



East Pye Solar
Statement of Common Ground: Environment Agency

Revision 1
October 2026

Planning Inspectorate Reference: EN0110014

Document Reference: EXAM/9.6

Rule 8(1)(e) Infrastructure Planning (Examination Procedure) Rules 2010

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1 Introduction

1.1 Overview

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared as part of the application for a Development Consent Order (DCO) (the Application) for East Pye Solar (the Scheme) made by East Pye Solar Limited (the Applicant) to the Secretary of State for Energy Security and Net Zero (SoS) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This SoCG does not seek to replicate information which is available within the Application documents available on the Planning Inspectorate's website ([Documents | East Pye Solar](#)).
- 1.1.3 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.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by the Applicant and Environment Agency (EA). Collectively, the Applicant and EA are referred to as the parties.

1.3 Purpose of this Document

- 1.3.1 The SoCG covers topics of the Application within the remit and of relevance to the EA.
- 1.3.2 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 parties to enable a final version to be submitted to the ExA.
- 1.3.3 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. For the purposes of Examination, this SoCG addresses key topic areas set out in **Table 1.1**. Each area of the topic has a unique reference which relate to the topic matter.

Table 1.1: Topic Referencing

Topic	Reference
Draft DCO	EA DCO
Ecology and Biodiversity	EA EB
Water Environment	EA WE
Ground Conditions	EA GC

1.4 Terminology

- 1.4.1 This SoCG summarises the main topics covered and the status of the matter, as outlined in **Table 1.2**.

Table 1.2: Status of Matters

Colour Code	Status
	Agreed – indicates where an issue has been resolved.
	Under Discussion – indicates where points continue to be the subject of on-going 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 Scheme Description

- 2.1.1 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 with a total capacity exceeding 100 megawatts (MW) and associated development including a Battery Energy Storage System (BESS), up to three 132kV Project Substations and up to three 400kV Project Substations, Grid Connection Infrastructure and a new National Grid Substation.
- 2.1.2 The **Location Plan [APP-005]** shows the Order Limits for the Scheme, which is 1,212.3 hectares of land within South Norfolk (the 'Order Limits').

3 Current Position between the Applicant and Environment Agency

3.1 Matters of Discussion

- 3.1.1 The following tables set out the position of the parties by topics, identifying matters agreed, under discussion, or not agreed between the Applicant and EA at the point of this document being published.

3.2 Draft DCO

Table 3.1: Draft DCO

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA DCO 1	Preliminary works not covered by Construction Environment Management Plan	Draft DCO [AS-032]	The definition of the words “commence” and “permitted preliminary works” means that certain activities that may cause environmental harm – (specifically (d) remedial work in respect of any contamination or other adverse ground conditions) are not covered by the outline Construction Environmental Management Plan The mitigation commitments secured via the Outline CEMP will not be applied to this activity, creating a risk of pollution to the water environment. EA suggest amending the DCO wording to ensure that remediation of contamination or other adverse ground conditions would be required to be in accordance with the approved detailed CEMP, or else subject to equivalent environmental mitigation.	Requirement 13(1) already secures that all of the permitted preliminary works (including sub-paragraph (d)) must be carried out in accordance with the permitted preliminary works environmental management plan. It is therefore not necessary to amend the DCO for such works to be controlled by the CEMP because this would duplicate the condition which is already secured.	Under discussion
EA2	Disapplication of Flood Risk Activity permits	Draft DCO [AS-032] Part 2 (6)e Disapplication	The Applicant wishes to disapply Flood Risk Activity Permits however no request has been made to the EA to do so. Risks to the water environment may not be adequately managed. Risks to the water environment may not be adequately managed. Provide details to include the nature, location and the associated environmental risks of the activities for which disapplication is sought. We will then be able to advise the planning inspectorate if it is appropriate to disapply.	The Applicant has had an initial meeting with the Environment Agency (EA) regarding the proposed disapplication of Flood Risk Activity Permits (FRAPs). The purpose of that meeting was for the Applicant to better understand the information being requested by the EA. The Applicant submitted a formal request for the EA's consent to disapply the FRAPs regime on 21 August 2026. As requested, that email contained details of the location and nature of flood risk activities in respect of main rivers and a summary of relevant commitments and mitigation measures. Consultation with the EA on the proposed disapplication is ongoing and the Applicant will continue to liaise with the EA as required. the Applicant will continue to liaise with the EA as required.	Under Discussion
EA3	Environment Agency as a named consultee for requirements	Draft DCO [AS-032] Schedule 2 - Requirements	The Environment Agency is currently not included as a named consultee in Schedule 2 for the below requirements, and request to be named: Requirement 6 – Battery Safety management plan	The EA has been included as a named consultee in Requirements 6, 13, and 14 in the Draft DCO [AS-032] .	Agreed

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
			Requirement 13 - Construction environmental management plan; Requirement 14 - Operation environmental management plan.		
EA4	'Substantially in accordance with'	Draft DCO [AS-032] Schedule 2 - Requirements	The use of the phrase 'Substantially in accordance with' in requirements undermines enforceability and creates unnecessary uncertainty Requirements cannot be enforced appropriately and topic details which have previously been agreed and information that the EA has based its position on can be undermined. EA suggest the removal the word substantially from all requirements.	The Applicant's wording that the final plans must be "substantially in accordance with" the outline plans is well established, standard drafting across made DCOs. It provides essential flexibility between the outline stage and detailed design. At the point of submission and Examination, outline management plans are necessarily prepared on the basis of indicative design and assumptions. As the project progresses to detailed design, new or refined information may become available, or circumstances may change, requiring reasonable and sensible amendments to the measures proposed – for example, the construction methods and design may evolve. Without this wording, any minor or beneficial deviations from the outline plan could result in a breach of a Requirement, exposing the undertaker to potential criminal liability. The wording therefore strikes a necessary and deliberate balance by securing the principles, objectives, and mitigation measures set out in the outline documents, thereby providing certainty and comfort to stakeholders and regulators; while allowing flexibility to adjust detail where this is necessary, proportionate, or environmentally preferable at the detailed design stage. For example, it is not the intention that the Applicant is bound rigidly to all exact timings and durations of works set out in the outline plans because there is a need for flexibility. If the wording was amended to be less flexible, the practical effect would be counterproductive because the outline documents would need to be drafted at a much higher and less informative level to avoid unintentional non-compliance. This would reduce, rather than enhance, certainty for stakeholders during examination. It would undermine the ability to respond positively to new information or improved mitigation techniques at detailed design stage.	Under discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA5	Protective Provisions	Draft DCO [AS-032] Schedule 14 – Protective Provisions Part 7 pg144	The EA Protective Provisions which have been included in the DCO are not standard and for a FRAP which we haven't agreed to disapply. Non standard wording of protective provisions creates legal uncertainty and risk to enforcement, with the potential for risk to the Environment Solution If disapplication is approved replace protective provision with EA standard approved protective provisions.	The Applicant acknowledges the Environment Agency's concern regarding the current drafting of the protective provisions and the proposed disapplication of Flood Risk Activity Permits (FRAPs). Discussions with the Environment Agency on both matters remain ongoing. Subject to agreement on the proposed disapplication, the Applicant will work with the Environment Agency to agree the appropriate form of protective provisions for incorporation within the Draft DCO [AS-032] .	Under discussion
EA6	Discharge of requirements	Draft DCO [AS-032] Schedule 15 – Procedure for discharge of requirements 3 (3) Further information and consultation	The local planning authority (LPA) must notify the undertaker within 15 working days of receipt of consultation, if further information is requested by a named consultee. Therefore, the named consultee has 10 working days to review the consultation & determine if sufficient information has been provided. The Environment Agency has been given insufficient time to review and respond to the discharge of requirements. EA do not believe this to be enough time and suggest increasing it to 15 working days.	The Applicant has updated paragraph 3 of Schedule 15 of the draft DCO to allow for consultee feedback within 20 working days of the LPA's receipt of the application. On the basis that the relevant planning authority must issue the consultation to the requirement consultee within 5 working days of receipt of the application, this ensures that the requirement consultees (including the EA) will have at least 15 working days to review the consultation & determine if sufficient information has been provided. This update will be reflected in the Draft DCO submitted at Deadline 1.	Under Discussion

