.10 DCO SCHEDULE 2: REQUIREMENTS

Table 2-10 DCO Schedule 2: Requirements

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
6.11	LIR	Schedule 2 – Requirements	Noted	It is noted that the 'county authority' is the discharging authority for several of the requirements in Schedule 2 including: Fire Safety Management (7) (via Nottinghamshire FRS), Archaeology (11) and	N/A

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				Construction Traffic Management Plan (14).	
6.12	LIR	Schedule 2 – Requirements	The Applicant agrees to this and has updated this in the Deadline 2 version of **Draft Development Consent Order [EN010162/APP/3.1C].**	NCC recommends that it is also responsible for discharging Surface and Foul Water Drainage (10), in its capacity as the Lead Local Flood Authority, and Recreational Enhancement and Routes (18), in its capacity as the Local Highway Authority which is responsible for management of the Public Rights of Way (PRoW) impacted by the project. It is understood that in all other cases the district 'planning authority' would be the discharging authority. NCC may wish to comment further on the wording of the requirements during the examination.	Agreed
6.13	LIR	Schedule 2 – Requirements	Noted and agreed.	In Nottinghamshire, proposals are being developed to reorganise local government which, if implemented, would result in a single tier of local government. Therefore, the	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
				dDCO should enable any of the requirements in Schedule 2 to be discharged by a superseding local authority, if necessary.	
2.10.1	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(1) - Interpretation	Requirement 1 (Interpretation) in Schedule 2 in the **Draft Development Consent Order [EN010162/APP/3.1B]** refers to Nottinghamshire County Council as the county authority for the authorised development; and Newark and Sherwood District Council as the planning authority for the authorised development.	Noted	Agreed
2.10.2	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(7) - Fire Safety Management	The Parties agree that the Requirement 7 (Fire Safety Management) in Schedule 2 in the **Draft Development Consent Order [EN010162/APP/3.1B]** is appropriate. The requirement secures that no part of Work No. 5A comprising any part of a battery energy storage system may commence until a fire safety management plan ("FSMP") has been submitted to and approved	Noted	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			by NCC, such approval to be in consultation with the Nottinghamshire Fire and Rescue Service and the Environment Agency.		
2.10.3	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(10) - Surface and Foul Water Drainage	The Parties agree that the Requirement 10 (Surface and Foul Water Drainage) in Schedule 2 in the **Draft Development Consent Order [EN010162/APP/3.1B]** is appropriate. The requirement secures that no phase of the authorised development may commence until details of the surface water drainage strategy (including the results of the infiltration testing) and (if any) foul water drainage system (including means of pollution control) for that phase (which shall be substantially in accordance with the flood risk assessment) have been submitted to and approved by the planning authority, such approval to be in consultation with NCC, internal drainage board, the Environment Agency and Severn Trent Water	Noted	Agreed

Ref	Document Reference	Description of Matter	Applicant's Position	NCC's Position	Status
			(in respect of its sewerage undertaker functions).		
2.10.4	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(11) - Archaeology	The Parties agree that the Requirement 11 (Archaeology) in Schedule 2 in the **Draft Development Consent Order [EN010162/APP/3.1B]** is appropriate. The requirement secures that no phase of the authorised development may commence until an archaeological mitigation strategy for that phase has been submitted to and approved by NCC.	Noted	Agreed

3 SIGNATURES

3.1.1 The above SoCG is agreed between the Applicant and Nottinghamshire County Council, as specified below.

Duly authorised for and on behalf of **Elements Green Trent Ltd**	Name Job Title Date Signature
Duly authorised for and on behalf of **Nottinghamshire County Council**	Name Job Title Date Signature

Appendix 1: Record of Correspondence

Date	Type (meeting, etc.)	Topic
12.10.2023	Email	Applicant sent Introduction meeting request.
23.10.2023	Email	Applicant sent Introduction meeting reminder.
11.1.2024	Email	Applicant sent Phase 1 Consultation- invite to private briefing.
16.1.2024	Email	Applicant sent Phase 1 Consultation Launch.
29.1.2024	Email	Applicant sent Phase 1 Consultation events invite (first week).
05.02.2024	Email	Applicant sent Phase 1 Consultation events invite (second week).
29.05.2024	Email	Applicant sent Close of Phase 1 Consultation email.
07.03.2024	Email	Applicant sent Highways Introduction meeting request
13.03.2024	Email	Applicant sent Highways Introduction meeting reminder.
13.03.2024	Email	NCC Highways request dates for meeting and provide details for traffic surveys
19.03.2024	Email	Applicant sent dates for Highways Introduction meeting
19.03.2024	Email	NCC Highways availability for meeting
28.03.2024	Email	Applicant sent Visual amenity changes update.
02.04.2024	Email	Applicant sent dates for Highways Introduction meeting
10.04.2024	Email	Applicant sent Highways Introduction meeting reminder.
26.04.2024	Email	Applicant sent Solar Farm Open Day- Save the date.
28.05.2024	Email	Applicant sent Highways Introduction meeting reminder.
10.06.2024	Email	Applicant sent Highways Introduction meeting reminder, available dates and traffic calculations spreadsheet
20.06.2024	Email	Applicant sent Highways Introduction meeting reminder and traffic calculations spreadsheet

