



Lime Down

Solar Park

Statement of Common Ground with Environment Agency (Tracked)

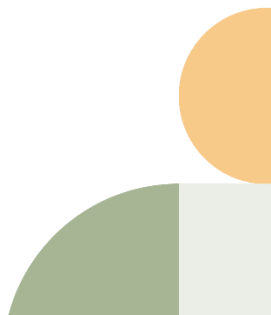
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Statement of Common Ground Signatures

This Statement of Common Ground has been prepared and agreed by Lime Down Solar Park Limited (the Applicant) and the Environment Agency.

Signed on behalf of Lime Down Solar Park Limited

Name:

Position:

Date:

Signature:

Signed by the Environment Agency

Name:

Position:

Date:

Signature

1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared as part of the proposed Lime Down Solar Park Development Consent Order (the Application) made by Lime Down Solar Park Limited (the Applicant) to the Secretary of State for Energy Security & Net Zero (the Secretary of State) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 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. SoCGs are an established means in the DCO consenting process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Lime Down Solar Park Limited as the Applicant and (2) the Environment Agency (EA).
- 1.2.2 Collectively, Lime Down Solar Park Limited and EA are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the tables in Section 3 of this SoCG:
- "Agreed" indicates where the issue has been resolved.
 - "Not Agreed" indicates a final position, and
 - "Under discussion" indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

2 Record of Engagement

2.1 Summary of engagement

- 2.1.1 The parties have been engaged in consultation since October 2024. A summary of the meetings and correspondence that has taken place between the Applicant and EA is outlined in Table 1.

Table 2-1: Summary of engagement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
3 October 2024	Online meeting	Introduction to the Lime Down Solar Park scheme and programme. Discussion of baseline conditions for flood risk, groundwater, water quality and fisheries. Review of Environment Agency scoping opinion. Consideration of potential impacts during construction, operation and decommissioning. Discussion of groundwater flood risk, aquifers, Source Protection Zones, private water supplies and controlled waters. Discussion of water quality risks, including firewater and pollution prevention at BESS and substations. Fisheries baseline and potential effects discussed. Applicant outlined proposed assessment approach within the PEIR and ES and confirmed use of management plans to control construction phase risks.
07 October 2024	Online Microsoft Teams Meeting between Project Team, Environment Agency and Clarkson & Woods Ltd,	Meeting to provide Scheme overview in relation to Ecology and Biodiversity, and to discuss Scoping Responses provided by the Environment Agency. Key topics included Site overview and survey results to-date, potential impacts to riparian habitats and species, scope of assessment (including designated sites and species such as white-clawed crayfish, beaver and Invasive Non-Native Species (INNS)), and potential mitigation measures.
11 October 2024	Online meeting	Flood risk and hydraulic modelling meeting. Review of baseline flood risk context, including Flood Zones and surface water flood risk. Discussion of Environment Agency scoping responses relating to flood

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		risk. Discussion of Flood Risk Assessment methodology, including parcel based assessment. Proportionality of hydraulic and pluvial modelling discussed. Climate change allowances and resilience testing considered. Siting of solar PV infrastructure and electrical equipment discussed, including interaction with flood risk. Floodplain displacement from solar panel frames and foundations discussed. Watercourse crossings and cable route strategy introduced.
October 2024 to March 2025	Email correspondence	Ongoing correspondence following the October 2024 meetings. Clarification of flood risk assessment methodology, modelling scope and justification. Discussion of data sources, including Environment Agency flood mapping and hydraulic model availability. Clarification of approach to groundwater flood risk, water quality and controlled waters assessment.
29 January 2025	Email	Statutory notification under Section 42 of the Planning Act 2008 issued by the Applicant to the Environment Agency for the launch of the statutory consultation.
19 March 2025	Statutory consultation response	Environment Agency issued statutory consultation comments on the PEIR Hydrology, Flood Risk and Drainage chapter. Comments covered application of the Sequential and Exception Tests, representation of Main Rivers and ordinary watercourses, use of updated flood mapping, floodplain storage and displacement, hydraulic modelling, Manning's open channel flow calculations, watercourse crossings, groundwater flood risk and water quality considerations.
22 May 2025	Online Microsoft Teams Meeting between Project Team, Environment Agency and	Meeting to discuss Scheme updates relating to Ecology and Biodiversity. Key topics included proposed survey scope with primary focus on Cable Route Corridor surveys, appropriate mitigation measures for likely impacts to riparian species and

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Clarkson & Woods Ltd,	habitats (including INNS), discussion of Statutory Consultation responses received from Environment Agency, and clarification of information to be provided at ES submission.
29 May 2025	Online meeting	Detailed technical meeting on hydrology, flood risk, drainage, groundwater and water resources. Review of scheme updates and programme. Discussion of updated Flood Map for Planning and NaFRA mapping. Review of Applicant responses to Environment Agency PEIR consultation comments. Update on Flood Risk Assessment and Drainage Strategy, including hydraulic modelling, floodplain compensation methodology and provision of Manning's cross sections. Discussion of watercourse crossing strategy, including HDD and open cut crossings, and potential disapplication of environmental permitting regimes. Discussion of protective provisions, Water Resources Strategy, Water Framework Directive assessment and foul drainage strategy. Actions and next steps identified.
May to June 2025	Email correspondence	Follow up correspondence relating to actions arising from the May 2025 meeting. Provision and discussion of Environment Agency standard protective provisions. Clarification of watercourse crossings, permitting and disapplication requirements. Clarification of foul drainage arrangements and compliance with relevant regulatory requirements.
3 June 2025	Email	Statutory notification under Section 42 of the Planning Act 2008 issued by the Applicant to the Environment Agency for the launch of the targeted consultation.
9 June 2025	Targeted consultation response	Environment Agency confirmed they had no further comments to provide.

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
29 October 2025	Email / letter	Notice under Section 56 of the Planning Act 2008 issued by the Applicant to the Environment Agency.
9 January 2026	Relevant Representation	The Environment Agency submitted a relevant representation to the Planning Inspectorate.
17 February 2026	Online meeting	Discussion of relevant representations provided by the Environment Agency and Applicant's responses for Drainage, Water Quality and Ground Conditions.
2 March 2026	Online meeting	Discussion of relevant representations provided by the Environment Agency and the applicant's responses for Ecology and Flood Risk.
14 April 2026	Email	The Applicant provided the Environment Agency with the initial draft SoCG for their comment.
27 April 2026	Email / modelling report	The Applicant provided the Environment Agency with a hydraulic modelling report for Gauze Brook
29 April 2026	Email	The Environment Agency provided the Applicant with their comments and requested revisions for the SoCG.
30 April 2026	Written Representation	The Environment Agency submitted a written representation to the Planning Inspectorate.
13 May 2026	Email / letter	The Environment Agency provided the Applicant with their comments on the hydraulic modelling report for Gauze Brook.
1 June 2026	Email	The Environment Agency provided the Applicant with their comments on the hydraulic modelling files for the Gauze Brook.
2 June 2026	Online meeting	Discussion on the outstanding Hydrology, Flood Risk and Drainage and Ground Conditions SoCG matters.
15 June 2026	Written Submission	The Environment Agency provided Comments on documents submitted at Deadline 2 which provided an update on the

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		matters under discussion between the Environment Agency and the Applicant.
26 June 2026	Email	The Applicant shared a revised version of the SoCG with the Environment Agency.
6 July 2026	Email	The Environment Agency provided an updated copy of the SoCG with comments and updates.
28 July 2026	Online meeting	Discussion on the outstanding Hydrology, Flood Risk and Drainage and Ecology and Biodiversity SoCG matters.
28 July 2026	Email	The Applicant shared meeting minutes with the Environment Agency
30 July 2026	Email	The Environment Agency provided an update on actions following the meeting on 28 July 2026
04 August 2026	Email	The Applicant provided an update on actions following the meeting on 28 July 2026
05 August 2026	Email	The Applicant shared a revised version of the SoCG with the Environment Agency.
12 August 2026	Email	The Environment Agency provided comments on the Lime Down E model
17 August 2026	Email	The Environment Agency provided an updated copy of the SoCG with comments and updates.
20 August 2026	Email	The Environment Agency provided additional comments and updates for the SoCG.

3 Matters Raised

3.1.1 This section sets out a table for each relevant topic, identifying where matters are agreed, still under discussion, or not agreed.

3.1 Draft Development Consent Order

Table 3-1: Draft Development Consent Order

Reference	Sub-topic	EA Position	Applicants Position	Status
3.1.1	Protective Provisions	Protective Provisions for the disapplication of Flood Risk Activity Permits under the Environmental Permitting Regulations (EPR) 2016 have not been agreed. Updated Position Our standard protective provisions are now included in the Development Consent Order.	Protective provisions for the protection of the Environment Agency have been included at Part 7 of Schedule 15 to the Draft Development Consent Order [REP1-007] . The Applicant updated the Protective Provisions to the EA's standard form in the draft Development Consent Order [REP3-006] .	Under Discussion Agreed
3.1.2	Requirement of Flood Risk Activity Permits through the DCO	Disapplication of Legislative Provisions EA note the Applicant is seeking disapplication of the Flood Risk Activity Permit(s) from the Environment Agency under the Environmental Permitting Regulations (England and Wales) 2016 We have now agreed in principle to the Applicant's request to disapply the need for Flood Risk Activity Permits	The Applicant welcomes the agreement of the EA to the disapplication of the requirement for Flood Risk Activity Permits through the Draft Development Consent Order [REP1-007] . The Applicant updated the protective provisions for the EA to their standard form in the Draft Development Consent Order DCO [REP3-006] . It is	Under Discussion Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		under the Environmental Permitting (England and Wales) Regulations 2016; based on the information in REP1-126 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule and subject to the inclusion of our standard protective provisions in the Development Consent Order. We note there are some amendments to Updated Position Our standard protective provisions are now included in the REP3-006 3.1 Draft Development Consent Order (Rev 3). Our standard protective provisions have been robustly reviewed and they are fit for purpose. Therefore, we do not agree to the proposed changes.	seeking clarification from the EA as the Applicant is not aware of any changes beyond formatting.	
3.1.3	Schedule 2 Requirement 13 Construction environmental	The Environment Agency are not listed as a consultee for the discharge of Requirement 13 (CEMP). The CEMP provides essential mitigation measures to prevent impacts	The Applicant has added the requirement that the relevant planning authority consult with the Environment Agency before it approves the detailed construction environmental	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
	management plan (CEMP)	from construction sites. We often encounter construction sites that have caused issues because their CEMP was either insufficient or was not adhered to. Potential monitoring requirements may not be adequate if the Environment Agency are not consulted on them. We request to be consulted on the CEMP to be approved under Requirement 13.	management plan under Requirement 13. This change is shown in the REP3-006Draft DCO [REP3-006] provided at Deadline 3. 3.1 Draft Development Consent Order (Rev 3) provided at Deadline 3.	
3.1.4	Schedule 2 Requirement 14 Operational environmental management plan (OEMP)	The Environment Agency are not listed as a consultee for the discharge of Requirement 14 (OEMP). The OEMP provides essential mitigation measures to prevent impacts. Potential monitoring requirements may not be adequate if the Environment Agency are not consulted on them. We request to be consulted on the OEMP to be approved under Requirement 14.	The Applicant has added the requirement that the relevant planning authority consult with the Environment Agency before it approves the detailed operational environmental management plan under Requirement 14. This change is shown in the REP3-006Draft DCO [REP3-006] provided at Deadline 3. 3.1 Draft Development Consent Order (Rev 3) provided at Deadline 3.	Agreed
3.1.5	Schedule 2 Requirement 17	The Environment Agency are not listed as a consultee for the discharge of Requirement 17 Soil Management.	The Applicant will continue to engage with the EA to discuss the request to be added as a consultee on the soil	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
	Soil Management	Potential impacts to groundwater may not be adequately remediated and risks to groundwater from contamination may not be managed. We request to be consulted on the Soil Resources Management Plan to be approved under Requirement 17. Following further consideration we agree not to be a consultee on requirement 17. We are listed as a consultee in relation to the surface water drainage scheme to be approved under Requirement 11, so this provides appropriate oversight of matters within our remit that may affect ground conditions and soil quality.	resources management plan to be approved under Requirement 17. The Applicant notes that the EA is listed as a consultee in relation to the surface water drainage scheme to be approved under Requirement 11, and considers that this provides appropriate oversight of matters within the EA's remit that may affect ground conditions and soil quality. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-015).	
3.1.6	"Substantially in accordance with" requirements	The use of the word 'substantially' in the dDCO requirements undermines the enforceability of proposals and/ or may erode the environmental protections put in place. The overarching plans provide a large	The use of 'substantially in accordance with' in Requirements is used where appropriate to provide the flexibility needed to tailor the final, detailed management plans to the detailed design of the Scheme. This approach	Under Discussion

Reference	Sub-topic	EA Position	Applicants Position	Status
		scope for the detail to come later, and the Rochdale envelope applies – thus flexibility is built into the process. To resolve this matter, we request the words ‘substantially’ be removed from the requirements identified.	is well preceded across numerous DCOs across all sectors and is the standard approach.	
3.1.7	Procedure for Discharge of Requirements	Schedule 16 Procedure for Discharge of Requirements As a named consultee on the discharge of several Requirements, we request the provision of at least 21 calendar/ 15 business days in which to respond to the discharge authority. This should be reflected in the dDCO. We note the applicant's explanation that we will be notified on the day of consultation so we can now agree this matter.	The Applicant considers the timescales in Schedule 16 to be appropriate, balancing the need for consultees and the relevant planning authority to have sufficient time to review applications, with the need for the Scheme to be delivered without delay. The timescales ensure that a final decision on a discharge application is made in good time so that this can be implemented or appealed, as necessary.	Under Discussion Agreed
3.1.68	Chapter 3 The Scheme Section 3.6.3	It is unclear what below ground infrastructure will be left in-situ following the decommissioning phase. Lack of clarity over decommissioning proposals undermines the Environmental impact assessment process. The Applicant should clarify the piled foundations decommissioning proposals.	The Applicant agrees that clarity around the decommissioning of below ground infrastructure should be provided. Given that ES Volume 1, Chapter 3: The Scheme [APP-055] is not a secured document it is not proposed that any edits are provided here. Rather the Applicant has updated the Decommissioning Strategy [REP1-100] at Paragraph 2.1.3 in the Deadline	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		REP1-101 7.14 Outline Decommissioning Strategy (Rev 2) paragraph 2.1.3 has been updated to clarify the proposal for foundations at decommissioning. This is acceptable in principle. However, the applicant must ensure that reinforced concrete caps, bentonite slurry, and any other products used are certified as causing no harm to the environment. Best practice guidance at the time of decommissioning should be followed. This may require total removal of the foundations and cables, or other remediation of the land.	1 submissions to confirm that complete removal of piled foundations will be avoided if practicable. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-026).	