3.3 Ecology and Biodiversity

Table 3.2: Ecology and Biodiversity

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA EB - 1	Definition of Short-Term Effects - EA40	Environmental Statement - Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]	Short-Term/Temporary effects are defined as 0-2 years. This period is too long in regard to potential impacts on fish. A period of two consecutive years could lead to significant impacts to fish populations. If the impact effected spawning or juvenile fish, then this could result in two-year classes being impacted. Consequently, this could have a significant impact on fish populations, and lead to a deterioration in WFD status. The EA suggest the assessment any activity that takes longer than 6 months as if it were permanent works and put in place mitigation against such effects. Although temporary impacts for BNG are classified as those that can be restored to previous condition within 2 years, internal [EA] guidance regarding WFD for low risk activities considers short-term as being activities that are 6 months or less in duration, and where effects of those activities undertaken also last less than 6 months. Any activity/action that takes longer or causes an effect longer than 6 months should be assessed as if it were permanent.	The Applicant agrees that consideration should be given to the duration of construction activities affecting watercourses. However, the Applicant does not agree that the six-month distinction applied within Water Framework Directive (WFD) screening should automatically be treated as a threshold for determining ecological significance within the Ecological Impact Assessment. The significance of ecological effects depends on the magnitude and nature of impacts on habitat availability, fish passage, water quality and species populations, rather than the duration of a temporary crossing in isolation. The Scheme incorporates substantial embedded mitigation for watercourse crossings. The Outline Cable Route Construction Statement [APP-216] identifies Hempnall Beck and the River Tas as Avoidance Areas and commits to the use of trenchless crossing techniques at these locations. Launch and reception pits will be located outside Avoidance Areas and cables beneath main rivers will be installed at a minimum depth of 5 m below the surveyed riverbed. Outline Cable Route Construction Statement [APP-216] In addition, the Design Principles, Parameters and Commitments document outline further mitigation whereby trenchless crossing techniques will be the default option for watercourse crossings (main river and ordinary watercourses). Design Principles, Parameters and Commitments [APP-213]. Where trenchless crossing techniques are not required or are demonstrated through detailed design to be unsuitable for less sensitive watercourses, crossing methods will be selected and implemented in accordance with the Outline Cable Route Construction Statement. Outline Cable Route Construction Statement [APP-216]. Such crossings will be designed to maintain water flow, fish passage and water quality during construction, with any temporarily disturbed habitats reinstated following completion of the works. The Outline Cable Route Construction Statement identifies a hierarchy of crossing techniques that seeks to avoid or minimise interaction with watercourses wherever practicable.	Under Discussion

				The Applicant anticipates that cable installation and HDD activities associated with watercourse crossings will be temporary, localised and reversible. The assessment therefore appropriately considered these effects as temporary construction impacts. The Applicant remains satisfied that the EIA conclusions are robust and that significant effects on fish receptors are not anticipated. ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044] .	
EA EB - 2	Valuation of Freshwater Fish Receptors EA41	ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]	Table 8.14 describes freshwater fish as being of 'Local' ecological importance, but this does not take into account the importance of the European eel. Eel are a critically endangered and priority species listed under Section 41 of the NERC Act 2006 The significance of impacts on protected fish species may not be adequately assessed. The EA suggest amending the Table 8.14. Fish should be categorised as being of County importance (as defined in Table 8.4 - Geographical Scales of Reference in relation to ecological receptors)	The ES assigned freshwater fish a value of Local importance. ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044] . However, having considered the Environment Agency's comments and the presence of European eel (<i>Anguilla anguilla</i>), a Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006, the Applicant agrees that a precautionary receptor valuation of up to County importance can reasonably be adopted for the purposes of the assessment. The Applicant will therefore revise the receptor valuation for freshwater fish from Local importance to up to County importance. The assessment methodology remains unchanged. Adoption of a receptor value of up to County importance results in the operational EMF effect on freshwater fish being revised to Minor Adverse. However, the effect remains below the threshold for a Significant Effect in EIA terms and the overall conclusions of the Environmental Statement remain unchanged. Accordingly, whilst the Applicant agrees to amend the receptor valuation, the predicted effects remain not significant and no changes to the mitigation strategy or overall assessment conclusions are required.	Under Discussion
EA EB - 2	Electromagnetic Fields (EMF) and European Eel EA42	ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]	We do not agree with the stated conclusion that operational EMFs from the proposed development are not expected to give rise to any ecologically significant effects on freshwater fish. There is a risk that residual magnetic fields from buried cables may be strong enough to impact on European eel behaviour. The EA suggest providing reassurance that the proposed cable burial depth will ensure that magnetic field strength is reduced to below 12 microtesla at the bed of the watercourse, thereby adopting a precautionary approach to avoid potential impacts on European eel.	The ES assessment considered the potential operational effects of Electromagnetic Fields (EMF) from underground electrical cables on freshwater fish receptors, including European eel, and concluded that significant effects are not anticipated. The assessment was undertaken taking account of embedded mitigation secured through the Scheme design. Whereby trenchless crossing techniques will be the default option for watercourse crossings (main river and ordinary watercourses) with cable burial depths to be set at a minimum 5 m depth. Design Principles, Parameters and Commitments [APP-	Under Discussion

