THE DROVES
SOLAR FARM

The Droves Solar Farm

Statement of Common Ground (SoCG) with Environment Agency (Clean)

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1 Introduction

1.1 Overview

1.1.0 This Statement of Common Ground (SoCG) has been prepared as part of the application for a Development Consent Order (DCO) (the DCO Application) for The Droves Solar Farm (the Scheme) made by The Droves Solar Farm Limited (the Applicant) to the Secretary of State for Energy Security and Net Zero (SoS) pursuant to the Planning Act 2008.

1.1.1 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.

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

1.1.3 This document has been updated at Deadline 5 to reflect ongoing discussions. The document references have not been updated from the original submission. Please refer to the **Guide to the Application [APP/1.3.7]** for the list of current versions of documents.

1.2 Parties to this Statement of Common Ground

1.2.0 This SoCG has been prepared by the Applicant and the Environment Agency (EA).

1.2.1 Collectively, the Applicant and EA are referred to as 'the parties.'

1.3 Purpose of this Document

1.3.0 This SoCG is a 'live' document and will be amended as the examination progresses, including as more information becomes available and as a result of ongoing discussions between the Applicant and the EA, in order to enable a final version to be submitted to the ExA.

1.3.1 The SoCG is intended to provide information for the examination process, facilitate a smooth and efficient examination, and manage the amount of material that needs to be submitted.

1.4 Terminology

1.4.0 This SoCG summarises the main topics covered and the status of the matter. The colour coding system used within the table in Section 4 has been outlined below.

Cell	Status
	Agreed – indicates where an issue has been resolved.
	Under Discussion – indicates where points continue to be the subject of ongoing discussions wherever possible to resolve, or refine, the extent of disagreement between the parties.
	Not Agreed – indicates a position where both parties have reached a final position that a matter cannot be agreed between them.

2 The Scheme

2.1 Scheme Description

2.1.0 The Scheme is a Nationally Significant Infrastructure Project (NSIP) for the construction, operation and maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station and associated development comprising a Battery Energy Storage System (BESS), a Customer Substation and Grid Connection Infrastructure, including a new National Grid Substation. The Scheme would allow for the generation and export of over 50 megawatts (MW) Alternating Current (AC) of renewable energy, connecting into the National Electricity Transmission System (NETS) overhead line that passes through the Site.

2.1.1 The **Location Plan [APP-007]** shows the Order limits for the Scheme, which is approximately 840 hectares (ha) of land within Norfolk (the 'Order limits').

3 Record of Engagement

3.1 Summary of Engagement

3.1.0 The parties have been engaged in consultation since December 2024.

3.1.1 A non-statutory consultation took place between 17 September and 1 October 2024. The statutory consultation process took place between 21 May and 9 July 2025.

3.1.2 The Applicant and EA have engaged extensively throughout the pre-application and Environmental Impact Assessment stages of the Scheme. The key engagement has included discussions on protecting groundwater and chalk rivers, BESS firewater, and piling impacts.

3.1.3 Table 3.1 shows a summary of key engagement that has taken place between the Applicant and EA in relation to the Application.

Table 3.1 – Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
05/12/2024	Written responses to EIA Scoping	Key topics discussed: • Drinking Water Protected Areas within the Core Study Area • Methodology for assessing magnitude of water quality impacts (WFD status) • Risks of pollution to the River Nar (including ephemeral / dry valleys)

		• Sensitivity of chalk stream habitats (River Nar SSSI)
		• Sediment control, runoff, and pollution prevention during construction
		• Surface water and contaminated runoff management at BESS and substations
		• Firefighting water containment at BESS
		• Sewage management during construction and operation
		• Surface water abstraction constraints
		Key outcomes:
		• Drinking Water Protected Areas were formally included as sensitive receptors in the Water Resources assessment.
		• WFD status change retained as an indicator of impact magnitude, with clarification that no WFD deterioration would be acceptable.
		• Additional embedded mitigation secured through:
		  ○ **outline Construction Environmental Management Plan (oCEMP) [APP/7.6.1]**
		  ○ Flood Risk Assessment (FRA)
		• Commitment to:
		  ○ Dedicated contaminated water containment tanks with penstocks at BESS and substations

		○ Enhanced sediment and runoff control measures ○ SuDS designed to 1% AEP + 40% climate change • EA concerns were addressed and incorporated into **ES Chapter 12: Water Resources [APP-061]** and **ES Appendix 12.2: Flood Risk Assessment [AS-053]**.
07/07/2025	Written responses to PEIR	Key topics discussed: • Groundwater Source Protection Zones (SPZ 1 and SPZ 2) • Vulnerability of the Chalk Principal Aquifer • Location and design of BESS, Customer Substation and National Grid Substation • Foundation depths and piling impacts on groundwater • Adequacy of groundwater baseline data and monitoring • Firewater and contaminated runoff risks at BESS • Infiltration SuDS acceptability in SPZs • Private water abstractions and potable supplies • Land contamination risks (marl pits, historic land use) • Decommissioning risks (cables left in situ) • Adequacy of impact magnitude and significance matrices

		Key outcomes:
		• Siting of BESS and substations revised to avoid SPZ 1, demonstrated in **ES Chapter 12: Water Resources [APP-061]** figures.
		• Confirmation that Work Nos. 2–4 are outside SPZ1 and sited preferentially where lower permeability deposits exist.
		• **ES Appendix 12.2: Flood Risk Assessment [AS-053]** updated to:
		  ○ Include sealed drainage systems and dedicated contaminated water storage
		  ○ Provide headroom for combined fire and flood events
		  ○ Include 2D direct rainfall modelling and hydraulic reporting
		• Clarification and amendment of:
		  ○ Piling depths (up to 4 m for PV, up to 12 m for BESS/substations)
		  ○ Impact assessment methodology and significance matrices
		• Addition of commitments to:
		  ○ Foundation Works Risk Assessment
		  ○ Breakout fluid containment for HDD
		  ○ Unexpected contamination protocols

		• EA objections were addressed through design changes, strengthened mitigation and DCO-secured requirements, allowing progression of the application.
July 2025	Email request for Environmental Information	The Applicant requested up to date records of licenced groundwater abstraction data. The EA provided records of licenced groundwater abstractions within the WSSA in August 2025.

September 2025	Teams meeting	Key topics discussed:
		
		• To discuss the assessment of groundwater and commitments in the **oCEMP [APP/7.6.1]**
		
		Key outcomes:
		
		• Meeting feedback directly informed revisions to:
		  ○ Water Resources assessment
		  ○ **oCEMP [APP/7.6.1]** commitments
		  ○ FRA design principles

March 2026	Email request from the Applicant for Environmental Information	The Applicant requested the following: • Groundwater monitoring data • Abstraction and licensing records • Geological and Hydrogeological information

		• Additional Monitoring datasets • North East Anglian Chalk (NEAC) Model outputs
23/04/2026	Teams Meeting – Applicant and Environment Agency	Key topics discussed: • NEAC outputs including groundwater levels, flow directions Key outcomes: • NEAC groundwater levels are less conservative than Applicant's groundwater assessment • NEAC Model outputs can be used to inform the assessment of groundwater
May-July 2026	Disapplication email correspondence and meeting (18 06 2026)	Key topics discussed: • Work no.11 is considered by Applicant as area needing a FRAP, and thereby seeking disapplication and protective provisions with DCO. • Environment Agency state works associated with floodplain of Ordinary Watercourse, and thereby don't need a FRAP. • Environment Agency advise that we require upfront detail for disapplication of FRAPs Key outcomes: Environment Agency shared standard wording regarding what's needed for disapplication 07 July 2026.

June 2026	Written Relevant Representation	See EA issues EA01 – EA51 in tables below. Key Outcomes: • Issues are primarily matters of clarity, assurance and detail, with risks considered manageable and capable of resolution through updated ES material and secured DCO controls rather than fundamental objection.
July – August 2026	Statement of Common Ground Correspondence	Correspondence via email to update the SoCG and include additional updates made at Deadline 4.
October 2026	Statement of Common Ground Correspondence	Correspondence via email to update the SoCG and include additional updates made at Deadline 5.

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

4 Matters of Discussion

4.1 Overview

4.1.0 The following tables detail, by topic, the matters agreed, under discussion, or not agreed between the Applicant and the EA at the point of this document being published.

4.1.1 Where discussions are ongoing, the parties will include an indication of the likelihood that disagreement will remain by the end of the examination in accordance with the **Rule 6 letter [PD-006]**.

Table 4.1 – Water, Flood Risk & Drainage

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
1-1	EA01	Source Protection Zone	We are satisfied and consider this issue resolved. We were concerned that 6.3 Environmental Statement Figure 12.5 [APP-119] was unclear in regard to how the draft Order Limits, Battery Energy Storage System (BESS) sites, substation sites and SPZs intersect. 6.3.1 ES Figure 12.5 Source Protection Zones [REP3-046] was updated at deadline 3, improving the clarity. However, we also recommended, for completeness, that the SPZ3 designation should also be added to the figure and represented in the key. Figure 12.5 Source Protection Zones [REP4-023] has now been updated as requested.	**ES Figure 12.5: Source Protection Zone [APP/6.3.1]** was intended to show what infrastructure is located within SPZ 1 and 2; however, to aid the Environment Agency's interpretation, this Figure was updated at Deadline 3. The SPZ3 designation has been added to Figure 12.5 at Deadline 4.	Agreed
1-2	EA02	Drinking Water Protected Area	We are satisfied and consider this issue resolved. We were concerned that Figure 12.12 [APP-126] does not show all of the drinking water	It is noted that **ES Figure 12.12: Drinking Water Protected Area [APP-126]** does not show other drinking water protection designations and this Figure was updated at	Agreed

			protection designations, including the Drinking Water Surface Water Safeguard Zone and Drinking Water Groundwater Safeguard Zone. The reader is therefore unable to see these designations in the context of the draft Order Limits. 6.3.1 ES Figure 12.12 Drinking Water Protection Designations [REP3-042] has been updated sufficiently.	Deadline 3 **ES Figure 12.12: Drinking Water Protection Designations [APP/6.3.1]**.	
1-3	EA03	3D Representation of Groundwater	We are satisfied and consider this issue resolved. We were concerned that 6.3 Environmental Statement Figure 12.7 3D Representation of Groundwater [APP-121] is difficult to interpret, which limits its value. We requested additional views of the modelled area, with a clearer indication of view orientation and contouring of the groundwater surface, if applicable. We have reviewed the following: • 6.3.1 ES Figure 12.7 Triangulated Baseline Groundwater Elevation [REP3-048] • 6.3.1 ES Figure 12.8 Depth to Triangulated Baseline Groundwater Elevation [REP3-049] • 6.3.1 ES Figure 12.9 Depth to NEAC Groundwater Wet Conditions [REP3-050] We are content to resolve this issue.	To aid the Environment Agency's interpretation of **ES Figure 12.7: 3D Representation of Groundwater [APP/6.3.1]**, the following changes were made at Deadline 3. • Addition of orientation labels or description • Elevation shading to show mAOD values for the maximum groundwater elevation surface and foundation extent surface; and • Figures and text refer to groundwater elevation (mAOD) rather than groundwater level to increase clarity between absolute elevation and depth below ground. ES Figure 12.7 shows 6 ranges in the key. All ranges are shown within the Order limits. The minimum range (23.06-25) is the northern most part of the Order limits on Low	Agreed