Date	Type (meeting, etc.)	Topic
24.06.2024	Email	Applicant sent Highways Introduction meeting reminder.
27.06.2024	Email	NCC Highways advise of availability for meeting
03.07.2024	Online Meeting	NCC Highways introduction to the Development and general approach to traffic studies
07.07.2024	Email	Applicant sent copy of Highways Meeting Note
26.07.2024	Email	Applicant discussed the site accesses and road traffic collision data with NCC.
29.07.2024	Email	Applicant enquires about the purchase of road traffic collision data.
29.07.2024	Email	NCC respond with link to website and online form for purchase of road traffic collision data.
29.07.2024	Email	Applicant sent study area for road traffic collision data to NCC
30.07.2024	Email	Applicant sent Draft Statement of Community Consultation (SOCC) email.
02.08.2024	Email	Applicant provided details on the study area for road traffic collision data in response to NCC's request.
06.08.2024	Email	Applicant sent Phase 1 Consultation Summary Report.
07.08.2024	Email	Applicant sent New Supplier Account Set-up Form to NCC.
15.08.2024	Email	Applicant sent details of proposed site access location and passing places
18.10.2024	Email	Applicant sent Phase 2 Timescale Update.
19.12.2024	Email	Applicant sent Phase 2 Consultation SOCC Communication.
07.01.2025	Email	Applicant sent Phase 2 Consultation Pre-Event Briefing Invites.
09.01.2025	Email	Applicant sent Phase 2 Consultation launch and S42 email.
10.02.2025	Email	Applicant sent Highways meeting request
20.02.2025	Email	Receipt of NCC Consultation Response.
25.02.2025	Email	Applicant sent Close of Phase 2 Consultation.
26.02.2025	Email	Applicant sent Early Adequacy of Consultation Milestone Document to NCC for review and comment.

Date	Type (meeting, etc.)	Topic
05.03.2025	Email	Applicant provided details of passing places.
06.03.2025	Email	NCC responded to Applicant and confirmed fees for purchasing traffic count data and sent a plan of junctions.
12.03.2025	Email	Applicant requested update on additional PRoW feedback.
13.03.2025	Email	NCC requested further mapping and further detail from Applicant.
17.03.2025	Meeting	Applicant discussed information with NCC in relation to PEIR order limits and PRoW details. Different PRoW datasets explained in detail on the call. Applicant provide additional data and information to NCC.
25.03.2025	Email	Applicant provided Flood Management Update Newsletter.
26.03.2025	Email	NCC Response to Early Adequacy of Consultation Milestone Document.
01.04.2025	Meeting	Meeting to discuss updates to the PRoW changes and clarified on dataset information. Applicant clarified on RoW query.
04.04.2025	Email	Applicant sent through PRoW layers: 1. Proposed permissive footpaths 2. Proposed permissive bridleways 3. PRoW diversions (removal of the existing PRoW) 4. PRoW changes (proposed new route of the PRoW) Applicant listed and illustrated the 7 PRoW diversions within the scheme.
08.05.2025	Email	Applicant informed NCC of further a proposed temporary diversion during construction.
16.04.2025	Online Meeting	NCC Highways given overview of consultation comments, scheme changes since PEIR, passing places, temporary road closures, SOCG and programme to submission
02.05.2025	Email	Applicant sent Targeted Consultation Guidance Note to NCC.
08.05.2025	Email	Applicant sent Targeted Consultation Launch Emails.
19.05.2025	Email	Applicant requested road traffic collision data from NCC for the study area.

Date	Type (meeting, etc.)	Topic
21.05.2025	Email	NCC sent road traffic collision data
12.06.2025	Email	NCC responded with comments: Clarified only 5 routes being changed as other changes are accommodated on original and current routes. Requested width and management of corridors to safeguard routes remaining open. Clarified all changes would be permanent as there is no ability for a temporary diversion. Re-provided comments on: • Widths • Design • Surface • Permanent diversion/extinguishment • Temporary closures • Buffer zones • Permissive path • structures
06.06.2025	Email	NCC response to Targeted Consultation.
24.07.2025	Virtual Call	Development update call discussing next steps, resourcing, and the principles of the SoCG. The parties agreed on the approach to SoCG and that the Applicant will be authoring the drafts.
27/08/2025	Virtual Meeting	Initial discussion on the Statement of Common Ground
13/11/2025	Virtual Meeting	Discussion in relation to key matters raised in the NSDC's Relevant Representative Responses.
2/11/25	Email	Issue 2 provided by Applicant to NCC for comment.
7/12/25	Email	NCC comments on Draft SoCG

Date	Type (meeting, etc.)	Topic
9/12/25	Email	Applicant issued updated SoCG for NCC sign-off