			There is evidence that Anguillid species can detect magnetic fields as low as 12microtesla. The applicant has indicated that magnetic field strength will be approximately 95microtesla at 1 m above ground and recognises that this strength attenuates rapidly with distance.	213], Outline Cable Route Construction Statement [APP-216]. In more ecological sensitive areas for aquatic receptors, Hempnall Beck and River Tas crossings are identified as Avoidance Areas and will be crossed using trenchless techniques with launch and reception pits located outside the sensitive watercourse corridors, as presented in the Design Principles, Parameters and Commitments [APP-213] and the Outline Cable Route Construction Statement [APP-216]. These measures provide substantial physical separation between the cables and aquatic receptors and form embedded mitigation within the Scheme design. The Applicant further notes that, in relation to another nationally significant solar infrastructure project, the Environment Agency advised that a cable depth of 5 m beneath watercourses where HDD is utilised would be sufficient to mitigate EMF effects on fish receptors. The East Pye Solar Scheme adopts the same minimum burial depth beneath main rivers. Further information is presented in ES Volume 1, Chapter 9 - Ecology and Biodiversity [APP-044]. The Applicant therefore considers that the embedded mitigation secured through the Scheme design provides an appropriate level of protection for fish receptors, including European eel. The ES concluded that operational EMF effects on freshwater fish would not be significant and the Applicant remains satisfied that this conclusion is robust.	
EA EB - 3	Riparian Enhancement and Biodiversity Net Gain EA43	ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]	The oLEMP does not include reference to the riparian enhancements and reduced encroachment that are specified within the BNG report. Management or enhancement opportunities for riparian habitats may be overlooked. For example, addressing extensive invasive species issues (Himalayan balsam) which is acknowledged to contribute to poor condition of Hempnall Brook. The EA suggest securing riparian habitat enhancements in the oLEMP, in line with the commitments made in the BNG report. Include explicit measures to check for and manage invasive species.	The areas referred to by the Environment Agency are associated primarily with temporary construction activities within the Cable Route Corridor rather than permanent operational development. The principal crossing of Hempnall Beck occurs within the Cable Route Corridor and is subject to embedded mitigation, including the use of trenchless crossing techniques and reinstatement following construction, as presented in the Design Principles, Parameters and Commitments [APP-213] and the Outline Cable Route Construction Statement [APP-216]. The assessment identified no significant residual effects on aquatic ecology that would require compensatory riparian habitat enhancement. The mitigation approach adopted within the ES is therefore focused on avoiding, minimising and reinstating temporary construction effects rather than	Under Discussion

				offsetting permanent losses of riparian habitat as presented in the ES Volume 3, Appendix 8.9 – Aquatic Habitat Assessment [APP-160], Biodiversity Net Gain Report [APP-218]. The Scheme already incorporates a range of measures relevant to aquatic habitats, including minimum stand-off distances from watercourses, trenchless crossings at watercourses, habitat reinstatement, and ecological management measures secured through the Outline CEMP [APP-196] and the Outline LEMP [APP-199]. With regard to INNS, the Applicant confirms that appropriate construction management and biosecurity measures will be implemented during construction to prevent the spread of invasive species. Such measures form part of the wider environmental management framework secured through the DCO application documents. The Applicant therefore does not consider that additional riparian enhancement measures are necessary to mitigate a significant aquatic ecology effect arising from the Scheme.	
EA EB - 4	Effects of Solar Panels on Aquatic Invertebrates EA44	ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]	The potential for aquatic invertebrates to be attracted to solar panels has not been addressed. Risk of interrupted lifecycle of aquatic invertebrates. The EA suggest that it is acknowledged that the outline masterplan does not appear to have solar modules in close proximity to the watercourse, but these wider buffers do not appear to be secured (noting the commitment to only 10m stand off from watercourses within appendix 7.78 Design Principles, Parameters and Commitments). Secure wider buffers to watercourses potentially supporting diverse invertebrate communities within oLEMP and Appendix 7.78. The aquatic ecology report identified that Hempnall Beck could support diverse invertebrate communities. There is evidence that aquatic invertebrates are attracted to horizontally polarised light (as reflected from water bodies and solar panels) and that they use this as stimulus to induce egg laying.	Operational effects associated with solar infrastructure were considered within the ES and the assessment concluded that effects on aquatic invertebrates would be negligible and not significant. Embedded mitigation measures are secured through the Scheme design, including minimum stand-off distances between solar infrastructure and aquatic habitats as presented in the. ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]. The Design Principles, Parameters and Commitments document secures a minimum offset of 10 m between Solar PV Modules and all watercourses (including IDB drains). Larger offsets are also secured in relation to designated ecological features. Undeveloped buffer zones adjacent to watercourses will be retained for the lifetime of the Scheme, maintaining physical separation between operational infrastructure and aquatic habitats. Design Principles, Parameters and Commitments [APP-213]. The Scheme also incorporates embedded measures specifically intended to reduce reflective effects from solar infrastructure. As described within the ES, PV panels will incorporate anti-reflective coatings designed to maximise absorption of solar radiation and minimise reflection. Panels will be dark coloured	Under Discussion

				(black or dark blue) and mounting structures will have a rough matt finish. The solar arrays will comprise individual panel rows with separation distances between modules and rows, rather than forming a continuous reflective surface. Retained vegetation, undeveloped buffer zones and stand-off distances from watercourses provide additional screening and physical separation between panel arrays and aquatic habitats as presented in ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]. The Applicant acknowledges that scientific literature identifies the potential for some aquatic macroinvertebrates to respond to reflective surfaces. This potential pathway was considered within the assessment. The ES concluded that any glint or glare reaching adjacent watercourses would be intermittent and transient, dependent upon solar angle, and further attenuated by intervening vegetation and surface water movement. The assessment also concluded that there is no established evidence that such reflection results in measurable effects on benthic invertebrate assemblages. Taking account of the embedded mitigation secured through the Scheme design, including reduced panel reflectivity, retained watercourse buffers, intervening vegetation and a minimum 10 m stand-off from watercourses, the Applicant remains satisfied that the assessment is robust and that significant effects on aquatic invertebrate populations are not anticipated.	
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3.4 Water Environment

