The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

Our ref: XA/2025/100424/04-L01
Your ref: EN010162

Date: 24 March 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 4 response.

We have reviewed the Applicant's Deadline 3 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], Deadline 2 response [REP2-124] and Deadline 3 response [REP3-110]. This letter is therefore composed of the following:

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

Yours faithfully

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Planning Specialist

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

Draft Development Consent Order

12. Construction environmental management plan

We note that our comments stated in our Deadline 3 response letter [REP3-110] have not been addressed within the 3.1D Draft Development Consent Order (Tracked) - Rev 5 [REP3-005]. The comments were as follows:

> "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"."

We have reviewed the Applicant's proposed amendment to Requirement 12, as set out in email correspondence dated 12 March 2026. The correspondence stated:

> "Please note that the Requirement was updates at Deadline 2 to reflect feedback made by the ExA (see Q2.1.22 from the ExA, and our response to it in Responses to ExA's First Written Questions [EN010162/APP/8.22A] [REP3-096]. The Applicant is content to amend the wording of Requirement 12, but the Applicant suggests that this is done in line with the precedent set by the Helios Solar DCO. This would be as follows:
>
> 12.—(1) No phase of the authorised development may commence until a construction environmental management plan for that phase has been submitted to and approved by the planning authority, in consultation with the following organisations (on the topics specified):
>
> (a) the Environment Agency, in relation to matters in relation to its statutory functions; and
> (b) the county authority, on sustainable drainage systems measures."

We accept the proposed amendment to the wording, subject to its inclusion in an amended draft Development Consent Order, and submission to the examination document library.

EA005 Flood risk
We consider this issue resolved.

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

Protective provisions for the Environment Agency have been removed from the 3.1D Draft Development Consent Order (Tracked) - Rev 5 [REP3-005]. We are therefore content to resolve this issue.

EA007 Groundwater and contaminated land
We consider this issue resolved.

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

The 6.2.9A Environmental Statement Volume 2, Chapter 9 – Water Resources (Tracked) - Rev 2 [REP3-023] now includes the aquifer status of the bedrock, and describes the superficial deposits that underlie the proposed scheme.

EA008 Water quality
We consider this issue resolved.

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

The 6.4.9.3 Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.3 – Outline Drainage Strategy - Rev 1 [REP3-052] includes a maintenance schedule for SuDs under section A9.3.6.

EA009 Water quality and Groundwater and contaminated land
We consider this issue resolved.

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

The following documents have been updated to sufficiently describe how fire will be disposed of in the event of a fire at the Battery Energy Storage System (BESS):

- 6.2.9A Environmental Statement Volume 2, Chapter 9 – Water Resources (Tracked) - Rev 2 [REP3-023];
- 6.4.5.4B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 – Outline Fire Safety Management Plan (Tracked) - Rev 3 [REP3-039];
- 6.4.9.3 Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.3 – Outline Drainage Strategy - Rev 1 [REP3-052].

The Applicant has requested that the specification of the impermeable lining be considered at detailed design phase. We are satisfied with this approach.

EA010 Water quality and groundwater and contaminated land
We consider this issue resolved.

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

The following documents have been updated to describe sufficient post-fire pollution prevention controls regarding the firewater basin and SuDS system:

- 6.2.9A Environmental Statement Volume 2, Chapter 9 – Water Resources (Tracked) - Rev 2 [REP3-023];
- 6.4.5.4B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.4 – Outline Fire Safety Management Plan (Tracked) - Rev 3 [REP3-039];
- 6.4.9.3 Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.3 – Outline Drainage Strategy - Rev 1 [REP3-052].

The Applicant has requested that the specification of the impermeable lining be considered at detailed design phase. We are satisfied with this approach.

EA012 Groundwater and contaminated land
We consider this issue resolved.

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

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

Table 10.17 has been updated, and paragraph 88 has been sufficiently amended. The details relating to private water supplies are now sufficiently considered in

6.2.9A Environmental Statement Volume 2, Chapter 9 – Water Resources (Tracked) - Rev 2 [REP3-023].

EA014 Groundwater and contaminated land
We consider this issue resolved.

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

Paragraph 32 of the 6.4.5.3C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 4 [REP3-037] has been amended to include reference to the need to complete a Foundation Works Risk Assessment in areas within 100m of identified contamination.

EA016 Water quality
We do not consider this issue resolved, however progress has been made with the Applicant to find a resolution.