Appendix 2: Response to AECOM Drainage Strategy Comments

Subject	Summary	Comment	Recommendation	Response
Stakeholder Consultation	It is noted within the Flood Risk Assessment that the Environment Agency (EA) and Nottinghamshire County Council (NCC), in its role as Lead Local Flood Authority (LLFA), were consulted during the preparation of the assessment. However, the documentation of this consultation is limited. While Appendix A includes some correspondence with the EA, no detailed meeting records are provided, and no minutes of consultation with the LLFA are included.	The stakeholder consultation presented in the FRA is limited, making it difficult to fully assess the extent and content of correspondence undertaken. The Trent Valley Internal Drainage Board (TVIDB) is referenced in Appendix A as having management responsibilities within part of the study area, yet no evidence of direct consultation with the TVIDB has been presented in the report.	The FRA should include the referenced meeting minutes from consultation with the LLFA and the Environment Agency, and evidence of direct consultation with the Trent Valley Internal Drainage Board (TVIDB) should also be provided. This is vital to ensure design parameters have been adhered to such as climate change allowances.	Appendix E of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A]outlines consultation undertaken and how this has influenced the assessment. The Applicant notes that a meeting between the EA and NSDC took place on the 14th August 2024 where both the EA and NSDC confirmed solar farms have no effect on runoff.
Constraints	The report summarises the principal constraints:	The assessment of constraints is broadly sound and identifies the key physical characteristics of the site. Land levels fall gradually eastwards towards the River Trent, with the lowest ground adjacent to the floodplain and higher ground across the main development area. Much of the site lies within Flood Zone 1, though areas closer to the Trent fall within Flood Zones 2 and 3 and are protected by embankments. The underlying Mercia Mudstone provides low permeability conditions, confirmed by infiltration testing, meaning that reliance on infiltration drainage is not appropriate. There is evidence of localised pluvial flooding linked to the poor infiltration capacity of the soils.	No recommendations	
	• Topography: The site lies to the west of the River Trent and extends across a wide area from Staythorpe in the south to Weston in the north. While parts of the site are close to the Trent, much of it is set back from the river. Ground levels are lowest adjacent to the Trent, around 6.85 m AOD, and rise gradually to the west, where the majority of the development area is located. The River Trent is bordered by naturally higher ground and engineered embankments that act as flood defences.			

Subject	Summary	Comment	Recommendation	Response
	• Geology: Infiltration testing results show that the site is underlain by the mercia mudstone group, comprising predominantly red mudstones with occasional green- grey mudstones, siltstones, and localised halite-bearing units. No superficial deposits are recorded across the site. Ground investigations identified a thin layer of topsoil (approximately 0.25–0.35 m) over firm, reddish- brown or mottled silty clay derived from weathered mudstone. In places, the clay is very gravelly, with occasional weak mudstone fragments encountered at depth. Overall, the geology indicates low permeability ground conditions. • Hydrology: The site generally drains eastwards toward the River Trent and its tributaries, though much of the development area lies away from the immediate river corridor. Approximately 90% of the site is within Flood Zone 1, with the remaining areas falling within Flood Zones 2 and 3. Along this stretch, the River Trent is contained by naturally elevated ground and engineered flood embankments. Localised pluvial flooding			

Subject	Summary	Comment	Recommendation	Response
	has also been recorded within the catchment, reflecting the low permeability of the underlying soils and the reliance on surface water conveyance.			
Existing drainage	The FRA does not explicitly describe how the site currently drains	The document doesn't state how this site drains; this could be due to the size and spread of this site. It would be useful to have a section on any existing drainage infrastructure such as culverts, outfalls, or other drainage assets. There is no mention any interaction with the proposed infrastructure and existing drainage features. Given the rural setting, it is unlikely that existing infrastructure would prevent the drainage strategy from being implemented as proposed.	Provide details of existing drainage across the site including BESS's, Substation etc	As noted within the response, the Development is unlikely to interact with existing infrastructure such as culverts. Section 9.4.7 Surface Hydrology of **ES Volume 2, Chapter 9: Water Resources [EN010162/APP/6.2.9]** [APP-052] outlines the drainage features across the Core Study Area (CSA), based on the Order limits.
Flood Risk	The majority of the site (around 90%) lies within Flood Zone 1 and is therefore at low risk of fluvial or tidal flooding. Limited areas along the eastern edge, closer to the River Trent, extend into Flood Zones 2 and 3, but no new above ground infrastructure (solar PV, substations, BESS) is proposed in these higher-risk areas. The agreed design fluvial event is the 1 in 100 year flood (1% AEP) with a 23% climate change allowance (Higher Central uplift for essential infrastructure in the 2050s epoch), with the FRA adopting a 30% allowance as a conservative proxy in the absence	The flood risk assessment considers all relevant sources of flooding, each of which is addressed and discussed in the flood risk section of the report.	Recommendations are summarised below:	
		The FRA makes use of Environment Agency RoFSW mapping and targeted 2D pluvial modelling for certain communities, but it does not include a full site wide direct rainfall model across the PV fields. In addition, no sensitivity testing has been undertaken for longer duration storm events (e.g. 6 or 12 hours). A high level, site wide pluvial modelling exercise would provide additional confidence that localised flow routes or ponding have not been	A full site wide hydraulic model should be carried out to assess flood risk across the entire development. This will give a better understanding of how water flows across the site and help identify any combined or cumulative flood risks.	As outlined in Section A9.1.1.8 Pluvial Flooding of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A], 2D pluvial hydraulic modelling has been undertaken for areas within the CSA which the Development could interact with. Storm durations used in modelling reflect the nature of the catchment have been assessed. As the CSA is predominantly rural, the peak 1 % AEP

