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Environment Agency

Planning Inspectorate
Via PINS portal

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Customer reference: EN110014

26 October 2026

EAST PYE SOLAR DEADLINE 2: ENVIRONMENT AGENCY RESPONSE COMMENTS ON SUBMISSIONS RECEIVED AT DEADLINE1.

Dear Sir ,

This response constitutes the Environment Agency Deadline 2 submission.

1. **Detailed comments on documents received at Deadline 1as they relate to our Relevant Representations.**

Please see Appendix 1.

2. **Additional comments on documents received at Deadline 1 that do not directly apply to our Relevant Representations:**

[REP1-059] Outline Construction Environmental Management Plan (Rev2)
Table 3.4 Pg 24:
Regarding the use of spillage kits – please expand the statement to state that spillage kits will be made readily available near static and mobile plant operations.

[REP1-061] Outline Operational Environmental Management Plan (Rev2)
Table 3.12 states that embedded measures at Construction Phase will continue to provide mitigation during the Operational phase.
This wording should be clarified to explicitly state that any mitigation measures specified in the oCEMP would be applied to corresponding activities carried out in the Operational phase. Eg any intrusive works (eg cable maintenance) carried out in the operational phase will be subject to the same controls as per the oCEMP.

[REP1-061] oOEMP Appendix A Preliminary Surface Water Drainage Maintenance Schedule
2.4 – The use of the term 'bi-annual' is ambiguous. Please clarify this to specify twice-yearly rather than every two years.

3. **Summary table of our current position against each of our representations:**

Topic	Rel. Rep.	Issue	Status
dDCO	EA1	Preliminary works not covered by CEMP	Not agreed

dDCO	EA2	Disapplication of Flood Risk Activity permits	Not agreed
dDCO	EA3	Environment Agency as a named consultee for requirements	Not agreed
dDCO	EA4	Use of phrase 'Substantially in accordance with'	Not agreed
dDCO	EA5	Protective Provisions	Not agreed
dDCO	EA6	Discharge of requirements	Agreed
Flood risk	EA7	Impact of panels on floodplain storage	Agreed
Flood risk	EA8	Flood risk implications of temporary works	Agreed
Flood risk	EA9	Potential use of culverts	Agreed
Water Quality	EA10	WQ guidance	Not agreed
Water Quality	EA11	Baseline data	Agreed
Water Quality	EA12	Watercourse buffers	Agreed
Water Quality	EA13	Management of foul water	Agreed
Water Quality	EA14	Water quality monitoring	Not agreed
Water Quality	EA15	Concrete mitigation measures	Not agreed
Water Quality	EA16	Fuel, chemical & oil storage	Not agreed
Water Quality	EA17	Wheel cleaning	Not agreed
Water Quality	EA18	Drilling Fluid breakout contingency procedure	Not agreed
Water Quality	EA19	Mitigation measures for Decommissioning	Not agreed
Water Quality	EA20	Firewater management for Substation	Not agreed
Water Quality	EA21	Sequence of BESS construction and decommissioning	Agreed
Water Quality	EA22	Management of battery replacement	Agreed
Water Quality	EA23	Management of BESS firewater	Not agreed
Water Quality	EA24	Management of BESS/substation aggregate drainage layer	Not agreed
Water Quality	EA25	BESS and substation drainage	Agreed
Water Quality	EA26	Emergency response plan	Agreed
Groundwater	EA27	Groundwater dependant terrestrial ecosystems	Agreed
Groundwater	EA28	Piling and foundations	Agreed
Groundwater	EA29	Lifespan and decommissioning of cabling	Not agreed
Groundwater	EA30	Thermal impacts on groundwater	Not agreed
Groundwater	EA31	Cable trenches as preferential flow pathway	Agreed
Groundwater	EA32	Categorising Scale of Effect	Not agreed
Groundwater	EA33	Water quality impacts on water supplies	Not agreed
Groundwater	EA34	Source Protection Zones for Public water supplies	Not agreed
Groundwater	EA35	Risk from historic ground contamination	Agreed
Groundwater	EA36	Risks to aquifer from deep foundations and trenchless drilling	Agreed
Groundwater	EA37	Post-consent ground investigation	Not agreed
Groundwater	EA38	Assessment of impacts from historical sources of contamination	Agreed
Groundwater	EA39	Local geology at substation locations	Agreed
Ecology & Geomorphology	EA40	Definition of 'short-term' effects	Agreed
Ecology & Geomorphology	EA41	Definition of fish as 'local' importance	Agreed

Ecology & Geomorphology	EA42	Impacts of electro-magnetic fields (EMF) on eel	Agreed
Ecology & Geomorphology	EA43	Riparian enhancement and Biodiversity Net Gain	Agreed
Ecology & Geomorphology	EA44	Impact of solar panels on aquatic invertebrates	Agreed

Yours sincerely,

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Appendix 1: Detailed responses for Deadline 1

ID	Theme	EA Relevant Representation	Applicant's Response	EA Comment for Deadline 1	EA Comment for Deadline 2
EA-001	Outline Construction Environmental Management Plan	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.	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.	On-going. While we do not have any objection to the adoption of this approach in principle, an outline Preliminary Works Environmental Management Plan should be prepared and submitted for review during the Examination process. There is currently insufficient detail available about the proposed content of the Preliminary Works Environmental Management Plan for us to be confident that this will provide suitable environmental monitoring and mitigation for the Permitted Preliminary Works, consistent with the approach taken in the CEMP. The Local Authority should be named as approver of the Preliminary Works Environmental Management Plan, with the EA as a named consultee.	On-going. There has been no progression on this topic since our comment at Deadline 1.
		The mitigation commitments secured via the oCEMP will not be applied to this activity, creating a risk of pollution to the water environment.			
		Amend 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.			
EA-002	Water Environment	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. 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. The purpose of that meeting was for the Applicant to better understand the information being requested by the EA. Consultation with the EA on the proposed disapplication is ongoing and the Applicant will provide details of any relevant structures and a basic method statement to support the EA consideration.	On-going. We have received further information from the Applicant regarding the activities for which disapplication is sought. We are currently reviewing our position, and will respond for Deadline 2.	On-going. The Environment Agency has considered the Applicant's application to disapply FRAP legislation. The EA does not consider that disapplication is the best approach for this application. The proposed construction activities include Main River crossings by directional drilling. This activity is covered by a FRAP Exemption Exempt flood risk activities: environmental permits - GOV.UK, and would therefore **not** require an application for consent. Disapplication in this instance would result in increased scrutiny of the activity than if the regulations and conditions of the Exemption are complied with.

					The applicant should confirm they are satisfied that all relevant activities can be covered by an Exemption. If this is not the case, then we recommend that the applicant should apply for FRAPs for the specific activities.
EA-003	Draft DCO	The Environment Agency is currently not included as a named consultee in Schedule 2 for: Requirement 6 – Battery Safety management plan Requirement 13 - Construction environmental management plan; Requirement 14 - Operation environmental management plan. If the Environment Agency is not named on the relevant requirements, then we may not be able to secure the required details post-consent. We request to be named as consultee for Requirements 6, 13 and 14.	The EA has been included as a named consultee in Requirements 6, 13 and 14 in the Draft DCO [AS-032].	On-going. We are satisfied that the EA has been included as a named consultee for Requirement 6, 13 and 14. Within Requirement 13, there is currently no mechanism to secure the approval of the permitted preliminary works environmental management plan. The Local Authority should be named as approver of the Preliminary Works Environmental Management Plan, with the EA as a named consultee. Requirement 14 (1) – An error refers to *construction* management plan, but should instead read *operational* management plan.	On-going [REP1-015] dDCO There has been no progression regarding a mechanism to secure approval of a Permitted Preliminary Works environmental Management plan since our comment at Deadline 1.