We note that paragraph 97 of section A5.3.9.4.2 of the of the 6.4.5.3C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 4 [REP3-037] states that "Hydrogeological risk assessments will be carried out to assess the risks of HDD installation methods". Whilst a Hydrogeological Risk Assessment can be used to assess the likelihood of a frac-out, it typically does not include mitigation to manage occurrences. Furthermore, this commitment only addresses risks to groundwater and does not cover risks posed to surface water quality should a frac-out occur. A commitment to providing a drilling fluid management plan would appropriately address our concerns for surface water quality.

Paragraph 102 outlines precautions to avoid frac-out. Whilst this covers some details of a breakout plan, we'd require more details for it to be a functional operational document. For example, a drilling fluid breakout management plan should also include (but not limited to):

- how a frac-out/drilling fluid spill will be detected (such as a drop in drilling pressure or evidence of a frac-out);
- how a clean-up will be managed (through personnel training and reporting it);
- mitigations measures that will be used to contain a spill

To resolve this issue, we only require a commitment to be included within the outline CEMP to provide further details within a drilling fluid breakout management plan. We do not need the details listed above to be provided in the outline document – these can be provided post-consent. We are content for further details of the management plan to be developed post-consent, provided we are consulted on the full CEMP in due course.

Following discussions with the Applicant dated 17 March 2026, we have come to an acceptable solution. The Applicant will update the outline CEMP to include commitment to providing a drilling fluid breakout management plan. We are content with this approach, and will resolve this issue upon submission of an updated outline CEMP to the examination document library, incorporating this wording.

Please take note of our comments under **Draft Development Consent Order** (see above).

EA017 Water quality
We consider this issue resolved.

We were concerned that there was a lack of detail regarding SuDS maintenance and monitoring 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].

We have reviewed the 6.4.5.3C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 4 [REP3-037] and the 6.4.9.3 Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.3 – Outline Drainage Strategy - Rev 1 [REP3-052]. We believe there is a sufficient level of commitment to SuDS maintenance and monitoring.

EA019 Biodiversity
We 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 came to an agreement that the suitable solution to this issue was 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".

The 6.4.5.3C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 – Outline Construction Environmental Management Plan (Tracked) - Rev 4 [REP3-038] includes the above wording. We are therefore content to resolve this issue.

EA024 Groundwater and contaminated land
We do not consider this issue resolved, however progress has been made towards its resolution.

We were concerned that surface water and groundwater quality monitoring carried out as part of the 6.4.5.6 Environmental Statement Volume 4 – Technical

Appendices Technical Appendix A5.6 – Outline Decommissioning and Restoration Plan - Rev 1 [APP-207], would be carried out without a commitment to remediation of any identified pollution.

To resolve this issue we requested:

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

We note that sections A5.6.6.8 and A5.6.6.9 have been amended in the 6.4.5.6B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.6 – Outline Decommissioning and Restoration Plan (Tracked) - Rev 3 [REP3-043] to include an unsuspected contamination protocol. Whilst this does not conform to our request for the inclusion of adhering to the guidance on dealing with pollution within Land Contamination Risk Management, we find this amendment adequate to resolve the first bullet point above.

We are unable to resolve the second bullet point. In correspondence with the Applicant (dated 19 February 2026), we stated the following:

> "Monitoring is not required for the entire operational phase of the development; however, we note that the oCEMP includes a commitment to undertake monitoring once a month for six months following the construction phase (under Section A5.3.9.6.1 on Surface Water Monitoring). Our concern is that this defined monitoring period is not referenced in the oOEMP. Our water quality specialist has therefore requested that the same wording from the oCEMP is included/referenced in the oOEMP, to ensure consistency. Their view is that, if different contractors are responsible for the CEMP and the OEMP, the absence of this commitment in the oOEMP could create a risk that the monitoring requirement set out in the oCEMP may be overlooked."

Following discussions with the Applicant dated 17 March 2026, we have come to an acceptable solution. The Applicant will update the outline OEMP to refer to the post construction water quality monitoring in the outline CEMP. This will not be a formal commitment. We are content with this approach, and will resolve this issue upon submission of an updated oOEMP to the examination document library, incorporating this wording.

We are pleased by amendments to A5.5.6.1 and A5.5.6.1.1 in the 6.4.5.5C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.5 – Outline Operation Environmental Management Plan (Tracked) - Rev 4 [REP3-041]. They state that if a fire occurs at the BESS, the Applicant must begin

checking the quality of nearby connected watercourses, investigate any signs of pollution caused by the fire, take action to reduce further contamination, and report all findings and actions to the Environment Agency.