3.2 Ecology and Biodiversity

Table 3-2: Ecology and Biodiversity

Reference	Sub-topic	EA Position	Applicants Position	Status
3.2.1	Legislation and Policy	The Environment Agency has not raised substantive comments in relation to legislation and policy considerations.	The Applicant considers that ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] has identified and appropriately considered all applicable legislation and policy.	Agreed
3.2.2	Methodology	The Environment Agency has not raised substantive comments in relation to the Impact Assessment methodology.	The methodology adopted within section 9.6 of ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies and is considered acceptable. The methodology for Impact Assessment has followed the standard approach developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) in their 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (2018)' and is considered acceptable	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
3.2.3	Baseline	The Environment Agency has not raised substantive comments in relation to the baseline conditions presented.	The baseline conditions which are detailed in ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] and ES Volume 3, Appendices 9-1: Ecological Baseline Report [REP1-083] to 9-7: Wintering Bird Survey Report [APP-204] are representative of the baseline site conditions.	Agreed
3.2.4	Assessment Results	The Environment Agency's position is that the ecological impact on the watercourse crossings is not fully assessed and communicated – see line below for details. Also captured in Hydrology, Flood Risk and Drainage. With the exception of white clawed crayfish, aquatic invertebrates/ macrophytes have not been assessed. These may be affected by physical damage to habitats and habitat fragmentation caused by watercourse crossings. Ecological impacts upon these features have not been assessed nor requirements for mitigation confirmed. Therefore, protected species are not appropriately protected.	A new appendix to ES Volume 3, Chapter 9: Ecology and Biodiversity was submitted at Deadline 1 (9.10 ES Volume 3, Appendix 9-9 Watercourse Crossing Schedule [REP1-126]) which provides habitat descriptions and photographs of all watercourse crossing points, as well as the construction methodology to be used at each crossing point, for clarity. Furthermore, Appendix 9-9 was updated at Deadline 3 to provide further detail around siting which is documented in REP3-122. A supporting figure (9.38 Watercourse Crossing Schedule [REP3-139]) was also submitted at Deadline 3 for easier interpretation of where the crossing locations are located.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Chapter 9 Ecology and Biodiversity [APP-061] does not assess the potential attractant effect on aquatic invertebrates and macrophytes therefore are not appropriately protected. REP1-016 6.1 ES Volume 1 Chapter 9 Ecology (Rev 2) has been updated.	ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] has been revised to include a separate section for Aquatic Invertebrates (excluding white clawed crayfish, which is covered in its respective section), and additional text has been included on aquatic macrophytes within existing sections relating to plants. No significant residual adverse effects are anticipated for either of these species groups, and the revised Chapter submitted at Deadline 1. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-019/EA-20).	
3.2.5	Noise impacts on fish	The Environment Agency has not raised substantive comments in relation to assessment of noise impacts on fish.	An assessment of noise and vibration impacts on fish is ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] The Outline Ecological Protection and Mitigation Strategy	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			(Outline EPMS) [REP3-102] details mitigation measures to be implemented. The impact assessments and mitigation measures proposed are considered appropriate and proportionate.	
3.2.6	Impacts of Electromagnetic Fields (EMF) on migratory fish species	The Environment Agency has not raised substantive comments in relation to assessment of EMF impacts on migratory fish species.	The potential effects of anthropogenic EMF on ecology is an emerging and poorly researched issue, however a summary of research on this issue is provided in ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] . A precautionary approach to mitigation has been taken, whereby all cables which cross suitable watercourses for migratory fish will be buried to a minimum depth of 5m, to maximise attenuation of electromagnetic fields and minimise the risk of any adverse impacts. This depth is far greater than typical installation depths and will significantly reduce the EMF, particularly magnetic (B-field), exposures. In this way, it is anticipated that the low risk of impacts on European eel, sea trout, and other species will be avoided and effects	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			reduced to neutral and non-significant levels.	
3.2.7	Invasive Non-Native Species (INNS)	The Environment Agency has not raised substantive comments on matters relating to INNS. One consideration relating to appropriate course of action should non-native crayfish be encountered during works has been noted (refer to section 3.2.8 below.	The proposed measures set out within the Outline Ecological Protection and Mitigation Strategy [REP3-102] for identifying and managing INNS to prevent their spread and ensure legal compliance are correctly identified and considered appropriate.	Agreed
3.2.8	Mitigation	EA requests that the proposed additional mitigation for freshwater fish ensures all fish species are protected during the spawning when completing channel work. The work avoidance period should also encompass the coarse fish spawning season, which runs from March 15th to June 15th (inclusive). This restriction applies in areas where coarse fish populations or spawning habitats are known to exist. However, if evidence confirms that the area is not used for spawning or that spawning fish are absent, in-channel works may proceed, provided that appropriate fish rescue measures are carried out. REP1-106 7.19 Outline Ecological Protection and Mitigation	The Applicant will seek to either avoid open-cut trenching works on the affected watercourses during the coarse fish spawning period (15th March - 15th June inclusive), or otherwise pre-commencement survey work will be undertaken to establish whether the avoidance period is required for each relevant watercourse crossing point. This may comprise habitat suitability assessments to establish whether suitable spawning habitat is present at each crossing point, or fish surveys to determine whether fish which may spawn in the watercourse are present/likely absent.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Strategy (Rev 2) The additional text in paragraph 6.4.1 now addresses Relevant Rep EA-016.	The cable installation methodology to be used at each of the affected crossing points, as well as any required mitigation measures for spawning/migrating fish, would be discussed and agreed with the EA/relevant consenting body post-DCO consent, prior to work commencing. An updated version of the Outline Ecological Protection and Mitigation Strategy [REP3-102] was submitted which outlines this approach at Examination Deadline 1. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-016).	
3.2.9	Outline Ecological Protection and	The Environment Agency requests that the Outline EPMS [APP-284] paragraph 4.1.1 is updated to include	A review of the Outline Ecological Protection and Mitigation Strategy [REP1-106] has been undertaken by	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
	Mitigation Strategy (Outline EPMS)	beaver as they would be impacted by aquatic pollution or simplify and use 'riparian mammals' as a catch all rather than listing individual species. Paragraph 5.1.1 should include riparian mammals to list of wildlife potentially adversely impacted and include a line to say lighting will be directed away from watercourse corridors wherever possible, also the use of lighting after dusk should be minimised where possible. Paragraph 6.3 Biosecurity measures should mention that if signal or other non-native species of crayfish are encountered e.g. when carrying out open cut of channels, it is an offence under the Wildlife & Countryside Act to return these animals to the wild if they are removed. They should be humanely dispatched and ideally disposed of onsite (burial) rather than being taken away to prevent potentially transferring crayfish plague. There are signal crayfish in the wider catchment so biosecurity is paramount. REP1-106 7.19 Outline Ecological Protection and Mitigation Strategy	the Applicant, and a revised version of the document which captures all of these recommendations submitted at Deadline 1. These amendments do not alter the assessed ecological conclusions. The Applicant considers this matter has now been agreed following the updates made to the Outline EPMS [REP3-012].	

Reference	Sub-topic	EA Position	Applicants Position	Status
		(Rev 2) has been updated to address our comments.		
3.2.10	Outline Landscape and Ecological Management Plan (Outline LEMP)	The Environment Agency request the Applicant to give consideration in the Outline LEMP [APP-283] to the tree species used along watercourses and rivers, particularly those preferred by beaver. We now agree- with applicant's response PDA-009 EA-062	Consideration will be given to tree species favoured by beavers during the preparation of the detailed Landscape and Ecological Management Plan, which will need to substantially in accordance with the Outline Landscape and Ecological Management Plan [REP3-100] secured through Requirement 7 in Schedule 2 of the Draft Development Consent Order [REP3-005]. The Applicant welcomes the opportunity to prepare the detailed Landscape and Ecological Management Plan in consultation with the EA. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-062).	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
3.2.11	Biodiversity Net Gain (BNG)	The Environment Agency notes that the Biodiversity trading rules have not been met in the Biodiversity Net Gain (BNG) Assessment [REP3-085] and highlights the risk that even if the project has achieved net gain in all aspects, not meeting the trading rules could result in the BNG plan being rejected. The Environment Agency have not been able to verify the BNG calculation provided in the Biodiversity Net Gain (BNG) Assessment [REP3-085] as the condition assessment data was not provided. They request the Applicant provide full BNG metric spreadsheet, condition assessment data and a means of cross referencing baseline (including condition) and post development habitat proposals with a plan. This should include details of riparian and watercourse encroachment.	BNG for NSIPs is not yet mandatory, but the Applicant has sought to meet the requirements as if it were. The approach to assessing and securing BNG is detailed in the Biodiversity Net Gain Assessment Report [REP3-085]. A full justification for the single habitat trading rule not being met is provided in paragraphs 1.11.10 - 1.11.16 of the Biodiversity Net Gain Assessment Report [REP3-085]. This relates to the loss of habitats within the 'Cropland' broad habitat type, and is considered an artefact of the Statutory Metric, given that these habitats will in reality be retained and enhanced through the Scheme. Therefore, taking into account professional judgement, the BNG assessment is considered to be compliant with trading rules. The full Statutory Biodiversity Metric [REP3-087] in excel format has been submitted at Deadline A and at Deadline 1 Figures showing the baseline and proposed habitats are provided in	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			Plates 3 - 24 at the end of the Biodiversity Net Gain Assessment Report [REP1-089] . Given the sheer number of area and linear habitat parcels present across the Sites, it was not considered proportionate to provide each condition assessment individually for submission. However, a summary of the condition assessment scores for each specific habitat, hedgerow and watercourse type is provided in Table 3: Summary of Baseline Habitats - Solar PV Sites in the Biodiversity Net Gain Assessment Report [REP1-089] .	
3.1.12	Ecological impact from watercourses crossing	Due to the lack of habitat descriptions or photographs of watercourses and the reference to the use of open cut technologies on SM5 (not referenced elsewhere) in Appendix 11-1 Flood Risk Assessment and Drainage Strategy – Lime Down Covering Report; Table 5: Watercourse Crossing [APP-210], the EA is concerned that the ecological impact of these crossings has not been fully assessed and/or communicated in Chapter 9: Ecology and Biodiversity [APP-061] .	A new appendix to ES Volume 3, Chapter 9: Ecology and Biodiversity was submitted at Deadline 1 (9.10 ES Volume 3, Appendix 9-9 Watercourse Crossing Schedule [REP1-126]) which provides habitat descriptions and photographs of all watercourse crossing points, as well as the construction methodology to be used at each crossing point, for clarity. Furthermore, Appendix 9-9 was updated at Deadline 3 to provide further detail around siting which is	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		regarding impacts on habitats and associated species. Whilst we agree with the detail set out in paragraph 9.1.47 of Chapter 9 Ecology and Biodiversity [APP-061], there remains a risk that some watercourses where an open-cut method is selected could have a significant impact on fish species—not only eels and brown/sea trout. Of particular concern are crossing reference SM3 and SM5 which are both main river and may provide suitable habitat for fish. The Environment Agency requires the applicant to provide a clear plan and schedule detailing extent and nature of works directly impacting upon watercourses. Provide habitat descriptions and photographs of proposed watercourse crossings and ensure Chapter 9 Ecology and Biodiversity [APP-061] assesses the impact of these, with other documents updated as appropriate. This would provide confidence that the chosen crossing type is appropriate.	documented in REP3-122. A supporting figure (9.38 Watercourse Crossing Schedule [REP3-139]) was also submitted at Deadline 3 for easier interpretation of where the crossing locations are located. ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015] has been revised to include a separate section for Aquatic Invertebrates (excluding white clawed crayfish, which is covered in its respective section), and additional text has been included on aquatic macrophytes within existing sections relating to plants. No significant residual adverse effects are anticipated for either of these species groups, and the revised Chapter was submitted at Deadline 1. Notwithstanding, the Applicant confirms that no watercourse crossing is proposed at SM5 and this has now been removed from the watercourse crossing schedule. This does not alter the assessed flood risk, drainage or ecological conclusions. The Applicant	

Reference	Sub-topic	EA Position	Applicants Position	Status
		REP1-126 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule has been provided. Environment Agency defer to the LLFA for comments on the ordinary watercourses, but note it would be preferable for some micro-siting of the open-cut trench to avoid the bankside vegetation in the OW3 crossing.	will update the relevant application documents as set out above. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-017).	
3.2.13	Inconsistencies between documents	It is not clear what mitigation will be proposed and secured by the DCO. The commitments register and other documents should detail all environmental commitments secured by the proposal. There are inconsistencies between Chapter 9 Ecology and Biodiversity [APP-061], the Outline EPMS [APP-284] and the Commitments Register [APP-291]. This means there is a risk protected	The Applicant does not propose to update the Commitments Register [REP1-114] as this is not a secured document. Instead, clarifications have been set out in the updated management plans submitted at Deadline 3 of Examination as set out below. The Applicant confirms that the Application documents do not apply a single minimum 10 m buffer to all	Under DiscussionAgree

Reference	Sub-topic	EA Position	Applicants Position	Status
		species are not adequately managed, resulting in harm which is against legislation. The watercourse buffers quoted in Chapter 9 Ecology and Biodiversity [APP-061], the OLEMP [APP-283] and the OCEMP [APP-277] are inconsistent so the EA are not clear what buffers are being proposed, and are unable to advise on suitability. EA-021 on Watercourse Buffers is still under discussion. We have now agreed with the applicant's proposal to maintain a minimum 8 metre watercourse buffer from ditches, following our request to provide a minimum 10 metre watercourse buffer. This was based on a discussion with the applicant dated 28th July 2026, and a review of Confidential Appendix 9-8 (Schedule of Protective Ecological Buffers APP-205) provided by the applicant. This provided us with the assurance that watercourse riparian zones were being adequately	watercourses and ditches. Different buffers are applied to different features and activities, based on their sensitivity, function and regulatory context. The 8 m buffer is retained for lower sensitivity ditches and watercourses where no higher sensitivity criteria are triggered. These features are identified in ES Volume 3, Appendix 9-8: CONFIDENTIAL Schedule of Protective Ecological Buffers [APP-205]. For Main Rivers, this also aligns with the Environment Agency's flood risk activity permitting threshold for activities within 8 m of the bank of a non tidal Main River, flood defence structure or culvert, where relevant. The wider ecological buffer approach is set out in ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015]. Where higher sensitivity features are present, larger buffers are applied. This includes 10 m buffers where specified in the ecological buffer criteria, and 15 m buffers for more sensitive habitats or where required for specific activities. For the specific	

Reference	Sub-topic	EA Position	Applicants Position	Status
		considered, and the measures proposed were proportionate. The applicant has updated the Outline Construction Environmental Management Plan (REP4-049), to a 15m buffer where biosecurity risks or sensitivities have been identified. The Outline Ecological Protection and Mitigation Strategy (REP5-082), has been updated so the pre commencement inspections will be carried out two months in advance of works commencing by a suitably qualified ecologist.	biosecurity measure relating to staff, plant and vehicle washdown, the Applicant will retain the more precautionary 15 m stand-off set out in Outline Ecological Protection and Mitigation Strategy [REP3-102]. The Outline CEMP [REP3-092] was updated at Deadline 3 so this activity-specific stand-off is consistently reflected. Accordingly, the approach to buffers as set out at Table 5 of the Outline Landscape and Ecological Management Plan [REP3-100] is as follows: • A minimum 8 m buffer from any ditch or watercourse, applied for flood risk, drainage and construction control purposes. • A minimum 10 m buffer from ditches with evidence of water voles. • A minimum 15 m buffer from minor watercourses where ecological value or sensitivity requires an enhanced buffer. • A minimum 50 m buffer from ponds with confirmed great crested newt	