			Additional advice The baseline groundwater elevations are subdivided into 6 ranges in the key but only 5 categories are visible in the figure - looks like the 45.001-50 category is the one not represented visually.	Road. The maximum range (45.001-50) is found within the south western part of the Order limits, including the A47 junction.	
1-4	EA04	Groundwater Flow Direction	We are satisfied and consider this issue resolved. We were concerned that the groundwater flow direction shown in figures 12.7 to 12.16 may be inaccurate. We advised that the claims made in sections 12.6.37 and 12.6.38 of 6.2 Environmental Statement Chapter 12: Water Resources [APP-061] should be revised, supported by new evidence. Following our review of additional information submitted at deadline 3, we were content for this issue to the resolved, as set out in our follow-on letter dated 25 August 2026 [AS-088]. However, we noted a number of issues with the North-East Anglian Chalk (NEAC) Groundwater Model and recommended the following corrections: • To either change the references to Figure 12.10 to the correct scenario (i.e. Wet to Dry) or add the correct figure if available;	The Applicant maintains that reference to Figure 12.10 has been made as the dry scenario, and was updated at Deadline 4. Reference to the groundwater model used to create the NEAC model has been changed to MODFLOW 5 at Deadline 4. Figure 12.9 shows depth to the NEAC groundwater baseline which has been calculated using the difference between the NEAC groundwater elevations wet scenario and LiDAR, and therefore the title of Figure 12.9 is correct, as it reflects the source of data.	Agreed

			• Change reference to the groundwater model used to create the bespoke NEAC groundwater model (i.e. TUFLOW 5 to MODFLOW 5) • Correct the source for data used in Figure 12.9. We have now reviewed 6.2.3 ES Chapter 12 Water Resources (Tracked) [REP4-022] and confirm that 12.6.43 corrects the reference from TUFLOW 5 to MODFLOW 5. However, updated versions of Figure 12.9 and Figure 12.10 have not been provided for review, so the recommendations relating to these figures remain.		
1-5	EA12	Flood Risk - BESS	We are satisfied and consider this issue resolved. We were concerned that there was insufficient flood mitigation provided for BESS units. In the 8.4 Applicant's Response to Relevant Representations [REP1-067], it is stated that the Flood Risk Assessment (FRA) includes a commitment to produce a drainage design based on the detailed site design, post DCO, based on the 1 in 100 year rainfall event + 40% climate change allowance. If localised flood depths cannot be managed by the drainage strategy, then BESS units will be appropriately raised to	The Scheme has Work Nos. and does not have a detailed design at this stage. A detailed drainage plan will be provided once the detailed design of the Scheme has been progressed and finalised, following the issue of the DCO (if consented), as detailed within Section 12.4 of **ES Appendix 12.2: Flood Risk Assessment [APP-170]**. If localised flood depths cannot be managed via the drainage strategy, **ES Appendix 12.2: Flood Risk Assessment [APP/6.4.3]** was updated at Deadline 2 to confirm that BESS units will be appropriately	Agreed

			300 mm above the modelled flood level. We find this acceptable.	raised to 300 mm above the modelled flood level. It should be noted that the 2D pluvial modelling represents flow pathways and flood depths using baseline topography. Groundworks / enabling works for Work Nos. 2 to 4 are likely to level the area to remove topographical hollows, meaning the baseline flooding scenario is unlikely to be representative of the post-development scenario. As the Scheme does not have a detailed design at this stage, there is a commitment in **ES Appendix 12.2: Flood Risk Assessment [AS-053]** to have a formal drainage system for the BESS and Customer Substation designed to the 1% AEP + 40% climate change allowance, with no flooding of the drainage system built into the design, as per National Standards. As such, the current pluvial ponding would enter the drainage system, rather than flow across or pond on the surface of Work Nos. 2 to 4. The Environment Agency have agreed that this principle is acceptable in their Statement of Common Ground on the Great North Road Solar and Biodiversity Park, where the BESS area was modelled to have pluvial depths greater than for the Scheme (see EA025 of the EA's SoCG for Great North Road).	

1-6	EA14	Private Water Supplies	We are satisfied and consider this issue resolved. The groundwater elevation records which have been provided to date appear to represent groundwater within the underlying Chalk Principal aquifer. The potential for some of the identified abstractions to draw from the Superficial Secondary A aquifers, which are locally present along the River Nar, cannot be discounted. However, we acknowledge that the elements of the Proposed Development which could pose the highest risk to water quality within the Superficial deposits – i.e. the BESS, Substation and trenchless drilling activities – are located away from areas in which Superficial deposits are recorded in BGS mapping. Provided the Applicant ensures that post-consent groundwater investigation, and monitoring, establishes the groundwater hydraulic head and flow direction within the Chalk Principal aquifer within the Order Limits, we concur that dipping of private groundwater abstraction boreholes is not required	As outlined in paragraph 12.6.48 of **ES Chapter 12: Water Resources [APP-061]**, private water supplies in proximity to the Scheme abstract groundwater, as indicated by council records, and as such the levels derived from the triangulated groundwater elevation model is suitable to determine groundwater abstraction depths. As outlined in paragraph 12.8.107 of **ES Chapter 12: Water Resources [APP-061]**, effects on the groundwater resource from the Scheme of which private water supplies draw, as a result of embedded mitigation outlined in the **oCEMP [APP/7.6.1]**, is negligible. As such, it is not necessary to undertake dipping of PWS.	Agreed
1-7	EA16	Abstraction Licence	We are satisfied and consider this issue resolved. We were concerned that the possibility of identified licensed abstraction	Paragraph 12.8.123 of **ES Chapter 12: Water Resources [APP-061]** states that *"Whilst the property is derelict and uninhabited, the licence is still extant and*	Agreed

			(6/33/58/*G/0248) being in use had been ruled out, and this could therefore result in an incorrect assessment of impacts to all receptors. We note the comments in 8.4 Applicant's Response to Relevant Representations [REP1-067]. As post-consent groundwater monitoring will be followed by hydrogeological risk assessment for foundation works, we are therefore consent to resolve this issue. If conditions are found to differ substantially from the interpolated model to the extent effects to this abstraction could occur, these would be required to be duly assessed.	*therefore requires assessment. Triangulation/interpolation of hydrometric monitoring data available on Hydrology Data Explorer, which shows a maximal groundwater level of 25.2m BGL"*. As such, the Applicant considers that abstraction licence 6/33/58/*G/0248 has been assessed appropriately.	
1-8	EA18	Groundwater Levels	We are satisfied and consider this issue resolved. We were concerned that there was a lack of clarity regarding where groundwater levels have been recorded as artesian or sub-artesian. Furthermore it was not readily apparent how the recorded borehole groundwater level, and interpolated groundwater levels reported in Table 12.8 [APP-061] related to ground level. Tables 12.7 and 12.8 in 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] have been updated appropriately and 8.14 Technical Information Note - Groundwater	Tables 12.7 and 12.8 in **ES Chapter 12: Water Resources [APP/6.2.2]** has been updated at a Deadline 2 for depth relative to groundwater within boreholes to include depth to groundwater, ground elevations, and artesian indicators. An Environmental Information Request has been submitted to the Environment Agency to verify whether further groundwater monitoring locations exist within the wider study area to ensure the dataset reflects all reasonably available information. The conceptual model conceptual model was updated at a Deadline 2.	Agreed

			Elevation Methodology [REP2-029] is suitable. We are content that the Applicant's hydrogeological conceptual model is suitable for this stage of the Proposed Development. We acknowledge that a postconsent programme of intrusive ground investigation and monitoring is secured under the 7.6.2 Outline Construction Environmental Management Plan (Tracked).pdf [REP2-023], which will be used to inform subsequent risk assessment and detailed design. The Applicant has confirmed that should recorded groundwater elevations be higher than is anticipated in the conceptual model, this will be accounted for in the subsequent Foundation Works Risk Assessments. This will ensure foundation construction works do not impact groundwater quality	Regarding the statement that the *"presence of multiple springs and standing water bodies within the draft Order limits area suggests that artesian and/or sub-artesian conditions could be encountered during construction works"*, no springs were encountered during either the Hydrology or Ecology walkovers, and this is reflected in **ES Figure 7.2: Habitats and Ecological Features [APP-110]** and **ES Figure 12.1: Ephemeral Ditches [APP-115]**.	
1-9	EA20	Boreholes	We are satisfied and consider this issue resolved. We were concerned that the BSG borehole groundwater depths have been reported inaccurately in section 12.6.50 of [APP-061] and requested that it should be updated to refer to the correct borehole groundwater depths. Section 12.6.60 of 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] has been	It is noted that there are minor discrepancies in recording of borehole groundwater depths within Section 12.6.50 of **ES Chapter 12: Water Resources [APP-061]**. These were checked and updated at Deadline 2 (**ES Chapter 12: Water Resources [APP/6.2.2]**). However, the borehole records were used to verify the groundwater surface developed through groundwater monitoring station data and an update of	Agreed

			amended appropriately to refer to the correct borehole groundwater depths.	these borehole groundwater depths will not change the groundwater elevation surface.	
1-10	EA32	Drainage System	We are satisfied and consider this issue resolved. We were concerned that was unclear how the surface water drainage infrastructure at the BESS, Customer Substation, National Grid Substation and infiltration basin would be managed at decommissioning stage. The 6.4.2 Appendix 12.2 Flood Risk Assessment (Tracked) [REP2-019] has been updated to state that any infrastructure that is to remain in place after the lifetime of the scheme, will retain the drainage features which serve it. Furthermore, it will be the responsibility of National Grid Electricity Transmission (or the equivalent future regulator) to maintain effective drainage measures that remain in situ for the National Grid Substation and the Grid Connection Infrastructure, after the Decommissioning phase of the Scheme.	As detailed within paragraph 12.4.16 of **ES Appendix 12.2: Flood Risk Assessment [AS-053]**, any infrastructure that is to remain in place after the lifetime of the Scheme will retain the drainage features which serve it. The Scheme has Work Nos. and does not have a detailed design at this stage. However, the Applicant notes that Requirement 11 of Schedule 2 of the **draft DCO [APP/3.1.1]** states that "*no part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system for that part have been submitted to and approved by the relevant planning authority*".	Agreed
1-11	Appendix B - Informatives	Water Supply and Demands	Chapter 12 [APP-061] includes a good appraisal of water demands and potential sources of supply and provides reasonable confidence that a water supply can be found practically and sustainably.	The Applicant welcomes the Environment Agency's assessment of **ES Chapter 12: Water Resources [APP-061]**. With regard to the Environment Agency's comment in relation to	

			With regards to HDD drilling Table 12.17 in Chapter 12 [APP-061] states that the maximum total water demand for HDD drilling is given as 25.1 m3 /day. If HDD drilling uses an abstraction as a source of supply this may not be exempt from licensing as the maximum water demand is above the de minimus amount exempting an abstraction from licensing. The Applicant should ensure early engagement with the Environment Agency if there is a likely need for an abstraction licence. The Abstraction Licensing Strategy for North West Norfolk is available here: North West Norfolk Abstraction Licensing Strategy - GOV.UK.	licensing, the Applicant will engage with the EA to discuss the requirement for abstractions, following the granting of the DCO (if consented).	
1-12	Appendix B - Informatives	Abstraction Licence	*With regards to the use of the landowners (existing) abstraction licence* The Applicant should be familiar with the licence intended to be used and understand what changes are required to make it suitable for purposes not already listed on the licence. If as suggested in Section 12.6.54 of Chapter 12 [APP-061], the licence intended to be used is 6/33/58/*G/0248, the Applicant should note the low quantities available on the licence (7000m3 at 24m3/day) respective to the quantities specified in the appraisal of construction water demands. Particularly if this water is continued to be used for the purpose of	The Applicant confirms that it is fully aware of the scope and limitations of abstraction licence *6/33/58/G/0248, including that it is currently authorised for livestock watering only and is restricted to 7,000 m³ per annum (24 m³/day) as confirmed by the 2023 renewal determination. The Applicant understands that use of the licence for construction purposes not currently authorised would require a formal licence variation, including amendment of the authorised purpose and, if necessary, abstraction quantities, to be agreed with the Environment Agency in advance. The Applicant also acknowledges that the licensed volumes are materially lower than	

			Livestock watering stated in the previous 2023 renewal determination.	the peak construction water demands identified in the construction water appraisal and therefore does not rely on this licence as the primary source of construction water, particularly where abstraction for livestock watering continues. Construction water demand will be met through alternative lawful supplies and demand management, with any abstraction remaining strictly within licence limits unless and until an approved variation is secured. On this basis, the Applicant is satisfied that the licensing constraints are fully understood and that there is no risk of unauthorised abstraction or environmental harm.	