Table 3.3: Water Environment

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA WE – 1	Water Supply and Demand	ES Volume 1, Chapter 9 - Water Environment [APP-045] ES Volume 3, Appendix 9.3 - Water Resources Assessment [APP-164]	ES Volume 3, Appendix 9.3 - Water Resources Assessment [APP-164] includes an assessment of water supply and demand, with tankering identified as the preferred method of supply for potable water. Rainwater harvesting and on-site storage have been identified as preferred option for supply of non-potable water. New groundwater or surface water abstraction options have been scoped out due to the water scarcity in the region.	The Applicant understands that the EA is satisfied that the Applicant has demonstrated an awareness of the opportunities and limitations of multiple supply options and that a sustainable and practical source of supply can be identified and resolved prior to commencement.	Agreed
EA WE – 2	Flood Risk – Impact of panels on floodplain storage (EA7)	ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018]	The EA suggest that there is an apparent inconsistency within the FRA, as Figure 5.4 indicates that all solar panel development will be located outside Flood Zones 2 and 3, while paragraph 8.1.4 suggests that some panels may be affected by the design flood extent when climate change allowances are applied. The EA therefore raise concerns regarding the potential loss of floodplain storage from solar panels located within the 1 in 100-year plus climate change flood extent. To address this, the FRA should clearly identify where, and to what extent, solar panels are proposed within the design flood extent and provide a volumetric assessment of the panel supports within these areas to assess any potential impacts on floodplain storage.	This comment relates to the Solar PV Arrays located in the north-western area of Sub-Site 8A, and the Applicant notes that the comparison of flood levels and ground levels may not have been clearly set out. ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] paragraph 8.1.4 provides analysis against maximum flood levels for Sub-Site 8A (Node 6), however it is acknowledged that these flood levels do not directly correspond to the area where Solar PV Arrays are set on a ground level of 29.00m AOD. Comparing the 1 in 1000 AP +25%cc flood of 28.85m AOD for Node 2 with the minimum ground level of 29.00m AOD confirms that Solar PV Arrays within the north-western area of Sub-Site 8A (set on a ground level of 29.00m AOD) are set at least 150mm above all modelled floodplains up to and including the 1 in 1000 AP +25% floodplain. The panel supports in this area of Sub-Site 8A would therefore not impact on fluvial floodplain storage.	Under Discussion
EA WE – 3	Flood Risk Implications of Temporary Works (EA8)	Outline CEMP [APP-196]	The EA suggest that, whilst Avoidance Areas are proposed around watercourse crossings, further information is required regarding the location and design of works associated with Main River crossings. The EA raise concerns that temporary construction works within the floodplain, or works affecting the Main River channel, bed, or banks, could increase flood risk. To address this, the EA recommend confirming the extent of the Avoidance Areas,	The Applicant notes this comment. The Design Principles, Parameters and Commitments [APP-213] states that for any trenchless crossings, both the launch and reception pits will be a minimum distance of 10m from main rivers, watercourse or ditch (including IDB drains).	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
			including the distance they will be set back from watercourses, and providing confirmation that Main River crossings will be undertaken using trenchless techniques, such as Horizontal Directional Drilling (HDD). The locations of launch and reception pits should also be confirmed and demonstrated to be set back in accordance with the requirements of the Environmental Permitting (England and Wales) Regulations 2016.	The Applicant confirms that crossings of main rivers will be undertaken by trenchless techniques.	
EA WE – 4	Potential Use of Culverts (EA9)	ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018]	The EA suggest that the FRA notes the potential use of culverts at watercourse crossings, which could lead to an increased risk of flooding both within the development site and to off-site receptors. In line with the Environment Agency's anti-culverting policy, the EA recommend that clear-span bridges are used in preference to new culverts wherever possible, as this would minimise impacts on watercourses and reduce the potential for increased flood risk.	ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] Section 8.3 paragraph 8.3.3 sets out a hierarchy for the nature of watercourse crossings, with highest preference given to ramps which do not interfere with the banks or bed of watercourses, with closed culverts being the least preferred. This is secured in the Design Principles, Parameters and Commitments [APP-213]. The use of closed culverts will be avoided as much as possible, however they may be required for a limited number of crossing points. Any culverts will be appropriately designed with consideration on whether they will be temporary or permanent as set out in Section 8.3 of ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018].	Under Discussion
EA WE – 5	Water quality monitoring - EA14	Outline CEMP [APP-196], Tables 3.4 and 4.4 APP-197 7.2 Outline OEMP [APP-197], Table 3.4	The EA are not satisfied that the Water Management Plan will be based on a combination of visual observations and reviews of the Environment Agency's automatic water quality monitoring network. Table 3.4 of Outline OEMP doesn't include reference to the WMP despite the intended post-construction water quality monitoring. Impact: An inadequate monitoring plan may not detect any relevant trends on water quality during the construction and operation phases. Solution: Ensure the Outline CEMP and Outline OEMP provide adequate details regarding water quality monitoring to include frequency and duration. Applicant should confirm there will be in-situ measurements using MCERTS approved methods and water samples to be sent to a UKAS accredited laboratory.	The Outline CEMP [APP-196] includes ground investigation as a mitigation measure, with the detailed design of the Scheme to be informed by the results of the ground investigation. The ground investigation will include the collection of a baseline surface water quality dataset with laboratory analysis to be undertaken by a UKAS accredited laboratory and using MCERTS approved methods where available. The description of the ground investigation within the Outline CEMP [APP-196] will be updated to include this requirement for Deadline 1. The detailed specification of specific surface water locations would be a post-consent matter, informed by the progression of the detailed design of the Proposed Development. The Outline CEMP [APP-196] secures the following monitoring requirements within Table 3.4, 'A <i>Water Management Plan (which will form part of a detailed CEMP(s)) will include details of pre-construction,</i>	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
				<i>construction, and post-construction water quality monitoring. This will be based on a combination of visual observations and reviews of the Environment Agency's automatic water quality monitoring network'.</i> During a meeting with the EA on the 19 August 2026, it was agreed that the wording in the Outline CEMP [APP-196] to include commitment to providing in-situ testing, with the detail to be finalised post consent in individual detailed management plans.	
EA WE – 6	Concrete mitigation measures EA15	ES Volume 1, Chapter 4 – The Scheme [APP-040] Table 4.1 APP-196 Outline Construction Environmental Management Plan, Tables 3.4 and 4.4	The EA suggest that insufficient information has been provided regarding the use of concrete during construction and the measures that will be implemented to mitigate associated environmental risks. The EA highlight that concrete is a known source of hazardous substances, particularly during the curing phase, and therefore poses a risk to surface water quality if not appropriately managed. To address this concern, the EA recommend providing further details on where concrete will be used and the measures that will be implemented to manage, contain and control any potential pollution during construction.	The Applicant acknowledges that more details will be required regarding the use of concrete. However, such detail is not available at this stage of the process. The detailed CEMP will provide greater detail regarding concrete mitigation including: - the location concrete works are proposed, - the nature of the concrete works taking place, - the methodology and mitigation proposed for in-situ concrete pours; and - Containment measures for concrete washout areas. This is secured through Requirement 13 (Construction environmental management plan) of the Draft DCO [AS-032] which requires the detailed CEMP to be submitted for the approval of the relevant planning authority, in consultation with the EA. This ensures that the final details will be suitably controlled.	Under Discussion
EA WE – 7	Firewater management for Substations (EA20)	ES Volume 1, Chapter 4 – The Scheme [APP-040] ES Volume 1, Chapter 9 - Water Environment [APP-045] ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] Outline OEMP [APP-197]	The EA suggest that there is insufficient clarity regarding the proposed drainage and pollution prevention measures for the 132kV and 400kV substations, particularly in relation to the use of penstocks and the management of firewater. The EA raise concerns that uncontrolled firewater runoff from substation areas could pose a significant risk of pollution to the water environment. To address this, the EA recommend providing further detail on the substation drainage design, including the use of automated penstock valves or equivalent measures to contain contaminated runoff. The design should demonstrate that sufficient storage capacity is available to contain firewater generated during a fire	The Applicant confirms that the only infrastructure within the 132kV and 400kV Substation areas that is considered to have a risk of fire is for transformers which will be self-bunded to prevent any leaks from reaching watercourses. If pollution is detected it will be suctioned to a self-bunded (or similar) tank and removed from site for suitable disposal. This is set out and secured within the Outline OEMP [APP-197]. The tank system for the transformer bunded area is entirely separate to the wider lined drainage system for the compounds, no surface water runoff from the transformer areas would be discharged to the water environment.	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
			event, preventing any release to the environment and ensuring that the contained water can subsequently be removed and disposed of off-site.		