EA-004	Draft DCO	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. Remove 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.	On-going. We maintain our position.	Not agreed We maintain our position

EA-005	Protected Provisions	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. If disapplication is approved replace protective provision with EA standard approved protective provisions.	The Applicant will seek to agree protective provisions with the EA, with the agreed provisions to be incorporated into the Draft DCO [AS-032]. Discussions in relation to the protective provisions and the disapplication of FRAPs is ongoing.	On-going. We note this and will continue to engage with the Applicant to secure EA standard protective provisions, if required should the disapplication of FRAPs be agreed.	On-going See response to EA002 above. The EA does not consider that disapplication is the best approach for this application, and therefore the use of protective provisions will not be required.
EA-006	Draft DCO	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	The Applicant has updated paragraph 3 of Schedule 15 of the Draft DCO [AS 032] to allow for consultee feedback within 20 working days of the LPA's receipt of the application. This will be captured in the next iteration of the Draft DCO [AS-032] to be submitted at Deadline 1. On the basis that the relevant planning authority must issue the consultation to the	On-going. We are satisfied with this amendment. We await review of the revised Draft DCO to resolve this issue.	Agreed. We note the changes made to dDCO REP1-015.

		been given insufficient time to review and respond to the discharge of requirements. Not having sufficient time will undermine the consultation process and the protection of the environment Amend to 15 working days to review the consultation & determine if sufficient information has been provided.	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.		
EA-007	Water Environment	Figure 5.4 suggests all solar panel development will be located outside of flood zones 2 and 3. However, paragraph 8.1.4 indicates panels may be affected by the design flood extent (i.e when an allowance for climate change is included). Potential loss of floodplain storage caused by solar panels located within the design flood extent. The FRA should confirm where, and to what extent,	This comment relates to the Solar PV Arrays located in the north-western area of Sub-Site 8A. 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 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	On-going. The applicant's response does not clarify the risk or address the potential impacts on floodplain storage at this area of the site. EA 007 relates to paragraph 8.1.4 of the FRA where it is stated *'The maximum modelled 1 in 100 AEP +35% allowance for climate change flood level is 29.33m AOD. The Solar PV Arrays within Sub-Site 8A are set at a minimum ground level of 29.00-29.40m AOD.'*	Agreed We acknowledge clarification on this matter. The SoCG REP1-087 and the updated FRA [REP1-053 & REP1-055] make it clear that the solar array layout within sub-site 8A avoids the extent of the design flood extent, including an appropriate allowance for climate change. Solar panel support legs will therefore have no impact on floodplain storage volumes.

		panels are proposed within the 1 in 100 yr plus climate change design flood extent. A volumetric assessment of panel supports within the flood extent should then be provided to assess the potential impact on floodplain storage.	+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 1,000 AP +25% floodplain. The panel supports in this area of Sub Site 8A would therefore not impact on fluvial floodplain storage.	This describes a potential flood depth of 0.33m at solar array areas.	
EA-008	Water Environment	Avoidance Areas are proposed at proposed watercourse crossings. However further detail is required on the location and design of works crossing Main River watercourses. There is potential for temporary works to increase flood risk where works are located within the floodplain and / or affect the Main River channel, bed, or banks.	The Applicant takes note of 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). The minimum cable depth will be 5m below the surveyed bed of main rivers. The Applicant confirms that crossings of main rivers will be undertaken	Resolved. Principles relating to Avoidance Areas are noted.	Agreed

		The extent of Avoidance Areas should be confirmed in terms of meters set back from watercourses. Confirmation should be also provided that Main River watercourse crossings will be undertaken by trenchless techniques i.e. HDD, and that locations of launch and reception pit are set back in accordance with guidance set out within The Environmental Permitting (England and Wales) Regulations 2016.	by trenchless techniques. The location of the Avoidance Areas are shown in the Outline Cable Route Construction Statement [APP-216] and secured through the Outline CEMP [APP-196]. The Applicant is in discussions with the EA in respect of the disapplication of the Environmental Permitting (England and Wales) Regulations 2016 in respect of flood risk activity permits. The Applicant has included protective provisions for the benefit of the EA to give comfort in this regard.		
EA-009	Water Environment	The FRA notes the potential use of culverts at watercourse crossings. Installation of new culverts has the potential to increase flood risk to both the development and offsite receptors. We would encourage the use of a clear-span bridges in preference to new culverts. This is in line with	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 crossings which do not interfere with the banks or bed of watercourses, with closed culverts being the	Agreed. Hierarchy for the nature of watercourse crossings is noted.	Agreed

		the Environment Agency's anticulverting policy.	least preferred option. This is secured in the Design Principles, Parameters and Commitments [APP-213] and the Outline CEMP [APP-196] 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 of whether they will be temporary or permanent as set out in ES Volume 3, Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] Section 8.3.		
EA-010	Water Environment	Chapter 9 is missing relevant guidance. Risk that best practice may not be followed resulting in avoidable environmental harm. Guidance in relation to water environment and mitigation measures that	The guidance set out in ES Volume 1, Chapter 9 – Water Environment [APP 045] Section 9.3 provides an overview of guidance relevant to the Scheme but is not an exhaustive list. Works requiring oil storage and pollution prevention	On-going. We acknowledge that Volume 1 Chapter 9 is not intended to provide an exhaustive list of relevant guidance. The outline CEMP and Water Framework Directive (WFD) Assessment submissions include reference to	Ongoing oCEMP (REP1-059) still does not include the relevant guidance advised.

		could be included is: • Oil storage regulations for businesses - GOV.UK • Pollution prevention for businesses - GOV.UK • CIRIA C736, titled "Containment Systems for the Prevention of Pollution" • Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK	would adhere to all relevant guidance, as secured through the Outline CEMP [APP-196] including those additionally listed by the EA. The WFD Regulations Guidance referenced within ES Volume 3: Appendix 9.2 - Water Framework Directive Assessment [APP-163] is referred to within the NSIP: Advice on WFD guidance. Therefore, the assessment within ES Volume 3: Appendix 9.2 - Water Framework Directive Assessment [APP-163] adheres to the NSIP WFD guidance.	some of the additional requested guidance documents but not all. The oCEMP (Revision 1, March 2026) includes reference to the Control of Substances Hazardous to Health Regulations 2002 and the Control of Pollution (Oil Storage) (England) Regulations 2001 but does not refer to the Oil Storage Regulations for Businesses guidance, Pollution Prevention for Businesses guidance, or CIRIA C736 'Containment Systems for the Prevention of Pollution'. Volume 3 Appendix 9.2 Water Framework Directive Assessment does not reference any of the documents listed in our Relevant Representation other than Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive.	
EA-011	Water Environment	Section 9.5.2 of Chapter 9 and 3.1.2 of WFD Assessment, which explains sources of data collection, does not	The Water Quality Explorer will be reviewed, and any relevant information will be integrated into an updated version of the Water Framework Directive	On-going. We acknowledge that data from the Water Quality Explorer will be reviewed and the WFD	Agreed Section 3.1.2 of the WFD Assessment (REP1-057) has been updated.

		include the Water Quality Explorer. If all available data isn't used, then valuable data may be missing from the baseline assessment. The Applicant should use Map Explorer | Water Quality Explore for water quality measurements taken in the vicinity to use for baseline data.	Assessment [APP-163] at a future deadline.	Assessment will be reviewed at a future deadline. We await review of the revised document to resolve this issue.	
EA-012	Water Environment	Section 9.7.3 says storage "away from main rivers and watercourses" but a specific distance is not provided. Inadequate buffers alongside watercourses increases the risk of activities on site having an impact on water quality Documents should consistently specify that storage of materials and temporary construction compounds/laydown areas should be at least 10m away from top of bank of watercourses, and, where	The Applicant notes this comment and the secured documents will be updated at Deadline 1 to clarify that the 10m is measured from the top of the bank of the watercourse.	On-going. We await review of updated documents to clarify this issue. The commitment CWE38 in the Commitments Register [AS-038/AS-039] needs to be updated to reflect that the 10m watercourse buffers is relevant for all phases, not just operation.	Agreed The following documents have all been updated to clarify 10m from top of bank: - REP1-079 Design Principles, Parameters and Commitments - REP1-059 OCEMP (Tables 3.4 and 4.4) - REP1-061 OOEMP (Tables 3.4 and 4.4) - REP1-063 ODEMP (Tables 4.4 and 5.4) - REP1-053 Flood Risk Assessment & Outline Surface Water Drainage Strategy,

		practicable, away from areas of high groundwater vulnerability.			sections 5.8.6, 8.2.1 and 9.5.2
EA-013	Water Environment	During construction and operation phases self contained portable welfare units will be used to store foul/wastewater for collection/emptying by specialist licenced contractors. However, it is unclear what is proposed for decommissioning. The units are described as 'self contained' but it is unclear if this means they are fully sealed with no potential for discharge to the environment. Inadequate foul water treatment and disposal creates a risk to the water environment and deteriorating water quality. Provide clarity that the portable units are sealed and will have no discharge to surface water or groundwater. Provide clarity regarding foul water	The proposed wastewater management measures will be self-contained and sealed which will not allow the discharge of wastewater to surface water bodies or groundwater. Wastewater will be removed off-site by tanker to local licensed wastewater treatment works. This is secured within the Outline OEMP [APP-197]. The proposal for decommissioning is secured within the Outline DEMP [APP 198], which contains the following measure relating to the containment of foul water within Table 4.4 and Table 5.4, 'Foul water from welfare facilities would be contained within sealed systems and tankered away'. The Applicant notes that tankering movements are considered to be inherent within the trip generation and distribution	Resolved. Statements within the outline OEMP and Decommissioning Environmental Management Plan (DEMP) confirm that foul water is to be contained in sealed systems and removed via tanker for offsite treatment or disposal	Agreed

		disposal strategy during decommissioning.	forecasts as detailed and assessed within ES Volume 1, Chapter 11: Transport and Access [APP-047]. Tankering movements are therefore subject to the management and mitigation measures detailed within the Outline CTMP [APP-201] and Outline OTMP [APP-202] to be secured by Requirement of the Draft DCO [AS-032].		
EA-014	Water Environment	We 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 oOEMP doesn't include reference to the WMP despite the intended post-construction water quality monitoring. An inadequate monitoring plan may not detect any relevant trends on water quality during the	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	On-going. We understand that the outline CEMP will be updated at Deadline 1 (DL1) to include further details of proposed ground investigation and water quality monitoring requirements. The oOEMP [APP-197] doesn't include reference to the WMP despite the intended post-construction water quality monitoring. This should be updated and submitted at a subsequent deadline.	On-going No updates noted in oCEMP [REP1-059] to Tables 3.4 and 4.4 address this issue. No updates noted in Outline OEMP [REP1-061]. We note that the ground investigation will include the collection of a baseline surface water quality dataset with laboratory analysis, and this has been updated in Tables 3.12: & 4.12:.