Subject	Summary	Comment	Recommendation	Response
	of EA model outputs	overlooked.		event has been assessed in accordance with the parameters outlined within the Table in Section 4.2.1 of the EA's What is the Risk of Flooding from Surface Water map? Report. The results (extent and depth of flooding) of the pluvial modelling across the Site are presented in Figure A9.7 within Appendix D of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A]. Additionally, Figure A9.5 - 1 % AEP Pluvial Flood Extents within Appendix D of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] shows the 1 % AEP pluvial event across the CSA and is derived from the EA's pluvial flood depth datasets (Risk of Flooding from Surface Water 2025). The 2D modelling provides a good correlation with the EA's modelling and feedback from residents during consultation meetings confirmed the flow pathways from the modelling represented observed flooding during named storms, such as Storm Babet (2023). As such, there is confidence that the Development has been designed appropriately.
	The Tidal Trent modelling shows the site would remain safe under the 0.5% AEP tidal flood and breach scenarios, with no flooding expected during the scheme's lifetime. Only a small part of Work Area 3 (mitigation land) would be affected in the extreme 1% AEP +	The FRA only assessed tidal defence breach and did not consider the implications of a fluvial defence breach.	The applicant should include an assessment of a fluvial defence breach scenario to provide a more complete understanding of flood risk to the site.	The fluvial breach would be similar to that of Flood Zones 2 and 3, which do not account for the presence of flood defences. Therefore the Flood Map for Planning is a good indicator for the fluvial breach scenario as it models flood extent with an absence of defences.

Subject	Summary	Comment	Recommendation	Response
	62% climate change scenario, with shallow flooding up to 0.6 m, which is acceptable as this land will be managed as grassland. No operational areas of the development fall within the tidal flood extents. Flood Zone 3b (functional floodplain) has been defined using the defended 1 in 30 year event (3.33% AEP), which shows that all proposed above-ground infrastructure lies outside this extent. Residual risk from a breach of the River Trent defences has been modelled and would affect parts of the mitigation land only, with no critical infrastructure at risk. Surface water flood risk is low, with most predicted pluvial depths less than 0.3–0.5 m, and infrastructure such as PV arrays, substations, and the BESS raised above these levels. Groundwater risk has been classed as negligible, with boreholes striking groundwater at shallow depths but no evidence of persistent emergence. Reservoir breach flooding is largely confined to the River Trent corridor and poses only a very low residual risk, while sewer flood risk has been scoped out given the rural setting. Overall, the flood risk to the site is low, with only limited areas of mitigation land affected during extreme fluvial or tidal events. Operational infrastructure is	It is difficult to understand the overall flood risk to the site due to the absence of appropriately scaled flood mapping. The current drawings do not provide a clear overview of flood extents throughout the site. As a result, the summary appears disjointed and there is an increased risk of misinterpretation when assessing individual sections in isolation.	The applicant should provide mapping at more appropriate extents for review, such as at a scale of approximately 1:30,000 on A3. This will enable a more robust assessment of the overall flood risk to the site.	Inset maps of flood extents within ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] have now been re-produced within Appendix D at a scale of 1:30,000 at A1, showing a clear overview of flood extents throughout the CSA.
		It is not clear from the report what is actually proposed within the development area. No proposed layout or design drawings have been provided for the identified work areas, making it difficult to understand the nature and extent of the proposed works. As a result, it is not possible to determine the potential flood risk associated with the development.	The applicant should include clear drawings showing what is proposed in each work area. This will help to understand the development and assess any potential flood risk.	The Development has Work Areas and does not have a detailed design at this stage. The Work Areas follow a Rochdale Envelope approach, common on most DCO applications, and enables a worst-case scenario to be assessed. Environmental Statement Figure 5.4 Illustrative Design shows the illustrative layout of the Development and a detailed design of the Development will been progressed and finalised, following the issue of the DCO. Appendix D of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] provides flood extent mapping that contains the proposed Work Areas at a scale of 1:30,000 on A1.
		There is no mention of compensatory flood storage within the report. This is particularly important in the substation area, where existing floodplain storage will be lost due to the proposed works.	The applicant should include an assessment of compensatory storage requirements across the site, especially for the substation area, to ensure that any loss of floodplain storage is appropriately mitigated.	Work Area 5b: 400 kV Substation is located within Flood Zone 1 and therefore will not require compensatory storage. As outlined in Section A9.1.2.2.1 River Trent (Fluvial) of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A]