Table 4.2 – Design

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
2-1	EA05	Maximum Foundation Extents	We are satisfied and consider this issue resolved. We were concerned that figures 12.13 [APP-127], 12.14 [APP-128], 12.15 [APP-129] and 12.16 [APP-130] do not clearly define the area represented by the drawings, including view orientation, or the elevation values. We have reviewed the following:	Figures 12.13 to 12.16 of **ES Chapter 12: Water Resources [APP-061]** were used to illustrate the maximum groundwater elevation surface across the Core Study Area and identify where proposed foundation depths could theoretically intercept shallow groundwater under worst-case conditions. The figures also demonstrate at a concept level where piling may be required depending on foundation design.	Agreed

			• 6.3.1 ES Figure 12.13 Work No. 2 Maximum Potential Foundations and Groundwater Elevation [REP3-043] • 6.3.1 ES Figure 12.14 Work No. 3 Maximum Potential Foundations and Groundwater Elevation [REP3-044] • 6.3.1 ES Figure 12.15 Work No. 4 Maximum Potential Foundations and Groundwater Elevation [REP3-045] We find the updated figures satisfactory for defining the 3D model view, and elevation the maximum extent of the foundations	The following changes were made at Deadline 3 to aid the EA's interpretation: • Addition of orientation labels or description • Elevation shading to show mAOD values for the maximum groundwater elevation surface and foundation extent surface • Highlight areas where foundations intersect or exceed groundwater elevation surfaces; and • Figures and text refer to groundwater elevation (mAOD) rather than groundwater level to increase clarity between absolute elevation and depth below ground. The Applicant agrees that the conceptual model present is not the final tool for foundation design, but rather to provide a screening-level assessment of groundwater conditions and to identify areas needing piled or shallow~~ed~~ foundations and will be aligned with EA regional groundwater understanding (NEAC model). The **Design Principles, Parameters Commitments [APP/5.8.3]** was updated at Deadline 2 to commit to foundations not directly interacting with groundwater. The Applicant maintains the position that a potential interaction of up to 1 m has been	

				determined for a very small section of Work No. 4 and that Figure A12-1-10 displays this minimal interaction northeast of Work No. 4, should the full Work No. be developed.	
2-2	EA38	Storage of Waste Batteries	We are satisfied and consider this issue resolved. We were concerned that there was an absence of mitigation measures relating to the storage of waste batteries. The 7.14.1 outline Battery Safety Management Plan (Tracked) [REP3-072] was updated to include suitable measures. We note the additional text in paragraph 5.4.5 of the 7.14.2 outline Battery Safety Management Plan (Tracked) [REP4-027] and confirm that the additional text is acceptable.	An **outline Battery Safety Management Plan (oBSMP) [APP-194]** has been prepared as part of the DCO Application which sets out the mitigation measures to be secured via Requirement 6 of the **draft DCO [APP/3.1.1]**. The **oBSMP [APP/7.14.1]** has been updated at Deadline 4 to confirm the management of damaged or end-of-life batteries by the following: End-of-life or damaged BESS units are to be electrically disconnected from the system when identified as being required. When disconnecting damaged or defective units, a specific risk assessment shall be conducted prior to the removal of the defective module to ensure the safety of employees and contractors. Damaged or defective units will be inspected and placed in an approved protective container prior to being transported from Site, to ensure against any risk of contaminants entering ground- or surface water. End-of-life batteries awaiting regular replacement will be stored in situ. This is considered most appropriate due to existing contamination bunding and surface-water runoff protections associated	Agreed

				with the BESS enclosure. Batteries that are removed from the BESS are not stored at the Site; they are returned to the battery manufacturer for repair/ refurbishment. As such a fire watch is not required at the site. Under current UK legislation, end-of-life BESS infrastructure is controlled under The Waste Batteries and Accumulators Regulations 2009. These require battery producers to receive, sort, and suitably handle batteries and deliver to an approved battery treatment operator for treatment and recycling. As such, any potential for contamination will be managed by transport offsite to one of these approved facilities. The **outline Decommissioning Strategy (oDS) [APP/7.10.1]** provides for decommissioned infrastructure to be managed in accordance with the applicable legislation relating to waste and recycling that is in force at that time, and is secured by Requirement 20 of Schedule 2 to the **draft DCO [APP/3.1.1]**. As requested by the Environment Agency in EA40 above, the **oCEMP [APP/7.6.1]** was updated at Deadline 1 to commit to installing 'sentinel' monitoring systems for the drainage system serving Work Nos. 2 – 4 and therefore any leakage from damaged batteries being stored	

				on Site will be detected and not released to the wider hydrological environment.	

Table 4.3 – Impact on existing apparatus / infrastructure

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
3-1	EA06	Avoidance of Pipelines	While we previously advised that we consider this issue resolved, we have reviewed 6.3.1 ES Figure 16.1 Utilities Plan [REP3-051] again and would like to take the opportunity to provide additional advisory comments. We previously raised concerns that figure 16.1 of [APP-131] didn't show the approximate routes of the former Ministry of Defence (MoD) oil pipeline or Exolum pipeline, which traverse the draft Order Limits. Having reviewed the most recent version of the Utilities Plan, we note the close proximity between the former pipeline and the BESS and substations, and PV infrastructure. Deep foundation or ground improvement works, such as piling associated with the construction of the BESS, Customer Substation and National Grid (NG) Substation, could create a pathway for migration of mobile contaminants associated with the redundant pipeline if present. Construction activities in	A figure showing the underground pipelines was produced at Deadline 3, **ES Figure 16.1: Utilities Plan [APP/6.3.1]**. Paragraph 12.7.7 of **ES Chapter 12: Water Resources [APP-061]** states that pipelines will be located using techniques such as CAT scanning or hand digging, therefore limiting the potential to introduce contaminants to groundwater.	Agreed

			the vicinity of the pipeline, such as soil compaction resulting from heavy mobile plant, or as part of ground improvement, could also impact the integrity of the pipeline even if direct contact with the feature does not occur. PV Array construction could result in damage the redundant pipeline, and mobilise contaminants if carried out above or in close proximity to the pipeline. We acknowledge that the outline Construction Environmental Management Plan commits to a Foundation Works Risk Assessment (FWRA), informed by groundwater-level monitoring and ground investigation. Furthermore, a watching brief and other protocols should ensure any need for remediation associated with unexpected contamination is addressed. Therefore, we remain satisfied that this issue can be considered resolved. Please note, there is a contradiction between the oCEMP and Permitted Preliminary Works Environmental Management Plan (PPWEMP) regarding the need for ground investigation which will also need to be addressed. See EA48 below. We have set out below, our expectations for the design and management of		

			contamination risks during the discharge of requirements and implementation phases of the project: When the FWRA is prepared in due course, we expect it to ensure that the foundation design is based on site-specific ground-investigation and monitoring data, including geoenvironmental considerations, and accords with the Environment Agency's Land Contamination Risk Management guidance and BS 10175:2026. The pipelines should be located, and the Applicant should conduct intrusive investigations prior to construction, to establish whether contamination associated with the redundant MoD pipelines is present within the extents of Work Nos. 2, 3 and/or 4. The Applicant should ensure that a sufficient easement is established to avoid the construction of PV panel arrays (Work No. 1) where interaction with the pipelines could occur. The CEMP should clearly determine what construction activities cannot take place within the defined easements. Any ground improvement works proposed within potential influencing distance of the pipelines should be subject to risk assessment. Should contamination posing a potentially significant risk to controlled waters be		

			identified, this should be subject to risk assessment and, as required, remediation to ensure pollution of controlled waters does not occur. This should be secured under the CEMP. Our suggested process is: 1. In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, then no further development (unless otherwise approved in writing by the relevant authorities) shall be carried out within the identifiable perimeters of the area in which the suspected contamination is located. It must be reported as soon as reasonably practicable to the local planning authority, and where necessary, the Environment Agency. The undertaker must complete a risk assessment of the contamination in consultation with the local planning authority, and where necessary, the Environment Agency.		

			2. Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the local planning authority, following consultation with the Environment Agency. 3. Remediation must be carried out in accordance with the approved scheme under sub paragraph (2). Following the implementation of the remediation strategy approved under sub-paragraph (2), a verification report, based on the data collected as part of the remediation strategy and demonstrating the completion of the remediation measures must be produced and supplied to the relevant planning authority and the Environment Agency. We recommend the Applicant engages with the British Pipeline Agency (BPA) for advice on locating the redundant fuel pipelines, and conducting construction activities and developing infrastructure in the vicinity of the		

			pipelines. The Applicant may also wish to refer to National Gas Transmission: Specification for safe working in the vicinity of National Gas Transmission high pressure gas pipelines and associated installations – requirements for third parties (1080_April 24_DM_A5_Safe_Working_Booklet_-_23.04.2024). Although this guidance applies to gas pipelines rather than fuel pipelines, the controls identified in Section 6.1 of the guidance may be of use in developing avoidance and mitigation measures. These include the avoidance of mechanical excavation within 3m of the located asset and the limitation of topsoil stripping to no greater than 0.25m using light tracked vehicles equipped with a toothless bucket.		

Table 4.4 – Planning Policy

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
4-1	EA07	Environmental Legislation	We are satisfied and consider this issue resolved. We were concerned over Omission of Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 in Appendix 7.1: Consultation and	The Applicant notes this comment and confirms that **ES Appendix 7.1: Consultation and Legislation, Planning Policy and Guidance [APP/6.4.1]** was updated at Deadline 1 to include the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and The Water Environment (Water Framework	Agreed

			Legislation, Planning Policy and Guidance [APP-147], Section 7.2. We have reviewed the 6.4.1 ES Appendix 7.1 Consultation and Legislation, Planning Policy and Guidance (Tracked) [REP1-045], and note that the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 have been included.	Directive) (England and Wales) Regulations 2017.	
4-2	EA39	Fire Suppressant Chemicals	We are satisfied and consider this issue resolved. We were concerned that if fire suppressant systems contain polluting or hazardous chemicals, these could potentially impact groundwater quality if discharged to ground. In consideration of the Applicant's efforts to include drainage features for containing fire water, we are content to resolve this issue. Additional advice We recommend that the Applicant includes an assessment of the pollution potential of chemical fire suppressants, when carrying out options appraisal at detailed design stage.	Internal Fire Suppression System details will only be known once this infrastructure is selected. It should be noted that most commercially available Suppression media for BESS are PFAS free. The **oBSMP [APP-194]** will be updated once this information becomes available.	Agreed