		construction and operation phases. Ensure the oCEMP and oOEMP 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.	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 Scheme. The Outline CEMP [APP-196] secures the following monitoring requirements within Table 3.4, *'A Water Management Plan (which will form part of a detailed CEMP(s)) will include details of pre construction, 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'.* During a meeting with the EA on the 19th August 2026, it was agreed that the wording in the Outline CEMP [APP-196] to	We await review of the revised documents to resolve this issue.	However, the Monitoring Requirements column in these Tables currently states "A Ground and Surface Water Monitoring Plan". There is no reference to this being further finalised in a detailed CEMP. Additionally, there is inconsistency with Tables 3.4: & 4.4: where Monitoring Requirements are "A Water Management Plan (which will form part of a detailed CEMP(s)) will include details of pre-construction, construction, and post-construction water quality monitoring". The Applicant must clarify if these monitoring plans are two different documents or intended to be the same document. We recommend that Table 3.4 and 4.4 is updated with wording to direct the reader to Table 3.12 and 4.12, if the words will not be copied. "

			include a commitment to providing in situ testing, with the detail to be finalised post consent in individual detailed management plans. The updated Outline CEMP [APP-196] will be submitted at Deadline 1.		The applicant should demonstrate how groundwater monitoring will be included into the plans supporting the oCEMP and oOEMP.
EA-015	Water Environment	Concrete mitigation measures have not been detailed. Construction of concrete can be a risk to water quality as it is a known source of hazardous substances, particularly during the curing phase Risk of pollution to surface waters Provide further details on the use of concrete and how it will be managed.	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	On-going. We note that the detailed CEMP will provide greater detail regarding concrete mitigation. However, Table 3.4 in the oCEMP should include an outline of the intended approach to controlling the risks from concrete, to be expanded upon in the detailed plan(s). We await review of the revised document to resolve this issue.	On-going No updates evident in Outline CEMP Rev.2 [REP1-059] We request that the Applicant provides clarity that no concrete washout water is discharged to the environment untreated. Suitable treatment and water discharge activity permits may be required, but it is our preference that any contaminated water be tankered offsite and managed by licensed facility.

			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.		
EA-016	Water Environment	Inadequate detail provided regarding the storage and management of fuel, chemicals and oils storage. Increased risk of fuel, chemicals and oils entering the water environment and impacting on water quality. Fuel, chemical and oil storage must be on impermeable surface, bunded and covered to prevent rainfall accumulation. If necessary, a method to remove accumulated rainwater should be provided. Hazardous materials should be stored at least 10m from watercourses. Oil separators could also	Table 3.15 (Materials and Waste) of the Outline CEMP [APP-196] states 'All hazardous materials including fuels, chemicals, cleaning agents, solvents and solvent containing products to be properly sealed in containers in appropriately protected and bunded storage areas.' This is also repeated in section 4 of the Outline CEMP relating to the National Grid substation. This same comment applies to the Outline DEMP [APP-198]. Table 4.4 of the Outline OEMP [APP 197] states 'Fuel and other potentially polluting chemicals will either be in self bunded leak proof containers or stored in a secure	On-going. We note that Section 3 of the outline OEMP will be updated to confirm bunding and impermeable drainage infrastructure will be in place to manage fuel and other potentially polluting chemicals, and that the use of 10m watercourse buffers will be confirmed in the oDEMP and oOEMP, at DL1. We await review of the revised document to resolve this issue.	Ongoing. Table 3.4 of OOEMP (REP1-061) has been updated with wording to confirm bunding volume and how pollution will be removed from site, however there is no similar wording in OCEMP (REP1-059) or ODEMP (REP1-063). It remains unclear if these storage/bunded areas will be covered to prevent rainfall accumulation. See comments on EA10 regarding missing guidance. We acknowledge in our response to EA12 that

		be used in drainage systems. Substation drainage systems should be impermeably lined. Ensure mitigation measures used in construction phase are consistent with the decommissioning phase.	impermeable and bunded area (minimum capacity of 110% of the capacity of the containers), If pollution is detected it will be suctioned to a self bunded (or similar) tank and removed from site for suitable disposal', in respect of the National Grid Substation. The Applicant notes that this text is not included in Section 3 of the Outline OEMP [APP-197] relating to the rest of the Scheme and will update this document at Deadline 1. The Applicant notes that the Outline CEMP [APP-196] and Outline DEMP [APP-198] provide commitments to 10m buffers from watercourses. The Outline OEMP [APP-197] will be updated to include this commitment at Deadline 1. Further details will be provided within the detailed versions of these documents, in line with the 'Oil storage regulations for businesses'		management plans have been updated about buffers.

			guidance, at the detailed design phase.		
EA-017	Water Environment	Lack of clarity regarding the management, containment and disposal of wheel wash water. If contaminated wash water is not managed correctly, it can enter watercourses and impact on water quality. Provide clarity that wheel washing activities will be undertaken within a designated impermeable or lined area. Wash water should be contained to prevent contaminated water entering waterbodies or groundwater. The frequency of maintenance of the wheel washing system should be specified. Provide clarity that, if discharge on-site is required, a water discharge activity permit will be sought from the Environment Agency. Rumble strips and dry	The Applicant notes that clarity is required regarding the use of the wheel wash within the Outline CEMP [APP 196] and Outline DEMP [APP-198]. The Outline CEMP [APP-196] and Outline DEMP [APP-198] will be amended at Deadline 1 to provide further details surrounding the design and use of the wheel wash.	On-going. We acknowledge that the Applicant will update the oCEMP and oDEMP at DL1 (DL1) to provide further details of wheel wash mitigations. We await review of the revised document to resolve this issue.	On-going We note the additional text: "Wheel cleaning to be dry rumble grid or other suitable facilities will be provided to minimise mud and debris being deposited onto public roads. Wheel washing where required caried out in dedicated impermeable or lined areas with wash water contained and recycled or removed offsite by licensed contractor." The following detail should be inserted: *Wheel washing should where practicable be sited away from sensitive features including SW drainage and areas of high groundwater vulnerability.*

		brushing could be used to remove mud from wheels to help minimise risk to water quality.			
EA-018	Ground Conditions	Further detail is required in Table 3.4 regarding the proposed content of the drilling fluid breakout contingency procedure. Risk of pollution to watercourses if drilling fluid break-outs are not managed correctly. The oCEMP should include monitoring for loss of drilling fluid during works to ensure any break-out is rapidly identified	The Outline CEMP [APP-196] includes the following; 'In the event of surface seepage, contamination will be contained and cleaned up using sandbags and a vacuum tanker. Any surplus drilling fluid will be recovered from entry/exit pits post installation by a specialist waste management company. This fluid will be collected and disposed of at a licensed facility An Emergency Response Plan will include details for pollution prevention and will be prepared and included alongside the detailed CEMP. An Emergency Response Plan will be included alongside the detailed CEMP(s)' within Table 3.4. The Outline CEMP also states that 'where trenchless crossing technique is used such as HDD, a breakout	On-going. The proposals for management of surface seepage and surplus drilling fluids are acceptable. We acknowledge that the oCEMP will be updated at DL1 to confirm that the drilling fluid breakout contingency procedure will include monitoring for loss of drilling fluids to ensure rapid identification of break-out, and that an Emergency Response Plan will accompany the detailed CEMP. The oCEMP should be updated to include text that states: '*Any pollution incident involving break out of drilling fluid into a watercourse must be immediately reported to the Environment Agency Incident line 0800 80 70 60 to enable the the situation to be assessed as soon as possible'*	Ongoing OCEMP (REP1-059) Table 3.4 was updated with wording that states the breakout contingency procedure will *"include monitoring for loss of drilling fluid during the works such that any losses can be rapidly identified"*. However, there is still no reference to reporting to the EA.