Subject	Summary	Comment	Recommendation	Response
	located outside functional floodplain and raised above predicted surface water levels, ensuring the development will be safe for its lifetime and will not increase flood risk elsewhere.			Work Area 6: National Grid Staythorpe Substation is located within the 1 % AEP + 23 % CC extent (30 % CC used as proxy) and is mostly modelled to flood to depths of less than 0.1 m (i.e. within the main platform area), as shown in Plate A9.1.26. The National Grid Staythorpe Substation has private hard (walls) and soft (embankments) defences to a level of 13.10 m AOD. As such, Work Area 6 is unlikely to be inundated during the 1 % AEP + 30 % CC and 39 % CC events, should the Development operate marginally into the 2080s epoch. The design is still at an outline stage, but the Outline Drainage Scheme includes a commitment to ensure that, should Work Area 6 be used as the connection point for the Development, there would be no loss of floodplain storage. This is considered to be reasonable given the minimal flood depths and the type of infrastructure needed in that area e.g. thin bus-bar poles etc. Once the design of the Development has been finalised then the need for minor compensatory storage can be established. This is secured by Requirement 10 of Schedule 2 of the Draft DCO (Surface Water Drainage Strategy).
		The flood risk chapter focuses only on the existing fluvial and pluvial flood risks. It does not assess how the proposed development could increase flood risk through the	The applicant should include an assessment of the potential increase in flood risk from the proposed development, considering new impermeable areas and crossings.	The design is still at an outline stage, but the Outline Drainage Scheme, included in ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] proposes

Subject	Summary	Comment	Recommendation	Response
		introduction of new hard standings, impermeable areas, or watercourse crossings. In addition, there is no information on the type of surfacing proposed, which is critical for understanding how surface water will be managed.	Also, clearly specify the proposed surfacing types to allow a proper understanding of drainage and flood risk impacts.	drainage principles which are secured through requirement 10 of Schedule 2 of the draft DCO [EN010162/APP/3.1]. Sections A9.1.2 to A9.1.6 of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] discusses the management of surface water from all aspects of the Development, such as formal SuDS for Work Areas 4 and 5 and RSuDS for Work Area 1, to ensure there is no increase in the runoff rate. A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO and this approach is consistent with other consented solar DCO applications, such as Mallard Pass Solar Farm, West Burton Solar Project, Cottam Solar Project and Byers Gill Solar. The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO. This is secured by Requirement 10 of Schedule 2 of the Draft DCO (Surface Water Drainage Strategy).
		The FRA only includes localised flood modelling for certain areas. It does not provide a full site wide assessment, so it is difficult to understand how flooding may move across the whole site or how different areas might affect each other during a flood.		Appendix D of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] shows flood extent mapping for the full site. Only a small section of Work Area 1: PV Arrays, located east of the site towards Carlton-on-Trent, is within

Subject	Summary	Comment	Recommendation	Response
				Flood Zone 2. All other PV Arrays are located within Flood Zone 1. The enhancement areas and cable route and connection is the only development located within Flood Zone 3.
		There has been no consideration of the potential increase in flood risk during the construction phase of works. Construction activities and temporary works may alter surface water flow paths, increase runoff, or reduce floodplain storage.		The measures to manage surface water runoff generated during the Construction phase is considered within section A5.3.9.1 of ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan [EN010162/APP/6.4.5.3]. Construction compounds would be located in Work Areas 1 and 5 and would therefore be located within Flood Zone 1. ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3] was updated at Deadline 1 to confirm that construction compounds will be located outside Flood Zone 3a and 3b, as requested by the Environment Agency.
		It is unclear why the Consented BESS within Work Area 7 and the existing infrastructure within Work Area 6 are being assessed as part of this FRA. Work Area 7 already has consent, and Work Area 6 relates to existing National Grid infrastructure. The inclusion of these areas in the assessment requires clarification.		The consented, and currently under construction, Staythorpe BESS (Work Area 7) and the existing Staythorpe Substation (Work Area 6) are not assessed within ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A]. The potential for the Development to electrically connect into Work Areas 6 or 7 is assessed within the FRA.
Drainage	The design strategy for various	The drainage strategy lacks many	Recommendations are summarised	

Subject	Summary	Comment	Recommendation	Response
Design Strategy	elements is summarised below: • **Solar Panel Areas** – The solar panel areas are designed to allow runoff to infiltrate naturally into the ground, replicating existing conditions. Rainfall drains through gaps between the panels, spreading across underlying grassland vegetation. The panels are raised a minimum of 500mm from the ground. Swales and filter drains will be implemented to slow flow down in areas where there is a ground slope steeper than 6%. • **BESS** – The Battery Energy Storage System (BESS) will drain to a lined detention basin, designed to restrict discharge to 4 l/s, in line with the site's greenfield runoff rate. Fire water will also be routed to this basin, which incorporates a Hydrobrake flow control. The basin is sized to accommodate the 1% AEP + 40% CC event together or a fire water volume of 228 m³. A penstock will be installed on the outlet of the SuDS structure and will be closed in the event of a fire suppression incident,	details which will be discussed further below:	below:	
		There is no single plan showing the full drainage layout across the entire site. This would be valuable to understand connectivity between catchments, location of SuDS features, exceedance flow paths, and interaction with topography.	Provide a drainage layout plan showing all catchments, SuDS features, discharge points, exceedance flow paths, and connectivity to receiving watercourses. Overlay with flood depth mapping to verify separation from high risk areas.	The Development has Work Areas and does not have a detailed design at this stage, therefore ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] proposes drainage principles which will be secured through a requirement in the draft DCO [EN010162/APP/3.1]. A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO and this approach is consistent with other consented solar DCO applications, such as Mallard Pass Solar Farm, West Burton Solar Project, Cottam Solar Project and Byers Gill Solar. The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO.
		The basin has been sized either for firewater or for the 1 in 100-year storm event, however, a more robust approach would be to model the more frequent 1 in 2 year storm combined with firewater, or the 1 in 100 year storm including climate change, whichever is the greatest. No further details of the basin/attenuation have been provided, such as water depth, outfall arrangements, storage capacity, or supporting modelling results.	The basin design should consider either the 1 in 2-year storm with firewater or the 1 in 100-year storm with climate change. Further details of the basin should also be provided, including water depth, outfall, storage capacity, and modelling results.	As outlined in Section A9.1.4.2 of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] there will be a dedicated lined (clay or synthetic liner) holding basin, separate to the SuDS structures to serve Work Area 5a, available for spent firefighting water to be pumped to in the event of a battery fire during heavy rainfall. As such, the SuDS system will not reach capacity during such an event. The Development does not have detailed design at this stage. A detailed