Table 4.5 – Ecology and Biodiversity

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
5-1	EA08	Watercourse Buffers	We are satisfied and consider this issue resolved. We were concerned that there were Insufficient buffer zones around watercourses. We have reviewed the 6.2.1 Chapter 7 Ecology and Biodiversity (Tracked) [REP1035] and 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051], and are content with the updating of the buffer size to 10m around watercourses, and 15m for temporary construction compound screening. Further Advice We recommend that table 2 of the outline CEMP is also updated to include the mitigation measures for temporary construction compound screening. .	The Applicant takes note of this inconsistency. Table 7-10 of **ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]** was updated at Deadline 1 to state 10m buffer zones around ditches. The 10 m buffer zones for all above ground development will apply from watercourse or ditch bank tops and this will be stated within **ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]**. Table 5-2 of **ES Chapter 5: The Scheme [APP/6.1.2]** was updated at Deadline 1 to commit to a 10 m buffer of watercourses. It is not anticipated that construction compounds will be located within 15m of a watercourse. The **oCEMP [APP/7.6.1]** has been updated to commit temporary construction compounds within 15m of watercourses could be screened with fencing on sides adjacent to the watercourse, and working lighting could be positioned to avoid light-spill onto sections of the watercourse.	Agreed
5-2	EA09	Otter & Water Vole	We are satisfied and consider this issue resolved.	As clearly set out within **ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]** (see paragraphs 7.8.54, 7.8.55, 7.8.99, 7.8.100, 7.8.157, 7.8.158), the Site does not contain any suitable watercourses or	Agreed

			We were concerned that there were inconsistencies in monitoring requirements for otter and water vole. We acknowledge the note in the 8.4 Applicant's Response to Relevant Representations [REP1-067] which draws attention to the lack of connected drains and watercourses within the Site. We accept that this would reasonably suggest that the species will be absent within the site. We note that table 2 in the 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051] states that a precautionary update may be undertaken prior to the commencement of construction; these would be completed as appropriate to reconfirm the status of protected species identified, to inform mitigation requirements and support protected species license applications. We are therefore content to resolve this issue	connected waterbodies that could support Otter or Water Vole and accordingly, it has been concluded that these species are absent from the Site and adjacent areas and will not be adversely affected. Accordingly, no populations are present that could be subject to monitoring and therefore Table 7-12 of **ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]** remains accurate and appropria te in this regard. Measures set out within the **oCEMP [APP/7.6.1]** in relation to Otter and Water Vole (Table 2) refer to further update surveys that may be required in order to reflect the passage of time and confirm that any such position has not changed prior to commencement of construction activities (in regard to these species representing a precautionary measure outside of any ES requirement, likely to confirm that suitable habitat remains absent) rather than any specific monitoring requirement. Accordingly, Table 7-12 of **ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]** and the **oCEMP [APP/7.6.1]** are entirely consistent and it is not proposed to update Table 7-12 at this stage.	

5-3	EA10	Invasive Non-Native Species	We are satisfied and consider this issue resolved. We were concerned that the Applicant had committed to eradicating invasive non-native species within the site, but had not consistently updated documents. Section 7.8.46 (or 7.9) of 6.2.1 Chapter 7 Ecology and Biodiversity (Tracked) [REP1-035] had not been updated. We have reviewed 6.2.2 ES Chapter 7 Ecology and Biodiversity (Tracked) [REP3-039], and note that section 7.8.46 has been updated to state "Embedded mitigation includes measures to prevent the spread of these species as a result of works at the Site, whilst also seeking to eradicate these species from the Order limits, which would represent a beneficial impact."	The Applicant confirms that reference to management of Invasive Non-native Species within **ES Chapter 7: Ecology and Biodiversity [APP/6.2.2]** was updated at Deadline 3 to confirm that the INNS Management Plan will seek to eradicate the named Invasive species within the site.	Agreed
5-4	EA15	Chalk Rivers	We are satisfied and consider this issue resolved. We were concerned that the sensitivity of the receiving surface waterbody (River Nar) had been underestimated. Table 12.3 of [APP 061] doesn't not recognise that the River Nar and several of its tributary watercourses are defined as Priority Habitat Chalk Rivers. Table 12.3 in 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] has been	The Applicant refers to its response above to EA14 on this matter.	Agreed

			updated to recognise the River Nar and several of its tributary watercourses as Priority Habitat Chalk Rivers, and therefore as high sensitivity.		

Table 4.6 – Waste Management

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
6-1	EA11	Waste Classification	We are satisfied and consider this issue resolved. We were concerned that there was a lack of detail regarding outline measures for Duty of Care to ensure waste is described, and classified, correctly by the waste producer or holder, throughout all phases. The following documents have been updated to refer to the Environment Agency WM3 Technical Guidance: • 7.6.3 outline Construction Environmental Management Plan (Tracked) [REP3-074]; • 7.8.3 outline Operational Environmental Management Plan (Tracked) [REP3-078];	The Applicant notes this comment and confirms that the **outline Construction Environmental Management Plan [APP/7.6.3]**, **outline Operational Environmental Management Plan [APP/7.8.3]**, and **outline Decommissioning Strategy [APP/7.10.2]** was updated at Deadline 3 to make specific reference to WM3, to ensure all waste is appropriately classified before a suitable route for recovery or disposal can be identified.	Agreed

			• 7.10.2 outline Decommissioning Strategy (Tracked) [REP3-068]. This will ensure that there is a Duty of Care to ensure waste is described, and classified, correctly by the waste producer or holder.		

Table 4.7 - Approach to EIA

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
7-1	EA13	Sensitivity Criteria for Receptors	We are satisfied and consider this issue resolved. We were concerned that the sensitivity of receptors in table 12.2 of [APP 061], including Groundwater Dependent Terrestrial Ecosystems (GWDTEs), Sites of Special Scientific Interest (SSSI) and private groundwater abstractions for potable use, had been underestimated. This was because Water Framework Directive (WFD) status hadn't been used to characterise receptor sensitivity. Tables 12.2 and 12.3 in 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011]	The determination of sensitivity criteria for these receptors is well-precedented and has been developed in consultation with regulatory bodies. It should be noted that the sensitivity criteria outlined in **ES Chapter 12: Water Resources [APP-061]** is analogous with those used for the Mallard Pass, Cleve Hill, Byers Gill and Great North Road solar DCOs. As the River Nar and its tributaries are defined as Priority Habitat Chalk Rivers, this waterbody should be identified as a high sensitivity receptor. The reclassification of this receptor was undertaken at Deadline 2. In accordance with Table 12.3 of **ES Chapter 12: Water Resources [APP-061]**, no change	Agreed

			have been updated to include SSSIs and GWDTEs as high sensitivity receptors.	to the output of determined impact significance on watercourses will occur. Sensitivity for SSSI designations was reassessed at Deadline 2. As noted by the EA, the resource being utilised by abstractions has been assigned high sensitivity and therefore private water supplies utilising groundwater, by default, have been assessed accordingly.	
7-2	EA17	WFD Groundwater Bodies	We are satisfied and consider this issue resolved. We were concerned that table 12.6 failed to consider all WFD Groundwater bodies within the Hydrology Study as defined in figure 12.3 of [APP-171]. Table 12.3 in 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] has been updated to include the Cam and Ely Ouse Chalk WFD Groundwater Body. It is described and screened out of further assessment as it lies outside the draft Order Limits area.	It is noted that the Cam and Ely Ouse Chalk WFD Groundwater Body has not been included within the wider study area assessment. For completeness, Table 12.6 of **ES Chapter 12: Water Resources [APP-061]** was updated to ensure reference to the WFD Groundwater body underlying the Site at Deadline 2. **ES Chapter 12: Water Resources [APP/6.2.2]** was updated to include both Groundwater bodies underlying the Site at Deadline 3. However, as noted by the Environment Agency, the outcome of the assessment will not change.	Agreed
7-3	EA19	Accuracy of Hydrogeological Model	We are satisfied and consider this issue resolved.	It is noted that the current conceptual model relies on a limited number of groundwater monitoring locations, situated largely outside the Order limits. It is acknowledged that	Agreed

			We were concerned that the accuracy of the hydrogeological model was unclear. The Applicant has confirmed in the 8.4 Applicant's Response to Relevant Representations [REP1-067] a commitment to installing boreholes within Order Limits to monitor groundwater levels prior to construction. This ensures that construction activities such as Horizontal Directional Drilling (HDD) and foundation works do not occur when groundwater levels are high enough to interact with them. Furthermore it allows the data to be used to refine the hydrogeological conceptual model.	the current model has not yet integrated regional controls including regional interpretation shown in the NEAC groundwater model and potentiometric surfaces shown in the BGS Hydrogeological Map (1976). Following an Environmental Information Request, the conceptual model was updated at Deadline 2. It will integrate outputs from the NEAC groundwater model, particularly for the wet-month scenario to ensure the conceptual understanding aligns with regional flow patterns. It should however be noted that the conceptual model was intended as a screening-level assessment with the purpose of identifying whether shallow groundwater poses a risk to foundations, trenchless installation or local construction processes, and was not intended to represent a definitive or high-resolution groundwater flow model. Paragraph 12.8.23 of **ES Chapter 12: Water Resources [APP-061]** and Table 4.8 of the **oCEMP [APP/7.6.1]** commits to installing boreholes within the Order limits to monitor groundwater levels prior to construction to ensure that construction activities, such as HDD and foundations, do not occur when groundwater levels are high enough to interact with the activity, and the data could be used to refine the hydrogeological model.	

7-4		Embedded Operation Phase Mitigation	The Embedded Operation Phase Mitigation of Chapter 12 [APP-061] does not mention the outline OEMP, outline BSMP or a Drainage Strategy. These are all essential documents that contain mitigation measures which will help protect the water environment, therefore Chapter 12 should be updated to reflect this.	Reference was made in **ES Chapter 12: Water Resources [APP-061]** to the **oOEMP [APP/7.8.1]** and **oBSMP [APP-194]** at Deadline 2. The Scheme has Work Nos. and does not have a detailed design at this stage. A detailed drainage strategy that will serve Work Nos. 2 – 4 will be provided once the detailed design of the Scheme has been progressed and finalised, following the issue of the DCO (if consented), as secured within Section 12.4 of **ES Appendix 12.2: Flood Risk Assessment [AS-053]**.	

Table 4.8 - Construction

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
8-1	EA21	Trenchless Installation Methods	We are satisfied and consider this issue resolved. We were concerned that Section 12.7.7 [APP-061] excludes some key mitigation measures related to the hydrological environment. We requested inclusion of the following measures: • Hydrogeological Impact Assessment (HIA) for all trenchless crossings due to the sensitivity of watercourses and Principal aquifer, including Water Features Survey for all surface water bodies;	The **oCEMP [APP/7.6.3]** and **Design Principles and Parameters [APP/5.8.3]** were updated at Deadline 3 to also to commit to undertaking a Hydrogeological Impact Assessment for all trenchless crossings.	Agreed

			• Development of drilling fluid breakout plans for all trenchless crossings; • Clarify the launch/receptor pit working area distance from watercourses. 7.6.3 outline Construction Environmental Management Plan (Tracked) [REP3-074] has been updated to include Hydrogeological Impact Assessments for all trenchless works.		
8-2	EA22	Shallow Groundwater	We are satisfied and consider this issue resolved. We were concerned that that groundwater levels may be higher than anticipated, rendering the approach set out in section 12.8.23 [APP-061] impossible. The 5.8.1 Design Principles, Parameters and Commitments (Tracked) [REP1-017] states that "An alternative construction methodology to HDD, such as open cut, will be selected if groundwater conditions require it." We are therefore content to resolve this issue	Paragraph 12.8.23 of **ES Chapter 12: Water Resources [APP-061]** states that HDD works would not take place if groundwater levels were within 15m BGL based on pre-construction monitoring boreholes. This measure was intended as a precautionary safeguard until additional site-specific groundwater level data becomes available. An alternative construction methodology will be selected if groundwater conditions require it, and the **Design Principles, Parameters and Commitments [APP/5.8.1]** was updated at Deadline 1 to reflect this. The **oCEMP [APP/7.6.1]** commits to groundwater borehole monitoring within the Order limits and will be decommissioned in accordance with best practice at the time.	Agreed