EA WE – 8	Management of BESS Firewater (EA23)	ES Volume 1, Chapter 9 - Water Environment [APP-045] ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] Outline OEMP [APP-197] Outline BSMP [APP-200]	The EA suggest that, whilst the proposed Battery Energy Storage System (BESS) drainage strategy includes an automatic shut-off valve that activates in response to a fire alarm, insufficient information has been provided regarding manual closure arrangements, testing and maintenance procedures, and the management and disposal of captured firewater. The EA raise concerns that, if potentially contaminated water is not effectively contained, tested and disposed of, there is a risk of pollution to the water environment. To address this, the EA recommend providing further details on manual penstock operation, inspection, testing and maintenance requirements, together with clarification of firewater testing procedures and disposal options. The EA also advise that, following the removal of contaminated water, the drainage system should be cleaned before the penstock is reopened to prevent contaminants being re-suspended and released, and that this process should be incorporated into the post-incident recovery plan.	The Applicant notes the EA's comment. ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] paragraph 9.11.4 states that the BESS may be split into 'compartments' of battery units, each with their own associated lined aggregate sub-base area and separated by lengths of access track. This would aid in the isolating and testing of surface water runoff, and remediation of affected areas following a fire incident. Section 4.5.5 of the Outline BSMP [APP-200] confirms a secondary control manual override facility. Section 4.5.6 sets out the maintenance, testing, and inspection requirements to be included in the final BSMP. In addition, the following text will be added to the Outline BSMP [APP-200]: Isolation will be capable of automatic activation (from the BESS fire alarm system) during an incident, with manual override provided as a secondary control. Isolation valves will be designed to operate on a failsafe basis, such that in the event of power loss, system fault or damage during an incident, the default position is closed to maintain containment. Power supply arrangements may include independent or solar-backed systems where appropriate, ensuring that valve operation is resilient and not reliant solely on the primary site power infrastructure. The automatic and manual isolation systems would be subject to regular operational maintenance to ensure the reliability of the firewater isolation system in a flood event. The detail of this maintenance will be included in the detailed Battery Safety Management Plan once the detailed design of the Proposed Development has been completed.' Paragraph 4.5.9 of the Outline BSMP [APP-200] will be updated with the additional text in italics below: 'Following a fire event, retained water will be sampled and analysed to confirm whether pollution has	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
				occurred, UK accredited labs would be used for water testing. If contaminated (polluted), the water will be removed from site by tanker for treatment at an appropriate offsite facility. If testing confirms that the water is suitable for discharge, it will be released to the local drainage network under controlled conditions, in consultation with the relevant regulators. Where required, an Environmental Permit or other applicable consent will be obtained prior to discharge. No release will occur without prior approval from the relevant regulator, and all actions will be undertaken in accordance with applicable environmental permitting and pollution control legislation. This approach ensures that environmental protection is maintained under both normal and emergency conditions.' As set out in the Outline BSMP [APP-200], a post-incident recovery plan shall be developed. Paragraph 4.4.4 of the Outline BSMP [APP-200] will be updated to confirm that once contaminated water is removed, prior to the penstock reopening, the drainage system will need cleaning to ensure there is no potential contaminants which could be resuspended when the drainage system reopens.	
EA WE – 9	Management of BESS Substation aggregate layer (EA24)	ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018]	The EA suggest that insufficient detail has been provided regarding the proposed management of the aggregate drainage layer and impermeable lining beneath the BESS and substation sites, which are intended to provide surface water attenuation and storage. The EA raise concerns that contaminated aggregate could pose a pollution risk if appropriate decontamination procedures are not in place, and that there is potential for the impermeable lining to be damaged during any remediation or maintenance works. To address these concerns, the EA recommend providing further details on the proposed decontamination procedures for the BESS and substation drainage systems, including the removal, cleaning, repair or replacement of affected drainage components where necessary. The EA also advise that all parts of the drainage system should be appropriately decontaminated before any shut-off valves are reopened, to ensure there is no risk of pollutants being released to the water environment.	The Applicant confirms that the only infrastructure within the 132kV and 400kV Substation areas that is considered to have a risk of fire/significant pollution risk is for transformers which will be self-bunded to prevent any leaks from reaching watercourses. If pollution is detected it will be suctioned to a self-bunded (or similar) tank and removed from site for suitable disposal. This is set out and secured within the Outline OEMP [APP-197]. Requirement for decontamination of the aggregate substrate would therefore be focussed on the BESS and the applicant notes that clarity is required regarding the decontamination of the aggregate drainage layer and impermeable lining. These additional details will be provided within the detailed OEMP at the detailed design stage, including methodology for removal, cleaning and reinstatement of the aggregate such that the impermeable membrane would be maintained and protected from damage and repair if necessary.	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA WE – 10	Thermal impacts on groundwater (EA30)	ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044] ES Volume 1, Chapter 9 - Water Environment [APP-045] ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018]	The EA suggest that insufficient evidence has been provided to demonstrate that thermal emissions from buried high-voltage electrical cables would not adversely affect sensitive groundwater receptors. In particular, the EA raise concerns regarding the potential for thermal plumes generated during the operational phase to impact Groundwater Dependent Terrestrial Ecosystems (GWDTEs). To address this uncertainty, the EA recommend that further assessment is undertaken to determine whether thermal emissions from the buried cables could give rise to significant environmental effects and to confirm that sensitive groundwater receptors would not be adversely affected.	The Applicant acknowledges that additional evidence may be provided to support the conclusion that thermal effects from buried high-voltage electrical cables are unlikely to result in significant effects on groundwater receptors, including Groundwater Dependent Terrestrial Ecosystems (GWDTEs), peat deposits and other sensitive hydrogeological features. To address this, the Applicant will undertake additional desk-based risk assessment in accordance with the process described in the Informative to EA30 provided by the EA. In relation to the Informative, during the meeting with the EA on 19/08/26 the EA clarified that where the Informative states “in the first instance, the developer should ensure that where practicable the proposed cabling... does not cause pollution of surface water and groundwater” should be read as “...where practicable the proposed cabling... does not cause pollution of surface water and groundwater (other than heat)”. The Applicant notes that thermal effects are only relevant during the operational phase, as the cables will not be energised during construction and will be de-energised prior to decommissioning. Any mitigation measures identified through the thermal, hydrogeological or ecological assessments will be incorporated into the detailed cable design and secured through the final Outline OEMP [APP-197]. Where relevant, the Outline CEMP [APP-196] will also be updated to reflect any design or construction requirements arising from the assessment process.	Under Discussion
EA WE – 11	Categorising Scale of Effect (EA32)	ES Volume 1, Chapter 9 - Water Environment [APP-045]	The EA suggest that the methodology used to categorise the scale of effects within Table 9.6 is not appropriate and is inconsistent with the equivalent assessment framework presented in Chapter 16 (Ground Conditions), despite there being significant similarities in both receptor types and impact pathways. The EA raise concerns that the current approach may underestimate the scale of effects and prevent meaningful comparison between the assessments presented in the Water Environment and Ground Conditions chapters. To address this, the	The Applicant acknowledges the EA's observation that ES Volume 1, Chapter 9 - Water Environment [APP-045]. Table 9-6 'High' Sensitivity goes from 'Major' for 'Medium' magnitude to 'Minor' for a 'Low' magnitude, a two category drop in magnitude value. It is also acknowledged that Table 9-6 is uses less magnitude of change categories to that of ES Volume 1, Chapter 16 – Ground Conditions [APP-052] Table 16.4, however the Significance of Effect values	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
			EA recommend that the Applicant reviews the scale of effect categories and revises the relevant tables to ensure a consistent and robust assessment methodology is applied across both chapters.	across the Very Small and Negligible magnitude columns are very similar. However, we would note that the 'Assessment of Likely Effects (Section 9.8 of ES Volume 1, Chapter 9 - Water Environment [APP-045]) sets out the worst case scenario based on the highest receptor sensitivity for the impact (in most cases this is 'Very High' sensitivity'), and due to the embedded mitigation measures to be implemented for the Scheme as set out in Section 9.7 of the chapter, the magnitude of change is considered to be 'Low' or 'Negligible', resulting in a 'Minor' and 'Not Significant' impact for all bar one impact. This is similar to the assessment undertaken in ES Volume 1, Chapter 16 – Ground Conditions [APP-052]. For the impacts arising from the reduction in the application of agricultural chemicals/fertiliser on nutrient loading, this is again considered based on a worst-case 'Very High' sensitivity with a 'High' magnitude of change, with the impact considered to be 'Major' and 'Significant'. Therefore, whilst the two category drop is noted for 'High' sensitivity, the 'Medium' magnitude has not been utilised and therefore does not affect the assessment of likely effects undertaken for the water environment in ES Volume 1, Chapter 9 – Water Environment [APP-045].	
EA WE – 12	Water quality impacts on water supplies (construction/decommissioning phases) (EA33)	ES Volume 1, Chapter 9 - Water Environment [APP-045]	The EA suggest that the residual effects assessment for water supplies during the construction and decommissioning phases only considers impacts on water quantity and does not account for potential water quality impacts arising from spills, leaks or the release of pollutants. The EA raise concerns that the residual risk of contamination to both public and private water abstractions has therefore not been adequately assessed. To address this, the EA recommend that contamination risks are explicitly considered within the assessment of residual effects for water supplies, ensuring that potential impacts on water quality are evaluated alongside impacts on water quantity.	The Applicant notes this comment and notes that there is an omission within ES Volume 1, Chapter 9 – Water Environment [APP-045] in relation to impacts on water quality to private and public water supplies. This will be corrected at a later deadline. Notwithstanding the above, through the incorporation of the embedded mitigation set out and secured within the Outline CEMP [APP-196] and Outline DEMP [APP-198], the impacts on public and private water supplies from the potential mobilisation of contaminants from the Scheme for all phases is Not Significant.	Under Discussion

