



The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

Our ref: XA/2025/100424/03-L01
Your ref: EN010162
Date: 18 February 2026

To whom it may concern

ENVIRONMENT AGENCY RESPONSE DEADLINE 2 SUBMISSIONS.

GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK

This response constitutes the Environment Agency's deadline 3 response.

We have reviewed the Applicant's Deadline 2 submissions, and other application documents that have been updated since submission. Following our review, we have responded to the outstanding issues raised within our Relevant Representation [[RR-054](#)] and Deadline 2 response [[REP2-124](#)]. This letter is therefore comprised of the following:

- [Appendix A](#): Our response to actions arising from Issue Specific Hearings 2 and 3
- [Appendix B](#): Our comments regarding the issues we raised in our Relevant Representation
- [Appendix C](#): Summary of our position

Yours faithfully

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Appendix A - Our response to actions arising from Issue Specific Hearings 2 and 3

12. Updates with regards to agreements reached on Requirements

We previously requested to be named on a number of requirements. We are pleased to see that we have been listed to be consulted/as a relevant authority regarding:

- 7. Fire safety management (4);
- 8. Landscape and ecological management plan and biodiversity design strategy (1);
- 9. Fencing and other means of enclosure (1) (2)
- 10. Surface and foul water drainage (1);
- 12. Construction environmental management plan (1a);
- 13. Operational environmental management plan (2);
- 16. Ground conditions (1) (2);
- 19. Decommissioning and restoration (1b);
- 23. Long-term flood risk mitigation (1) (2) (2d) (3) (4)

Please note, we have an issue in regard to the wording for requirement 12. in the 3.1C Draft Development Consent Order (Tracked) - Rev 4 [[REP2-006](#)]. Please see *12. Construction environmental management plan* in [Appendix B](#).

13. Environment Agency to provide position on the use of “substantially in accordance with”.

There are a number of requirements within the 3.1C Draft Development Consent Order (Tracked) - Rev 4 [[REP2-006](#)] that utilize the phrase “substantially in accordance with”. Using the term “substantially” results in the requirement being unenforceable and imprecise. This is contrary to the 2 of the 6 tests for planning conditions within paragraph 57 of the [National Planning Policy Framework](#).

For those requirements that we are listed to be consulted on, where the term “substantially” has been used, we request its removal from the following:

- 7. Fire safety management (4);
- 8. Landscape and ecological management plan and biodiversity design strategy (5a);
- 10. Surface and foul water drainage (1);
- 12. Construction environmental management plan (2);
- 13. Operational environmental management plan (2);
- 19. Decommissioning and restoration (2)

14. Applicant/EA to consider whether cable bridges rather than HDD could be used to cross water courses.

Crossings are only proposed on ordinary watercourses as part of this development, not main rivers. For queries regarding potential cable bridges on ordinary watercourses, we defer to the Internal Drainage Board. We have provided our high-level overview of why Horizontal Directional Drilling (HDD) would be less likely to impact watercourses below.

HDD would be less likely to impact watercourses, compared to cable bridges, due to the avoidance of impacts to riparian corridors and aquatic habitats, as-well as avoiding increasing flood risk.

Assuming the entry and exit points are beyond a sufficient offset from the water course, HDD would avoid the needs for any works or built development with the riparian corridor; cable bridges would require such, which would have impacts on geomorphology, and fragment riparian habitats. We require a minimum 8m offset from main riverbanks for any works. In regard to aquatic habitats, cabling bridges may require in-channel works, such as installing support piers, dredging or straightening, which can lead to sedimentation, acoustic pollution and fragmentation of habitats. Furthermore, shading of riparian and aquatic habitats may disturb protected species. Impacts to the riparian and aquatic environment can cause a deterioration in, or prevent the improvement of, Water Framework Directive (WFD) water quality.

Cable bridges may increase flood risk. If not designed appropriately, aspects of the bridge design, such as the abutments and soffit height, may disrupt flood flow routes, and displace flood storage, which will increase flood risk elsewhere.

23. EA to set out any residual concerns over the exception test regarding the BESS after review of further information from applicant.

Please see issue EA027 within our deadline 2 response letter [[REP2-124](#)]. As stated under EA027, we were concerned that fluvial flood risk from nearby ordinary watercourses hasn't been identified or mitigated for regarding the BESS.

In an email exchange (dated 27 January 2026) the Applicant stated the following:

- “We are content to provide a clarified commitment that the Detailed Drainage Strategy for the BESS would confirm that there would be no net loss of flood storage. This will be included in the Outline Drainage Strategy, submitted at Deadline 3.