			contingency procedure will be included in the detailed CEMP(s) to manage any accidental releases of drilling fluid, including immediate containment and clean-up measures'. The Outline CEMP will be updated at Deadline 1 to confirm that the breakout contingency procedure will include monitoring for loss of drilling fluid during works to ensure any break-out is rapidly identified.	The EA has experience of previous instances where unacceptable delays in incident reporting have resulted in significant damage to chalk stream habitat. We await review of the revised document to resolve this issue.	
EA-019	Decommissioning	Inadequate detail in the oDEMP regarding mitigation measures for the water environment. Measures are indicated to be similar to those established in the oCEMP but some relevant measures identified in the oCEMP are not included. Risk that unmitigated decommissioning activities may result in environmental harm. The Applicant should provide further detail including the applicable	It is acknowledged that the Outline DEMP [APP-196] provides lesser detail regarding proposed mitigation than the CEMP and OEMP. Paragraph 1.1.7 of the Outline DEMP [APP-198] contains the following text 'This document provides the likely structure of, and some outline information relevant to, the detailed DEMP.' Paragraph 4.1.2 states *'All mitigation will need to be reviewed and updated prior to decommissioning against the baseline environment at that*	On-going. We acknowledge that the detailed DEMP will provide details of mitigation for potential environmental effects on the water environment, and that the EA is a named consultee under Requirement 21 of the Draft DCO. Even so, we consider that the oDEMP should provide greater detail of the proposed mitigation measures to be employed to protect the water environment during decommissioning.	Ongoing Aside from minor updates to ODEMP (REP1-063) about watercourse buffer and temporary compounds and stockpiles locations, there is still inadequate mitigation measures secured. We recommend wording is added to the ODEMP: *"Given that the environmental effects of decommissioning are similar to, or of a lesser magnitude than, those arising during construction, the*

		measures already detailed in the oCEMP.	*time.*'. The Detailed DEMP will provide further information on the proposed environmental management proposed in line with relevant guidance at the time of decommissioning (proposed for 2091). The Environment Agency has been included as a named consultee in the Requirement 21 (Decommissioning and restoration) of the Draft DCO [AS-032].		*mitigation measures secured within the Outline Construction Environmental Management Plan shall, where relevant and appropriate to decommissioning activities, be applied through the Decommissioning Environmental Management Plan unless superseded by more specific decommissioning mitigation."*
EA-020	Water Environment	Lack of clarity regarding the drainage and pollution mitigation measures for the 132kV Substations and 400kV Substations. Further details are required about penstocks and management of firewater. Uncontrolled firewater drainage from substations poses a risk of pollution to the water environment. Provide clarity regarding the substation drainage design and management of firewater with automated penstock valves (or	The only infrastructure within the 132kV and 400kV Project Substation areas that may have a risk of fire is the 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	On-going. The Applicant's response is noted. We seek clarification of the controls which will be in place to manage the potential for surface water build-up within (and thus reduction in storage capacity of) the separate self-bunded drainage system for the transformers at the 400kV Project Substation.	On-going We recognise that Table 4.4 of the OOEMP (REP1-061) states "All smaller fixed infrastructure (e.g. transformers) will be self-bunded". There have been certain updates on this topic for the BESS in OBSMP (REP1-067) and OOEMP, but similar measures for Firewater management for Substation are still unresolved. Additionally,

		similar). Ensure capacity in event of a fire to contain sufficient volumes of firewater to prevent release to environment, ensuring containment until subsequent disposal offsite.	lined drainage system for the compounds, no surface water runoff from the transformer areas would be discharged to the water environment. As such, the surface water management strategy for the Project and National Grid Substations does not need to consider firewater management or include penstock valves for the wider compounds (given the National Grid Substation will not incorporate transformers). The proposed surface water drainage system for the National and Project Substations will be sealed/lined with an impermeable membrane and have been designed to accommodate the 1 in 100 annual probability +45% allowance for climate change rainfall event, as set out in Section 9 of ES Volume 3: Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-		as per our previous response (REP1-191), we still seek clarity on bund volume capacity. In the OOEMP for fuel storage it says "If pollution is detected it will be suctioned to a self-bunded (or similar) tank and removed from site for suitable disposal" but we are unclear if this is the same for any firewater if it is applied at the substation. The Applicant should confirm that the proposed design of containment at the Substations would be sufficient to contain anticipated firewater volumes in the event of fire, in addition to the volume of oil within the transformer(s).

			018] and secured within the Design Principles, Parameters and Commitments [APP-213] (drainage design standard) and the Outline OEMP [APP-197] (impermeable membrane).		
EA-021	BESS	In the list of activities that would be required to construct the BESS Area, 'Installation of fire safety measures' is listed last. Risk that fire water could be released into the environment if batteries and other equipment are installed on site prior to the construction of fully operational fire safety measures Ensure fire safety measures (specifically the sealed drainage with penstock valve), are in place prior to installation of the equipment. oBSMP should confirm that BESS batteries would be removed from site prior to the decommissioning and	Section 3.2 (Safe BESS Construction) of the Outline BSMP [APP-200] already confirms that: '*3.2.1 The BESS would be constructed in two distinct phases. Firstly, the civil works and balance of non-BESS plant and equipment construction would be started. Then at a suitable point, the BESS equipment would be delivered to be installed on the foundations and connected to the balance of plant. 3.2.2 The installation would be subject to pre-requisites such as a contractor emergency protocol detailing the actions to be taken in an emergency, including a construction ERP that would be coordinated with the relevant stakeholders*	Resolved. The Applicant's response is noted and accepted.	Agreed

		removal of any fire protection systems and surface water containment systems.	*and emergency services. In addition, installation would not take place until practical provisions were completed such as the water tanks being installed and filled for use in an emergency.'* The Applicant confirms that fire water containment systems would be installed as part of site works before the BESS are installed. BESS systems must be removed from site before fire protection infrastructure and firefighting water containment systems can be decommissioned.		
EA-022	BESS	Inadequate detail is provided regarding the management of damaged or end of life batteries. We note that BESS could be replaced up to five times. Batteries can pose a water quality risk if they leak. Provide clarity regarding how batteries will be removed during replacement, and stored after removal prior to being	The Applicant currently does not have definitive information regarding the specific BESS cycle requirements or discharging periods. As the operational lifespan of a battery unit is inherently determined by its throughput, there is a correlation between usage and degradation. For example, the more cycles a unit goes through over time, the greater the possibility that	On-going. We understand that details of battery operational lifespan will not be determined until the detailed design stage and are satisfied that a reasonable worst-case scenario for replacement frequency has been adopted for the Environmental Statement. We note and are satisfied with the additional text proposed to be added to the outline BSMP at Deadline 1.	Agreed. We note the updates to section 3.3.16 of OBSMP (REP1-067).

		taken offsite for appropriate disposal.	replacement will be necessary to maintain the required storage and export capacity (Information provided in user query). By accounting for up to five replacements, the Applicant has ensured that a worst case scenario for the replacement of equipment has been fully assessed within the Environmental Statement. 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 runoff, and remediation of affected areas in the event of a pollution incident. The Applicant will update paragraphs 3.3.15 and 3.3.16 of the Outline BSMP [APP-200]	We await review of the revised document to resolve this issue.	

			at Deadline 1 to include the additional text in italics below: 3.3.15 In the event of a defective battery module or cell being identified, the defective module shall be immediately placed out of service and be electrically disconnected from the system. A specific risk assessment shall be conducted prior to the removal of the defective module to ensure the safety of employees and contractors. Specific protocols for storage and removal will fully align with the supplier's maintenance, decommissioning, and warranty stipulations. *Protocols will ensure that all credible pollution, fire and explosion protection safety risks are fully mitigated*. 3.3.16 Once a defective module is safely discharged or removed in accordance with the specific risk assessment, it shall be stored in an		

			approved protective container suitable for the safe storage of BESS battery components prior to being transported from the defective unit to a dedicated safe location for inspection by an authorised manufacturer's representative. *Storage location and protective container design will be approved at the detailed design stage by NFRS and the EA, detailed safety protocols will be included in the final BSMP.* Regarding appropriate disposal of batteries, this will depend on the BESS supplier arrangement and disposal stipulations at the time.		
EA-023	BESS	The surface water drainage system for the BESS will have an auto shutoff valve that activates in the event of the fire alarms sounding, however there is no mention of a manual closing option nor maintenance schedule.	ES Volume 3: Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [APP-162] paragraph 9.11.4 states that the BESS may be split into 'compartments' of battery units, each with their own associated lined aggregate	On-going. We note and are satisfied with the additional text proposed to be added to the outline BSMP at Deadline 1. We await review of the revised document to resolve this issue.	On-going REP1-067 Outline Battery Safety Management Plan We note the inclusion of the agreed text. Para 4.5.5 The use of the phrase '…Power supply

		Details regarding the testing of captured firewater have not been provided. Water will then likely be tankered away, however alternative disposal options are unclear. Risk of pollution to the water environment if potentially contaminated water is not contained and disposed of correctly. Provide details about manual penstock operation, testing and maintenance. 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. This should be written into the post-incident recovery plan.	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 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] and Submitted at Deadline 1: *'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*		arrangements *may* include…' indicates secondary power is not secured. The Applicant should confirm that the system would still be effective if a secondary power system is not employed and primary power is lost. EA preference is for retained firewater to be removed for offsite disposal. Please be aware that timescales for testing and determination of discharge approval may be significant. Applicant would need to ensure that any further rainfall (or firewater in the event of a further fire event) entering the BESS drainage system would also need to be held and in the case of the latter may change the pollutant profile of the water. We await update to Paragraph 4.4.4 of the Outline BSMP [APP-200] to confirm that once contaminated water is removed, prior to the penstock

			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 firewater will be sampled by a suitably*		reopening, the drainage system will need cleaning to ensure there are no contaminants which could be resuspended when the drainage system reopens. (As per Applicant's response against EA WE-8 in SoCG submitted at D1).