Subject	Summary	Comment	Recommendation	Response
	remaining shut until the captured water has been tested. Depending on the results, water will either be tankered offsite to a licensed facility or discharged to the adjacent unnamed field drain, subject to agreement with the Environment Agency. • **Substation** - Surface water from the substations in Work Areas 4 and 5b will be managed in the same way as the BESS (Work Area 5a), with drainage designed to attenuate the 1% AEP + 40% CC event. Infiltration testing confirmed that infiltration is not feasible due to underlying clays and mudstone. As such, SuDS systems will discharge at greenfield (QBAR) rates to nearby watercourses or field drains, in line with the SuDS hierarchy.			drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO, and will include further details of the basin.
		No assessment has been provided of potential water quality effects. It is unclear whether the basin will mitigate pollution using the SuDS mitigation index approach (SIA), or whether any of the other proposed SuDS features will provide this function. In addition, no site arrangement plan has been included, and there is no reference to the permeability of the access tracks. This will therefore need to be assessed in relation to both water quality and surface water runoff mitigation.	The applicant should provide an assessment of potential water quality effects, confirming whether the basin or other SuDS features will mitigate pollution using the SuDS mitigation index approach. A site arrangement plan should also be included, along with details on the permeability of access tracks, to address both water quality and surface water runoff mitigation.	A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO. The SIA tool will be used to assess the potential water quality effects of the SuDS design to serve hardstanding areas.
		The document also does not explain what would happen in the event of a larger storm. There is no mention of exceedance flows, how water would safely flow across the site if the drainage system was overwhelmed. Guidance from the LLFA and IDB usually expects clear plans for this, to make sure floodwater is routed away from sensitive equipment or areas and does not cause new risks off site. The strategy also does not explain what would happen if a flow control device became blocked, which is a realistic risk in practice. Some explanation of mitigation measures (for example, emergency spillways, bypasses or inspection regimes) would be expected.	Applicant to produce a site wide exceedance routing plan showing primary and secondary flow paths, measures to protect sensitive infrastructure, and ultimate discharge locations. Consider exceedance where surcharging may occur.	A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO. The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO.
		The strategy assumes solar arrays	The applicant should provide	As outlined in ES Volume 4, Appendix

Subject	Summary	Comment	Recommendation	Response
		will not increase runoff due to proposed berms and filter drains, but no quantitative evidence is provided. Key uncertainties remain around the design and function of filter drains, including storage, infiltration, and outfall arrangements. Without this, there is a risk of channelised flow increasing flood risk under exceedance conditions. The drainage strategy also lacks sufficient detail on runoff collection, conveyance, construction, materials, lining, and flow control, making it unclear how the system will operate in practice.	quantitative evidence to show that the solar arrays will not increase runoff with the proposed berms and filter drains. Further detail is needed on the design and function of the filter drains, including storage, infiltration, and outfall arrangements, as well as how runoff will be collected, conveyed, controlled, and discharged.	A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A], there is a substantial body of academic research which outlines that solar panels do not have a significant effect on runoff volumes or peak flows, however where ground beneath panels is bare there may be an increase in peak discharge. Grassland under the PV arrays will act to bind the soil and slow the flow of water from the PV arrays therefore not contributing to or exacerbating existing flooding downstream of the Site. No formal attenuation is required for the solar panels as the raised nature of PV Arrays will not prevent soil from absorbing rainwater as the panels will not be placed directly on the ground and each PV Row will be separated, with the same area of soil / grassland available for infiltration as per the baseline scenario. The PV array tables will have regular rainwater gaps to prevent water being concentrated along a single drip line. As such, rainfall landing on the solar panels will drain through rainwater gaps and infiltrate into the ground beneath and between each row of panels. As outlined in Section A9.1.3.2.1 of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A], in areas where PV Arrays run parallel to a slope of 6 % or greater, active measures such as berms, stone filter drains and swales will be incorporated to slow the flow of surface water run-off as part of construction SuDS, which could be retained for the operational phase of the Development. Filter drains would