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA WE – 13	Source Protection Zones for public water supplies (EA34)	ES Volume 1, Chapter 9 - Water Environment [APP-045]	The EA suggest that the assessment does not accurately reflect the extent and sensitivity of Source Protection Zones (SPZs) within the Study Area. In particular, public water supply abstractions have not been included within Table 6.7, while SPZs associated with private water supplies have been included and assigned only a medium sensitivity. The EA also note that Section 9.6.22 incorrectly states that only the northern part of the Order Limits lies within SPZ3, overlooking the presence of SPZ1 and SPZ2 associated with a public water supply abstraction located close to Site 1 and the BESS/Substation area. The EA raise concerns that, as a result, potential impacts on public water supplies may not have been adequately assessed. To address this, the EA recommend that public water supply SPZs are fully incorporated into the assessment, that the locations and extents of all SPZs are accurately represented in relation to the Order Limits and Study Area, and that private groundwater abstractions are treated as high-sensitivity receptors given their vulnerability to potential impacts.	The Applicant notes the error. ES Volume 1, Chapter 9 – Water Environment [APP-045] paragraph 9.6.22 and this will be corrected at a later deadline. The Applicant also notes that the SPZ1 and SPZ2 located c. 500m to the south-west of the BESS and Project Substation 1 is located within the Study Area (2 kilometres as stated in ES Volume 1, Chapter 9 – Water Environment [APP-045] paragraph 9.5.3). SPZ1 and SPZ2 are listed as 'Very High' and 'High' receptors respectively in Table 9.3 of ES Volume 1, Chapter 9 – Water Environment [APP-045]. Public water supplies have been identified as 'Medium' to 'Very High' sensitivity within Table 9.7 of the chapter, with private water supplies (SPZs) identified as 'Medium'. The Applicant notes that private water supplies are identified as 'Medium' which pertains to SPZ3, and the sensitivity definition can be updated at a later deadline. The assessment of impacts on all water receptors identified (including public and private water supplies) is addressed in ES Volume 1, Chapter 9 – Water Environment [APP-045] and considers the highest sensitivity value of 'Very High' (SPZ1) as a worst case. The assessment also considers the embedded mitigation measures as set out and secured within the Outline CEMP [APP-196], the Outline OEMP [APP-197] and the Outline DEMP [APP-198], and therefore the residual impact is assessed as 'Not Significant' for water receptors (including private water supplies/SPZ1 and SPZ2), with the exception of the cessation of agricultural use/ chemicals/ fertilisers which is assessed as Significant Major Beneficial.	Under Discussion