			competent person and submitted to a UKAS accredited laboratory for analysis using UKAS and MCERTS accredited methods, where applicable. The samples will be analysed to determine the presence and concentration of contaminants and checked against the hazardous substances listed in the 'surface water pollution risk assessment for your environmental permit' guidance. 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.'		
EA-024	BESS	Insufficient detail regarding the management of the aggregate drainage layer and impermeable lining at BESS and Substation sites for surface water attenuation and storage. Risk of pollution from contaminated aggregate if decontamination procedures are insufficient; or if the impermeable lining is damaged during remedial works. Provide details of the proposed measures to decontaminate the impermeable BESS and Substation drainage	The only infrastructure within the Project Substation areas that may 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]. ES Volume 3: Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018]	On-going. Management of pollution risk at transformers in Project Substation is addressed in response to EA-020. We note that further details of the decontamination process for the aggregate drainage layer and impermeable lining will be provided within the detailed OEMP at detailed design stage. However, Table 3.4 in the oOEMP should include an outline of the intended approach to controlling the risks from the management of the aggregate drainage layer and impermeable lining, to be	On-going [REP1-067] Outline Battery Safety Management Plan [REP1-061] Outline OEMP Neither document provide an outline of the intended approach to controlling the risks from the management of the aggregate drainage layer and impermeable lining. Comments on the term 'may' in relation to the compartmentalisation of the BESS drainage systems have not been addressed.

		systems, including the removal and cleaning or replacement as necessary of any components of the drainage system prior to any shut-off valves being re-opened.	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 as shown on ES Volume 2: Figure 4.1 [APP-059]. This would aid in the isolating and testing of surface water runoff, and remediation of affected areas following a fire incident. Requirement for decontamination of the aggregate substrate within the BESS and substations 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	expanded upon in the detailed plan(s). The wording of Paragraph 9.11.4 uses the term 'may' in relation to the compartmentalisation of the BESS drainage systems, which does not commit the Applicant to adopting the approach described. It should therefore be confirmed that if this approach is not taken, the drainage system would still fully contain contaminated runoff in the event of a reasonable worst-case fire event. Commitments CWE31 and CWE32 in Commitments Register [AS-038] should be updated to reflect the current design.	See EA23 We await update to Paragraph 4.4.4 of the Outline BSMP [APP-200] to confirm that once contaminated water is removed, prior to the penstock reopening, the drainage system will need cleaning to ensure there are no potential contaminants which could be resuspended when the drainage system reopens. (As per Applicant's response against EA WE-8 in SoCG submitted at D1).

			such that the impermeable membrane would be maintained and protected from damage and repair if necessary.		
EA-025	Water Environment	It is not always clear that the entirety of the surface water drainage infrastructure for the BESS, National Grid Substation and Project Substations would be impermeable and designed to prevent uncontrolled surface water runoff as well as subsurface infiltration. Surface water drainage infrastructure at these features may result in uncontrolled discharge of potentially contaminated runoff if design is inadequate. It should be clearly stated that the surface water drainage systems at these features would be impermeable and designed to prevent infiltration and uncontrolled surface water	ES Volume 3, Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018] states that the BESS and Substations are designed to have a permeable surface (excluding internal access tracks) with underlying aggregate sub base. The sub-base system will be lined with an impermeable membrane to prevent the infiltration of runoff from the sub-base to the strata below. The outflow from the proposed surface water drainage system will be controlled via a flow control to an adjacent watercourse, with additional penstock valve upstream of the control for the BESS for firewater runoff control management. This is secured through the Outline BSMP [APP-200].	Resolved. We acknowledge that the Battery Energy Storage Systems (BESS) and Substations will incorporate an impermeable lining beneath the sub-base to prevent infiltration of runoff into the underlying strata, and that surface water will be discharged via flow control to an adjacent watercourse, including a penstock valve to control firewater runoff from the BESS. We acknowledge that transformers have been assessed by the Applicant as the only infrastructure considered to pose a hazardous substance risk to controlled waters, and these will be self-bunded. The Applicant identifies that text regarding remediation of the BESS drainage system will be provided in the detailed OEMP at detailed design stage. The Environment Agency is	Agreed

		runoff. The Applicant should also identify how damage to the impermeable membrane from construction activities such as piling would be avoided. Substations should incorporate measures to ensure that contaminated runoff from plant and equipment containing polluting and hazardous substances, such as oil filled transformers, would be contained in the event of a fire.	The Outline CEMP [APP-196] and Outline OEMP [APP-197] set out that all chemicals will be stored within a secure and bunded impermeable area. The infrastructure that is considered to contain a hazardous substance is 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 Applicant notes that clarity is required regarding remediation activities and the impermeable lining at the BESS site. Text will be provided within the detailed Operational Environmental Management Plan at the detailed design stage.	a named consultee in the Draft DCO for approval of the drainage scheme (Requirement 11(1)) and Battery Safety Management Plan (Requirement 6(2)).	

			Requirement 11 of the Draft DCO [AS 032] also secures 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. This approval will be in consultation with the Environment Agency amongst other named consultees.		
EA-026	Management Plans	Insufficient detail regarding the content of the site specific Emergency Response Plan (ERP) which will be secured via the oBSMP. The oCEMP and oDEMP state 'An Emergency Response Plan will include details for pollution prevention' to be prepared at the detailed design stage, however further details should be provided at this stage.	The Applicant will update paragraph 4.4.1 of the Outline BSMP [APP-200] to the following, at Deadline 1: '*The BESS Area will have a robust and validated emergency response plan (ERP), developed in consultation with NFRS. Where an incident has the potential to affect surface water or groundwater, the ERP will include priority notification and escalation procedures for*	On-going. We acknowledge that the Applicant will update the outline BSMP at Deadline 1 and that the ERP will be provided at detailed design stage. The proposed additional/amended text is acceptable. We await review of the revised document to resolve this issue.	Agreed We note the updates to para 4.4.1 of BSMP [REP1-067]

		An ERP is important for managing high risk situations quickly and effectively, and inadequate planning can increase the risk of environmental damage. We request that the Applicant develops this ERP in consultation with the relevant local authority planning officer, emergency services, and the Environment Agency in relation to responding to flood warnings and pollution events. The ERP should identify the importance of notifying downstream river/groundwater abstractors in the event of a fire should impacts to surface water and/or groundwater occur. All relevant incident response parties should be made aware of the ERP and provided with immediate access to it.	*the Environment Agency (EA) and, where applicable, downstream receptors such as licensed abstractors. All relevant incident response parties, including the EA, the lead local flood authority and the site operator, will be made aware of the ERP and will have immediate access to it. Notification procedures will be activated at the earliest practicable stage of any incident with the potential to affect controlled waters.'* Paragraph 5.1.8, final bullet, of the Outline BSMP [APP-200] will be amended to: '*ERPs covering construction, operation and decommissioning phases will be developed once a construction team, and an operator have been appointed. These plans will be developed in consultation with NFRS, the Environment Agency (EA), and other local emergency services to include the*		

			adequate provision of firefighting equipment onsite and ensure that fire, smoke, and any release of toxic gases from a thermal runaway incident does not significantly affect site operatives, first responders, and the local community.' The Applicant notes that further details are required regarding the site-specific Emergency Response Plan (ERP). The ERP will be developed in consultation with the relevant local authority planning officer, emergency services, and the Environment Agency in relation to responding to flood warnings and pollution events. The ERP can only be provided at the detailed design stage alongside the detailed Environmental Management Plans. Requirement 6 of the Draft DCO [AS-032] ('Battery safety management'), requires the EA and Norfolk Fire and		

			Rescue Service to be consulted on the detailed battery safety management plan.		
EA-027	Ground Conditions Water Environment	Not all internationally designated sites within 1km of the Proposed Development are listed. Potential for impacts to some designated sites including Groundwater dependent terrestrial ecosystems (GWDTEs) to be overlooked. The Applicant should review the list of designated sites and assess any impacts as necessary.	Table 9.4 of ES Volume 1: Chapter 9 – Water Environment [APP-045] makes reference to Hedenham Wood SSSI (Hedensham Wood SSSI is not recognised and this may be a typographical error in the EA RR response), Fritton Common and Pulham Market SSSIs which are identified as High sensitivity. Fritton Common and Pulham Market SSSIs are identified as GWDTEs in Table 9.4, however it is acknowledged that Hedenham Wood SSSI is not.	Resolved. Applicant's comments are acknowledged.	Agreed
EA-028	Scheme Description Ground Conditions	No Maximum Design Scenario (MDS) values are given for foundation / piling depth for the 132kV Project Substations, or 400kV Project Substation at Sub Site 1B. Lack of clarity regarding the likely maximum vertical extent of ground disturbance means	Scheme parameters, including a maximum depth of 12m for the piled foundations for the Project Substations, National Grid Substation and BESS are provided in Table 4.2, 5.3 and 4.4 of the Design Principles, Parameter and Commitments [APP-213]. The ES Volume 3, Appendix 16.1 – Phase 1	Resolved. Applicant's comments are acknowledged.	Agreed