8-3	EA23	Interaction with Groundwater	We are satisfied and consider this issue resolved. We were concerned that section 12.7.7 of [APP-061] excludes key mitigation measures for trenchless installation methods, which could result in unacceptable impacts to controlled waters. The Applicant has carried out a review of their conceptual hydrogeological model as reported in the updated 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] and 8.14 Technical Information Note - Groundwater Elevation Methodology [REP2029]. Furthermore, they commits to ground investigation, monitoring and the production of Foundation Works Risk Assessments (FWRA) post-consent, which will inform the detailed design. We note that although groundwater rest levels within the maximum anticipated depth of PV Array piling activities have been recorded within the draft Order Limits area, the results of modelling demonstrate that this is not anticipated to affect proposed PV Array areas (such as in Work No. 1).	It is noted that the current conceptual model relies on a limited number of groundwater monitoring location, situated largely outside the Order limits. It is acknowledged that the current model has not yet integrated regional controls including regional interpretation shown in the NEAC groundwater model and potentiometric surfaces shown in the BGS Hydrogeological Map (1976). Following an Environmental Information Request, the conceptual model was updated at a Deadline 2 to reflect the Environment Agency's levels, if more conservative than that of the Applicant. It will integrate outputs from the NEAC groundwater model, particularly for the wet-month scenario to ensure the conceptual understanding aligns with regional flow patterns. An Environmental Information Request has also been submitted to verify whether further groundwater monitoring locations exist within the wider study area to ensure the dataset reflects all reasonably available information. Following an Environmental Information Request, the conceptual model was updated at Deadline 2. The **oCEMP [APP/7.6.1]** commits to groundwater borehole monitoring within the Order limits. This monitoring data will be used to replace or refine interpolated groundwater surfaces presented within **ES Chapter 12:**	Agreed

				Water Resources [APP-061] and used to confirm whether PV arrays or foundation zones may interact with groundwater which will determine whether specific mitigation measures are needed. **ES Chapter 12: Water Resources [APP-061]** was updated at Deadline 2 to confirm that the depth of PV array piles and foundation design for the BESS and substations will be reassessed against the refined highest groundwater elevation dataset and the **Design Principles, Parameters and Commitments [APP/5.8.1]** was updated at Deadline 1 to reflect this. Paragraph 12.8.20 of **ES Chapter 12: Water Resources [APP-061]** commits to pile depth being designed to maximum groundwater elevation. If groundwater proves shallower than currently inferred, mitigation measures will be applied. If artesian pressures are identified locally, works will be designed or sequenced to ensure no groundwater breakthrough or loss of control during pilling.	
8-4	EA24	Foundation Works Risk Assessment	We cannot resolve this issue. We were concerned that the FRA [APP-170] stated that a Foundation Works Risk Assessment would only be required if piling goes deeper than the highest recorded groundwater level. In the 8.4 Applicant's Response to Relevant Representations [REP1-067] it is stated that "the oCEMP [APP/7.6.1] has	The Applicant confirms that the **oCEMP [APP/7.6.3]** was updated at Deadline 3 to explicitly state that the final choice of foundations for Work Nos. 2 to 4 will not indirectly interact with the underlying aquifer	Agreed

			been updated to state that the final choice of foundations for Work Nos. 2 to 4 will not indirectly interact with the underlying aquifer". We have been unable to located this statement within the 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051]. We are satisfied and consider this issue resolved. We were concerned that the FRA [APP-170] stated that a FWRA would only be required if piling goes deeper than the highest recorded groundwater level. The 6.4.2 Appendix 12.2 Flood Risk Assessment (Tracked) [REP2-019] has been amended to state that all piling and foundation methods will be determined via a FWRA. Further advice 6.2.1 Chapter 12 Water Resources (Tracked) [REP2-011] Section 12.8.28 and Water Framework Assessment Table 12-4 both state that "…a Foundation Works Risk Assessment will likely be required to ensure piled foundations do not create additional contaminant pathways and any potential impacts on the underlying aquifers, such as turbidity, are managed." We strongly recommend that Chapter 12 [REP2-011] and 6.4.1 ES Appendix 12.3 Water Framework Directive Assessment		

			(Tracked) [REP2-013] are updated to make it unambiguously clear that a FWRA will be carried out for all piling and foundation works. This would be consistent with the statements in the 7.6.2 Outline Construction Environmental Management Plan (Tracked).pdf [REP2-023] and Flood Risk Assessment [REP2-019]. We expect a FWRA to be carried out for PV piling works, should post-consent ground investigation and monitoring demonstrate that these may interact with groundwater.		
8-5	EA25	Construction Mitigation Measures	We are satisfied and consider this issue resolved. We were concerned about the lack of detail regarding the construction mitigation measures for HDD, BESS and the substation. The 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1051] has been updated to confirm the mitigation measures that will be undertaken. We find this acceptable.	Mitigation measures are secured within Table 7 of the **oCEMP [APP/7.6.1]** and was updated at Deadline 1 to confirm that a Foundation Works Risk Assessment, HIAs and drilling fluid breakout plans will be undertaken for foundations at the Scheme based on groundwater monitoring levels of boreholes to be installed within the Order limits. As outlined within paragraph 12.8.23 of **ES Chapter 12: Water Resources [APP-061]**, groundwater monitoring will occur prior to the commencement of the construction phase to ensure that HDD does not have the potential to interact directly with groundwater.	Agreed

8-6	EA26	Drilling Fluid Breakout Plan	We are satisfied and consider this issue resolved. We were concerned that Tables 6 and 17 [APP-186] stated that no monitoring was required for drilling fluid seepage during borehole operations. The 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1051] has been updated to: • explicitly state that a Drilling Fluid Breakout Plan will be included in the detailed Construction Environmental Management Plan, to be submitted prior to the construction phase (table 7). • state that monitoring activities, a Foundation Works Risk Assessment, HIAs and drilling fluid breakout plans will occur to reduce the risk of breakout during drilling (tables 6 and 18).	Table 7 of the **oCEMP [APP/7.6.1]** states that monitoring activities will occur to reduce the risk of breakout during drilling. The **oCEMP [APP/7.6.1]** was updated at Deadline 1 to explicitly state that a Drilling Fluid Breakout Plan will be included in the detailed Construction Environmental Management Plan to be submitted prior to the construction phase. Tables 6 and 17 of the **oCEMP [APP/7.6.1]** were also updated at Deadline 1 to state that monitoring activities, a Foundation Works Risk Assessment, HIAs and drilling fluid breakout plans will occur to reduce the risk of breakout during drilling.	Agreed
8-7	EA27	Hydrogeological Impact Assessment	We are satisfied and consider this issue resolved. We were concerned that the definition provided in table 6 [APP-186] was vague in regard to the trenchless crossing techniques, and that mitigation measures to avoid impacts to groundwater may not be sufficient.	The Applicant confirms that tables 6, 7, and 17 of the **oCEMP [7.6.3]** were updated at Deadline 3 to include reference to the production of a HIA for trenchless works.	Agreed

			7.6.3 outline Construction Environmental Management Plan (Tracked) [REP3-074] has been updated to include Hydrogeological Impact Assessments for all trenchless works.		
8-8	EA28	Spills and Leaks	We are satisfied and consider this issue resolved. We were concerned that mitigation measures to prevent spills and leaks from construction compounds were not well defined. Spillages of fuel or drilling fluid are not mentioned in the outline CEMP. We requested that the Applicant provides details of mitigation measures, to prevent fugitive emissions from temporary construction and decommissioning compounds from impacting controlled waters. Specifically section 5.4.50 [APP-054] should clarify whether sheltered means fully covered (i.e. no rain access), and if any storage will utilise double-skinned tanks. The Applicant has updated the 8.4 Applicant's Response to Relevant Representations [REP1-067] and 6.1.2 ES Chapter 5 The Scheme (Tracked) [REP1033] to make reference to the above requests.	As outlined in Table 18 of the **oCEMP [APP/7.6.1]**, machinery will be regularly maintained to minimise the potential for fuel or oil leaks and spillages to occur. All maintenance will be conducted over drip trays or suitably absorbent spill pads to minimise the potential for groundwater and surface water pollution. All machinery will be equipped with drip pans to contain minor fuel spillage or equipment leakages. It is also stated that temporary construction compounds will be sited outside Source Protection Zone 1 where possible to reduce likelihood of groundwater contamination further. Paragraph 5.4.36 of **ES Chapter 5: The Scheme [APP/6.1.2]** was updated at Deadline 1 to reference fugitive emissions from temporary Construction Compound(s). Paragraph 5.4.50 will clarify whether sheltered means fully covered (i.e. no rain access), and if any storage will utilise double-skinned tanks. Mitigation measures at Construction Compounds within	Agreed

				the **oCEMP [APP/7.6.1]** has been made reference to.	
8-9	EA40	Spacing of BESS	We are satisfied and consider this issue resolved. We were concerned that there was a risk that firefighting methods may not be able to prevent propagation of fire along rows of BESS containers. The Applicant has stated in 8.4 Applicant's Response to Relevant Representations [REP1-067] that BESS separation distances are defined by the UL9540A Large Scale Burn Test. We are therefore content to resolve this issue.	The BESS separation distances are defined by the UL9540A Large Scale Burn Test, and the BESS original equipment manufacturer will determine from the results the minimum space required to avoid onward propagation via radiated heat / flames. The spacing of the BESS will be in accordance with the guidance provided by the BESS original equipment manufacturer. The spacing is therefore sufficiently protective of groundwater quality.	Agreed
8-10	EA41	Thermal Effects of Buried Cables	We are satisfied and consider this issue resolved. We were concerned regarding the omission of buried cables from potential contaminant sources in the Operational Phase Conceptual Site Hydrogeological Model, and their thermal impacts. Within the 8.16 Applicant's Response to Written Representations and other Deadline 2 Submissions [REP3-078] the Applicant provides sufficient justification for discounting significant thermal impacts from buried HV cables.	The Applicant maintains that the potential for thermal effects on groundwater is low. The Scheme is substantially compliant with the exemptions listed in the EA's *Closed loop ground source heating and cooling systems: exemption conditions* guidance, specifically: • The buried cable system would be a fully sealed system and would not discharge pollutants to the environment during operation. • The Scheme has been designed to avoid surface water or groundwater pollution, as measures to protect the	Agreed

				water environment during construction are secured through the **oCEMP [APP/7.6.3]** and the commitment to a FWRA. • The cable route is not located within 50m of a well. Spring or borehole used for domestic or food production purposes. • **ES Figure 7.1: Ecological Designations [APP-109]** shows the CSA is not located within any protected ecological sites or ancient woodland that could be affected by localised thermal changes. • As outlined in **ES Chapter 12: Water Resources [APP/6.2.2]** designations are approximately 1 km from Work No.s which could have cabling and will therefore not be affected by thermal emissions. • The cable route is not located adjacent to a septic tank, cesspit or associated infiltration system. • Measures to prevent pollution of groundwater during decommissioning are secured through the **outline Decommissioning Strategy [APP/7.10.2]**. It should be noted that the majority of cabling will be installed to a depth of 1.2m to 2m, as outlined in Table 3-1 - Work No 1 of **Design Principles, Parameters and Commitments**	