3.5 Ground Conditions

Table 3.4: Ground Conditions

Reference	Matter Topic	Document Reference of Matters	Consultee Position	Applicant's Position	Status
EA GC – 1	Impacts to controlled waters from piling and trenchless crossings (EA36)	ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184].	Further work is required to assess the risks that the construction of piled foundations potentially present to groundwater. The Applicant has committed to undertaking ground investigation and assessment to inform the design of the Scheme. This includes undertaking Foundation Works Risk Assessments where deep piled foundations are to be constructed.	For Deadline 1 the text in the Outline CEMP [APP-196] Tables 3.4, 3.12, 4.4 and 4.12 in relation to FWRA will be updated to include the BESS and National Grid Substation in addition to the Project Substations. The assessment of Likely Significant Effects presented in ES Volume 1, Chapter 16 – Ground Conditions [APP-052] has been undertaken on the basis of FWRA forming part of the embedded construction phase mitigation for the National Grid Substation and BESS. All assessments and ground investigation will be undertaken in accordance with the prevailing guidance at the time of writing / specification. The Outline CEMP [APP-196] requires the Applicant to undertake FWRA to assess the risks to the WFD groundwater body (Principal Aquifer) associated with the construction of the BESS, National Grid Substation and any other structures requiring deep foundations and/or piling such as the 132kV and 400kV Substations, informed by the post-consent geotechnical and geoenvironmental ground investigation (also included as a mitigation measure within the Outline CEMP [APP-196]). The Outline CEMP [APP-196] further requires the Applicant to undertake Hydrogeological Risk Assessment wherever a trenchless crossing interacts with Principal or Secondary A aquifers or passes beneath surface watercourses or sensitive ecological receptors, informed by the post-consent geotechnical and geoenvironmental ground investigation (also included as a mitigation measure within the Outline CEMP [APP-196]). On the basis of the assessments undertaken, the Conceptual Site Model and the shallow nature of the proposed PV array foundations, the Applicant does not consider that FWRA should be necessary for proposed PV arrays within areas of the former RAF Hardwick and RAF Seething airfields. Nonetheless, if the post-consent ground investigation finds potentially mobile contamination is present within these areas	Under discussion.

				and that a groundwater body that could be impacted is present within the near-surface soils (i.e., within the depth of the proposed PV array foundations), then FWRA can be undertaken. The Applicant considers it unlikely that contamination is present within the areas of former airfield within the Order Limits given that the airfield infrastructure within the Order Limits was limited to areas of runway, perimeter road and hardstands, with the technical sites, hangars, fuel stores at considerable distance from the Order Limits, and any contamination that may have occurred is now likely to be dispersed following at least fifty years of agricultural use. PV arrays or other below ground infrastructure are not proposed within the limited areas of former infilled mineral workings (SPC3 – Market Lane Pit within sub-Site 8B, and SPC4 – Former refuse tip within sub-Site 4B), and therefore in absence of any works, FWRA in these areas will not be required. Following implementation of the embedded mitigation measures described above, the piling and trenchless crossings associated with the Scheme are highly unlikely to have any significant impacts on the Principal Aquifer. The ES Volume 3, Appendix 9.2 - Water Framework Directive Assessment [APP-163] will be updated at a later deadline to include reference to piling, trenchless crossings, and the embedded mitigation through the FWRA.	
EA GC – 2	Post-consent ground investigation EA37	ES Volume 1, Chapter 16 – Ground Conditions [APP-052] Outline CEMP [APP-196] Tables 3.4, 3.12, 4.4, 4.12	The EA suggest that the commitment within the Outline Construction Environmental Management Plan (oCEMP) to undertake a ground investigation prior to construction does not provide sufficient detail to demonstrate how risks to groundwater will be identified and managed. The EA raise concerns that, without a robust and appropriately scoped investigation, there is a risk of pollution to groundwater during construction. To address this, the EA recommend that the oCEMP is updated to provide further detail on the proposed ground investigation methodology, confirming that all intrusive investigations will be undertaken in accordance with relevant best-practice guidance and legislation, including BS 10175:2026 and the Environment Agency's Land Contamination Risk Management guidance. The investigation should assess ground conditions to the maximum design depths associated	Detailed specification of the post-consent geotechnical and geoenvironmental ground investigation would be a post-consent matter, informed by the progression of the detailed design of the Scheme. The design of any ground investigation must be suitable to inform the design and will include investigation of the ground conditions to suitable depths, recovery of representative samples of the soils, groundwater and surface water (including provision of a baseline surface water dataset) and laboratory analysis that uses UKAS accredited laboratories and MCERTS approved methods where available. The investigation will be undertaken in accordance with prevailing guidance.	Under discussion.

			with piling, foundations and trenchless crossings, and include sufficient groundwater level monitoring to establish a reasonable worst-case baseline understanding of groundwater conditions and potential risks.	Whilst this would be undertaken by default, the mitigation measures presented within the Outline CEMP [APP-196] and ES Volume 3, Appendix 16.1 - Phase 1 Ground Conditions Assessment [APP-184] will be updated to include the requested detail at a future deadline.	
EA GC - 3	Risks to controlled waters receptors, associated with historical RAF airfields (EA35/EA38).	ES Volume 3, Appendix 16.1 Phase 1 Ground Conditions Assessment [APP-184]	Placeholder – awaiting text from the EA.	The ‘Low’ risk to controlled waters associated with former RAF Seething, presented within the Preliminary Risk Assessment in the ES Volume 3, Appendix 16.1 - Phase 1 Ground Conditions Assessment [APP-184] is considered appropriate and does not preclude further assessment being undertaken. Whilst cable trenches constructed through the historical airfields may have the potential to act as a pathway for contamination, the post-consent ground investigation (secured by DCO Requirement 13 – Draft DCO [AS-032]) and detailed design process of avoiding sources of contamination where possible or otherwise investigating and remediating contamination means that this potential new pathway will not form part of a contaminant linkage between existing contamination in the ground and controlled waters receptors.	Under discussion.

4 Signatories

4.1.1 The above SoCG is agreed between East Pye Solar Limited (the Applicant) and Environment Agency, as specified below.

4.1.2 Duly authorised for and on behalf of East Pye Solar Limited.

Name:	
Job Title:	
Date:	
Signature:	

4.1.3 Duly authorised for and on behalf of Environment Agency.

Name:	
Job Title:	
Date:	
Signature:	

Appendix A Record of Engagement

A.1.1 The parties have engaged throughout the pre-application stage, including technical meetings. In addition, the following stages of consultation has taken place:

- Non-statutory consultation ('Phase One' consultation) held between 23 October and 6 December 2024;
- Statutory consultation ('Phase Two' consultation) held between 18 June and 6 August 2025; and
- Targeted consultation held between 22 October and 26 November 2025.

A.1.2 A summary of meetings and key correspondence that have taken place between the parties in relation to the Application is provided in **Table A.1**.

Table A.1: Record of Engagement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
General		
19 August 2026	Virtual Meeting	Key Topics • Water quality monitoring and drainage/firewater management for the BESS and substations. • Groundwater risks, including thermal impacts, aquifer protection, piling/trenchless drilling, and historical contamination. • Post-consent ground investigation requirements and controlled water receptor protection. Key Outcomes • Application documents, management plans and SoCG wording to be updated to reflect EA comments. • Further detail to be provided on firewater containment, aggregate drainage layer management, FWRA scope and unexpected contamination.