		potential impacts to groundwater cannot be assessed. Risk of creating a contamination pathway to groundwater receptors. MDS should be established for all potential pile and foundation structures to allow estimation of interaction with groundwater.	Ground Conditions Assessment [APP-184] and ES Volume 1, Chapter 16 Ground Conditions [APP-052] have been undertaken in accordance with the scheme parameters stated in Table 4.1 of ES Volume 1, Chapter 4 The Scheme [APP-040].		
EA-029	Ground Conditions	The programme of replacement activities does not specify the operational lifespan of below ground cabling. Potential for cabling to deteriorate and release contaminants into the groundwater environment if not suitably designed. The Applicant should confirm that the lifespan of below ground cabling would as a minimum be commensurate with the Operational Phase of the Proposed Development. The Applicant should	In the Outline OEMP [APP-198], which is secured by Requirement 14 of the Draft DCO [AS-032], it states that along the CRC, operational activity will consist of routine inspections (schedule to be determined) and any reactive maintenance, such as where a cable has been damaged. To the extent that repairs are required to any part of the cable, the DCO enables the necessary access to the CRC and associated works for such repairs to be undertaken during the operational phase. If any sections of cable were	On-going. We recognise that cable repair and/or replacement may be necessary during the operational phase in response to damage and that wholesale cable replacement is not anticipated. We request that for the avoidance of doubt the Applicant confirms whether below ground cabling will have a design lifespan specification commensurate with the duration of the operational phase	On-going This issue has not been considered in the SoCG

		commit to review the best practicable environmental option prior to commencement of decommissioning. This should be captured in the Commitments Register.	unable to be repaired during the operational phase, sections of cable could be replaced as part of the maintenance activities assessed. It would not however, require a wholesale replacement of the entire cable at once. Instead, any programme of cable repair or replacement would be staged into smaller sections to maintain the electrical export to the National Grid.		
EA-030	Water Environment	Insufficient evidence provided to discount potential thermal effects on sensitive groundwater receptors. Potential for thermal plume(s) generated by energised high voltage cables during the Operational phase to impact sensitive groundwater receptors, principally Groundwater Dependent Terrestrial Ecosystems.	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	On-going. We are currently reviewing the additional desk-based assessment and acknowledge that thermal effects from buried cables would only be relevant during the operational phase, with any mitigation measures secured via the final outline OEMP and outline CEMP.	On-going. We have reviewed the Groundwater Heat Pollution Desk-Based Assessment Rev1 Sept 2026, and returned comment direct to the Applicant. We request further clarification, and amendments to the oCEMP to secure key mitigations: • Confirmation that all proposed underground HV cabling has been

		The Applicant should further assess the potential for significant effects from thermal emissions from buried high voltage electrical cables.	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		considered within the assessment • Commitment in oCEMP to micro-siting of cables outwith the 50m SPZ, and to avoid private sewerage infrastructure. • Provide reference to the need for, or exemption from, a groundwater activity under Schedule 22 of the Environmental Permitting Regulations (EPR) 2016. • Provide further detail regarding potential risks to GWDTEs, and appropriate mitigations. • Where thermal effects to sensitive groundwater receptors cannot be screened out, the oCEMP should include a commitment to assess and where necessary mitigate effects to these

			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.		receptors once detailed design information is available. The Applicant should allow for some flexibility in the cable, ducting and trench infill design should mitigation be required. [REP1-080] Outline Cable Route Construction Statement Rev2 should provide cross-reference to the measures in the CEMP regarding mitigation of thermal effects
EA-031	Water Environment – Water Framework Directive	No mitigation is identified to prevent cable trenches from acting as a preferential flow pathway for pollutants or enabling mixing of groundwater units. New preferential flow pathways could enable mobilisation of contamination, mixing of groundwater bodies and/or affecting groundwater	As described in the ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184], the Sources of Potential Contamination (SPCs) within the Study Area, i.e. those which could be mobilised by ground disturbance during construction, are limited to the former airfields RAF Hardwick (1), RAF Seething (2), the former Market Lane Pit	On-going. We agree that the measures outlined in the Applicant's response, including ground investigation and the requirement to maintain a protocol for managing unexpected contamination, will be sufficient to manage any associated risks posed to controlled waters. Item CGC1 in the Commitments Register (AS-039) should be	Agreed

		levels in sensitive sites with shallow groundwater such as peat deposits and GWDTEs. Provide a commitment that where localised sources of mobile contamination are encountered, commit to use impermeable trench lining and clay stanks or similar to prevent the trench from acting as a new preferential flow pathway. Clay stanks, trench breakers or similar should also be used to prevent distinct shallow groundwater units from mixing, should these be encountered.	(3) and a former refuse tip in Sub-Site 4B (4). Of these only RAF Seething intersects with the Cable Route, in CRC14. It is however acknowledged that underground cabling will also be present within other areas of the Site. The Preliminary Risk Assessments (PRAs) for SPCs 1-3 estimate risks to surface water and groundwater of Very Low to Low. The PRA for SPC4 estimates risks to surface water and groundwater of Moderate, noting that this is the baseline condition and is unchanged by the construction of the Scheme as this area is to be used for ecological mitigation only. 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. As described	updated to state that the intrusive ground investigations should include contamination assessment for identified SPCs, and be conducted in accordance with BS10175:2026 and the Environment Agency's Land Contamination Risk Management guidance as referenced in the Applicant's response to item EA-035.	

			within the ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184] "*embedded mitigation will also be provided by design. Where possible the design of the Scheme will seek to avoid SPCs" and "where avoidance is not possible, the SPCs will be investigated".* The Outline CEMP [APP-196] requires the Contractor to develop a protocol for dealing with any unexpected contamination. This protocol will include details of how the contamination will be further investigated, assessed and remediated. On this basis, the cable trench will not interact with SPCs (including unexpected SPCs) as the SPCs will either be avoided or assessed and mitigated. Whilst the trenches could act as a pathway, they will not form part of a		

			contaminant linkage and therefore it is not considered necessary to include further mitigation measures for the prevention of mobilisation of contamination within the cable trenches.		
EA-032	Water Environment Ground Conditions	Table 9.6 provides a matrix for categorising scale of effect. We do not consider the scale of effect values to be suitable; and the matrix is inconsistent with the equivalent table presented in Chapter 16 – Ground Conditions, despite significant similarities in receptor type and type of impact. Scale of effect likely to be underestimated, and the evaluation of otherwise comparable impacts between Water Environment and Ground Conditions chapters is not possible. The Applicant should review the scale of effect	It is acknowledged 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. We would note that 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]. It is also acknowledged that Table 9-6 uses less magnitude of change categories to that of ES Volume 1, Chapter 16 – Ground Conditions [APP-052]	On-going. We note the Applicant's statement that the assessment of likely effects on the water environment, and therefore the conclusions of the assessment presented in the ES, are not significantly affected by the identified inconsistencies in the matrix presented in Table 9-6. The matrices presented in Chapters 9 and 16 should be revised to ensure that assessments with overlapping receptors can be directly correlated and all conclusions are clear to the reader.	On-going Chapter 9 Table 9-6 of the ES should be revised to ensure direct comparison between equivalent water environment and ground conditions effects is apparent to the reader.

		categories and revise the table(s) accordingly.	Table 16.4, however the Significance of Effect values across the Very Small and Negligible magnitude columns are very similar. 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'.		
EA-033	Water Environment	Residual effects for Water supplies (private/public) during the construction and decommissioning phases includes water quantity impacts but does not include water quality impacts from spills and pollutants. Residual risk of contamination of water supplies has not been considered. Contamination impacts should be included for water supplies (public/private abstractions).	The Applicant notes this comment. This will be corrected within Table 9.7 through an update of ES Volume 1, Chapter 9 – Water Environment [APP-045] at a later deadline. Notwithstanding the above, private and public water supplies have been considered within the assessment and 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	On-going. We are satisfied with this response. We await review of the revised document to resolve this issue.	On-going We are satisfied with the Applicant's response in the SoCG , and await the update to ES Volume 1, Chapter 9 – Water Environment for this to be resolved.

			supplies from the potential mobilisation of contaminants from the Scheme for all phases is Not Significant.		
EA-034	Water Environment	The extents of Source Protection Zones (SPZs) are not accurately described. Public water supplies are not included in Table 6.7 (SPZs for private water supplies are included and assigned Medium sensitivity). Section 9.6.22 incorrectly states that only the northern part of the Order Limits area lies within SPZ3. Risk that impacts on public water supplies are not assessed. The Applicant should include public water supply SPZs in the assessment, and reflect the presence of SPZ2 and SPZ1 of a public water supply abstraction within the Study Area close to Site 1/ the BESS and Substations. Private groundwater abstractions	The Applicant notes that this comment refers to Table 6.7 however it is believed that this should refer to Table 9.7 as set out in the document reference. Public water supplies are included within Table 9.7 although it is noted that the table does not specifically mention SPZs with regards to public supplies. The Applicant notes the error in 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 paragraph 9.5.3 of ES Volume 1: Chapter 9 – Water Environment [APP-045]). SPZ1 and SPZ2 are	On-going. We acknowledge that Chapter 9 paragraph 9.6.22, and definitions of sensitivity with respect to private water supplies, will be updated at a later deadline. We acknowledge that Volume 1 Chapter 9 assesses effects using the worst-case sensitivity groundwater receptors of 'Very High' (SPZ 1) and that these amendments will not have material effects on the conclusions drawn. We await review of the revised document to resolve this issue.	On-going. We await review of revised ES Volume 1, Chapter 9 – Water Environment for this to be resolved. 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. Very High (SPZ1) has been adopted as a worst case. Note that all private abstractions used for potable or food production purposes are considered to have a minimum 50m radius associated SPZ1 (Protect groundwater and prevent groundwater pollution - GOV.UK). Assigning a higher sensitivity to the Source Protection Zone compared to the abstraction it serves would not be appropriate.