				[APP/5.8.3] and as such has very limited potential to transfer heat to groundwater. The very western section of the Order Limits is located within Source Protection Zone 1, as shown on Figure 12-5: Source Protection Zones submitted at Deadline 3. Maximum groundwater elevations in this section of the Order Limits are 25-30m below ground level. As such, there is 10-15m headroom between the maximum cable depth for HDD and groundwater, meaning there is negligible potential for heat to be transferred from cables. Where groundwater elevations in the wider Order Limits have the potential to be within 15m of the ground surface, the interaction with HDD / cables is a very small proportion of the North West Norfolk Chalk Water Body which has an approximate area of 36,631.4ha. The considerable size of the overall groundwater body area means that a substantial volume of groundwater will be moving through the body at any given time. As shown on the flow pathway outputs of the Environment Agency's NEAC groundwater model, the chalk aquifer is characterised by continual groundwater movement and significant groundwater storage. Consequently, any localised heat transfer to groundwater would be subject to rapid dilution, dispersal and	

				thermal dissipation within the wider groundwater body. Any temperature increases would therefore be highly localised, temporary and indistinguishable from normal natural temperature variations within the subsurface environment. As such, the effects of dilution and heat dissipation on any localised groundwater that interacts with the buried cables will be substantial and the risks relating to groundwater temperature changes are considered to be very low, especially at the abstraction point (Marham) approximately 6.5km south east of the Scheme. The Applicant, therefore, maintains that the conclusions presented within the **Applicant's Response to Relevant Representations [REP1-067]**, remain robust and that buried cable thermal emissions do not represent a significant environmental effect requiring further assessment or mitigation.	
8-11	EA42	Missing Legislation	We are satisfied and consider this issue resolved. We were concerned that two key pieces of guidance were missing from the list of guidance and legislation, and that outline	The **oCEMP [APP/7.6.3]** was updated at Deadline 3 to include the addition of the EA's approach to groundwater protection and national standards for SuDS to the list of guidance and legislation.	Agreed

			drainage proposals have not been designed in accordance with such. Table 7 of the 7.6.3 outline Construction Environmental Management Plan (Tracked) [REP3-074] confirms that contractors will adhere to the Environment Agency Approach to Groundwater Protection and the National Standards for SuDS. The 5.8.3 Design Principles, Parameters and Commitments (Tracked) [REP3-027] also commits to drainage systems incorporating SuDS design principles.		
8-12	EA43	Use of Concrete	We are satisfied and consider this issue resolved. We were concerned that the 7.6 outline Construction Environmental Management [APP-186] did not contain sufficient mitigation measures to protect water quality from the use of concrete. Table 7 of the 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051] has been updated to: • commit to identifying within the detailed CEMP all areas where concrete works are proposed, whether cast in situ or pre-cast and delivered, • state that should in-situ concrete pouring be required, construction works would be minimised during heavy precipitation events, and	Table 7 of the **oCEMP [APP/7.6.1]** secures mitigation me asures to protect the hydrological environment during the use of concrete. The **oCEMP [APP/7.6.1]** was updated at Deadline 1 to: • Identify all areas where concrete works are proposed • Specify whether any of these will be cast in-situ or pre-cast and delivered; and • For in-situ concrete pours, suggest timing, weather conditions, and runoff control. These construction works should be minimised during heavy precipitation events and carried out during dry months where practicable.	Agreed

			carried out during dry months where practicable. We find this acceptable.		
8-13	EA44	Wheel Washing Facilities	We are satisfied and consider this issue resolved. We were concerned there was a lack of clarity for the containment and disposal of any water from wheel washing facilities. Table 3.7 of the 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051] has been updated to state that water from the wheel wash is to be collected and tankered off site to a licensed waste carrier. We find this acceptable	Table 7 of the **oCEMP [APP/7.6.1]** states that the wheel wash facility will work on a closed cycle, which limits the potential for 8 contained releases of pollutants to the hydrological environment. The **oCEMP [APP/7.6.1]** was updated at Deadline 1 to outline how water from the wheel wash will be disposed of, if dry wheel wash facilities are not used, which is likely to involve a sump and an impermeable lined designated area for such activities. The sump will act to capture sediment. Given the absence of watercourses within Work Nos. 1 to 4, which includes Site entrances, it is highly unlikely that wheel washes will discharge to a watercourse.	Agreed
8-14	EA45	Water Quality Monitoring	We are satisfied and consider this issue resolved. We were concerned that there was insufficient detail provided regarding monitoring for increased sediment in surface water runoff and chemical pollution. We have reviewed the 8.16 Applicant's response to Written Representations and other Deadline 2 Submissions [REP3-087]. We can confirm that the 7.6.3 outline	Regarding monitoring locations, as outlined in ES Chapter 12: Water Resources, the watercourses within Work Area which require construction activities are not hydrologically connected to the wider surface water environment i.e. are blind ditches without outfalls or confluences. As such, the Table 7 Water Resources of the **oCEMP [APP/7.6.3]** commits the Scheme to monitoring at locations on the principal watercourses downstream of the Scheme infrastructure and upstream of other non-natural influences and the locations	Agreed

			Construction Environmental Management Plan (Tracked) [REP3-074] contains appropriate surface water quality monitoring measures.	and parameters will be agreed with the EA prior to establishing the hydrochemical baseline. This is appropriate as the mechanism of hydrological linkage is likely to be throughflow (subsurface) rather than via watercourse transfer. Regarding sampling frequency, Table 7 Water Resources of the **oCEMP [APP/7.6.3]** already commits to monitoring twice per month for at least six months prior to the construction phase and, as such, does not require updating. Table 7 Water Resources of the **oCEMP [APP/7.6.3]** also commits to monitoring six months post-construction, therefore monitoring will occur into operation.	

Table 4.9 - Land contamination

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
9-1	EA29	Unexpected Contamination	We are satisfied and consider this issue resolved. We were concerned that the stated mitigation measures do not include a watching brief for unexpected contamination or a discovery strategy. The 7.6.1 outline	The **oCEMP [APP/7.6.1]**, **oOEMP [APP/7.8.1]**, and **oDS [APP/7.10.1]** were all updated at Deadline 1 to include the provision of a watching brief for unexpected contamination and a Discovery Strategy to be employed where contamination is encountered. During	Agreed

			Construction Environmental Management Plan (Tracked) [REP1051], 7.8.1 outline Operational Environmental Management Plan (Tracked) [REP1055] and 7.10.1 outline Decommissioning Strategy (Tracked) [REP1-059] have all been updated sufficiently to include a watching brief for unexpected contamination or a discovery strategy.	this update, the **oDS [APP/7.10.1]** has had the page numbers updated as presented on page iv.	
9-2	EA30	Contaminated Soils	We are satisfied and consider this issue resolved. We were concerned that the outline Soil Management Plan does not address management of contaminated soils if encountered. We are confident that measures listed under Table 17 in the 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1-051] will ensure that soil management measures will address contaminated soils if encountered.	The Applicant notes and agrees with this comment. This matter will be addressed in the detailed Soil Management Plan that is to be produced before the commencement of the construction phase, as a requirement under the DCO.	Agreed

Table 4.10 – Decommissioning

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status

10-1	EA31	Removal of Buried Cables	We are satisfied and consider this issue resolved. We were concerned that decommissioning proposals did not determine whether buried cabling would be removed, or detail the mitigation measures to minimise their potential to act as a contamination source if retained. Table 7 of the 7.10.2 outline Decommissioning Strategy (Tracked) [REP3-068], commits to an environmental risk assessment and Best Practicable Environmental Option to inform decisions on cables left in situ. We are therefore content to resolve this issue.	The commitment to an environmental risk assessment and Best Practicable Environmental Option to inform decisions on cables left in situ is already included within Table 7 of the **outline Decommissioning Strategy [REP3-068]** at Deadline 3**.**	Agreed

Table 4.11 - BESS / Fire Safety

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
11-1	EA33	BESS Mitigation Measures	We are satisfied and consider this issue resolved. We were concerned that the outline Construction Environmental Management Plan (CEMP) [APP-186] did not clearly state that the BESS units would only be installed once the mitigation measures are in place.	The Applicant notes this comment and updated the **oCEMP [APP/7.6.3]** at Deadline 3 to state that the minimum components of the site fire safety systems will be identified in the CEMP and that these components must be in place and confirmed as operational before installation of the BESS, including drainage infrastructure (including a	Agreed

			The 7.6.3 outline Construction Environmental Management Plan (Tracked) [REP3-074] has been updated to state that fire risk mitigation measures will be in place, and confirmed as operational before BESS installation takes place.	penstock), firefighting water supply, and access roads to ensure these measures are secured.	
11-2	EA34	Penstock Valve	We are satisfied and consider this issue resolved. We were concerned that it was unclear within the 6.2 Environmental Statement Chapter 12: Water Resources [APP-061], 6.4 Environmental Statement Appendix 12.2: Flood Risk Assessment [APP-170] and the 7.14 outline Battery Safety Management Plan [APP-194] whether the automated penstock valve at the BESS, Customer Substation and National Grid Substation Sustainable Drainage Systems (SuDS)/contaminated water tank would have a backup manual operation. The 7.14.1 outline Battery Safety Management Plan (Tracked) [REP3-072] has been updated to state that if the automated penstock system fails, there will be an option to manually close the penstock valve, as well as a programme of regular inspection and maintenance.	The **oBSMP [APP/7.14.1]** was updated at Deadline 3 to state that in the event that the penstock automated system fails, there will be an option to manually close the penstock valve and that the valve will be subject to a programme of regular inspection and maintenance.	Agreed
11-3	EA35	Removal of Captured	We are satisfied and consider this issue resolved.	The Applicant commits to locating BESS infrastructure at least 300 mm above the modelled design flood level where required,	Agreed

		Firefighting Water	We were concerned that there were insufficient arrangements to ensure that the removal of captured firefighting water would not pose a risk of environmental pollution. The 6.4.2 Appendix 12.2 Flood Risk Assessment (Tracked) [REP2-019] has been amended to refer to the same arrangements for the removal of captured fire water as mentioned in the 7.8.1 outline Operational Environmental Management Plan (Tracked) [REP1-055] (and [REP2-025]). We are therefore content to resolve this issue.	which is secured within **Design Principles, Parameters and Commitments [APP/5.8.3]**. **ES Appendix 12.2: Flood Risk Assessment [APP/6.4.2]** was updated at Deadline 2 to explicitly address BESS fire scenario s under flood conditions, including the behaviour of contaminated firewater, interaction with floodwater and confirmation that containment and isolation systems remain effective during such events. These measures are secured through the updated **ES Appendix 12.2: Flood Risk Assessment [APP/6.4.3]** and the relevant DCO Requirement and that captured fire suppressant will be tankered offsite to a licenced facility, rather than be tested and released to the wider hydrological environment. This approach is consistent with that of the Great North Road Solar and Biodiversity Park DCO.	
11-4	EA36	Underground Contaminated Water Tanks	We cannot resolve this issue. We were concerned that spent firefighting water was proposed to be contained within a dedicated underground contaminated water tank(s). This may result in the underground storage of hazardous substances within a Principal aquifer within Source Protection Zone 2, which may not be compliant with Position Statement D2 of	**ES Appendix 12.2: Flood Risk Assessment [APP/6.4.5]** has been updated at Deadline 5 to confirm that, should there be space following the detailed design of the Scheme, then aboveground, impermeably lined detention basins will be favoured over belowground structures.	Low

			The Environment Agency's approach to groundwater protection. Paragraph 12.4.16 of 6.4.4 ES Appendix 12.2 Flood Risk Assessment (Tracked) [REP4-025] has been updated. The additional text confirms that "should there be space following the detailed design of the Scheme, then above ground, impermeably-lined detention basins will be favoured over below ground structures to contain spent fire suppressant." This text has also been added into Table 7 and Table 16 of 7.6.4 outline Construction Environmental Management Plan (Tracked) [REP4-031]. We are concerned that if the siting of the detention basin is established following the completion of the detailed design, it is unlikely that a suitable site for an above-ground basin would be identified. The Applicant should commit to carrying out an options appraisal as part of detailed design. We recommend securing an options appraisal via a commitment within the outline Construction Environmental Management Plan, or as part of the Drainage Strategy (6.4.4 ES Appendix 12.2 Flood Risk Assessment). Please note that if the options appraisal indicates that above-ground storage is not the preferred option, the appraisal should contain sufficient	A commitment has been made within the **oCEMP [APP/7.6.5]** and **ES Appendix 12.2: Flood Risk Assessment [APP/6.4.5]** to carrying out an Options Appraisal as part of the detailed drainage design. If the Options Appraisal indicates that above-ground storage is not the preferred option, the appraisal will contain sufficient justification for this option not being progressed. Additionally, there will be a commitment that the containment area will be fully cleaned prior to any shut-off valves being re-opened.	