The EA have referred to Ordinary Watercourses in the vicinity of the BESS. The Applicant's understanding is that the watercourses around the BESS related to drains. The Applicant's position is therefore that the assessment can be updated to provide the conveyance capacity and demonstrate flows can be managed through design.

It would be helpful for the EA to confirm if the Ordinary Watercourses referred to are the same drains that the Applicant is referring to.”

With respect to the potential loss of storage associated with the BESS, the Applicant's response to our comments looks reasonable. Pending inclusion of this commitment in the Outline Drainage Strategy at deadline 3, we would have no further concerns in relation to this matter. With respect to the ordinary watercourses,

we can confirm that on review these look to be drains, and therefore we agree with the Applicant's assessment.

We are therefore content that the development meets the exception test.

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

Draft Development Consent Order

12. Construction environmental management plan

We note that within the 3.1C Draft Development Consent Order (Tracked) - Rev 4 [REP2-006], an amendment was made to requirement 12. Construction Environmental Management Plan. We are now listed to be consulted “on the topics specified: (a) the Environment Agency, on the arrangements for refuelling and horizontal directional drilling.”

We cannot accept this amendment, as we will need to review the entirety of the CEMP in due course. We note that we were listed to be consulted on the entirety of the CEMP under the previous 3.1B Draft Development Consent Order (Clean) - Rev 3 [REP1-005]. We request that we are listed to be consulted under 12. (1), and the 12. (a) section should be removed.

Please note, that under 12. (4), it is stated that “permitted preliminary works must be carried out in accordance with the outline construction environmental management plan.” This statement should be amended to state “in accordance with the construction environmental management plan”.

23. Long-term flood risk mitigation

We note that there is an inconsistency regarding the dates under (2) and (2)(a) – the first relating to the anticipated continuation past 31 January 2069, and the second relating to continued operation past 31 December 2069, in respect to the Flood Risk Assessment. We request an explanation for this inconsistency. Otherwise, we require these dates to be amended to match with each other.

Unresolved issues not included in this response

Please note that our response includes only those issues IDs (from our deadline 2 response letter [REP2-124]) for which the Applicant’s deadline 2 submissions are relevant and seek to address. We have not provided further comment on issue IDs where no relevant documents, or substantive comments, were submitted at deadline 2. Therefore, these issues remain unresolved, and we expect that the Applicant will submit relevant information for them at deadline

3. These outstanding issue IDs are as follows:

- EA005
- EA007
- EA008
- EA009
- EA010
- EA012
- EA014
- EA024
- EA028

Please also see [Appendix B](#): Summary of our position, for a tracker of which issue IDs are resolved and unresolved.

EA001 Groundwater and contaminated land

We consider this issue resolved.

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

The Applicant has updated section A5.3.6 paragraph 24 of document [REP2-051] 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 to include the wording:

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

We therefore consider this issue resolved.

EA002 Groundwater and contaminated land

We consider this issue resolved.

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

The Applicant has updated section A5.3.6 paragraphs 26, 27, 28 and 29 of 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051] to include the following wording for the unsuspected contamination protocol.

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

3. Remediation must be carried out in accordance with the approved scheme under sub paragraph (2).
4. Following the implementation of the remediation strategy approved under sub paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency

We therefore consider this issue resolved.

EA013 Groundwater and contaminated land

We consider this issue resolved.

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

The Applicant has updated section A5.3.6 paragraph 24 of document [REP2-051] 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 to include the wording:

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

We therefore consider this issue resolved.

EA016 Water quality

We do not consider this issue resolved.

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

We note that within the 3.1C Draft Development Consent Order (Tracked) - Rev 4 [REP2-006], an amendment was made to requirement 12. Construction Environmental Management Plan. We are now listed to be consulted “on the topics specified: (a) the Environment Agency, on the arrangements for refuelling and horizontal directional drilling.” We do not believe this is an appropriate resolution to this issue.

In our deadline 2 response [REP2-124], we stated that to resolve this issue, the Applicant should provide further detail around the launch pit locations, and the precautions in (originally in paragraph 93 of the 6.4.5.3 Environmental Statement

Volume 4 – Technical Appendices Technical Appendix A5.3 – Outline Construction Environmental Management Plan - Rev 1 [APP-204] should be developed into a Drilling Fluid Breakout Management Plan.

We appreciate that the launch pit locations will be a matter for the consideration of the Internal Drainage Board. Therefore, to resolve this issue, we request that a commitment is made to making the precautions, listed under paragraph 99 of A5.3.9.4.2 in the 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051] into a drilling fluid breakout plan.