Subject	Summary	Comment	Recommendation	Response
				measure 200 mm width and 300 mm depth in the form of a linear scrape which is backfilled with clean, uncompacted Type 2 or 3 aggregate. Once the design of the Development has been finalised then the design of active measures such as berms, stone filter drains and swales will be finalised, which is consistent with the approach taken for the consented Mallard Pass Solar Farm DCO (see outline Water Management Plan (oWMP) PINS Ref: EN010127 Document Ref: EN010127/APP/7.13.2. The use of grassland and wider vegetation planting within and around the PV arrays provides a significant betterment than the existing agricultural scenario and as a result will not increase surface runoff.
		No consideration has been given to whether the solar panels and associated structures can withstand the impacts of lateral flood flows, which is essential to ensure structural stability and prevent damage during flood events.	It is recommended that the design of the solar panels and associated infrastructure includes an assessment of resilience to lateral flood flows to ensure structural stability and minimise the risk of damage during flood events.	Only a very small section of PV arrays is located within Flood Zone 2, following the latest update to the Flood Map for Planning (November 2025), in the east of the Order limits, towards Carlton-on-Trent. All other PV arrays are located within Flood Zone 1, meaning fluvial flows will not interact with the racking mounts for the lifetime of the Development in these areas. The racking mounts will be made of high tensile metal. Velocity is a major factor in aggravating structure and content damage, as the additional force of high velocities creates greater danger of foundation collapse. McBean *et al*. (1988) states that a velocity of 3 m/s acting over a depth of

Subject	Summary	Comment	Recommendation	Response
				1 m will produce a force sufficient to exceed the design capacity of a typical residential wall. Pluvial flows within all work areas will not exceed 3 m/s even on steep slopes. As such, the PV will be safe for its lifetime in accordance with NPS EN 1.
		There is no section on maintenance provided, elements such as swales, ditches, or filter drains will be managed. Without specific maintenance requirements, there is a risk that these features could lose effectiveness over time through siltation, vegetation overgrowth, blockages, or structural deterioration. This lack of detail creates uncertainty over the long-term resilience and performance of the proposed drainage system.	The applicant should provide a maintenance plan for SuDS features such as swales, ditches, ponds, and filter drains. This should set out specific requirements to prevent issues like siltation, overgrowth, blockages, or structural deterioration and ensure long- term system performance.	We agree that without proper maintenance then the functionality of SuDS features could reduce over time. Maintenance of the grassland for Work Area 1: Solar Area is outlined in the oLEMP [EN010162/APP/ 6.4.5.1A]. An outline maintenance plan for SuDS features will provided within the oLEMP [EN010162/APP/ 6.4.5.1A]. When the final design of the Development is undertaken then the final LEMP will be updated to confirm the maintenance requirements for SuDS features.
		The current documentation does not explain how compaction of the ground during construction activities will be managed. At present, the ground is relatively undisturbed, but sustained traffic from excavators, delivery wagons, and dumpers over the course of the works is likely to compact soils. This compaction could significantly reduce infiltration potential and increase surface water runoff compared to existing conditions, thereby undermining the performance of SuDS features and increasing flood risk.	It is recommended that a soil management plan is developed to address the risk of compaction during construction. This should include measures such as limiting construction traffic to defined haul routes, using low ground pressure machinery where feasible, phasing works to minimise disturbance, and undertaking soil decompaction.	An outline Soil Management Plan ES Volume 4, Appendix A17.2 [EN010162/APP/6.4.17.2] was submitted with the DCO application, and details measures to avoid compaction during all phases of the Development. Section A9.1.3.1.3 of ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A], outline measures to avoid compaction of the ground during construction activities.
		The drainage strategy indicates groundwater has been identified locally in boreholes southeast of	The applicant should show how groundwater depth has been considered in the basin design,	The Development has Work Areas and does not have a detailed design at this stage, therefore ES Volume 4,

Subject	Summary	Comment	Recommendation	Response
		Work Area 5a at depths between 1.8–3.0 m BGL. It is unclear whether this has been fully considered in the design of the basin, particularly with respect to their storage capacity, and potential groundwater surface water interactions. No assessment has been provided on seasonal fluctuations, nor has any commitment been made to ongoing monitoring.	assess seasonal changes, and commit to monitoring.	Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] proposes drainage principles which will be secured through a requirement in the draft DCO [EN010162/APP/3.1]. A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO and this approach is consistent with other consented solar DCO applications, such as Mallard Pass Solar Farm, West Burton Solar Project, Cottam Solar Project and Byers Gill Solar. The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO, and will seek to avoid interaction with groundwater levels.
		The purpose of the proposed SuDS features is unclear, as they are not connected to any defined drainage system and there is no evidence of catchments discharging into them. The drainage strategy also lacks the necessary detail to demonstrate how the system will operate in practice. Key information is missing, including how runoff will be collected and conveyed to filter drains, how water will enter and pass through these features, the proposed surface materials for the BESS compound and substation areas, whether all the features will be lined, details of penstocks or other flow control	It is recommended that the Drainage Strategy is updated to demonstrate the purpose and benefits of the SuDS features and how they integrate with the overall drainage strategy. We would like to see outline engineering detail of all proposed drainage and SuDS features. This should include catchment and collection arrangements, inlet and outlet structures, confirmation of pond lining, penstock and flow control details, and clear long sections, cross sections, and typical details for swales, filter drains, ditches, ponds, and associated infrastructure.	The Development has Work Areas and does not have a detailed design at this stage, therefore ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1A] proposes drainage principles which will be secured through a requirement in the draft DCO [EN010162/APP/3.1]. A detailed drainage plan will be provided once the detailed design of the Development has been progressed and finalised, following the issue of the DCO and this approach is consistent with other consented solar DCO applications, such as Mallard Pass Solar Farm, West Burton Solar Project,