			justification for this option not being progressed. We note that paragraph 12.4.22 of 6.4.4 ES Appendix 12.2 Flood Risk Assessment (Tracked) [REP4-025] has been updated to state that "The containment area will be fully cleaned prior to any shut-off valves being re-opened." Similar commitments have also been included within the 7.8.4 outline Operational Environmental Management Plan (Tracked) [REP4-033] in paragraph 1.1.7, Table 3-7 and Table 4-7. We approve of this additional wording.		
11-5	EA37	Spills and Leaks – BESS and Substation Drainage Systems	We are satisfied and consider this issue resolved. We were concerned that there was an absence of measures to identify and manage the risk of pollution during normal operation of the BESS and Substation sites, when surface water runoff would directly infiltrate into groundwater and surface waterbodies. The 7.6.1 outline Construction Environmental Management Plan (Tracked) [REP1051] was updated at deadline 1 to confirm that drainage system outfalls, such as installing 'sentinel' monitoring systems, will quickly identify if pollutants are found to	The Applicant confirms that the FRA **ES Appendix 12.2: Flood Risk Assessment [APP/6.4.2]** was updated at Deadline 2 to confirm that drainage system outfalls, such as installing 'sentinel' monitoring systems, will quickly identify if pollutants are found to be entering the drainage system and enable remedial action.	Agreed

			be entering the drainage system and enable remedial action. The 6.4.2 Appendix 12.2 Flood Risk Assessment (Tracked) [REP2-019] has been updated at deadline 2 in alignment with the same measures.		

Table 4.12 - Draft DCO

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
12-1		EA Response Provision	As a named consultee on the discharge of several Requirements, we request that the provision of at least 15 working days (21 calendar days) to respond to the discharge authority is reflected in the draft Development Consent Order (APP-018). Specifically, this should be addressed within Schedule 16 procedure for discharge of requirement, Further information and consultation, 3.(3). Ensuring this timeframe will give us sufficient opportunity to thoroughly review any discharge of requirement applications and provide considered feedback. Furthermore, this is in-keeping with the statutory 21-day response time for town and country planning applications.	The Applicant notes that the wording and timeframes proposed in paragraph 3(3) of Schedule 14 of the **Draft DCO [APP/3.1.3]** are precedented in the Longfield Solar Farm Order 2023 and the Tillbridge Solar Order 2025, and therefore the Applicant does not propose to depart from this precedent by amending the wording as proposed. The Applicant refers to the **Applicant's Response to the Examining Authority's Schedule of Changes to the draft DCO [APP/8.30]** for its full position on this matter.	Medium

			Therefore, we would request that the wording for 3.(3) is amended to: "If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant planning authority must notify the requirement consultee within 10 working days of the receipt of the application that an application has been received. Thereafter the requirement consultee has 15 working days from the receipt of the notification in which to submit any representations relating to the application to the relevant planning authority. The relevant planning authority must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary of that is has been requested by the requirement consultee within 10 working days of the receipt of such a request from the requirement consultee and or in any event within 25 working days of the receipt of the application (or such other period as is agreed in writing between the undertaker and the relevant planning authority)"		
12-2	EA46	Environment Agency Protective Provisions	We are satisfied and consider this issue resolved, provided the Examining Authority's (ExA) proposed changes in Schedule of Changes to draft Development Consent Order (see here) are included in the Applicant's draft Development Consent Order (dDCO).	The Applicant has been in discussions with the Environment Agency in relation to this matter. It is the Applicant's position that, whilst the majority of the Order Limits are located within Flood Zone 1, there is a minor section of Work No. 11: Mitigation	Medium

			We re-iterate the position raised in our previous response letters: we do not give permission for the inclusion of protective provisions for the Environment Agency. Section 150 of the Planning Act 2008 states that for certain types of consents, the relevant body must give permission for the legislation to be included in the DCO. We support the ExA's proposed changes relating to Article 6(1)(e) to (g) and Part 15 – Protected Provisions, Part 5 – For the protection of the Environment Agency, and agree with their reasoning for these changes. Once the dDCO has been updated in accordance with these changes, we can agree this issue.	and Enhancement Area, associated with Skylark plots, which is located in Flood Zones 2 and 3. As such, activities could be carried out on the floodplain of a main river, more than 8 metres from the river bank, such as stockpiling in this area. Therefore, in accordance with the Government's guidance entitled 'Flood risk activities: environmental permits', such activities could require a FRAP. The inclusion of disapplication therefore serves as a contingency to avoid unnecessary consenting duplication, rather than reflecting a substantive need for FRAP consent across the Scheme. In accordance with this approach, the Applicant updated the protective provisions for the benefit of the Environment Agency in Part 5 of Schedule 15 of the Draft DCO at Deadline 1 to mirror the Environment Agency's preferred wording. The Applicant refers to the **Applicant's Response to the Examining Authority's Schedule of Changes to the draft DCO [APP/8.30]** for its full position on this matter.	
12-3	EA47	Requirement Wording	We cannot resolve this issue. We were concerned over the use of the word "substantially" on numerous requirements in the 3.1 draft Development Consent Order [APP-018], as its inclusion would render	The Applicant does not have anything further to add to its response contained in the **Applicant's Response to Relevant Representations [REP1-067]** on this matter. The Applicant does not agree with the assertion that the word "substantially"	High

			those requirements imprecise and unenforceable. This is against government policy (National Planning Policy Framework (NPPF) and the six tests cited in Paragraph 57 of the NPPF. We have reviewed the 8.16 Applicant's response to Written Representations and other Deadline 2 Submissions [REP3-087], and do not agree with the Applicant's response.	results in a requirement being unenforceable and imprecise, nor is this wording against Government policy. This phrasing, for detailed management plans to be substantially in accordance with outline management plans, is extremely well-precedented across made DCOs (i.e. statutory instruments) from all industries, including all made solar DCOs. The Applicant, therefore, does not propose to depart from standard practice in this regard.	
12-4	EA48	Permitted Preliminary Works	We cannot resolve this issue. We were concerned that the definition of "permitted preliminary works" includes *'(d) remedial work in respect of any contamination or other adverse ground conditions'*, while the definition of "commence" excludes activities defined as "permitted preliminary works", i.e. it does not include 'remedial work in respect of any contamination or adverse ground conditions. Therefore, the CEMP secured via Requirement 13, only requires submission of a detailed CEMP prior to commencement. This means that remediation of the site could take place without the CEMP being approved or in place, and therefore without the controls and mitigation commitments offered by the CEMP.	The Applicant has submitted a permitted preliminary works environmental management plan at Deadline 4. This sets out the methodology to be used for any permitted preliminary works, and the Applicant welcomes comments from Interested Parties on this plan. In anticipation of this plan, the Applicant updated Requirement 13 in Schedule 2 of the **Draft DCO [APP/3.1.3]** at Deadline 2 to require that the permitted preliminary works are carried out in accordance with the permitted preliminary works environmental management plan. The Applicant will consider the comments provided by the EA on this document and will respond in full at Deadline 6.	Medium

			13.(1) in the Schedule 2 Requirements of the 3.1.4 draft Development Consent Order (Tracked) [REP4-004] states the permitted preliminary works must be carried out in accordance with the permitted preliminary works environmental management plan. However, it should state that these works may not proceed until the Permitted Preliminary Works Environmental Management Plan (PPWEMP) has been submitted to and approved by the Local Planning Authority in consultation with the Environment Agency. This is because we have not yet agreed the contents of the PPWEMP. This wording would not be needed if the Applicant addresses our concerns stated below regarding the 8.25 Permitted Preliminary Works Environmental Management Plan [REP4-038]. Having reviewed 8.25 Permitted Preliminary Works Environmental Management Plan [REP4-038], we have the following comments: <u>Water Quality Monitoring</u> We are concerned about how the PPWEMP will be secured. Section 2.5.1 references the 7.6.4 outline Construction Environmental Management Plan (Tracked) [REP4-031] (oCEMP). However, given that section 1.1.5 states that the PPWEMP is a detailed plan, and that no approval		

			mechanism is necessary under the Requirements, it is not clear how we can provide comments. This is relevant because the oCEMP currently contains more details about surface water monitoring, with specific locations and parameters still to be agreed with the Environment Agency post-decision. If the PPWEMP will collect the baseline water quality monitoring, then further information and consultation on this will be required. Additionally, the timing of any pre-construction activity baseline water quality monitoring is unclear. Many of the activities listed in 2.1.2 will have a likelihood of disturbing sediment and changing surface runoff. Therefore, it is important that establishing an accurate and reliable baseline is completed prior to having plant onsite and moving soil. We recommend that a baseline is completed as part of the pre-Commencement Surveys (mentioned in section 2.4.1) before any PPW begins. <u>Remediation of contamination</u> With regard to remediation, Table 2-1 Preliminary Works and Locations within the PPWEMP states that no specific need for remediation has been identified at this time, and that mitigation needs are outlined in the oCEMP. However, it is not confirmed that mitigation measures outlined in the oCEMP		

			will be incorporated into the PPWEMP. Remediation is explicitly listed as a Permitted Preliminary Works activity, however there is no mechanism to secure that it would be undertaken in the construction phase and subject to mitigation secured under the CEMP. It cannot be ruled out that potential sources of contamination requiring remediation will be encountered during elements of the permitted preliminary works such as ground investigation, archaeological surveys and site clearance. In particular, there is potential for localised contamination associated with the disused former MoD pipeline as shown in 6.3.1 ES Figure 16.1 Utilities Plan [REP3-051]. This combined with the high sensitivity of the underlying strata (Principal aquifer / Groundwater Source Protection Zone 2), requires robust groundwater mitigation measures. The PPWEMP currently lacks any defined mitigation for ground conditions, and there is no commitment to the avoidance or investigation of this feature within the Plan. A discovery and inspection strategy should be put in place which details the requirements and procedures for encountering and managing land and / or groundwater contamination, should they be encountered during the Permitted		

			Preliminary Works. While a discovery strategy is already included in the commitments under the oCEMP (in table 17), this would not apply to the Permitted Preliminary works, which could take place before the construction phase; the PPWEMP does not mention this or any equivalent mechanisms. The controls currently outlined for management of risks to controlled waters from the pre-construction activities, defined in Section 2 of the PPWEMP, are not sufficient to manage the risks which may be associated with all Permitted Preliminary Works activities. Training should be provided to site personnel on: • The sensitivity of the groundwater and surface water environment within the Proposed Development, and the procedures to follow in the event of an accidental pollution event; • The potential for contamination to be encountered, and the procedures to follow in the event it is encountered, should be employed for all personnel carrying out activities which may encounter soil and/or groundwater contamination.		