Please note, we are concerned that pollution to ordinary watercourses from HDD may lead to pollution of the River Trent (a main river), via hydrological linkages.

EA017 Water quality

We do not consider this issue resolved.

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

We are pleased to see that section A5.3.9.1 in the 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051] states the types of SuDs proposed.

We require the 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051] to commit to ensuring the monitoring and maintenance of all SuDs features. We note that this is only specifically mentioned for Silt Traps and Silt Matting, and Settlement Lagoons.

EA019 Biodiversity

We do not consider this issue resolved.

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

We engaged with the Applicant on 17 February 2026. We have come to an agreement that the suitable solution to this issue is for the Applicant to state: *“For the avoidance of doubt, works covered by class licence will be undertaken in full accordance with the terms of the licence”*.

This must be done so within the 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051]. We will resolve this issue once we see the amended wording in an updated outline CEMP.

EA020 Groundwater and contaminated land

We consider this issue resolved.

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

The Applicant has now amended the 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051] paragraph 94 to produce a hydrogeological risk assessment for any HDD works, close to groundwater receptors and will share the results with the Environment Agency. We are content with this addition.

EA025 Flood risk

We do not consider this issue resolved.

We have reviewed the following documents:

- 6.4.5.3B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 3 [REP2-051]

We were concerned that there was limited detail on the siting of construction compounds, equipment and materials. In the oCEMP [REP1-039] the Applicant has committed to not placing construction compounds within Flood Zone 3a or 3b. However, the Applicant has not mentioned material or equipment. The Applicant needs to commit to not placing material or equipment storage within floodzone 3 (both 3a and 3b), or provide necessary mitigation measures to be implemented and ensure there is no adverse impacts on flood risk.

The Applicant has now confirmed that there will be no storage of equipment or materials in FZ3 within works No 1-5. However, they have now updated the oCEMP [REP1-039] to mention that lay down areas may be needed in Works Nos. 6, 7, & 8 which may fall in FZ3. The Applicant should commit in the oCEMP to providing a flood emergency plan, to remove as much equipment as possible from the floodplain in times of a flood.

EA027 Flood modelling

We do not consider this issue resolved. However, we believe good progress is being made towards its resolution.

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

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

In an email exchange (dated 27 January 2026) the Applicant stated the following:

- “We are content to provide a clarified commitment that the Detailed Drainage Strategy for the BESS would confirm that there would be no net loss of flood storage. This will be included in the Outline Drainage Strategy, submitted at Deadline 3.

The EA have referred to Ordinary Watercourses in the vicinity of the BESS. The Applicant’s understanding is that the watercourses around the BESS related to drains. The Applicant’s position is therefore that the assessment can be updated to provide the conveyance capacity and demonstrate flows can be managed through design.

It would be helpful for the EA to confirm if the Ordinary Watercourses referred to are the same drains that the Applicant is referring to.”

With respect to the potential loss of storage associated with the BESS, the Applicant’s response to our comments looks reasonable. Pending inclusion of this commitment in the Outline Drainage Strategy at deadline 3, we would have no further concerns in relation to this matter. With respect to the ordinary watercourses, we can confirm that on review these look to be drains, and therefore we agree with the Applicant’s assessment.

EA029 Flood risk

We do not consider this issue resolved.

No amendments have been made as part of the deadline 2 submission that resolve our concerns. We have reviewed the following documents:

- 6.4.5.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.1 – Outline Landscape and Ecology Management Plan (Tracked) - Rev 3
- 6.2.9 Environmental Statement Volume 2 – Chapters Chapter 9 – Water Resources - Rev 1
 - We note that under section 9.5 paragraph 138, a 10 m watercourse edge buffer will be provided for “all construction works (i.e. solar PV

and associated infrastructure, construction compounds, BESS and substations) with the exception of watercourse crossings for cables and access tracks". This does not mention riparian corridors.

For the riparian corridor proposed on the River Trent, the Applicant must consider the space required for future emergency access and maintenance, including the use of vehicles and heavy-duty machinery. This can be demonstrated by, but is not limited to, submitting vehicle tracking plans showing there is unrestricted vehicular access for a six-wheeler grab lorry to enter the site and park parallel to the watercourse for operation of the mechanical arm. We require a commitment within the Outline Landscape and Ecology Management Plan, or Outline Construction Environmental Management Plan, which states this for works within the riparian corridor of the River Trent. This will ensure the Environment Agency has sufficient space to access the riverbank for maintenance.

Appendix C – Summary of our position

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

Flood modelling	EA027	Not Resolved
Flood modelling	EA028	Not Resolved
Flood Risk	EA029	Not Resolved