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		structures, and adequately detailed long sections, cross sections, and construction details		Cottam Solar Project and Byers Gill Solar. The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO.
		A site layout has not been provided, making it unclear whether the scheme involves any watercourse crossings or where any outfalls are connecting into. Without this information, it is not possible to determine the extent of consultation required, and these topics are not addressed elsewhere in the report.	The applicant should provide details of proposed water course crossings.	Figures A5.3.1 and A5.3.2 of ES Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan [EN010162/APP/6.4.5.3] show the locations cable and access track crossings of watercourses. Section A5.3.9.5.4 Watercourse / Drainage Ditch Crossings states that Crossings will be designed as part of detailed design, post-consent, and the oCEMP commits to the soffit level of any bridges sitting above the design flood level. The design flood level for permanent crossings would be the 1 % AEP plus Higher central climate change scenario (39 % CC) and will involve the following parameters: • Soffit height of the bridge will be a minimum of 600 mm above the 1 % AEP + Climate change allowance flood level; • All abutments must be set back a minimum 1m from the top of the bank and as minimal as possible; • Any loss of floodplain due to abutments and ramps will need to be compensated for, as outlined in the oCEMP; • All parapets and railings need to be permeable and open as possible with a minimum 100 mm spacing; and

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				• The Development has been redesigned to avoid placing Works Areas 1, 4 and 5a and 5b within the 1 % AEP + 39 % CC extent for the River Trent and the 0.5 % AEP tidal events (plus climate change (23 %) in accordance with Table 2 of *Accounting for residual uncertainty: an update to the fluvial freeboard guide*, Table 2 of the Engineering Design Standard, EDS 07-0106 Substation Flood Protection (2016)47 and Energy Networks' Associations Engineering Technical Report 138 (ETR138).
		Greenfield runoff rates have been calculated using the ICP SuDS method /IH 124 FEH methods are typically preferred, however this method is commonly used.		The ICP SuDS method is the most appropriate method for calculating runoff rates, where the catchment is between 0 and 50 ha. Given the smalls scale of the catchments serving Work Areas 4 and 5, the use of the ICP SuDS is appropriate for the Development. ICP SuDS is a linear interpolation based on the IH 124 FEH method and therefore is appropriate.
Design Parameters	The report states the following design parameters were used: • The design parameter for fluvial risk is the 1 in 100 year event with a 23% climate change allowance (2050s epoch, Higher Central), with a higher proxy allowance used where 23% data is unavailable, and a 38% allowance applied as a validation check.	The design parameters appear to be reasonable, however without direct minutes from consultation, it is difficult to conclude if these have been agreed with the relevant stakeholders. Additionally without modelling results for the proposed SuDS, its not possible to review if the SuDS have been designed in line with requirements.	It is recommended that all meeting minutes and agreed design parameters are provided. It is recommended that modelling results for SuDS are provided.	See Appendix E The detailed design of the SuDS network for the Development will be provided to the LLFA, following granting of the DCO.
	• The design parameter for tidal flooding is the 1 in 100 year event with a	The report states that decommissioning "may" start in 2069. However, the assessment does not clearly cover the full demobilisation	The applicant should confirm and agree the assessment epoch with the Environment Agency to ensure it fully covers the decommissioning and	As outlined in Requirement 19 of the draft DCO, if the undertaker anticipates that the operation of any part of Work Area 1 will continue after

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	39% climate change allowance (2050s epoch), with a 62% allowance (2080s epoch) applied as a validation check. • The design parameter for pluvial flooding is the 1 in 100 year event with a 25% climate change rainfall allowance for the 2070s epoch, in line with EA guidance. • A 1 in 100 year (1% AEP) storm with 40% climate change allowance will has been defined for the design of SuDS features, in line with LLFA requirements.	phase, which could extend beyond this date.	demobilisation period.	31 January 2069, it must submit to the planning authority (following consultation with the Environment Agency): • an updated flood risk assessment of the flood risk arising from the continued operation of that part of Work No. 1 after 31 December 2069; • the details of any mitigation or compensation measures that the flood risk assessment under paragraph (a) recommends are necessary; • the implementation timetable, including identifying the need for (but not requiring a specific programme for the obtaining of) any consents, for any measures identified under paragraph (b); and • retention proposals for any measures identified under paragraph (b) for the remaining lifetime of the authorised development