			Groundwater Monitoring According to Part 1 2(1) of the draft Development Consent Order and Section 2.1.2, 'Permitted Preliminary Works' activities include: • environmental surveys, geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions; • site clearance (including vegetation removal, demolition of existing buildings and structures). We note that intrusive ground investigation and groundwater monitoring are not explicitly included in the list of Permitted Preliminary Activities, despite statements in Table 7 of the oCEMP that groundwater monitoring will be undertaken. This was requested in EA19 of our Relevant Representations [AS-062] and the following response was provided by the Applicant in Applicant's Response to Relevant Representations [REP1-067]: *"Paragraph 12.8.23 of ES Chapter 12: Water Resources [APP-061] and Table 4.8 of the oCEMP [APP/7.6.1] commits to installing boreholes within the Order limits to monitor groundwater levels prior to construction to ensure that construction activities, such as HDD and foundations, do not occur when*		

			groundwater levels are high enough to interact with the activity, and the data could be used to refine the hydrogeological model." Paragraph 12.8.23 of 6.2.3 ES Chapter 12 Water Resources (Tracked) [REP4-022] also states *"Should HDD techniques be required in Fields 25 to 27, 29 and 30 then these works would be undertaken when groundwater levels elevations are not within 15m of ground level, and this would be informed by monitoring boreholes to be installed within these fields prior to the construction phase."* Details are also provided in paragraph 12.8.25 regarding foundation design at Work No. 2, 3 and 4. The above demonstrates that intrusive ground investigations within the Order Limits will take place post-consent and prior to construction, to inform detailed design of the Proposed Development. As such, these form part of the Permitted Preliminary Works activities, and should be clearly identified as such, along with details of mitigation of associated environmental risks, including the potential for localised contamination associated with the disused former MoD pipeline. Responding to environmental incidents		

			Section 2.12 Responding to Environmental Incidents and Emergencies of the PPWEMP confirms that the Emergency Response Plan will be shared with relevant Local Authority emergency planning officer, emergency services and the Environment Agency in relation to flood warnings and events, detailing procedures for responding to incidents and emergencies onsite and any reporting. While this is acceptable, the Emergency Response Plan should address pollution incidents in addition to flooding. <u>Managing Risks to Water Resources</u> Table 3-4 Water Resources within the PPWEMP outlines proposals for managing risks to water resources. There appears to be inconsistency with the mitigation measures proposed in table 3-4 and those within the 7.6.4 outline Construction Environmental Management Plan (Tracked) [REP4-031]. We have the following comments on the contents of table 3-4: • Increased sediment in surface water runoff: • In this section of the table, we advise that the Local Authority and Environment Agency should also be consulted on the Pollution Prevention Plan for		

			agreement prior to the commencement of PPW. • It is unclear how drainage will be managed during the PPW. Unlike in the oCEMP, there is no reference to the inclusion of silt Traps, silt Matting, swales, drainage ditches, settlement lagoons or check dams. Further detail is required in this section on how surface water will be managed during the PPW. • Chemical Pollution: ○ This section of table 3-4 states that appointed refuelling personnel trained in correct refuelling procedure and spill response procedure. This should also include reporting. The Environment Agency should be immediately informed in the event of a suspected pollution incident. ○ The table does not include mitigation measures for chemical storage or accidental spillage. The		

				Applicant should include this to be consistent with the oCEMP or confirm that there will be no fuel, oil, chemicals or other hazardous substances onsite during PPW. ▪ Fuel, oil and chemical storage should be conducted in accordance with relevant legislation and guidance including The Control of Substances Hazardous to Health Regulations 2002 and Control of Pollution (Oil Storage) (England) Regulations 2001. The Applicant should commit to the use of biodegradable hydraulic oils where practicable. ▪ There are no mitigation measures regarding concrete in		

			the table. The Applicant should either confirm there will be no concrete laying in PPW, or if there will be, ensure that measures are consistent with the oCEMP. • Foul drainage: ○ the Applicant should confirm that the portable toilet facilities will be sealed to prevent any discharge into the water environment, and emptied regularly. The Guidance section of Table 3-4 correctly identifies that contractors will act in accordance with Environment Agency guidance 'Approach to GW Protection' and 'National Standards for Sustainable Drainage Systems' guidance. Other key guidance should also be listed and followed, including but not limited to: • Control of Pollution Act 1974 • BS6031:2009 Code of Practice for Earthworks		

			• BS10175:2016 Investigation of Potentially Contaminated Sites – Code of Practice. • Control of water pollution from construction sites. Guidance for consultants and contractors (C532). CIRIA, 2001 • Pollution Prevention for Businesses. Defra, 2016 • Land Contamination Risk Management. Environment Agency, 2020 • Environmental Good Practice on Site Guide C811. CIRIA, 2023 • Guidance for Safe Intrusive Activities on Contaminated or Potentially Contaminated Land. British Drilling Association, 2020 • Control of Pollution (Oil Storage) (England) Regulations 2001 • Oil Storage Regulations for Businesses. Environment Agency and Defra, 2015 • Considerate Constructors Scheme. The code of considerate practice (CCS)		

			We also consider that if the PPWEMP is a detailed plan, it should contain more information and commitments in line with the oCEMP. We consider that the following matters should also be included within table 3-4: • Measures to mitigate impacts to water quality from drilling lubricants, drilling mud/flush water, and arisings associated with intrusive investigations and any necessary site remediation should be incorporated into the PPWEMP and Pollution Prevention Plan. Where practicable, drilling lubricants should be biodegradable and minimal quantities should be used. • No mitigation is identified in the event that groundwater is encountered during the Permitted Preliminary Works, for example during intrusive investigations and remedial activities or other intrusive works, such as archaeological trial trenching. The PPWEWP should address dewatering considerations, including the process should dewatering exceed the exemption thresholds to comply with the Water		

			Resources Act 1991 and Environmental Permitting Regulations 2016. • Mitigation measures for washing down of vehicles and equipment should be established to prevent these activities from passing untreated wash down effluent into watercourses or being discharged to ground. While section 2.9.2 of the PPWEMP states "wheel cleaning facilities will be used by vehicles", it is unclear how this will be contained and prevented from discharging. Furthermore, there is no mention of wheel washing in Table 3-4. The Applicant must add in the details already committed to in 7.6.4 outline Construction Environmental Management Plan (Tracked) [REP4-031] on wheel washing. • Despite stating in 2.5.1 of the PPWEMP that water quality monitoring will be undertaken, no information about this is provided in Table 3-4. It currently states "Temporary drainage will be monitored throughout any PPW."		

			However, the monitoring methods, locations, frequency and parameters are unknown. This should be made more consistent with the 'Surface Water Monitoring' section of Table 7 in the oCEMP. Table 3-4 in the PPWEMP also does not secure that "Temporary Construction Compounds will be sited outside Source Protection Zone 1, where possible" which is included in the oCEMP.		
12-5	EA49	Requirement 13 – Construction Environmental Management Plan	We are satisfied and consider this issue resolved. We were concerned that we were not listed to be consulted on the 13. Construction environmental management plan. We have reviewed the 3.1.1 draft Development Consent Order (Tracked) [REP1005], and can confirm we have been listed to be consulted on the requirement.	The Applicant agrees with the Environment Agency's request and has updated the **draft DCO [APP/3.1.1]** to reflect this.	Agreed
12-6	EA50	Requirement 14 – Operational Environmental Management Plan	We are satisfied and consider this issue resolved. We were concerned that we were not listed to be consulted on the 14. Operational environmental management plan. We have reviewed the 3.1.1 draft Development Consent Order (Tracked) [REP1-005], and	The Applicant agrees with the Environment Agency's request and has updated the **draft DCO [APP/3.1.1]** to reflect this.	Agreed

			can confirm we have been listed to be consulted on the requirement.		
12-7	EA51	Dedicated Contaminated Water Tanks	We are satisfied and consider this issue resolved. We were concerned that the commitment "to include dedicated contaminated water tank(s) in a closed system for the BESS and substations sized to accommodate 228m3 plus the 1% AEP event. This is secured through a requirement of the draft DCO" wasn't specifically mentioned in the draft DCO. The Applicant has now updated the 5.8.1 Design Principles, Parameters and Commitments (Tracked) [REP1-017] and 7.8.1 outline Operational Environmental Management Plan (Tracked) [REP1-055] to refer to the capacity of the contaminated water tanks.	**ES Appendix 12.2: Flood Risk Assessment [AS-053]** states as follows: "*12.4.38 Based on recommendations in NFPA 855 Standard for the Installation of Stationary Energy Storage Systems and NFCC – Grid Scale Battery Energy Storage System planning – Guidance for FRS, a burn time of 2 hours and a requirement of 1,900l/min of fire suppression water has been used to calculate the volume of fire suppressant water required to be stored onsite in the event of a container fire.* *12.4.39 This equates to 228m3 of storage.* *12.4.40 The SuDS structures serving the BESS compound will be sized to accommodate the 1% AEP +40% CC and an additional 228m3, and this will be sufficient for storing the full fire suppressant volume during an extreme rainfall event.*" The figure of 228m3 is, as stated, based on current guidance – the relevant text in the FRA was updated at Deadline 1 to reflect the fact that this figure is subject to change based on guidance at the time of detailed design of the Scheme. Further, the Applicant notes that the **Design Principles, Parameters and Commitments [APP/5.8.1]** commit, for the Customer Substation (Table 3-3) and the National Grid	Agreed

				Substation (Table 3-4), that the related compounds will be served by a SuDS network designed to the 1% AEP event plus 40% climate change allowance. The Applicant acknowledges that a corresponding commitment is not in place for the BESS and therefore updated this document (specifically Table 3-2) at Deadline 1 to include a commitment to storing the 1% AEP event plus an appropriate volume for firefighting water, based on guidance at the time of the detailed design of the Scheme. As such, the Applicant considers that the relevant commitment is appropriately secured.	

Table 4.13 - Traffic and Transport

Reference	EA Issue Reference	Topic	Consultee's Position	Applicant's Position	Status
13-1	Appendix B - Informatives	Tankering Water	Given the initial estimates of volumes calculated, estimates of Heavy Goods Vehicles (HGV) numbers required should be factored into traffic management plans to ensure local authorities are satisfied with the increases this would mean to HGVs on local road networks. Given the heavy reliance on this source of supply, it	The total anticipated water demand over the construction phase is set out within Table 12.18 (Total water demand for construction phase) of **ES Chapter 12: Water Resources [APP-061]**. Total HGV requirements for water tankering has been updated to be included within **ES Chapter 9: Transport and**	

			is important that this does not pose a blocker pre-commencement.	**Access [APP/6.2.1]** and the **outline CTMP [APP/7.7.1]**.	

5 ENVIRONMENT AGENCY WORK PACKAGE TRACKER

Subject	Work package	Scope	Method and Assumptions	Results of Assessment (i.e Impact)	Mitigation / Enhancements Agreed	Requirement	RR ID
Ecology	Biodiversity Net Gain Strategy	Green	Green	Green	Green		
	Ecological Assessment	Green	Green	Green	Green		
	Water Environment Regulations Compliance	Green	Green	Green	Green		
Water Resources	Water Supply Strategy	Green	Green	Green	Green		
Flood Risk	Flood Risk Assessment	Green	Green	Green	**Red**		EA46
	Hydraulic Model	Green	Green	Green	Green		
Surface Water Quality	Outline Construction Environmental Management Plan	Green	Green	Green	**Green**	**13**	
	Outline Operational Environmental Management Plan	Green	Green	Green	**Green**	**14**	
	Outline Decommissioning Strategy	Green	Green	Green	**Green**		
	Outline Battery Safety Management Plan	Green	**Green**	**Green**	**Green**		
	Water Environment Regulations Compliance	Green	**Green**	Green	**Green**		
Groundwater Protection	Outline Construction Environmental Management Plan	Green	Green	Green	**Amber**	**13**	EA48
	Outline Operational Environmental Management Plan	Green	Green	Green	**Amber**	**14**	EA36
	Outline Decommissioning Strategy	Green	**Green**	**Green**	**Green**		
	Outline Battery Safety Management Plan	Green	**Green**	**Green**	**Green**		
	Water Environment Regulations Compliance	Green	**Green**	Green	**Green**		
	Hydrogeological Model and Assessment of Impacts	**Green**	**Green**	**Green**	**Green**		
Waste	Waste Management Strategy	**Green**	**Green**	**Green**	**Green**		
DCO	DCO	N/A	N/A	N/A	N/A		EA47

THE DROVES

SOLAR FARM