EA025 Flood risk
We do not consider this issue resolved, however progress has been made with the Applicant to find a resolution.

In email correspondence with the Applicant (dated 12 March 2026), the Applicant proposed the following amendment to the oCEMP:

> "The Principal Contractor will monitor weather forecasts and plan works accordingly. An Emergency Flood Response Plan ('EFRP') will be provided through the detailed CEMP(s) for Work No.s 6, 7 and 8 and would set out actions that will be implemented in the event of flooding (fluvial or extreme rainfall) or the issue of a flood alert or warning during construction works.
>
> The EFRP will include:
>
> (1) Details of roles and responsibility for maintaining, updating and implementing the plan;
> (2) Overview of the local flood risk;
> (3) Details of the local Environment Agency flood warning service;
> (4) Specific action that will be undertaken in response to the issuing of a flood alert or flood warning; and
> (5) Details of access and egress routes onto the relevant works for the period in advance of and during a flood event.
>
> The EFRP will include procedures for securing or relocating materials stored in bulk from the floodplain and safe access and escape routes for personnel on-Site."

We accept this wording as a suitable resolution to our issue. We will only consider this issue resolved upon submission of an updated oCEMP, incorporating this wording, to the examination document library.

EA027 Flood modelling
We consider this issue resolved.

We were concerned there was a lack of clarity regarding mitigation proposed in the BESS area, where water depths exceed 0.4 metres. It was unclear whether the BESS infrastructure would be raised above the design flood level, and whether any subsequent loss of fluvial floodplain storage would be mitigated. Section A9.1.2.3.5 Work Area 5a BESS remains unchanged in the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039]. Paragraph 13 on page 42 of the FRA states that the placement of above ground infrastructure will avoid areas of flooding greater than 0.4 metres, except for a very small area in

the north of Work Area 5a. Ordinary Watercourses are located in the vicinity of the Battery Energy Storage System (BESS), we raised this comment to better understand the mitigations that are being proposed, and whether there is any loss of floodplain storage associated with the BESS.

The 6.4.9.3 Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.3 – Outline Drainage Strategy - Rev 1 [REP3-052] commits Work Area 5a and 5b to having a SuDS network to be designed to the 1 % AEP plus 40 % climate change event. We believe this is a reasonable approach for ensuring there is no loss of floodplain storage. Therefore, we are content to resolve this issue.

EA028 Flood modelling
We consider this issue resolved.

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

This was a reporting issue, rather than an issue that is likely to alter the conclusions of the Flood Risk Assessment (FRA). The Applicant has expanded on the usage of the CCP1 (climate change projection 1) dataset within the 6.4.9.1C Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 – Flood Risk Assessment (Tracked) - Rev 4 [REP3-051], which we find to be reasonable. We are therefore content to resolve this issue.

EA029 Flood risk
We do not consider this issue resolved, however progress has been made with the Applicant to find a resolution.

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.

We have engaged with the Applicant on 17 March 2026, and reached a suitable solution to resolve this issue. We require a commitment within the Outline Landscape and Ecology Management Plan, or Outline Construction Environmental Management Plan, stating that works within the riparian corridor of the River Trent will ensure that reasonable access is preserved for the Environment Agency. This will ensure the Environment Agency has sufficient space to access the riverbank for maintenance.

For the riparian corridor proposed adjacent to the River Trent, the Applicant must ensure that sufficient space is maintained to allow for future emergency access and maintenance activities, 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. This detail can come forward post-consent.

Appendix B – 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	Resolved
Water quality, groundwater and contaminated land	EA006	Resolved
Groundwater and contaminated land	EA007	Resolved
Water quality	EA008	Resolved
Water quality, groundwater and contaminated land	EA009	Resolved
Water quality, groundwater and contaminated land	EA010	Resolved
Water quality, groundwater and contaminated land	EA011	Resolved
Groundwater and contaminated land	EA012	Resolved
Groundwater and contaminated land	EA013	Resolved
Groundwater and contaminated land	EA014	Resolved
Water quality	EA015	Resolved
Water quality	EA016	Not Resolved, but approach agreed, pending submissions for deadline 4
Water quality	EA017	Resolved
Biodiversity	EA018	Resolved
Biodiversity	EA019	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, but approach agreed, pending submissions for deadline 4
Flood risk	EA025	Not Resolved, but approach agreed, pending submissions for deadline 4
Flood modelling	EA026	Resolved
Flood modelling	EA027	Resolved
Flood modelling	EA028	Resolved
Flood Risk	EA029	Not Resolved, but approach agreed, pending submissions for deadline 4