Reference	Sub-topic	EA Position	Applicants Position	Status
			presence, or where presence is assumed on a precautionary basis due to inconclusive results. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-018). <u>The matter was discussed in a meeting on 28 July 2026. The Applicant explained further the rationale for applying an 8m buffer to ditches and a 10m buffer to rivers, streams and watercourses with notable water vole interest and confirmed that buffers are measured to the fence line rather than solar panels. The approach to otter and water vole surveys was also discussed and confirmed that higher-sensitivity watercourse crossings are generally</u>	

Reference	Sub-topic	EA Position	Applicants Position	Status
			<u>proposed to be installed via HDD, avoiding direct impacts.</u> <u>The Applicant also confirmed that further targeted surveys will be undertaken following detailed design, with avoidance and micrositeing prioritised and licensing obtained where required. The Applicant agreed to update to the Outline Ecological Protection and Mitigation Strategy [REP3-102] at Deadline 5 to clarify the timing of pre-construction surveys and respond to the request that where possible they should be undertaken two months before works.</u>	

3.3 Hydrology, Flood Risk and Drainage

Table 3-3: Hydrology, Flood Risk and Drainage

Reference	Sub-topic	EA Position	Applicants Position	Status
3.3.1	Legislation and Policy	The Environment Agency has provided consultation comments focused on evidencing and clarity within the submitted assessment, rather than identifying policy non-compliance.	The Applicant considers that the assessment of hydrology, flood risk and drainage has been undertaken within the relevant legislative and policy framework, including NPS EN-1, the NPPF and the Flood Risk and Coastal Change PPG. The Sequential Approach has informed scheme design, with permanent and sensitive infrastructure targeted to areas of lowest flood risk where practicable. This is set out in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015] , supported by the ES Volume 3, Appendix 11-1 Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-039] and site-specific appendices (ES Volume 3, Appendices 11-2 to 11-9 [REP3-049, REP3-49 to REP3-064]).	Agreed
3.3.2	Baseline Conditions	The Environment Agency has reviewed the baseline presentation and has not raised substantive objection, noting	The Applicant considers that the baseline conditions presented are representative and sufficient to inform	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		through consultation the need to reflect updated datasets where relevant.	the assessment, including Flood Zones, surface water flood risk, mapped watercourses and the wider hydrological context. The baseline reflects that the majority of the Scheme is located within Flood Zone 1, with localised interaction with Flood Zones 2 and 3 associated primarily with named watercourses. Baseline conditions are set out in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015] and supporting documents [REP3-039, REP3-49 to REP3-064] .	
3.3.3	Surface Water Flood Risk and Drainage Principles	The Environment Agency is not the statutory consultee for surface water flood risk. The Environment Agency has not reviewed the assessment for surface water flood risk as this is a LLFA responsibility.	The Applicant considers that surface water flood risk has been appropriately assessed using Environment Agency Risk of Flooding from Surface Water mapping and site-specific context, and that the largely permeable nature of the Scheme, together with embedded drainage controls, ensures no increase in surface water flood risk. The assessment is presented in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015] supported by the ES Volume 3, Appendix 11-1 Flood Risk	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			Assessment and Drainage Strategy - Covering Report [REP3-039] and site-specific appendices (ES Volume 3, Appendices 11-2 to 11-9 [REP3-049 to REP3-064]).	
3.3.4	Assessment Methodology	The Environment Agency has advised that a proportionate approach is acceptable in principle, subject to clear justification and supporting evidence at locations where flood risk interaction is relevant. This matter is now agreed. Environment Agency agree with the overall approach in terms of representing fluvial flood risk to the site. We do have specific comments on the detailed modelling which is covered under other items.	The Applicant considers that the assessment methodology is proportionate and risk-based, reflecting the scale of the Scheme and the distribution of flood risk. The approach uses current Environment Agency datasets, parcel-specific assessment for each Solar PV Site and the Cable Route Corridor, and targeted hydraulic modelling where required, rather than blanket modelling. The methodology is described in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015], ES Volume 3, Appendix 11-1 Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-039] and site-specific appendices (ES Volume 3, Appendices 11-2 to 11-9 [REP3-049 to REP3-064]).	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
A33.3.5	Hydraulic Modelling Scope	The Environment Agency has indicated that site-wide fluvial modelling is not required but expects clear justification of the modelling scope and supporting evidence at sensitive locations. The overarching approach to modelling fluvial flood risk is considered reasonable and hence this matter is agreed	The Applicant notes that this matter relates to the scope of fluvial flood risk modelling, which falls within the Environment Agency's statutory remit, rather than surface water drainage modelling, which falls within the remit of the Lead Local Flood Authority. The Applicant agrees that site-wide fluvial hydraulic modelling is not required. Targeted fluvial hydraulic modelling has been undertaken where proportionate and necessary, including for Gauze Brook at Lime Down D, to support the assessment of flood risk, floodplain interaction and resilience at sensitive locations. Proportionate alternative methods, including Manning's / open-channel checks, have been applied for smaller ordinary watercourses and drainage features where detailed hydraulic modelling is not required. Supporting evidence is provided in ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy Covering Report [REP3-039], FRA Appendix 11-6: Lime Down D / BESS [REP3-056], FRA	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			Appendix 11-8: Lime Down E2 [REP3-061] and the wider ES Volume 3, Appendices 11-1 to 11-9: Flood Risk Assessment and Drainage Strategy [REP3-039 to REP3-064]. The Applicant provided the relevant Gauze Brook model files and updated supporting documentation to the Environment Agency for review on 14 May 2026 and subsequently uploaded 9.32 Hydraulic Modelling Report [REP3-131] was submitted to the Examination Library at Deadline 3 and incorporated the Environment Agency's comments on the Gauze Brook modelling.	
AAr33.3.6	Mitigation (shallow groundwater and dewatering risk)	The Environment Agency is concerned that due to the limited coverage of the currently available exploratory hole records and monitoring data, there is uncertainty around the likely ranges of shallow groundwater and therefore there is inadequate mitigation against groundwater pollution and dewatering impacts for cable installation as the risks are not appropriately understood. The EA suggest groundwater observation and monitoring as part of	The Applicant notes the comment. Construction phase groundwater and dewatering risks will be managed through the detailed CEMP, substantially in accordance with the Outline Construction Environment Management Plan (CEMP) [REP3-092] , including appropriate control measures where groundwater is encountered and pollution prevention	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		pre-construction ground investigation works may be beneficial. See British Standard 5930.	measures for excavations and cable installation. Where pre-construction ground investigation identifies shallow groundwater, or where shallow groundwater could materially affect cable installation, trench stability, dewatering requirements or controlled waters receptors, groundwater observation and monitoring will be included on a risk-based basis and with reference to BS 5930. This will inform the final temporary works, cable installation and dewatering methodology. Where dewatering is required, pumped water will be contained, inspected and tested where appropriate, and discharged, reused or removed from site only where lawful and suitable. Pollution prevention measures will be implemented to prevent uncontrolled discharge to ground, surface water or groundwater. For completeness, ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015], Chapter 19: Ground Conditions [REP3-023],	

Reference	Sub-topic	EA Position	Applicants Position	Status
			ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy Covering Report [REP3-039] and the Outline CEMP [REP3-092] have been updated to signpost to the pre commencement ground investigation and subsequent detailed assessment required where groundwater may be encountered.	
3.3.7	Mitigation (drilling fluids, breakout plan and trenchless controls)	The Environment Agency is concerned that mitigation proposal managing risks to groundwater have not been adequately addressed. The Applicant specifies two products required to facilitate the drilling process: Bore-Gel (or similar) dry, powdered bentonite, and EZ Mud (or similar) liquid polymer. No environmental risk mitigation measures are currently provided in the Method Statement and the document does not reference the Drilling Fluid Breakout Plan. The Applicant has updated the Outline CEMP REP3-092] and Commitments Register [REP1-114] to include environmental controls for trenchless techniques.	The Applicant agrees that environmental risk mitigation for trenchless techniques should be made more explicit. The Applicant has updated ES Volume 3, Appendix 3-2: Cable Route Construction Method Statement [REP3-042] to include the breakout contingency procedure at Deadline 3. Moreover, the Outline CEMP [REP3-092] confirms that trenchless excavation methods, drilling fluids and additives will be assessed for environmental suitability and potential interaction with groundwater, and that appropriate mitigation will be developed through the detailed CEMP and trenchless drilling management plans. This includes drilling fluid breakout contingency procedures,	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			surface spill response measures, and, where required, Water Features Surveys and Hydrogeological Risk Assessment to inform detailed design, construction methodology and monitoring. The relevant commitments are also tracked in the Commitments Register [REP1-114] provided at Deadline 1 of Examination. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-038).	
3.3.8	Mitigation (OCEMP water quality measures)	The Environment Agency state that the Water Quality Mitigation Measures in the <i>Outline Construction Environmental Management Plan [APP-277]</i> are insufficient and request the Applicant to incorporate more water quality	Construction phase water quality controls are secured through the Outline CEMP [REP1-096] including measures for pollution prevention and protection of ecological receptors. The Applicant updated the Outline CEMP [REP1-096] at Deadline 1 to include	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		mitigation measures, including the following: Vehicle washdown and refuelling to be carried out in designated areas, where there is no risk of pollution. Concrete laying to not be carried out in wet conditions. A foul water strategy during construction should be mentioned. Sediment capture methods to be used on tracks and compounds to reduce the chance of surface run-off pollution. Fuels, oils, and chemicals should be on impermeable ground, and sufficiently bunded. We are satisfied that Table 5 and 13 of REP3-093 Outline Construction Environmental Management Plan now contains sufficient mitigation measures to protect water quality.	mitigation measures associated with vehicle washdown, concrete laying, foul water strategy and drilling fluid and subsequently updated the Outline CEMP [REP3-092] at Deadline 3 in response to EA-070 in the Applicant's Response to Submissions Received at Deadline 2 [REP3-129]. The fourth revision of the Outline CEMP ensures Table 5 and Table 13 are consistent on fuel, oil and chemical storage. The updates confirm that such materials will be stored on impermeable surfaces, within appropriately sized bunded and covered areas, with rainwater management and oil separation included where required.	
3.3.9	Mitigation (Commitments Register clarifications)	The Environment Agency request the following clarifications to the 7.26 <i>Commitments Register Hydrology, Flood Risk and Drainage [APP-291]</i> :	The Applicant notes the comment. The Commitments Register [REP1-114] was updated at Deadline 1 of Examination to cross refer to the relevant pollution prevention and water	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		More detail on the environmental controls for trenchless crossing techniques. Confirmation that construction compounds and stockpiles would be located as far from sensitive groundwater and ecological receptors as well as surface water receptors. Plant nappies also referenced where appropriate. REP1-115 7.26 Commitments Register (Rev 2) has been amended to address our comments.	quality control measures in Outline CEMP [REP3-092], which set out the environmental controls that will be applied to trenchless crossings including HDD. The relevant commitment was also updated to confirm that the siting of construction compounds and stockpiles will take account of sensitive receptors, and to reference the use of plant nappies. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-087 & EA-088).	
3.3.10	Floodplain Interaction and Displacement	The Environment Agency has requested clear reporting and evidence of floodplain displacement assessment to demonstrate flood risk neutrality.	The Applicant notes that this matter has been addressed in the revised floodplain displacement assessments submitted at Deadline 1. and further reported in the Applicant's response to	Under Discussion

Reference	Sub-topic	EA Position	Applicants Position	Status
		If it is not possible to place the substation within Lime Down C1 outside of the mapped flood flow routes, further assessment will be undertaken at detailed design to determine if the placement of the substation within Lime Down C1 would increase flood risk elsewhere. If there is an increase to flood risk elsewhere, floodplain compensation will be provided, in consultation with the Environment Agency, to ensure that there is no increase in flood risk. Engagement with the EA will occur throughout the detailed design stage on the need, method of calculating volumes, modelling and design of any floodplain compensation that may be required. <u>We would need to secure this through a requirement within the Development Consent Order. We would request the following wording to secure this:</u> <u>Flood Mitigation Requirement</u> <u><i>No development shall take place within Lime Down C1 until the location of the</i></u>	EA-049 in Applicant's Response to Comments Received at Deadline 2 [REP3-129]. The separate point raised by the Environment Agency in relation to the potential placement of the Lime Down C1 substation within mapped flood flow routes is addressed below. Interaction with the floodplain has been avoided where practicable through layout design. Where limited interaction remains, the Applicant has assessed displacement from the proposed solar panel supports using a deliberately conservative methodology. The assessment assumes displacement is redistributed only across the modelled flood extent within the relevant Lime Down site boundary, rather than across the wider hydraulically connected floodplain. This is precautionary, as in practice any displaced floodwater would be distributed over a substantially larger floodplain area. For Lime Down D, the assessment identifies a displaced volume of 11.59m³, redistributed across an on-	

Reference	Sub-topic	EA Position	Applicants Position	Status
		<u>substation has been confirmed, an assessment of flood risk has been undertaken and a mitigation plan have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency, and these works shall be carried out as approved.</u> - <u>Note:</u> <u>Should the assessment show increased flood risk, the mitigation plan should include a Floodplain Compensation Scheme. Any proposed compensation scheme must demonstrate:</u> <u>a) no net loss of floodplain storage within the design flood event;</u> <u>b) compensation provided on a level-for-level and volume-for-volume basis where appropriate;</u> <u>c) no increase in flood risk elsewhere;</u>	site modelled flood extent of 222,530m². This results in a theoretical increase in flood level of approximately 0.000052m. For Lime Down E2, the assessment identifies a displaced volume of 2.09m³, redistributed across an on-site flood extent of 50,735m². This results in a theoretical increase in flood level of approximately 0.000041m. In both cases, the calculated increase is de minimis, several orders of magnitude below the precision at which flood levels can be meaningfully defined, and would not result in any measurable change to flood levels, flood extents, flow routes or flood risk to third parties. The revised assessments also include figures showing the flood extent and displacement calculation areas for Lime Down D and Lime Down E2. The Applicant therefore considers that the assessment demonstrates flood risk neutrality and that compensatory flood storage is not necessary or proportionate. The Environment Agency has confirmed that the	

Reference	Sub-topic	EA Position	Applicants Position	Status
		<u>d) implementation of compensatory storage prior to the associated floodplain loss; and</u> <u>e) appropriate maintenance of the compensation scheme is in place during the operation phase.</u>	Applicant has provided sufficient evidence to demonstrate that loss of floodplain storage would be negligible in the context of Gauze Brook and Gabriel's Well / Rodbourne Brook. In relation to Lime Down C1, the Applicant will continue to engage with the Environment Agency through detailed design on the siting of the substation, the need for any further flood risk assessment, and the method and design of any floodplain compensation or other mitigation that may be required. Any residual matter relating to the delineation or application of Flood Zone 3b is addressed separately under row 3.3.17. For Lime Down C1, the Applicant confirms that the 132 kV substation location remains subject to detailed design. The detailed design will first seek to locate the substation outside the mapped flood flow routes identified within Lime Down C1. If this is not practicable, a site-specific assessment will be undertaken at detailed design	

