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**Our ref:** OR-0002493/01

**Your ref:** EN010162

**Date:** 20 April 2026

To whom it may concern

## **ENVIRONMENT AGENCY DEADLINE 6 CLOSING STATEMENT.**

### **GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK**

This response constitutes the Environment Agency's Deadline 6 Closing Summary Statement.

We have participated fully with the examination for this project and has presented numerous written submissions, including Relevant Representations [\[RR-054\]](#), Responses to ExQ1 [\[REP2-125\]](#), additional submissions at Deadlines 2 [\[REP2-124\]](#), 3 [\[REP3-110\]](#), 4 [\[REP4-064\]](#) and 5 [\[REP5-046\]](#). These submissions have given consideration to a number of environmental matters within our remit including water resources, flood risk, water quality, riparian ecology and groundwater protection.

We have been working constructively with the Applicant throughout the pre-application and examination stages, and through regular and detailed discussions we have reached agreement on the vast majority of the concerns raised by us throughout this process. These agreements can be noted from the Applicant's Statement of Common Ground, a final version of which has been submitted at Deadline 5 [\[REP5-032\]](#). We have only one outstanding matter which we could not reach agreement on with the applicant - see 2.7.3 within the Statement of Common Ground submitted at Deadline 5. We initially raised this issue in our deadline 3 response letter [\[REP3-110\]](#). This closing statement does not seek to introduce anything new to the examination, but to summarise our position on the final outstanding matter relating to the draft Development Consent Order.

The phrase "substantially in accordance with" is used within draft Development Consent Order [\[REP5-005\]](#) on a number of requirements we wish to be consulted on:

7. Fire safety management (2);
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)

We take issue with the phrase as using the term “substantially” results in the requirement being unenforceable and imprecise. This may introduce ambiguity and risk dispute post-DCO approval. This is contrary to the 2 of the 6 tests for planning conditions within paragraph 57 of the [National Planning Policy Framework](#), which states that planning conditions should be “enforceable, precise and reasonable”. The [Overarching National Policy Statement for Energy \(EN-1\)](#) corroborates this by stating under paragraph 4.1.17 “The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, **enforceable, precise**, and reasonable in all other respects.”

We therefore advise that the phrase “substantially in accordance with” is removed from the requirements that we wish to be consulted on. We suggest it is replaced with “in accordance with the principles set out in”.

Yours faithfully

  
**Planning Specialist**

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