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		Draft SoCG to be issued w/c 24 August, with a follow-up meeting to be arranged in early/mid-September.
01 September 2026	Email	Applicant shared draft SoCG for review ahead of meeting W/C 7 September.
11 September 2026	Email	Applicant shares final draft SoCG for Deadline 1.
15 September 2026		EA confirm this is an accurate reflection of the current position between the Environment Agency and the applicant.
Water Environment		
28 August 2024 & 26 March 2025	Email Correspondence	The Applicant requested modelled flood extents and levels for the River Tas and Hempnall Beck. The EA provided the requested information or response by email on the 19 September 2024, 17 April 2025 and 30 April 2025.
29 April 2025/ 27 May 2025	Virtual Meeting /Follow Up Written Correspondence to Stantec Technical Note & Meeting	Key Topics: - Consideration of sources of water supply (public and non-public water supply). - The impacts of local water scarcity on the scheme. - Estimation of water demands during the 3 phases of the scheme. - Interaction of BESS and National Grid Substation drainage with Principal Aquifer/Source Protection Zone (SPZ) 3 - Impacts of heat/thermal pollution from cables on

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		Hempnall Beck/fenland habitats • Water use • EA Yare-Tas model query and climate change allowances • Sequential approach of infrastructure location Key Outcomes: • Development of a Water Resource Assessment accompanying the Environmental Statement as part of the DCO application. • EA to check model with area colleagues • BESS and National Grid Substation would have separate drainage systems, bunding will be used and aggregate substrate will filter pollutants. Management of spills/leaks to be outlined in an Outline Construction Environmental Management Plan (OCEMP) • BESS and Substations located over the Principal Aquifer/SPZ3 would be lined with an impermeable membrane to prevent infiltration and potential migration of pollutants to the underlying strata. • Whilst climate change allowances were updated in 2022, they are lower than the allowances used in the 2014 Yare-Tas model, therefore the use of the higher allowances from the model represents a conservative approach and will

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		be considered within the Flood Risk Assessment with the DCO application. • Critical infrastructure to be located outside of Flood Zones 2 and 3 and areas of higher surface water flood risk. Solar panels will be raised above the ground. As such, it is not proposed to undertake detailed modelling. • Solar panels and BESS suppression system will be PFAS free.
15 December 2025	Virtual Meeting	Key Topics: • Scheme update, including reduction in CRC extent and identification of Avoidance Areas • Flood Zone and CRC6 interaction/cable crossings • Flood Zones/Starston Brook and National Grid Substation interaction • Surface water flow route in Sub-Site 8A • Substation/BESS surface water management • Management of foul/wastewater • Watercourse buffers • Water quality monitoring Key Outcomes: • Trenchless crossing identified for Hempnall Beck and other areas of Flood Zones 2/3 with no works such as storage compounds in Avoidance Areas. As such, it was agreed that it is a reasonable approach

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		not to undertake further modelling for the tributaries of the Hempnall Beck in the CRC6 area. • National Grid Substation has been been located further away from the Starston Brook (Option 2 in the PEIR) and Order Limits has been refined in this area and is now outside of the Starston Brook floodplain. • BESS has been situated outside of surface water flood risk extents associated with field drain/watercourse to the north. • BESS would have a drainage system designed to isolate and prevent pollution of the surrounding environment (system lined with an impermeable membrane, aggregate sub-base beneath and around battery unit areas, with runoff discharged at a controlled rate to the nearest watercourse. • Within Sub-Site 8A, solar panels have been removed from Flood Zones 2 and 3 and where possible outside of areas of highest surface water flood risk. Within the wider Order Limits, small areas of solar panels are located in areas of higher surface water flood risk owing to the project balancing with other environmental considerations. Panels to be raised up above the ground on narrow supports

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		with appropriate freeboard level. - Lining of drainage systems to be referenced as impermeable and equipment such as transformers would be banded. - BESS will have isolation valves to the fire system that automatically shuts, with provision of on-site firewater suppression. It is anticipated that the gravel substrate system will be compartmentalised between rows of access tracks, each having its own perforated pipe system that can be flushed/tested. - EA advised that valves should have an option for manual closure as a back up, and there should be the ability to clean/replace the gravel substrate in the event of contamination, and testing/protection of lining during any substrate replacement. - Wastewater to be managed through sealed septic systems and tankered off-site. - Watercourse buffers to be consistent with IDB requirements (10metres). - Request for commitment to water quality monitoring noted and OCEMP is in development.
04 June 2026	Relevant Representation	Key Outcomes: Issues are primarily matters of clarity, assurance and detail, with risks considered

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		manageable and capable of resolution through updated ES material and secured DCO controls rather than fundamental objection. • Source of water supply can be resolved prior to commencement.
27 July 2026	Virtual Meeting	<u>Key Topics:</u> • Disapplying Flood Risk Activity Permits • Protective Provisions • Statement of Common Ground • Cost Recovery <u>Key Outcomes:</u> • The Applicant agreed to share a formal email setting out the disapplication request, relevant main river crossing locations/activities, available plans, and associated mitigation/parameters. EA to review and confirm whether further information is required. • Agreed to meet again w/c 17th August and w/c 7th September to discuss SoCG
19 August 2026	Virtual Meeting	<u>Key Topics:</u> • Water quality and groundwater protection. • BESS and substation firewater management. • Thermal and contamination risks to groundwater. • Ground investigations and foundation works. <u>Key Outcomes:</u>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		- Agreed updates to the outline CEMP, OBSMP and related management plans. - Further information to be provided on firewater containment and groundwater impacts. - Agreement to continue discussions through the SoCG process. - Applicant to address remaining EA comments through examination submissions.
7 September 2026	Virtual Meeting	<u>Key Topics:</u> - Draft SoCG and DCO matters. - Water environment and flood risk. - Ground conditions and groundwater. <u>Key Outcomes:</u> - Agreed to continue progressing matters through the SoCG and D1 submissions. - EA to review FRAP disapplication proposals and groundwater heat note. - Applicant to provide further clarification on watercourse crossings, BESS drainage/firewater measures and environmental management plan wording.
Ground Conditions		
26 September 2024	Email Correspondence	The Applicant requested information relating to historical landfill sites and groundwater abstractions. The EA provided the requested information by email on 17 October 2024.
27 March 2025	Virtual Meeting	Key topics:

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		• Ground conditions assessment methodology. • Private water supplies, water wells and licenced groundwater abstractions. • Market Lane Pit – former quarry, potentially infilled land. • Peat soils in CRC7. Key outcomes: • An assessment methodology, including proposed receptor sensitivities would be provided to the EA for comment¹. This was not included in the scoping report as it had been proposed to scope out ground conditions. The sensitivity of receptors should be influenced by the presence / absence of groundwater Source Protection Zones (SPZs), aquifer designations and groundwater abstractions. • Publicly available ground conditions information would be reviewed to provide a more regional overview of the thickness of the superficial Diamicton, overlying the bedrock Crag and Chalk aquifers. • BGS water wells would be included within the list of sources used to identify private water supplies. • Mitigation would be secured via an outline Construction Environmental Management Plan which would include commitments to undertake a ground investigation, and

¹ This was undertaken with all but one of the EA's requested amendments being adopted.

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		where required, a foundation works risk assessment. Both of these could be provided post-consent. - Information relating to the historical Market Lane Pit would be reviewed, and if necessary this would be taken forwards for assessment as a potential source of contamination. - Peat soils within CRC7 would not be impacted by the construction of the trenchless crossing through CRC7, as the crossing would be beneath the peat.
04 June 2026	Relevant Representation	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.