Reference	Sub-topic	EA Position	Applicants Position	Status
			to confirm whether the substation would alter existing flood flow routes, displace flood storage or increase flood risk elsewhere. Where the assessment identifies a requirement for mitigation, this would be developed in consultation with the Environment Agency and may include floodplain compensation, localised level adjustments, conveyance measures or other design measures as necessary to ensure no increase in flood risk elsewhere. This is set out in FRA Appendix 11-6: Lime Down D / BESS [REP3-056], paragraphs 2.3.23 to 2.3.29 and Figure 8, FRA Appendix 11-8: Lime Down E2 [REP3-061], paragraphs 2.3.16 to 2.3.21 and Figure 8, and the wider ES Volume 3, Appendices 11-1 to 11-9: Flood Risk Assessment and Drainage Strategy [REP3-039, REP3-49 to REP3-064].	
3.3.11	Climate Change and Safety for Lifetime	The Environment Agency expects development to be safe for its lifetime,	The Applicant considers that the Scheme has been designed to be safe for its lifetime, with climate change	Under DiscussionAgreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		including appropriate consideration of climate change. This item remains under discussion. Whilst Environment Agency agree with the Applicant's approach to climate change, we would like further clarity on the freeboard allowances provided above the design event for the lowest leading edge of the solar panels. Please see item 3.3.20 for further details<u>The documents have been updated so where solar PV panels are located within the design flood extent, the lowest leading edge of the panels will be set to no less than 600mm above the design flood level. This is agreed.</u>	allowances applied appropriately and sensitive infrastructure located in Flood Zone 1 where practicable or designed with suitable resilience where required. This is demonstrated in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015], ES Volume 3, Appendix 11-1 Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-039] and site-specific appendices (ES Volume 3, Appendices 11-2 to 11-9 [REP3-049 to REP3-064]). ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057REP4-031] and Appendix 11-8: Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-064REP4-035] have been updated at Deadline 4 to clarify the freeboard position. The lowest leading edge of the Solar PV Panels within the design flood extent will be set no less than 600 mm above the design flood level, including climate change.	

Reference	Sub-topic	EA Position	Applicants Position	Status
			The matter was discussed in a meeting on 28 July 2026 and was confirmed by both parties as being agreed. Sensitive electrical equipment mounted on the Solar PV Panels will also be set above the design flood level with appropriate resilience. This is a discrete matter and is addressed separately under row 3.3.20.	
3.3.12	Watercourse Crossings and Works Near Watercourses	The Environment Agency has advised that detailed information on watercourse crossings, including locations, construction methods and mitigation measures, will be required at the appropriate stage, and has expressed a preference for trenchless techniques at sensitive crossings. The Environment Agency note the lack of habitat descriptions or photographs of watercourses and the reference to the use of open cut technologies on SM5 (not referenced elsewhere) in Appendix 11-1 <i>Flood Risk Assessment and Drainage Strategy - Lime Down</i>	The Applicant provided 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule [REP1-126] at Deadline 1 of Examination which provides the detail requested by the EA. This was updated at Deadline 3 to provide additional clarity around Solar PV locations [REP3-122]. Moreover, a separate figure was produced at Deadline 3, 9.38 Watercourse Crossing Schedule [REP3-139], which illustrates where the crossing points are located.	Under DiscussionAgreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		<i>Covering Report [APP-210]. The Environment Agency requires the Applicant to provide a clear plan and schedule detailing extent and nature of works directly impacting upon watercourses. They also require habitat descriptions and photographs of proposed watercourse crossings, to allow Chapter 9 <i>Ecology and Biodiversity</i> [APP-061] assesses the impact of these, with other documents updated as appropriate. This would provide confidence that the chosen crossing type is appropriate.</i> REP1-126 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule has been provided which we are satisfied with. We defer to the LLFA for comments on the ordinary watercourses, but note it would be preferable for some micro-siting of the open-cut trench to avoid the bankside vegetation	The Applicant confirms that SM5 was included in error in ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy - Lime Down Covering Report [APP-210]. Both points were capturing the same location on the Rodbourne Brook but in slightly different locations. This was corrected at Deadline 1 of Examination in the second revision of the appendix [REP1-037]. With these updates in mind, the Applicant considers that effects on watercourses can be appropriately managed through a defined and proportionate crossings strategy. This prioritises avoidance where practicable, the use of trenchless techniques such as HDD for Main Rivers and other sensitive crossings, and reinstatement to pre-construction condition where open-cut techniques are required for minor watercourses. The crossings principles and environmental controls are set out within ES Volume 3, Appendix 11-9 Flood Risk Assessment and	

Reference	Sub-topic	EA Position	Applicants Position	Status
			Drainage Strategy - Cable Route Corridor [REP3-063] and secured through the Outline CEMP [REP3-092] .	
3.3.13	WFD Assessment (GWDTEs)	The Environment Agency is concerned that the Water Framework Directive Assessment [APP-276] does not identify or discuss Groundwater Dependent Terrestrial Ecosystems (GWDTEs) and notes that Harries Ground Site of Special Scientific Interest (SSSI) is present within the Study Area, situated to the immediate north of Lime Down E, and may be a GWDTE on the basis of its habitat designation. The REP1-095 7.11 Water Framework Directive Assessment (Rev 2) has been updated to include GWDTEs (paragraphs 5.1.7 to 5.1.10 and Table 7). The applicant must ensure that any dewatering, if required, does not impact the GWDTE.	The Applicant agrees that the Water Framework Directive assessment should explicitly identify and consider any candidate Groundwater Dependent Terrestrial Ecosystems (GWDTEs) within the Study Area, including whether Harries Ground SSSI could represent a GWDTE receptor and whether there is any plausible impact pathway from the Scheme. The Applicant updated the Water Framework Directive (WFD) Assessment [REP1-094] at Deadline 1 to include a proportionate review of candidate GWDTEs, including Harries Ground SSSI, and to confirm the assessment of potential impact pathways and the relevance of the Scheme's embedded pollution prevention and drainage controls. A figure was also created to support the updates to the WFD assessment at	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			Deadline 3 of Examination (9.39 Groundwater Bodies Plan [REP3-140]). The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-064).	
3.3.14	WFD Assessment (Cable Corridor wording)	The Environment Agency notes that Section 1.2.4 of the <i>Water Framework Directive Assessment [APP-276]</i> states that the Cable Corridor is subsurface infrastructure which will have a negligible impact on WFD status and has thus been excluded from assessment. The relevant sections have now been updated and provide suitable assessment and mitigation.	The Applicant agrees that the Water Framework Directive assessment should not imply that the Cable Corridor is excluded from consideration simply because it is subsurface infrastructure. The Applicant updated Water Framework Directive Assessment [REP1-094] at Deadline 1 to clarify that the Cable Corridor has been assessed in relation to WFD groundwater bodies through construction phase risk pathways and embedded controls, and amended the	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			relevant wording in Sections 1.2.4, 5.1.3 and 5.4.2 so this is unambiguous. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-065).	
3.3.15	Water Resources, Foul Drainage and WFD	The Environment Agency has requested clarity on water resources and foul drainage proposals, which has been provided within the submitted documentation. Environment Agency acknowledge updates to REP1-017 Chapter 11 Hydrology, Flood Risk and Drainage (Rev 2) section 11.10.27, 11.10.64 and 11.10.67. Details in Table 5 in Outline Construction Environmental Management Plan (OCEMP) [REP2-019], section 2.13 of Outline Operational Environmental	The Applicant considers that operational water demand and foul drainage are minimal and can be managed appropriately, and that the Scheme will not result in deterioration of Water Framework Directive status. No foul water discharge to ground, surface water drains or watercourses are proposed. This is addressed in the Water Framework Directive Assessment [REP1-094] and Water Resources Strategy [APP-290],	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Management Plan (OOEMP) [REP2-021] and Table 15 in Outline Decommissioning Strategy (ODS) [REP1-100] are consistent with Chapter 11.	supported by construction controls in Outline CEMP [REP3-092] .	
3.3.16	Groundwater WFD receptors presentation	Plan 2.8 Waterbodies in a River Basin Management Plan [APP-012] shows only surface water bodies within a River Basin Management Plan. No equivalent figure showing WFD Groundwater bodies is provided and therefore sensitive groundwater receptors are not well defined. The Environment Agency notes there are multiple WFD Groundwater bodies present within the Study Area captured in the Water Framework Assessment Section 5.1 and Figure 5 [APP-276] that are not included in main Environmental Statement.	The Applicant notes the comment and has updated the Water Framework Directive Assessment [REP1-094] and signposting within the ES at Deadline 1 to ensure WFD groundwater bodies are clearly identified as receptors and consistently presented, with no change to the assessment conclusions. A figure was also created to support the updates to the WFD assessment at Deadline 3 of Examination (9.39 Groundwater Bodies Plan [REP3-140]). ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015] has also be updated to include proportionate signposting to the plan.	Agreed
3.3.17	Functional floodplain (Flood Zone 3b)	The Environment Agency notes that some parts of the proposal, such as Solar PV Panels, are within areas of fluvial flood risk and requests the	The Applicant notes the Environment Agency's comment. The updated Hydraulic Modelling Report for Lime Down D, has been submitted at	Under Discussion

Reference	Sub-topic	EA Position	Applicants Position	Status
		Applicant to confirm in ES Volume 3, Appendix 11-1 <i>Flood Risk Assessment and Drainage Strategy - Lime Down Covering Report [APP-210]</i> whether any aspects of built development are contained within Flood Zone 3b. With respect to the construction phase of the development, stockpiles, materials, and laydown areas should be outside Flood Zone 3 where possible and must be outside of Flood Zone 3b. Whilst it is appreciated that the extent of Flood Zone 3b with regards to the development is small it is important to note that some panel areas, for example D17, D12, D13, and D14, are shown to be within the 5% (1 in 20) annual exceedance probability (AEP) flood extent on drawing 317212-ENG-DAT-02 within the Flood Risk Assessment and Drainage Strategy Lime down BESS and hence by extension would be within the Functional Floodplain (3.3% (1 in 30) AEP). Whilst panels will be raised in these areas it is important to ensure the FRA acknowledges this and how this relates to compliance with the	Deadline 5 [REP-095] and incorporates the Environment Agency's comments. It includes the 3.3% AEP, 1 in 30 year, flood extent to inform consideration of the functional floodplain. The Applicant has undertaken hydraulic modelling for Lime Down E2 to delineate the Flood Zone 3b extent associated with Gabriel's Well / Rodbourne Brook. The results will be reported in the supporting Hydraulic Modelling Report and reflected in the revised ES Volume 3, Appendix 11-8: Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-061REP4-035], both of which will be submitted at Deadline 4. The matter was also discussed at a meeting on 28 July 2026. The Applicant confirms that no BESS, substations or other flood-sensitive electrical infrastructure is proposed within Flood Zone 3b. Construction compounds, stockpiles, materials and laydown areas would be located	

Reference	Sub-topic	EA Position	Applicants Position	Status
		second part of the Exception Test and paragraph 5.8.12 within the Overarching National Policy Statement for Energy (EN-1). This item remains under discussion. We welcome the updated version of the hydraulic modelling report dated June 2026 (document reference: 317212-REP-001) which includes a specific assessment of the 3.3% (1 in 30) Annual Exceedance Probability (AEP) scenario to reflect the functional floodplain. A map is included showing the extent of this scenario within figure 3. We await the functional floodplain definition for Lime Down E2. Additionally, the applicant should confirm that no land raising associated with built infrastructure, such as the BESS, would occur within the design flood event.	outside Flood Zone 3 where practicable and outside Flood Zone 3b. For Lime Down D, the submitted Hydraulic Modelling Report confirms that modelled flooding during the 1% AEP plus 39% climate change design event is generally shallow across the developable area, with depths typically less than 300 mm and low floodplain velocities. Areas of deeper or faster flow are largely confined to the existing watercourse corridor and localised low-lying areas. Where limited raised solar PV panel areas are shown by the updated modelling to interact with the 1 in 30 year flood extent, this will be acknowledged in the updated reporting. Solar farms are classified as Essential Infrastructure under the NPPF flood risk vulnerability classification. The updated FRA reporting will explain how any limited interaction with Flood Zone 3b satisfies	

Reference	Sub-topic	EA Position	Applicants Position	Status
			the relevant policy tests, including the Exception Test, paragraph 5.8.12 of NPS EN-1, and the requirements for the development to remain safe and operational, avoid increasing flood risk elsewhere, avoid impeding flood flows and avoid net loss of floodplain storage. This is addressed for Lime Down D in the submitted Hydraulic Modelling Report and ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057REP4-031]. The equivalent Lime Down E2 assessment will bewas addressed in the Lime Down E2 Hydraulic Modelling Report and revised ES Volume 3, Appendix 11-8: Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-061, both of which will beREP4-035] submitted at Deadline 4. The wider assessment is set out in ES Volume 3, Appendices 11-1 to 11-9: Flood Risk Assessment and Drainage Strategy [REP4-021 to REP4-025 and REP3-039, REP3-049 to REP3-064].063].	