		should be considered to be High sensitivity receptors. The locations and extents of SPZs relative to the Order Limits and Study Area should be accurately reflected.	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.		
EA-035	Ground Conditions	The potential risks of new contamination pathways from historic contamination to private and licensed abstractions may have been underestimated. Potential for contamination of private and permitted abstractions. The Applicant should provide further information to support this conclusion, and/or commit to additional mitigation.	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	On-going. We note the text in the outline CEMP will be updated to include the BESS and NG Substation in addition to Project Substations and look forward to reviewing the changes when available. The Applicant's other comments are noted. We await review of the revised document to resolve this issue.	Agreed. [Rep1-059] oCEMP – reference to BESS and NG substation is now included. We consider the 'Low' risk to controlled waters established by Applicant is appropriate and further assessment is not required. Mitigation is established by avoidance or ground investigation of potential sources and remediation where necessary. Risks associated with other activities (trenchless

			National Grid Substation and BESS. On the basis of the assessment undertaken, using the information provided by the EA, BGS and LPA, credible risks to PWS and permitted abstractions have not been identified. The Conceptual Site Model is such that there are no credible contaminant linkages between the identified SPCs and the PWS and permitted abstractions either within the Order Limits or the Study Area. The Outline CEMP [APP-196] requires that a Foundation Works Risk Assessment (FWRA) is prepared for 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 ground investigation. It further requires that the Applicant undertakes Hydrogeological		crossings/piling) managed via ground investigation and FWRA/Hydrogeological Impact Assessment as secured.

			Risk Assessment wherever trenchless crossings interact with Principal or Secondary A aquifers or pass beneath surface watercourses or sensitive ecological receptors. All assessments and the geotechnical and geoenvironmental ground investigation will be undertaken in accordance with the prevailing guidance at the time of writing / specification. The Outline CEMP [APP-196] includes mitigation measures relating to the prevention of new contamination during the construction phase, these include locating temporary construction compounds away from watercourses, management of compound runoff, controls on chemical storage, use of oil drip trays, and "all reasonably practicable measures will be taken to prevent the deposition of sediment in, and the pollution by sediment of,		

			any watercourse, arising from construction activities". Further measures are included within the Outline CEMP [APP-196] relating to the operational phase including controls on fuel and chemical storage and measures for leak/spill control, substation and BESS runoff, and fire water management.		
EA-036	Water Environment – Water Framework Directive	Risks to the WFD groundwater body (Principal aquifer) from piled/ deep foundations and/or trenchless drilling have not been assessed. These activities could create new preferential flow pathways for contamination during the construction, operation and decommissioning phases. Risk of impacts to water quality in the Principal aquifer. The WFD Assessment should account for the potential for migration	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	On-going. We note the text in the outline CEMP will be updated to include the BESS and NG Substation in addition to Project Substations, and that the WFD Assessment will be updated to include reference to piling, trenchless crossings and embedded mitigation through the Foundation Works Risk Assessment (FWRA). We await review of the revised document to resolve this issue. Based on the Applicant's risk assessment we agree that the need for FWRA for proposed PV	Agreed [Rep1-059] oCEMP – reference to BESS and NG substation is now included. Table 3.2 commits to carry out the ground investigation supporting these FWRA in accordance with 'the relevant standards and guidance, including BS10175:2026'. However this does not explicitly name the Environment Agency's Land Contamination Risk Management' guidance. We are satisfied this guidance can be referenced in the detailed CEMP(s) post-consent.

		pathways through the superficial Diamicton deposits. The Applicant should carry out a Foundation Works Risk Assessment (FWRA), informed by local ground investigations to at least the maximum design scenario piling, foundation construction and drilling depth, for all proposed BESS and Substation structures and trenchless crossings. The selected methodology should avoid creating a migration pathway through any overlying superficial deposits. FWRA should also be produced for PV array foundations in areas potentially affected by contamination such as former RAF Seething, former RAF Hardwick and potentially infilled historic mineral extraction pits. Ground investigation data should be acquired post	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 undertaking Hydrogeological Risk Assessment wherever a trenchless crossing interacts with Principal or Secondary A aquifers or passes beneath surface watercourses or	arrays within the former RAF Hardwick and RAF Seething airfields can be determined based on the findings of post-consent geoenvironmental ground investigation and risk assessment.	[REP1-057] An updated WFD Assessment has been provided. A WFD Screening Assessment is provided for the Broadland Rivers Chalk and Crag Water Body (GB40501G400300). We disagree with the assertion in 3.8.3 that impacts to groundwater conditions and characteristics will be negligible as 'the indicative sizing of the CRC excavation trenches and entry/reception pits will be minimal compared to the total are of the groundwater body' . We consider that the relative scale of the proposed activity does not necessarily preclude significant effects to the WFD body from occurring. However, we are satisfied that the commitments to manage potential pollution effects from the construction, operation and decommissioning of the

		consent to inform foundation construction details. This should include assessment of the potential for pollutant pathways through the Diamicton deposits where present. All trenchless crossings which may interact with Principal or Secondary A aquifers, surface watercourses or sensitive ecological sites should be supported by a Hydrogeological Risk Assessment informed by intrusive ground investigation data. This should be committed to via the outline CEMP.	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 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		Proposed Development which are secured within the oCEMP, oOEMP and oDEMP, (or working toward resolution), would be sufficient to mitigate significant impacts to the WFD groundwater body. On this basis we are satisfied that this waterbody can be screened out.

			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 Water Framework Directive Assessment [APP-163] will be updated at Deadline 1 to include reference to piling, trenchless crossings, and the embedded mitigation through the FWRA..		
EA-037	Ground Conditions	The CEMP commitment for a ground investigation prior to construction to inform the detailed design does not include sufficient detail. Risk of pollution to groundwater. Any intrusive ground investigation should be in accordance with applicable best practice guidance and legislation including BS10175:2026 and the Environment Agency's Land Contamination Risk Management guidance. The	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	On-going. The Applicant's response is noted and accepted. We note that the mitigation measures presented within the outline CEMP and Volume 3 Appendix 1: Phase 1 Ground Conditions Assessment are due to be updated at a future deadline. We await review of the revised document to resolve this issue.	On-going We are generally satisfied with the scope of the ground investigation as outlined in [REP1-059] oCEMP Tables 3.12 & 4.12. but request the following additional text: *"groundwater monitoring installations should also be established in deeper groundwater if encountered within anticipated foundation depths.* *-the scope should include a programme of groundwater level monitoring over a sufficient period of time to establish reasonable worst-*

		ground investigation should: • assess ground conditions at the maximum design depths for pile/foundation and trenchless crossings; and • include groundwater level monitoring sufficient to establish reasonable worst case baseline condition (i.e. including the winter period).	analysis that uses UKAS accredited laboratories and MCERTS approved methods where available. The investigation will be undertaken in accordance with prevailing guidance. 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.		*case groundwater levels and seasonal fluctuation (a minimum of six months and incorporating periods of typically high rainfall). This should be used to update the hydrogeological conceptual model and subsequent hydrogeological impact assessments and foundation works risk assessments."* The Applicant should ensure that any redundant wells are decommissioned in line with best practice guidance to avoid these from acting as a potential pathway for pollutant mobilisation.
EA-038		The report concludes that construction phase risks for SPCs 1 to 3 are Low, and Moderate for SPC4, as determined by the Preliminary Risk Assessment (APP-184). Risks from SPC 2 may be underestimated.	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	On-going. We note the text in the outline CEMP will be updated in regard to FWRA. The Applicant's rationale for determining the likely contamination risk associated with former RAF Hardwick and former RAF Seething is considered appropriate, and we	Agreed. See EA35

		The Applicant should reassess risks from SPC 2 to sensitive water receptors.	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. The Applicant agrees that there is potential for localised point-sources such as disposal/burial pits to be present within the former airfield. Within the Preliminary Risk Assessments presented in the ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184] the airfield fringe / runway / hardstands etc. land use within the Order Limits at SPC1 (former RAF Hardwick) and SPC2 (Former RAF Seething) have been assigned as Low, defined (in accordance with the methodology presented following scoping) as “locally	are content that any associated risks would be adequately addressed by the proposed post-consent geoenvironmental ground investigations, contamination watching brief and discovery protocol, and other measures to be secured in the oCEMP. We await review of the revised document to resolve this issue.	

			slightly elevated concentrations". The next stage up would be Moderate, defines as "*Possible widespread slightly elevated concentrations and locally elevated concentrations".* It is considered that to treat the whole of the airfield within the Order Limits as Moderate on the basis of localised point sources would be over conservative based on our understanding of the nature of this source. It is not possible to target unknown burial pits as part of the post-consent geotechnical and geoenvironmental ground investigation, and if encountered during construction these would be unexpected contamination. The Outline CEMP [APP-196] requires that a protocol for dealing within any unexpected contamination will be developed by the Principal Contractor. This protocol will include: • Details of a		

			watching brief and toolbox talks, details regarding how any affected area will be delineated, protected, investigated and assessed • The qualifications and competencies of the person appointed to oversee the works; • The preparation of a method statement for how the contamination will be dealt with or remediated (as appropriate); • An escalation policy describing when and how any notifications and approvals will be agreed with the relevant planning authority; and Details of verification procedures for any mitigation or remediation works. The likelihood of the contaminant linkage being realised via the migration pathway through the Diamicton has been assessed as “Low” (as defined in Table 4 of Annex 1 to the ES Volume 3, Appendix 16.1 - Phase 1 Ground Conditions Assessment [APP-184]), i.e.		