Reference	Sub-topic	EA Position	Applicants Position	Status
			The Applicant will provide an updated Lime Down D model and associated Flood Estimation Handbook information at Deadline 5 as part of a consolidated modelling package.	
3.3.18	Fencing within areas of fluvial flood risk	The Environment Agency is concerned there is limited detail within in ES Volume 3, Appendix 11-1 <i>Flood Risk Assessment and Drainage Strategy - Lime Down Covering Report [APP-210]</i> and respective flood risk assessments for Lime Down A to E on fences which may surround the development and their interaction with areas of flood risk. They are requesting the Applicant to assess proposed fencing to ensure appropriate design. The applicant should provide details on where fencing will be placed with respect to flood flow routes and extents and additional detail on mesh spacing. A larger mesh should be considered in flood risk areas to ensure blockage risk is kept to a minimum.	The Applicant notes the comment. Interaction between the Scheme and Flood Zone 3 is limited to minor areas. The flood risk assessment is based on fencing in these locations being of a form that does not impede flood flows or reduce floodplain conveyance, consistent with the approach assessed in ES Volume 3, Appendix 11-6 Flood Risk Assessment and Drainage Strategy - Lime Down D BESS [REP3-057] and ES Volume 3, Appendix 11-8 Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-061]. The Applicant updated Appendices 11-6 and 11-8 at Paragraph 2.3.15 Deadline 1 to confirm fencing would not impede flood flow routes. The Applicant updated the same appendices Deadline 3 [REP3- 057]	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		This matter is agreed as the Applicant has included additional details about which fencing will be used and we are satisfied with proposed plans	and REP3-061] in response to EA-050 raised in the Applicant's Response to Submissions Received at Deadline 2 [REP3-129] to confirm where perimeter fencing is required within the mapped Flood Zone 2 or Flood Zone 3 extents, it will comprise post and wire mesh fencing specified with the widest mesh aperture available within the selected fencing system, so as to maximise the passage of floodwater and debris and avoid obstruction of flood flows. Fencing in these locations will not be solid, close-boarded or fine-mesh. The detailed fencing specification will be confirmed at the detailed design stage in accordance with this principle. The Outline OEMP [REP3-094] was also updated at Deadline 3 to include post-flood inspection and removal of debris from fencing, where safe and practicable.	
3.3.19	Construction phase flood risk	The Environment Agency requests the Applicant to assess the impacts the storage of materials, site compounds, temporary roads and/or crossings will have on flood risk and provide	The Applicant notes the comment. Construction phase flood risk effects have been assessed and mitigation is set out through the construction and flood risk control framework, as	Under DiscussionAgree

Reference	Sub-topic	EA Position	Applicants Position	Status
		appropriate mitigation in ES Volume 3, Appendix 11-1 <i>Flood Risk Assessment and Drainage Strategy - Lime Down Covering Report [APP-210]</i>. EA would like to see locations of crossings. However, if this detail is not available till a later stage we would expect the applicant to commit to specific best practice criteria for design.	reported in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015] and secured through the Outline CEMP [REP3-092]. A shapefile of the watercourse crossing locations was provided to the EA on 23 March 2026. Moreover, 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule [REP3-122] and 9.38 Watercourse Crossing Schedule figure [REP3-139] have since been uploaded to the Examination Library in order to aid the EAs interpretation of construction phase flood risk. The Applicant added wording to the Outline CEMP [REP3-093] at Deadline 3 to confirm construction compounds, material storage and stockpiles will not be located within Flood Zone 3b and, where practicable, will be located outside the 1 in 100 year flood extent. It is considered that on this basis this matter is now agreed.	
3.3.20	Freeboard allowances clarity	The Environment Agency is not clear on what freeboard allowances are proposed in Section 2.11.1 of ES Volume 3, Appendix 11-2 to 11-8 <i>Flood</i>	The Applicant notes the comment and confirms that, where Solar PV Panels are located within the 1% AEP plus	Under Discussion Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		<i>Risk Assessment and Drainage Strategy Lime Down A to E [APP-211]</i> and are concerned that mitigation measures may be inappropriate in areas of flood risk where there are uncertainties in the design flood water level. They request a freeboard of +600 millimetres (mm) is provided above the design flood level. This item remains under discussion. Where solar PV panels are within areas at risk of flooding, we would typically expect an appropriate freeboard to be applied above the design flood level. This reflects standard practice and is consistent with approaches taken in comparable applications. This position is supported by the Overarching National Policy Statement for Energy (EN-1). Paragraph 5.8.7 states that new energy infrastructure should be designed to remain operational during flood events, while paragraph 5.8.12 highlights the need to safely manage flow conveyance and avoid adverse impacts from obstruction or deflection	climate change flood extent, embedded mitigation applies a minimum freeboard of 600 mm above the design flood level to the lowest leading edge of the Solar PV Panels, as set out in ES Volume 3, Appendix 11-1 Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-048REP4-021] and ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015REP4-021]. This approach is supported by hydraulic data within ES Volume 3, Appendix 11-6 Flood Risk Assessment and Drainage Strategy - Lime Down D BESS [REP3-057REP4-031] and ES Volume 3, Appendix 11-8 Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-061REP4-035]. ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057REP4-031] was updated at	

Reference	Sub-topic	EA Position	Applicants Position	Status
			Deadline 3 to clarify the freeboard position, and ES Volume 3, Appendix 11-8: Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-064] will be <u>REP4-035</u> was further updated at Deadline 4 alongside the Lime Down E2 Hydraulic Modelling Report. The lowest leading edge of the Solar PV Panels within the design flood extent will be set no less than 0.6 m above the design flood level, including climate change. Sensitive electrical equipment mounted on the Solar PV Panels will also be set above the design flood level with appropriate resilience. This matter is only relevant to the limited areas of panel interaction with the design flood extent at Lime Down D and the eastern extent of Lime Down E2. In those areas, flood depths are generally shallow. By way of example, where the design flood depth is approximately 150 mm above	

Reference	Sub-topic	EA Position	Applicants Position	Status
			existing ground level, the lowest leading edge of the panel would be set at least 750 mm above existing ground level, comprising the design flood depth plus 600 mm freeboard. The final panel arrangement will be confirmed at detailed design, including any required adjustment to panel tilt, tracker operating range or panel micro-siting, to ensure the lowest leading edge achieves the required 600 mm freeboard above the design flood level while remaining within the maximum panel heights set out in Design Principles and Parameters [REP3-083REP4-043], namely 4.5 m above ground level for tracker panels and 3.5 m above ground level for fixed panels. The panel frame and supports remain flood-compatible, open structures and will allow floodwater to pass beneath without materially impeding flood flow conveyance. The matter was also discussed at a meeting on 28 July 2026 where the Environment	

Reference	Sub-topic	EA Position	Applicants Position	Status
			Agency confirmed they were happy with the edits made and that this matter could be moved to agreed.	
3.3.21	Gauze Brook model review request	The Environment Agency note that they have not had the opportunity to review hydraulic model files for the Gauze Brook and the assessment of flood risk for the Gauze Brook in Section 2.3.6 of ES Volume 3, Appendix 11-6: <i>Flood Risk Assessment and Drainage Strategy Lime Down D/BESS [APP-215]</i> could be inaccurate or underestimated which could lead to inappropriate mitigation. This item remains under discussion. We have reviewed the applicant's modelling of the Gauze Brook. The applicant has addressed some of our comments in their latest updated model report dated June 2026, however, we are seeking for the applicant to provide the flood estimation calculation record for the Gauze Brook. Additionally, we awaithave sent comments via email on 12/08/2026 on the detailed modelling for Lime Down E2 at deadline 4.	The Applicant notes the request to review the Gauze Brook hydraulic model and has provided the hydraulic modelling report and associated model files to the Environment Agency on 14 May to support ongoing technical review. The Hydraulic Modelling Report [REP3-131] was submitted to the Examination Library at Deadline 3 which incorporated EA comments provided via email on 13/06/2026 and 01/06/2026. The Applicant will submitsubmitted the flood estimation calculation record for Gauze Brook byat Deadline 4 (ES Volume 3, Appendices 11-1 to 11-8: Flood Risk Assessment and Outline Drainage Strategies (Rev 4) [EN010168/APP/6.3[REP4-021 to REP4-036]). The Applicant is currently undertakinghas undertaken additional modelling at Lime Down E2 which will bewas provided to the EA and uploaded to the Examination Library at	Under Discussion

Reference	Sub-topic	EA Position	Applicants Position	Status
			Deadline 4 (ES Volume 3, Appendices 11-1 to 11-8: Flood Risk Assessment and Outline Drainage Strategies (Rev 4) [EN010168/APP/6.3]. [REP4-021 to REP4-036]) alongside the model files which were provided to the EA on 13 July 2026. The matter was also discussed at a meeting on 28 July 2026 where the applicant agreed to re-share the files for Lime Down D to account for any edits made to the Hydraulic Modelling Reports at D5 to address the Environment Agencies D4 comments. The files were reshared with the EA on 12/08/2026 and are currently under review with comments expected at Deadline 6. It is assumed that as with previous comments made by the EA on the HMRs that these updates can swiftly be made and this matter agreed before Deadline 7.	
3.3.22	Gauze Brook analysis extent	The Environment Agency is not clear on how the analysis extent area of 275,000m2 has been derived and are	The Applicant notes the comment. The 275,000 m ² analysis extent is derived from the defined downstream	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		concerned that flood risk impacts could be underestimated in Section 2.3.20 of ES Volume 3, Appendix 11-6: <i>Flood Risk Assessment and Drainage Strategy Lime Down D/BESS [APP-215]</i> . The applicant has addressed this within updated REP1-048 6.3 ES Volume 3 Appendix 11-6 Flood Risk Assessment and Drainage Strategy Lime Down D (Rev 2) .	floodplain boundary. The Applicant added Figure 8 to ES Volume 3, Appendix 11-6 Flood Risk Assessment and Drainage Strategy - Lime Down D BESS [REP3-057] at Deadline 1 showing the downstream floodplain extent used in the assessment for transparency. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-054).	
3.3.23	Solar panel support frames and conveyance (Lime Down D)	The Environment Agency is concerned that the impacts of the solar panel support frames on flood flow conveyance is not discussed in Section 2.3.20 of ES Volume 3, Appendix 11-6: <i>Flood Risk Assessment and Drainage Strategy Lime Down D/BESS [APP-215]</i> and therefore flood risk impacts	The Applicant notes the Environment Agency's comment. ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057REP4-031] was updated to include additional clarity at paragraph 2.3.14 on the interaction between Solar PV	Under Discussion Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		and blockage risk from the solar panel support frames could be underestimated. The applicant should confirm details regarding indicative panel leg spacing and flood flow velocities in areas where panel legs are placed as this will help in understanding potential impacts on conveyance and also blockage risk This item remains under discussion <u>is agreed</u> as it is linked to the item regarding freeboard allowances to the lowest leading edge of the solar panels.	Panel supports, floodplain conveyance and blockage risk. The equivalent matter for Lime Down E2 is addressed separately under row 3.3.25. The assessment confirms that Solar PV Panel supports are discrete, widely spaced elements with a very small cumulative footprint relative to the floodplain area. The assessment uses an indicative support allowance of 10 piles per 100 m of panels, with an individual support cross-sectional area of 28.65 cm². On this basis, the submitted assessment concludes that the Solar PV Panel supports would not materially impede flood flow conveyance or increase blockage risk. The submitted material also includes the relevant flood flow information for the areas where Solar PV Panel supports are located within the modelled flood extent at Lime Down D. This is reported in ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy	

Reference	Sub-topic	EA Position	Applicants Position	Status
			- Lime Down D / BESS [REP3-057REP4-031]. The freeboard point relating to the lowest leading edge of the Solar PV Panels is addressed separately under row 3.3.20. The Applicant confirms that the lowest leading edge of the Solar PV Panels within the design flood extent will be set no less than 600 mm above the design flood level, including climate change. This reinforces the conclusion that the Solar PV Panels would not materially obstruct flood flows. The Applicant considers that the submitted reporting provides the clarification requested by the Environment Agency and that the assessment conclusion remains unchanged. <u>The matter was also discussed at a meeting on 28 July 2026 where the EA agreed that the additional freeboard text which was added at Deadline 4 was sufficient to agree on this matter.</u>	

Reference	Sub-topic	EA Position	Applicants Position	Status
3.3.24	Gabriel's Well / Rodbourne Brook analysis extent	The Environment Agency is unclear on how the analysis extent area of 175,580m ² has been derived in Section 2.3.15 of ES Volume 3, Appendix 11-8 <i>Flood Risk Assessment and Drainage Strategy Lime Down E2 section [APP-217]</i> and are concerned that flood risk impacts could be underestimated. They request the Applicant to provide a map and/or additional clarity on how the surface area of 175,580m ² has been derived and clarify if this the area of the design flood extent for the Gabriels Well/Rodbourn Brook that bisects the order limits for the development. The applicant has addressed this within REP1-052 6.3 ES Volume 3 Appendix 11-8 <i>Flood Risk Assessment and Drainage Strategy Lime Down E2 (Rev 2)</i> .	The Applicant notes the comment. To address the request for clarity, the Applicant added Figure 8 to ES Volume 3, Appendix 11-8 Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP1-051] at Deadline 1 which illustrates the defined floodplain extent used in the calculation and the location of the downstream control point to confirm how the area was derived. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-056).	Agreed
3.3.25	Solar panel support frames and conveyance (Lime Down E2)	The Environment Agency note that the impacts of the solar panel support frames on flood flow conveyance is not discussed in Section 2.3.15 of ES Volume 3, Appendix 11-8 <i>Flood Risk</i>	The Applicant notes the Environment Agency's comment. Revised reporting for Lime Down E2 was submitted at Deadline 1 (ES Volume 3, Appendix 11-8: Flood Risk Assessment and	Under Discussion Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		<i>Assessment and Drainage Strategy Lime Down E2 section [APP-217]</i> and that flood risk impacts and blockage risk from the solar panel support frames could be underestimated. The applicant should confirm details regarding indicative panel leg spacing and flood flow velocities in areas where panel legs are placed as this will help in understanding potential impacts on conveyance and also blockage risk This item remains under discussion is agreed as it is linked to the item regarding freeboard allowances to the lowest leading edge of the solar panels.	Drainage Strategy Lime Down E2 [REP1-050] and includes additional clarification on the interaction between solar PV panel supports, floodplain conveyance and blockage risk. The assessment confirms that panel supports are discrete, widely spaced elements with a very small cumulative footprint relative to the floodplain area. The assessment uses an indicative support allowance of 10 piles per 100 m of panels, with an individual support cross-sectional area of 28.65 cm². On this basis, the submitted assessment concludes that the panel supports would not materially impede flood flow conveyance or increase blockage risk. The submitted material also includes relevant flood flow information for the areas where panel supports are located within the modelled flood extent. This is reported in FRA Appendix 11-8: Lime Down E2 [REP3-064REP4-035]. The Applicant considers that the submitted reporting provides the clarification requested by the Environment Agency and that the	

Reference	Sub-topic	EA Position	Applicants Position	Status
			assessment conclusion remains unchanged. The matter was also discussed at a meeting on 28 July 2026 where the EA agreed that the additional freeboard text which was added at Deadline 4 was sufficient to agree on this matter.	
3.3.26	Riparian buffers consistency	Watercourse buffers quoted are inconsistent: a 10-15m buffer is quoted in Chapter 9 whereas up to 30m for 'major watercourses' is quoted in the OLEMP and 8m watercourse buffer is proposed in the OCEMP.	The Applicant refers the EA to the response provided within the SoCG under ID: 3.2.13. To summarise a minimum buffer of 8 m from ditches and watercourses is secured as part of the flood risk, drainage and construction controls set out in Outline CEMP [REP3-092REP4-049] and assessed in ES Volume 3, Appendix 11-8 Flood Risk Assessment and Drainage Strategy - Lime Down E2 [REP3-061REP4-035], with wider buffers applied where required to address ecological sensitivities identified through survey and assessment in ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015].REP4-010].	Under DiscussionAgree

Reference	Sub-topic	EA Position	Applicants Position	Status
			<u>The matter was discussed in a meeting on 28 July 2026. The Applicant explained further the rationale for applying an 8m buffer to ditches and a 10m buffer to rivers, streams and watercourses and confirmed that buffers are measured to the fence line rather than solar panels. The EA confirmed that this additional information provided sufficient grounds for this issue to be agreed.</u>	
3.3.27	BESS foundation interaction with sealed drainage and SPZs	The Environment Agency is unclear how the Battery Energy Storage System (BESS) foundation solution as presented in Appendix 3-1: <i>Substations and Battery Energy Storage System Description [APP-182]</i> Section 1.2.11 would interact with the proposed sealed drainage solution. At Deadline 1, EA state that this response and the documents referenced do not answer our concern. The applicant proposes to site the BESS on [up to] 4m deep piled foundations (APP-182, para 1.2.11). They also propose to install an impermeable lined gravel subbase	The Applicant notes the Environment Agency's comment. Appropriate foundation / piling risk assessment will be undertaken for the BESS and substation sites, and the Outline CEMP [REP3-092] has been updated to secure this requirement. The detailed BESS foundation and drainage construction detail will be confirmed at detailed design stage. The design must comply with the drainage and containment principles set out in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP1-017], ES Volume 3, Appendix	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		beneath the whole BESS Area to capture firewater (APP-215, para 3.9.1 & 4.2.3). If piled foundations penetrate through the base of the lining, we are concerned about the integrity of the impermeable lining. A Piling Risk Assessment is likely to identify this same risk, but as it is a foreseeable issue we expect the Applicant to proactively plan for it. Further information is required. The 7.12 Outline Construction Environmental Management Plan (Rev 4) [REP3-092] has been updated as requested.	11-1: Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-039], ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057] and Firewater Containment and Drainage Strategy – Lime Down BESS [REP-124]. This includes the requirement for the BESS drainage system to maintain a sealed, impermeable, isolatable and containment function. The Applicant agrees that the interface between piled foundations and any sealed or lined drainage system is a foreseeable detailed design matter. Where piles are proposed within an area requiring containment, the detailed design will be required to demonstrate that pile penetrations, structural supports and liner interfaces do not create an uncontrolled pathway through the containment layer or compromise its function. This may be achieved through engineered pile / liner interface details, local sealing,	

Reference	Sub-topic	EA Position	Applicants Position	Status
			collars, sleeves, upstands, membrane interfaces, or an alternative foundation and containment arrangement where required. The final construction detail will be informed by the foundation / piling risk assessment, drainage design and construction methodology. This will include the design of any sealed drainage or liner interface incorporated into the final design, with the objective of preventing uncontrolled discharge to ground, groundwater, surface water or controlled waters. The Applicant considers that this addresses the Environment Agency's concern without fixing a specific foundation or drainage construction detail before detailed design. The relevant drainage and containment principles will be secured through detailed design and the detailed CEMP, substantially in accordance with the Outline CEMP [REP3-092].	

Reference	Sub-topic	EA Position	Applicants Position	Status
3.3.28	BESS drainage lining impermeable and firewater disposal	The Environment Agency requests that the Applicant should clearly state that the BESS Area drainage system lining must be impermeable. The disposal of firewater should be determined in consultation with the Environment Agency. The requested information is now clearly presented in REP1-111 7.21 Outline Battery Safety Management Plan (Rev 2) paragraph 5.5.8 and REP1-048 6.3 ES Volume 3 Appendix 11-6 Flood Risk Assessment and Drainage Strategy Lime Down D (Rev 2) paragraph 3.5.8.	The Applicant notes the Environment Agency's comment. The BESS drainage and containment approach is based on an impermeable, sealed and isolatable drainage system designed to retain potentially contaminated runoff, including firewater, and prevent uncontrolled discharge to ground, groundwater or surface water. This principle is set out in Firewater Containment and Drainage Strategy – Lime Down BESS [REP1-124] and reflected in FRA Appendix 11-6: Lime Down D / BESS [REP3-057]. The detailed construction specification will be confirmed at detailed design stage, but must achieve the required impermeability, containment and isolation performance. The Applicant notes the Environment Agency's comment regarding firewater disposal. Disposal of retained firewater will be determined in consultation with the Environment Agency, including any permitting requirements where applicable. Where discharge is not	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			suitable, cannot be permitted in the required timeframe, or where retained water cannot be safely stored pending permit determination, the fallback position would be removal by tanker to an appropriately permitted facility. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-047).	
3.3.29	BESS SuDS Mitigation Indices table	The Environment Agency note that the in Appendix 11-6 <i>Flood Risk Assessment and Drainage Strategy - Lime Down D BESS Table 4 [APP-215]</i> SuDS Mitigation Indices is blank and the degree of mitigation afforded against contaminants by the proposed gravel drainage medium is not given. Amendments in Table 4 of REP3-058 Volume 3 Appendix 11-6 Flood Risk	The Applicant notes the comment. Table 4 in ES Volume 3, Appendix 11-6 Flood Risk Assessment and Drainage Strategy - Lime Down D BESS [REP1-047] was populated at Deadline 1 to confirm the SuDS mitigation indices associated with the proposed drainage medium and treatment train assumptions.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Assessment and Drainage Strategy Lime Down D now resolve this issue.	Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057] has also been updated at Deadline 3 so Table 4 clarifies that emergency shut-off valve / isolation measures are provided for firewater and accidental spill containment only, and are not relied upon for routine surface water quantity management or standard SuDS water quality treatment.	
3.3.30	Firewater sampling and testing protocol	The Environment Agency also notes the following issues with the oBSMP refer to "battery liquid cooling systems with automatic safe operation" and a "Liquid cooling Thermal Management System" which may act as a source of pollution which could impact controlled waters. The Plan states that routine maintenance will be undertaken on the BESS equipment every 6-12 months depending on the risk profile of equipment. They request the Applicant to provide more detail about the inspection and maintenance frequency and protocols for key controls at the BESS site. No details are provided of the proposed testing suite or sampling	The Applicant notes the Environment Agency's comment. The Outline Battery Safety Management Plan [REP1-110] was updated at Deadline 1 to confirm that any contained firewater, suppression water or potentially contaminated water retained within the BESS drainage system would be sampled and tested before any discharge or off-site removal at Paragraphs 5.3.3 and 5.5.12. Sampling and analysis would be undertaken by an appropriately accredited laboratory. The testing suite would be defined by the incident scenario, the materials involved, and	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		protocol for potentially contaminated firewater captured at the BESS in a fire event and the suite of analysis of firewater may not be sufficient to fully characterise the risks posed to controlled waters. We acknowledged that the final design of the system has not yet been decided. We look forward to reviewing pollution control protocols prior to finalisation of the BSMP under requirement 6 Battery safety management. We have reviewed the REP1-124 9.8 Firewater Containment and Drainage Strategy – Lime Down D Battery Energy Storage System with consideration to other documents previously submitted. Information relevant to this issue is given in paragraphs 5.2.1 and 5.2.2. As noted, the testing suite and sampling protocol can be agreed as part of a post-incident management procedure. In order to minimise delays after a fire event, we strongly recommend that an outline procedure be produced prior to operation. If the applicant proposes to release captured water to the	the potential contaminants present, including contaminants associated with BESS equipment, suppression water, liquid cooling systems and any fire residues. The results would be reviewed before any disposal route is agreed. Any disposal of retained water would be determined in consultation with the Environment Agency, including any permitting requirements where applicable. Where discharge is not suitable, cannot be permitted in the required timeframe, or retained water cannot be safely stored pending permit determination, the fallback position would be removal by tanker to an appropriately permitted facility. Inspection and maintenance requirements for the BESS, including liquid cooling systems and key containment controls, will be confirmed in the final Battery Safety Management Plan in accordance with the final BESS technology, manufacturer's requirements and detailed design. The containment and isolation principles are set out in the Firewater	

Reference	Sub-topic	EA Position	Applicants Position	Status
		environment, a relevant discharge permit should be obtained from the Environment Agency. It can take approximately 4 months for these permits applications to be processed and approved. The contained water must be stored appropriately during this time. In 3.5.2 it states there is an intention to “not rely on long-duration passive storage” of retained water. It is not clear how this will be achieved while any testing and permit application is completed.	Containment and Drainage Strategy – Lime Down BESS [REP1-124] and FRA Appendix 11-6: Lime Down D / BESS [REP1-047]. The Applicant notes that in the Environment Agency’s Responses to the ExA’s first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being “Agreed – as per Deadline 2 response” (EA-066, EA-067 and EA-068).	
3.3.31	Emergency Response Plan notifications	The Emergency Response Plan (ERP) should identify the importance of notifying downstream river/groundwater abstractors should impacts to surface water and/or groundwater occur, to ensure that Environment Agency incident response personnel are made aware of this as a priority. REP1-111 7.21 Outline Battery Safety Management Plan (Rev 2)	The Applicant agrees. The Applicant updated Outline Battery Safety Management Plan [REP1-110] at Deadline 1 to ensure the Emergency Response Plan explicitly includes priority notification and escalation where an incident could affect surface water or groundwater, including notification of the Environment Agency	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		paragraph 5.4.1 addresses this.	and, where applicable, downstream receptors such as abstractors.	
3.3.32	BESS construction phasing and commissioning	The Environment Agency notes that the BESS would be constructed in two distinct phases, with civil works and the balance of non-BESS plant and equipment commenced initially, with the BESS equipment delivered to be installed at "a suitable point" and requests that the Applicant confirm in Section 4.2.1 of the oBSMP [APP-286] that the initial phase would include all drainage and firewater containment infrastructure, and that the battery storage infrastructure would not be delivered to site before all firewater containment arrangements are installed and commissioned. EA believe that battery storage methods need to be clearer i.e. retained inside the unit if damaged/end of life before replacement. Need to be clear how they will be treated prior to removal offsite. The explanation given in PDA-009 EA-084 is acceptable.	The Applicant updated Outline Battery Safety Management Plan [REP1-110] at Deadline 1 to confirm that the initial phase will include all drainage and firewater containment infrastructure and that battery storage infrastructure will not be delivered to site before containment arrangements are installed and commissioned. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-084) which pertains to the first point raised.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
3.3.33	Substation drainage strategies	The Environment Agency request the Applicant to provide Drainage Strategies for the proposed 400kV and 132kV Substations and to confirm what the proposed drainage solution for Substation structures will be, and how spills and leaks and firewater from plant containing hazardous and polluting substances will be managed. The EA have reviewed REP1-125 9.9 Firewater Containment and Drainage Strategy- Lime Down Substation and this has provided some clarity. Many elements will need to be agreed during detailed design in due course. In paragraph 2.4.4 it states “[the oOEMP] confirms that retained firewater will be subject to inspection, testing and controlled disposal.” We have not identified this information in the oOEMP, so this is not resolved. The fate of retained water is discussed in paragraph 5.2.1 and 5.2.2. As noted, the testing suite and sampling protocol can be agreed as part of a post-incident management procedure. In order to minimise delays after a fire	Drainage principles for the proposed 400 kV and 132 kV substations are already established for the Scheme and include a sealed, isolatable drainage approach. This approach is also considered in the WFD assessment, including groundwater bodies as receptors (Water Framework Directive Assessment [REP1-094]). The Applicant updated ES Volume 3 Appendices 11-2 to 11-9 Flood Risk Assessment and Drainage Strategy - Lime Down A to E2 and Cable Connection Corridor [REP3-049 to REP3-064] to explicitly set out the substation drainage strategy. The assessment conclusions in ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP1-017] remain unchanged. Furthermore, the Applicant agrees that an outline post-incident management procedure for retained firewater should be prepared prior to operation. This will be secured through the detailed Operational Environmental Management Plan, approved under	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		event, we strongly recommend that an outline procedure be produced prior to operation. If the applicant proposes to release captured water to the environment, a relevant discharge permit should be obtained from the Environment Agency. It can take approximately 4 months for these permits applications to be processed and approved. The contained water must be stored appropriately during this time. The Outline OEMP [REP3-094] has been updated as requested.	Requirement 14 of the Draft DCO [REP3-005]. The procedure will address inspection, sampling, testing, temporary storage, treatment where required, tankering or controlled disposal of retained firewater. Retained water would not be discharged to the environment unless the relevant environmental permit or regulatory approval is in place. The Applicant has updated the Outline OEMP (Rev 4) at Deadline 3 [REP3-094] to provide clearer signposting to this requirement and to the postincidentpost incident management principles set out in [REP1-125]. The Applicant does not consider that this affects the containment design principles set out in [REP1- 125]. It is a post-incident operational management matter.	
3.3.34	WFD hydromorphology terminology update	Hydromorphological Supporting Elements "Supports Good". A recent change in terminology from "Supports Good" to "Not High" has been made to the Hydromorphological Supporting Elements/Regime. REP1-095 7.11	The Applicant updated the terminology in Table 2 to reflect the current Environment Agency classification, replacing "Supports Good" with "Not High" where relevant in Water	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Water Framework Directive Assessment (Rev 2) has been updated to address our comments.	Framework Directive Assessment [REP1-094] at Deadline 1. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-063).	

3.4 Ground Conditions

Table 3-4: Ground Conditions

Reference	Sub-topic	EA Position	Applicants Position	Status
3.4.1	Legislation and Policy	The Environment Agency provided no comments on the legislation and policy applied for the ground conditions assessment.	The Applicant considers that Volume 1: Chapter 19 Ground Conditions & Contamination [REP1-027] of the ES has identified and appropriately considered all applicable legislation and policy.	Agreed
3.4.2	Methodology	The Environment Agency notes that although raised at PEIR stage and included in Table 19-3 in the ES, Volume 1, Chapter 3: Ground Conditions [APP-071] there has been no assessment of the thermal implications of cables on sensitive groundwater receptors. In the Deadline 3 submission the Applicant has updated ES Volume 1 Chapter 19 Ground Conditions (Rev 3) [REP3-023] including sections 19.10.2 and 19.11.10. 19.10.2 states that “<i>Micro routing of the cable will ensure that no cables are located within 50m of abstractions or</i>	The Applicant confirms that the guidance provided by the EA will be followed in relation to the assessment of impacts related to thermal loss from cables and that commitment has been reflected in ES Volume 1, Chapter 19 Ground Conditions [REP3-023] and associated technical appendices updated at Deadline 3. With regards the routing of cables in relation to source protection zones, the Applicant can clarify that where possible cables will be routed outside of SPZ1 or micro-routed at depths which do not interact directly with groundwater. Where this is not	Under Discussion

Reference	Sub-topic	EA Position	Applicants Position	Status
		<i>GWDTE or within SPZ1.</i> Cable Route Southwest lies within a Source Protection Zone 1 (SPZ1). It is not clear how the micro-routing will ensure that no cables are within SPZ1. Section 19.11.10 makes no reference to avoiding SPZ1. The Applicant has not demonstrated adherence to the conditions set out in the advice note we sent in February 2026. This includes proximity to SPZ1 and springs. More detail is required to demonstrate that the cables will not interact with these sensitive receptors. This should include depth to groundwater and anticipated ground conditions in sensitive groundwater areas.	possible, a hydrogeological risk assessment will be undertaken following the completion of ground investigation, in order to assess the risks posed to groundwater resources from thermal loss and appropriate mitigation will be applied to the selection of cabling and the design of cable trenches, in order to reduce any anticipated impacts to an acceptable level. Clarification will bewas added to Section 19.10.2 and Section 19.11.10 of ES Volume 1 Chapter 19 Ground Conditions (Rev 3) [REP3-023]. at Deadline 3. Following further engagement with the Environment Agency, additional clarification for the term 'micro-routing' was added to Section 19.10.2 and Section 19.11.10 in ES Volume 1 Chapter 19 Ground Conditions (Rev 4) [EN010168/APP/6.1] for submission at Deadline 5.	
3.4.3	Baseline	The Environment Agency raised concerns that some potential sources	The baseline conditions which are detailed in Volume 1: Chapter 19	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		of contamination were not adequately considered in the baseline. They also indicated an opinion that not all sensitive water resources were fully considered in the baseline. The baseline assessments were reviewed and adjusted in the Environmental Statement.	Ground Conditions & Contamination [REP1-027] were reviewed and updated at Deadline 1 to ensure that all potential contaminant sources are captured and appropriately assessed.	
3.4.4	Assessment Results	The Environment Agency have raised concerns around the assessment of risk to sensitive groundwater; particularly in relation to the use of horizontal drilling techniques where they intersect with underlying Principal Aquifer. The assessments were reviewed and adjusted in the Environmental Statement.	The Cable Route Avoidance Areas - Preliminary Geotechnical Risk Register [REP1-129] was submitted at Deadline 1 to provide further information relating to risks posed to sensitive groundwater resources in areas where horizontal drilling is planned.	Agreed
3.4.5	Assessment Results	The Environment Agency states that Application has not presented an assessment of the implications of Monks Park Mine on cable installation, ground stability and HDD works and therefore there remains uncertainty	The Cable Route Corridor Mining Risk - Technical Memorandum [REP1-130] was submitted at Deadline 1 to describe the ground investigation regime proposed for this part of the site, considering both potential	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		regarding risks posed to controlled waters from the mine. EA request the Applicant to confirm if the reference to “Additional ground investigation will be deployed to confirm the presence of any unrecorded mine workings, shafts, etc which are within the cable alignment in Cable Route Corridor Southwest” in section 19.12.3 of ES Volume 1, Chapter 19: Ground Conditions [APP-071] is additional to the works station in section 19.10.2. They request the Applicant to provide confirmation of the proposed purpose, scope and extent of ground investigations. Note: section 1.4.11 of Appendix 19-8 refers to a previous iteration of the Outline CEMP. It should refer to [REP3-092]. We welcome the opportunity to discuss the ground investigation design with the Applicant once it has been prepared (post consent).	contamination and geohazards associated with the mine. As per Volume 3, Appendix 19-11 Mining Risk Assessment [APP-257] no HDD is planned in the vicinity of the Monks Park Mine. Ground investigation prior to the construction phase has been secured via the Outline Construction Environmental Management Plan (Outline CEMP) [REP3-094]. This ground investigation will be used to identify any potential geohazards associated with the scheme. Potential mitigations such as grouting are referenced in Volume 1: Chapter 19 Ground Conditions & Contamination [REP3-023], for which appropriate permissions and permits will be obtained. The applicant is happy to discuss the scope of any ground investigations with the EA prior to execution.	

Reference	Sub-topic	EA Position	Applicants Position	Status
3.4.6	Assessment Results	The Environment Agency states that the Applicant has not appropriately assessed groundwater risks and has underestimated the risks to groundwater by stating that soil contamination would not pose a risk during the operational phase. They request that in addition to geotechnical characterisation, intrusive investigations should also target any areas of potential historic contamination identified in the Preliminary Risk Assessment. They also request the Applicant to have a Discovery and Inspection Strategy in place for excavation activities during the operational phase.	Ground investigation is secured via the Outline Construction Environmental Management Plan (Outline CEMP) [REP3-092] and will be conducted prior to the construction phase to inform the design and investigate any residual risks to sensitive groundwater resources and other receptors. In addition, the requirement for a Discovery and Inspection Strategy to be prepared prior to the construction phase is also secured via the Outline CEMP [REP3-092]. The applicant can confirm that the scope of any future ground investigation will consider geo-environmental as well as geotechnical considerations and this is stated in Volume 1: Chapter 19 Ground Conditions & Contamination [REP1-027]. Similarly, the applicant can confirm that a Discovery & Inspection Strategy will be included in the Operational Environmental Management Plan.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
3.4.7	Mitigation / Management Plans	The Environment Agency is unclear whether ground investigation to confirm the conceptual model is proposed to be carried out for several parts of the Proposed Development and are concerned significant sources of contamination may not be investigated and assessed ahead of the construction phase. This may not align with Paragraph 189 of the National Planning Policy Framework. The Environment Agency notes that the Applicant states in Section 1.9.2 of Appendix 3-2 Cable Route Construction Method Statement [APP-183] "Should any contaminated spoil be identified during construction, this would be transported off site to a licenced waste facility for treatment", however the statement is not in line with the Discovery and Inspection Strategy. They request the Applicant to demonstrate a proactive approach to identifying and managing potential	The Applicant confirms that a ground investigation will be undertaken considering the anticipated ground conditions and the Conceptual Site Model as understood prior to intrusive investigation. This will include investigation and consideration of groundwater receptors. Ground investigation is secured via Section 3 of Outline CEMP [REP1-096]. This will be undertaken to confirm the conceptual site model used in the assessments outlined in Volume 1: Chapter 19 Ground Conditions & Contamination [REP1-027], investigate previously identified sources and ensure that potential risks to receptors are fully understood and, where necessary, appropriately mitigated. Any contamination not identified through ground investigation will be addressed via a Discovery and Inspection Strategy, to be prepared prior to the construction phase which is	Under discussion Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		sources of contamination, with the use of a Discovery and Inspection Strategy to be employed for unexpected contamination where encountered outside such areas. Discussion of the proposed ground investigation in oCEMP Table 13 has no reference to the Conceptual Site Model. It does not clearly state an intention to target all previously identified potential sources of contamination. Further updates are required. The applicant has not proposed to update Section 1.9.2 of Appendix 3-2 Cable Route Construction Method Statement [APP-183] which is not in line with the Discovery and Inspection Strategy. Keeping this text unchanged may cause confusion and lead to inappropriate actions if contamination is identified in spoil. We note the amendment to the Outline Construction Environmental Management Plan [REP2-019] to	secured via the Outline CEMP [REP1-096]. Further to this, the ground investigation secured via Table 13 in the Outline CEMP [REP1-096] was updated to align with the Conceptual Site Model presented in ES Volume 1, Chapter 19: Ground Conditions [REP1-027] at Deadline 2. The Applicant will also ensure that updated Section 1.9.2 of Appendix 3-2 Cable Route Construction Method Statement [APP-183] is updated REP4-039 at Deadline 4 to align with reference the instruction in the aforementioned documents to ensure consistency across all method statements Discovery and management plans Inspection Strategy. The Applicant has also updated section 1.9.2 of Appendix 3-2 at Deadline 5.	

Reference	Sub-topic	EA Position	Applicants Position	Status
		include reference to the discovery strategy and updates to Table 13 in relation to the proposed ground investigation. Appendix 3-2 Cable Route Construction Method Statement [REP4-040] has been updated to include reference to the discovery strategy.		
3.4.8	Impacts of piling	The Environment Agency is concerned the current piling proposals, to depths extending to a maximum depth of 12m below ground level, increase the risk for the introduction new contaminant migration pathways and/or between hydraulically separate groundwater bodies. ES Volume 1 Chapter 19 Ground Conditions (Rev 3) [REP3-023] has been updated as requested	The BESS and Substation – Preliminary Geotechnical Risk Register [REP1-128] was submitted at Deadline 1 to provide further information relating to possible risks posed by interactions between planned foundations and sensitive groundwater. Please note that the maximum piling depth anticipated to be required for the BESS is now 4m. 12m piles are still being considered for the substation structure. A full Piling Risk Assessment, in line with appropriate guidance on	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			assessing risks from foundation design, is secured via the Outline Construction Environmental Management Plan [REP1-096] and will be supported by ground investigation to be undertaken prior to the construction phase.	
3.4.9	Preliminary Risk Assessments	The Environment Agency states that the Contamination risks have not been adequality assessed and is concerned that there are no Preliminary Risk Assessments (PRAs) for the interconnecting corridors between the main solar panel areas, although these were provided at PEIR stage. The PRA concludes that subsurface migration of contamination within the Secondary A aquifer from the off-site vehicle repair garage lies outside the scope of assessment. It is the EA's position that the migration of contamination subsurface within the Secondary A aquifer should not be considered outside the scope of assessment.	All assessments contained within Volume 1: Chapter 19 Ground Conditions & Contamination [REP1-027] and associated appendices will be reviewed and, where necessary, adjustments will be made to ensure that risks to receptors are appropriately assessed. All relevant areas of the order limits are assessed within the Preliminary Risk Assessments in Volume 3, Appendices 19-1 to 19-8 [APP247 – APP254]. Some rationalisation of study area boundaries was undertaken between PEIR and ES. Again, this will be reviewed to ensure that all relevant information is captured. Where required, a note will be added to	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			appendices 19-1 to 19-8 to clarify where these corridors have been absorbed into the revised study areas. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-042).	
3.4.10	RAF airfield at Hullavington	The Environment Agency notes that Appendix 19-5 Lime Down E Desk Study [APP-251] does not reference the former RAF airfield at Hullavington. Although this lies outside the 250m study area this is situated up topographic gradient from Lime Down E within the Proposed Development site and overlies the same Cornbrash Formation bedrock (Secondary A aquifer) which underlies that part of the site. Although unlikely, it cannot be fully	As RAF Hullavington is outside of the study area for Volume 1: Chapter 19 Ground Conditions & Contamination [REP1-027], it was not considered as part of the Preliminary Risk Assessments. However, given the points raised by the Environment Agency in consultation, RAF Hullavington was added to the assessment presented in ES Volume 3, Appendix 19-5: Lime Down E Desk Study [REP1-073] at Deadline 1.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		discounted that mobile contamination associated with the airfield could be impacting the site. REP-074 6.3 ES Volume 3 Appendix 19-5 Lime Down E Desk Study (Rev 2) has been updated with relevant commentary.	The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-078).	
3.4.11	Commitments Register Ground Conditions and Contamination	The Environment Agency notes that the Applicant states "Where unexpected contamination is encountered, a hydrological risk assessment would be undertaken. If necessary, material would be removed in line with the Discovery and Inspection Strategy", however it is not clear whether this is intended to refer to a hydrological risk assessment (i.e. relating to surface water) or a hydrogeological risk assessment (i.e. relating to groundwater). Removal may not be the best option for management of unexpected contamination.	The applicant notes that this is a spelling error and has amended references to "hydrogeological risk assessment" at Deadline 1. Any contamination not identified through ground investigation will be addressed via a Discovery and Inspection Strategy, to be prepared prior to the construction phase which is secured via the Outline CEMP [REP3-093] and outline Operational Environmental Management Plan [REP3-094]. This will outline appropriate measures to deal with contamination encountered during the	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		The Environment Agency notes that the Applicant states “Ground investigation would be deployed within the Cable Corridor Southwest to identify the presence of any unrecorded mine workings, shafts etc.” The Preliminary Risk Assessments recommend ground investigation in several locations across the Proposed Development area, not just the proposed substations and Southern Cable Corridor. This commitment should be updated to reflect all proposed intrusive site characterisation. EA believe the commitment to the Ground Investigation in the oCEMP is too vague. The oCEMP does not confirm the GI “will be undertaken across the entire extent of the site”.	construction phase. These measures could include removal of impacted material or in situ or ex situ methods of remediation in order to retain material on site. Ground investigation is secured via Section 3 of Outline CEMP [REP1-096] and will be undertaken across the entire extent of the site. Further to this, the Outline CEMP [REP1-096] was updated Deadline 2 to clarify that ground investigation will be undertaken across the full extent of the scheme prior to the start of the construction phase.	
3.4.12	Soil infiltration testing	The Applicant states that the upper geology present on the Proposed Development site is heavily weathered and cohesive. Ground conditions have not been verified through intrusive	The Applicant agrees with the assertion that the geology and the water resource value of the area are important considerations. Pre-construction ground investigation has	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		investigation and updates to the Preliminary Risk Assessments presented as supporting documentation. No infiltration testing has been carried out to date. The majority of the site overlies geological strata designated as Secondary A aquifer. The majority of which has groundwater Source Protection Zone status, either confined or unconfined. In the absence of confirmation from ground investigation on the site, the Applicant should take a precautionary approach regarding the likelihood of the presence of extensive weathered cohesive deposits. Throughout the anticipated extent of construction activities such as piling, foundation construction, trenching and HDD. Pre-construction ground investigation will be secured via the Construction Environmental Management Plan on which we will be consultees. We recommend that a period of	been secured via the Outline Construction Environmental Management Plan [REP1-096] to ensure that ground conditions are understood prior to the start of construction. In addition, the applicant has committed to undertaking Foundation Works Risk Assessment for BESS and substation structures. Where ground investigation indicates that trenching or HDD may interact with the geological strata designated as a Secondary A aquifer, additional risk assessment will be undertaken and if required, appropriate mitigation put in place. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this issue has been updated to: Agree in Principle (subject	

Reference	Sub-topic	EA Position	Applicants Position	Status
		groundwater monitoring, in accordance with relevant British Standard guidance for site investigations, is included as part of the ground investigation.	to changes to the Draft Development Consent Order) (EA-032).	
3.4.13	Walkover surveys	EA believe there is inconsistencies in the walkover surveys carried out. Lack of clarity about what surveys have been carried out, and which areas are covered. Visual and olfactory evidence of contamination and contamination sources may be missed. The Applicant should ensure that it is clear which areas have been subject to walkover survey and on which dates.	Walkovers were undertaken by Delta Simons in 2024 have now been superseded and reference to them will be removed. Therefore, the Applicant can confirm that all walkovers were conducted by Geosyntec on 1 and 2 May, 28 May and 28 July 2025. The applicant has updated ES Volume 3, Appendices 19-1, 19-4 and 19 5 [REP3-069 to REP3-080] to clarify this matter at Deadline 3 of Examination.	Agreed
3.4.14	Maps and data searches	EA believe that maps and data searches in appendices 19-1, 19-2 and 19-5 are not complete or specific to those sites (we previously raised this in our PEIR response). The PRA for Lime Down A (Annex 19-1), Lime Down B (Annex 19-2) and Lime Down E (Annex 19-5) do not clearly differentiate the PRA target Study Area boundary from the overall Study Area. The PRA study	The Applicant acknowledges the change in boundaries and that this impacts the distances stated in Annexes to ES Volume 3, Appendix 19-1 Lime Down A Desk Study [REP1-065], Appendix 19-2 Lime Down B Desk Study [REP1-067] and Appendix 19-5 Lime Down Desk Study [REP1-073] . Distances referenced in the Appendices	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		areas are also not clearly delineated in Table 2 for any of the PRA reports. The appended environmental setting reports state distances to 'offsite' features relative to the defined search polygon for that report. Therefore, applying those reports to a smaller land parcel makes it difficult to establish distances to on/offsite features relative to those land parcels unless they've been manually measured and updated by the Applicant in their PRA report. Any distances quoted in the report cannot be relied upon as they are not given in relation to the LD A and LD B site boundaries. This makes it difficult for us to cross check the conclusions of the report. Clearly identify the limits of each PRA Study Area and ensure that the PRA accurately represents the distances from the Study Area boundary to key features. This issue was discussed at a meeting with the Applicant on 2nd June 2026.	themselves have been updated to reflect the amended boundaries, therefore these can be relied upon in reviewing those documents.	

Reference	Sub-topic	EA Position	Applicants Position	Status
		The Preliminary Risk Assessments have been updated at Deadline 3.		
3.4.15	Discovery and Inspection Strategy	The EA believe the PRA reports do not refer to the proposed Discovery and Inspection Strategy. Contamination may not be appropriately managed. Investigate potentially contaminated areas as identified in the Preliminary Risk Assessments, and follow the Discovery and Inspection Strategy during all phases of the Proposed Development. We felt that specific reference to the discovery and inspection strategy for risks to controlled waters would be valuable in the discussion of the PRAs. We are aware of the proposed discovery and inspection strategy, which is secured in the oCEMP, and will resolve this issue.	The Applicant notes that the Discovery and Inspection Strategy is referenced in both the Preliminary Risk Assessment and Recommendation sections of the desk study PRAs [REP1-065 to REP1-075]. It is also referenced in both ES Volume 1, Chapter 19: Ground Conditions [REP1-027] and in the Outline Construction Environmental Management Plan [REP1-096]. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-041).	Agree

Reference	Sub-topic	EA Position	Applicants Position	Status
3.4.16	Supporting information	EA believe that a supporting information source is needed to prove risks from regulated activities are not likely to be acceptable with respect to the site development Potentially significant sources of contamination may be incorrectly discounted. Provide suitable justification for selecting the distances beyond which off-site contamination sources would not be significant. The applicant has not provided any supporting information, and we consider that hydrogeological risks can extend beyond 250m. However, given other discussions and mitigation addressed elsewhere, we are satisfied that this issue can be resolved.	The Applicant believes that the preliminary risk assessment has sufficiently considered off-site risks. There is no standard distance to which off-site risks should be assessed within the Environmental Impact Assessment process, but 250m is the minimum radius for Source Protection Zone 2 in The Environment Agency's approach to groundwater protection guidance document. In the absence of a defined radius for such assessments, this distance was adopted as a reasonably conservative approach. Migration of contaminants via groundwater pathways is the most likely to be present for off-site sources impacted the proposed scheme. In addition to this, there are no recent pollution incidents associated with these regulated activities. The most recent was from September 2005, approximately 170m to the east of Lime Down A, which resulted in no impacts to water and only minor impacts to soils. In the absence of any evidence of	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			pollution associated with regulated activities, the Applicant feels the assessments made and the study boundaries are appropriately conservative. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-044).	
3.4.17	Use of poly fluoroalkyl substances (PFAS) based materials	There is no clear confirmation that per- and poly fluoroalkyl substances (PFAS) based materials will not be present in above and below ground cabling. Potential for PFAS to be present associated with non-construction material aspects of the Proposed	Should any materials be used in the construction of the scheme that cannot be confirmed to be PFAS-free, this will be considered in both the Discovery & Inspection Strategies (as secured in the Outline CEMP [REP1-096]) applied to those phases and any investigations required during decommissioning, which will be applied according to "Best	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		Development. Resulting in contamination. Address other aspects of the Proposed Development where the use of PFAS compounds may occur. PDA-009 EA-028 response, and REP1-018 6.1 ES Volume 1 Chapter 11 Hydrology, Flood Risk and Drainage (Rev 2), Table 11-1, ID 3.5.11 states PFAS will not be used unless no other option is available.	Available Technique” principles at the time of decommissioning, as per the Outline Decommissioning Strategy [APP-279]. The Applicant notes that in the Environment Agency’s Responses to the ExA’s first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being “Agreed – as per Deadline 2 response” (EA-028).	
3.4.18	Assessment results (groundwater abstractions)	The Environment Agency is concerned that the information on licenced groundwater abstractions relative to the Proposed Development does not match their records and the impacts on groundwater abstractions within potential influencing distance of the site has not been appropriately assessed. They request the Applicant to reassess the presence of, and risks to,	The Applicant notes the Environment Agency's comment regarding licensed groundwater abstractions. The Applicant will undertake a final reconciliation of licensed abstractions within an agreed study buffer of the Order Limits using the most recent Environment Agency abstraction licensing dataset and will provide a proportionate screening of abstractions within potential influence distance. The	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		groundwater abstractions which may be impacted by the proposal. At Deadline 3 The Applicant has confirmed that no additional private water supply information has been obtained. The mitigation measures to protect the identified abstractions are identified in 7.12 Outline Construction Environmental Management Plan (Rev 4) [REP3-092]	Outline Ecological Protection and Mitigation Strategy (Outline EPMS) [REP1-106] was updated at Deadline 1 with this clarification.	

3.5 Other Environmental Matters

Table 3-5: Other Environmental Matters

Reference	Sub-topic	EA Position	Applicants Position	Status
3.5.1	Outline Decommissioning Strategy	The Environment Agency is concerned that the Applicant has given no clear commitment to the production of an outline or detailed Decommissioning Environmental Management Plan in 7.14 Outline Decommissioning Strategy [APP-279] and therefore management of environmental risks during the decommissioning phase may not be sufficient. They request the Applicant to confirm the development of a standalone Decommissioning Environmental Management Plan, or that the outline and detailed Decommissioning Strategies will set out and secure environmental risk management equivalent to those secured during the construction and operational phases in the oCEMP and oOEMP. EA believe APP-279 should still be updated to ensure consistency with oCEMP and oOEMP.	An Outline Decommissioning Strategy [REP1-100] has been prepared which secures the environmental mitigation for the decommissioning stage. The Outline Decommissioning Strategy [REP1-100] will be developed into a Detailed Decommissioning Strategy post consent as secured by Requirement 20 the Draft Development Consent Order [REP1-007]. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-058).	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		We note that we will be a consultee on requirement 20 Decommissioning and restoration; where the detailed strategy will be assessed.		
3.5.2	Outline Site Waste Management Plan	The Environment Agency is concerned that the Outline Site Waste Management Plan [APP-281] does not include that waste will be assessed in accordance with Waste Technical Guidance WM3 which could lead to the potential misclassification/misdisposal of waste. They request the Applicant includes confirmation that an appropriate waste assessment will be carried out in accordance with WM3 before the waste leaves site. Rather than a reference to WM3, EA Believe it would be preferable to see additional detail and assurance that waste generated will be fully assessed and classified in accordance with WM3 technical guidance including sampling where appropriate. A sampling plan should be generated for each set of sampling taking place. The samples	The Outline Site Waste Management Plan [REP1-102] Paragraph 1.2.6 sets out duty of care and the requirement to provide an accurate description of the waste when it is transferred to another person. For clarity a reference to WM3 was added at Deadline 1 to section Outline Site Waste Management Plan [REP1-102].	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		should be analysed at a UKAS accredited laboratory with a waste classification report completed by a suitably qualified person to determine the waste as hazardous or non-hazardous received before the waste leaves site. <u>REP1-103</u> 7.16 Outline Site Waste Management Plan (Rev 2) Paragraph 1.2.6 considered to be acceptable.		
3.5.3	Outline Battery Safety Management Plan (oBSMP) – management of defective end-of-life batteries	Outline protocols for the management of defective end-of-life batteries is provided in Section 4.3.18 and 4.3.19 of the outline Battery Safety Management Plan, which states that such batteries will be “placed in an approved protective container prior to being transported from the defective unit to a dedicated safe location for inspection by an authorised manufacturer’s representative”. The Environment Agency requests the Applicant to provide details of storage and management proposals for damaged, faulty and end-of-life batteries, including management of	As outlined in the Outline Battery Safety Management Plan [REP1-110] “a Battery Safety Management Plan (BSMP) will be implemented throughout the scheme to ensure the safe design, production, use, transportation, storage, and disposal of batteries. This approach will minimise risks associated with batteries while complying with relevant standards”. An Outline BSMP [REP1-110] has been prepared as part of the Application which sets out the mitigation measures to be secured via Requirement 6 (‘Battery Safety	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		associated fire propagation and pollutant spill/leak controls. There is no specific mention of pollutant spill or leak controls. Risks to the environment should also be discussed. We note that the “approved protective container” may provide the necessary controls, but it isn’t explicitly clear. We are not clear who is expected to approve the suitability of any container used. The protocol outlined does not cover leakages or other pollutant release from battery modules or cells. We note the updates made to REP1-111 7.21 Outline Battery Safety Management Plan (Rev 2) 4.3.16 and 4.3.17. This outline methodology appears acceptable. Note that if there is a damaged battery which might be causing harm to the environment then we expect there to be a control which prevents it causing further harm while the risk assessment is undertaken. We note clarification of the wording in	Management’) of the Draft Development Consent Order [REP1-007]. The Outline BSMP [REP1-110] sets out under the ‘End of life/disposal’ heading from Paragraph 4.3.15 to Paragraph 4.3.18. <i>“In the event of a defective battery module or cell being identified, the defective module shall be immediately placed out of service and be electrically disconnected from the system. A specific risk assessment shall be conducted prior to the removal of the defective module to ensure the safety of employees and contractors. Specific protocols for storage and removal will fully align with the supplier’s maintenance, decommissioning, and warranty stipulations.”</i> <i>Once a defective module is safely discharged or removed in accordance with the specific risk assessment, it shall be stored in an approved protective container suitable for the safe storage of BESS battery components prior to being transported from the defective unit to a dedicated</i>	

Reference	Sub-topic	EA Position	Applicants Position	Status
		chapters 3 and 20, and that these will not be updated at this time.	<i>safe location for inspection by an authorised manufacturer's representative.</i> <i>All components replaced during the defects notification and warranty period will be taken back and recycled"</i> The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-037).	
3.5.4	Outline Battery Safety Management Plan (oBSMP) – fire safety	The Environment Agency notes that section 4.1.30 of the oBSEMP [APP-286] states that the battery system and transformers serving the BESS will be automatically electrically isolated upon detection of a fire within the BESS enclosure and requests the Applicant to confirm that manual isolation of these systems will also be available in	The Outline Battery Safety Management Plan [REP1-110] section 4.1.30 stipulates that isolation capability is both "remote and local" NFPA 855 and NFCC guidance specify that E-stop system capability must be automatic and manual. The Applicant confirms that "local" capability allows for manual isolation of systems and is required under NFPA,	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		such a situation should the automatic systems fail for any reason.	UL, and IEC standards for BESS and associated equipment. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-083).	
3.5.5	Outline Battery Safety Management Plan (oBSMP) – Emergency Response Plan	The Environment Agency requests the Applicant to ensure the Emergency Response Plan (ERP) to identify the importance of notifying downstream river/groundwater abstractors should impacts to surface water and/or groundwater occur, to ensure that EA incident response personnel are made aware of this as a priority. All relevant incident response parties should be made aware of the ERP and provided with immediate access to it.	The Applicant agrees and will update Outline Battery Safety Management Plan [REP1-110] to ensure the Emergency Response Plan drafted at detailed design when the BESS system is selected, explicitly includes priority notification and escalation where an incident could affect surface water or groundwater, including notification of the Environment Agency and, where applicable, downstream receptors such as abstractors. The Applicant will also confirm that relevant incident response parties will	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
			be made aware of the ERP and have immediate access to it.	
3.5.6	Commitments Register - Piling Risk Assessment	The Environment Agency request the Applicant to include the application of a Piling Risk Assessment in the Hydrology, Flood Risk and Drainage and Ground Conditions and Contamination section in relation to the foundation designs for the Solar PV Panels as these may introduce new migration pathways for surface and near surface contamination.	The Applicant confirms that a risk-based approach to ground and groundwater protection is embedded within ES Chapter 11 Hydrology, Flood Risk and Drainage [REP1-017], ES Chapter 19 Ground Conditions and Contamination [REP1-027] and secured through the Outline Construction Environmental Management Plan [REP1-096] and Outline Soil Resource Management Plan [APP-550]. In response to the Environment Agency's request, the Applicant confirms that a Piling Risk Assessment will be undertaken where required, in accordance with Environment Agency guidance, where foundation design has the potential to create pollutant migration pathways or interact with groundwater receptors. This will be secured through the detailed CEMP and final construction methodologies.	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
3.5.7	Commitments Register – Spill response plan	The Environment Agency notes that Appendix 3-2 Cable Route Construction Method Statement Section 1.8.2 identifies proposed products to be used as drilling fluids, which the Safety Data Sheets indicate can pose a hazard to the water environment. The commitment should confirm that the risks posed by drilling fluids will be assessed and managed in the trenchless drilling management plans. They request the Applicant to provide a spill response plan in the detailed CEMP to manage spillage containment and cleanup at surface outside the context of fluid breakout during drilling activities. This should also reference the preparation of a Water Features Survey and Hydrogeological Risk Assessment at proposed surface water crossings and beneath Groundwater Dependent Terrestrial Ecosystems, and for Hydrogeological Risk Assessment where HDD or other trenchless methods are anticipated to be in contact with groundwater within Primary or Secondary A aquifers.	The Applicant confirms that these matters are addressed through the existing mitigation framework secured via ES Chapter 11 Hydrology, Flood Risk and Drainage [REP1-017], the Outline Construction Environmental Management Plan [REP1-096] and the Cable Route Construction Method Statement (Appendix 3-2) [REP1-037]. In response to the Environment Agency's request, the Applicant confirms the following: • Trenchless crossing management plans, including HDD method statements, will include assessment and management of drilling fluid risks, including identification of sensitive receptors, control measures, monitoring and contingency procedures. • A site-wide Spill Response Plan will be secured through the detailed CEMP, covering all construction activities and including procedures for storage, handling, containment	Agreed

Reference	Sub-topic	EA Position	Applicants Position	Status
		REP1-115 7.26 Commitments Register (Rev 2) has been amended.	and clean-up of potential spills, not limited to HDD breakout scenarios. Water Features Surveys and Hydrogeological Risk Assessments will be undertaken where required, including at surface water crossings, beneath Groundwater Dependent Terrestrial Ecosystems, and where trenchless techniques may interact with groundwater within Principal or Secondary A aquifers. These measures reflect a proportionate, risk-based approach consistent with Environment Agency guidance and established construction best practice. The Applicant notes that in the Environment Agency's Responses to the ExA's first written questions [REP3-146] Appendix 2 (Environment Agency (EA) position on issues raised in our Relevant Representation/ Written Representation responses following Deadline 2) this matter has been confirmed as being "Agreed – as per Deadline 2 response" (EA-90).	

Reference	Sub-topic	EA Position	Applicants Position	Status
3.5.8	Water Quality Monitoring	We acknowledge updates to section 11.9.2 in Chapter 11 [REP1-017], REP1-096 OCEMP Table 5 , REP1-098 OOEMP Table 5 and REP1-100 ODS Table 5 . Details are sufficient at this point in the project, given we will be a consultee on requirements 13 and 14.	The Applicant notes that this matter has been agreed with the Environment Agency following amendments to the relevant documents.	Agreed