			“there is a pollution linkage and circumstances are possible under which an event could occur. However, it is by no means certain that even over a longer period such event would take place, and is less likely in the shorter-term”. The next stage of likelihood, which would result in an increase to the assessed risk, is “Likely”, defined as “There is a pollution linkage and all the elements are present and in the right place, which means that it is probable that an event will occur. Circumstances are such that an event is not inevitable, but possible in the short-term and likely over the long term”. This is considered to over represent the likelihood of a linkage where “contamination associated with the historical airfield use is considered likely to be 1) limited, given that the airfield infrastructure within the Order Limits was limited to areas of runway, perimeter		

			road, bomb and ammunition storage and hardstands, with the technical site, hangars, fuel stores at considerable distance from the Order Limits, and 2) likely to be dispersed following at least fifty years of agricultural use" and where the source significance and receptor sensitivity are unchanged. The effect of increasing likelihood has been tested. Using a the currently assigned hazard classification score of 'Low' and groundwater receptor sensitivity of 'High' (as per the risk assessment methodology in Annex 1 of Appendix 16.1) but increasing the likelihood from 'Low' to 'Likely' results in an increase of the risk from 'Low' to 'Moderate'. A risk of Moderate is considered likely to be overconservative given the likely nature of the source as described above. The effect of exposure to existing potential contamination through ground		

			disturbance takes into account the primary and tertiary mitigation measures. These include intrusive ground investigation and assessment prior to construction, with the results of the ground investigation used to inform the detailed design of the Scheme. This increase in risk would therefore not affect the significance of the assessed effects, as the proposed approach would remain the same, with ground investigation and interpretative assessment being undertaken to refine the Conceptual Site Model, with any mitigation found to be necessary incorporated into the design of the Scheme.		
EA-039	Ground Conditions	The description of local geology is ambiguous. The report does not differentiate the two indicated 400kV Project Substations in the south-	The description of the geology beneath the Project Substations in the BESS Site and Sub-Site 1B provided in Section 3.4.6 of the ES Volume 3, Appendix 16.1 – Phase 1	Resolved. The Applicant's response is noted and accepted.	Agreed

		western part of the Order Limits Risk of unexpected impacts to groundwater if the local geology is misunderstood. The ground conditions at each proposed Substation feature should be clearly defined.	Ground Conditions Assessment [APP-184] is considered to be suitably descriptive and aligns with published geological mapping. Section 3.4.6 of the ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184] states that "the Project Substations … within the BESS Site, Sub-Site 5A, Sub Site 7F and Sub-Site 10C are located in areas which are underlain (beneath any superficial Diamicton) by Crag Group and subsequently, by chalk bedrock. The … Project Substations located in Sub Site 1B and Sub-Site 4B are located in areas which are underlain (beneath any superficial Diamicton) by chalk".		
EA-040	Ecology and Biodiversity	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	The Applicant notes the EA's comment and confirms that consideration has been given to the duration of construction activities affecting watercourses within the submitted assessment,	Resolved. The Applicant has provided a satisfactory response which ensures that the severity of temporary impacts on fish will not be assessed by simply the time span alone, but also on the	Agreed. We are satisfied with the applicant's response with regards to potential impacts of culverts on fish.

		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. Assess any activity that takes longer than 6 months as if it were permanent works and put in place mitigation against such effects.	including ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]. The Applicant does not agree that the six-month distinction applied within Water Framework Directive (WFD) low-risk activity screening should automatically be treated as a threshold for determining ecological significance within the Ecological Impact Assessment (EcIA). The EcIA has been undertaken with reference to the CIEEM Guidelines for Ecological Impact Assessment, which identify duration as one characteristic relevant to the assessment of ecological impacts, alongside other considerations including magnitude, extent, frequency, timing and reversibility. CIEEM also notes that duration should be considered in relation to ecological characteristics, such as species' lifecycles, as well as	type of impact, receptor sensitivity, ecological function and reversibility of the impact, this includes 'the nature, scale and extent' of the impact. We also note that mitigation is included to avoid impacts which includes trenchless techniques on sensitive watercourses.	However the applicant should be aware that a recent revision of WFD guidance has removed scale (temporal and spatial) from the risk assessment. Works involving culverts are now considered to be high risk activities, regardless of scale and bridge crossings are considered to be medium risk, regardless of scale, either during construction or decommissioning. The EA WFD guidance indicates that, regardless of impacts on fish, the use of a culvert in of itself is an activity that should be assessed as a high risk to the environment.

			human timeframes, and that the duration of an activity may differ from the duration of the resulting ecological effect. Accordingly, duration is one factor informing the assessment of magnitude, but it is not the only consideration; professional judgement is also applied, having regard to the nature, scale, extent and reversibility of the impact, receptor sensitivity and ecological function, including potential effects on habitat availability, fish passage, water quality and species populations. The submitted ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044] applies this receptor-led approach and concludes that construction phase impacts on ditch networks would be negligible, comprising short-term reversible impacts at the Site scale with no long-tern negative effect, and not significant. 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 describes 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. Commitments to these measures are set out in the Outline CEMP [APP-196]. In addition, the Design Principles, Parameters and Commitments document [APP-213] outlines further mitigation whereby trenchless crossing techniques will be the default option for watercourse crossings (main river and ordinary watercourses). 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 one of the following forms (which are listed in order of least to most impact), as set out in the Design Principles, Parameters and Commitments document [APP-213]: • Single-span structures that do not interfere with the channel (banksides, bed or water column); • Span structures with in-stream supports or pre-cast structures with natural bed; • Closed culverts with artificial invert; and • Open trench with over-pumping. 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. The Applicant anticipates that cable installation and trenchless crossing 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-041	Ecology and Biodiversity	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	The ES assigned freshwater fish a value of Local importance (ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]). This valuation was considered appropriate on the basis of the baseline information	Resolved. We agree that the majority of waterbodies on site are unfavourable for European eel, and therefore the argument of local importance is agreed on. However, the Hempnall Beck does provide suitable habitat for	Agreed

		priority species listed under Section 41 of the NERC Act 2006 The significance of impacts on protected fish species may not be adequately assessed. Amend 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)	available, including the habitat-led assessment presented in ES Volume 3, Appendix 8.9 Aquatic Habitat Assessment Report [APP-160], and the ecological evaluation presented in ES Volume 1, Chapter 8 – Ecology and Biodiversity [APP-044]. The ES identifies that no fish records were identified within the survey areas, although hydrologically connected monitoring sites recorded typical lowland river species, including European eel, within connected reaches of the River Tas and Hempnall Beck. It also states that fish are likely to be present in the main connected channels, but that ephemeral ditches within the Order Limits are unlikely to support significant populations and only on a temporary basis. On this basis, and having regard to the widespread distribution of these species within the Yare and Tas catchment, the	European eel and therefore according to the EA Eel (England and Wales) Regulations 2009 guidance it should be assumed that European eel will be presence and therefore the Hempnall Beck is of County importance for European eel. That aside we agree that this will not change the overall conclusion of the EIA and that suitable mitigation is in place on the Hempnall Beck i.e. trenchless crossing technique and minimum of 5m depth cable. We have no further comments or concerns.	

			ecological importance of freshwater fish in relation to the Order Limits was assessed as Local. The Applicant recognises the Environment Agency's position regarding European eel (Anguilla anguilla), including that the species is listed as a Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006. The CIEEM Guidelines for Ecological Impact Assessment identify species of principal importance as an objective starting point for identifying important ecological features; however, they also state that the importance of species populations should be determined with reference to contextual information on distribution and abundance, including trends based on historical records. The Applicant therefore considers that the valuation applied		

			within the ES remains appropriate, as the assessment considered the available evidence for the fish assemblage and its likely use of watercourses within the Order Limits, rather than species conservation status alone. Notwithstanding this, if the Environment Agency's more precautionary position were adopted and freshwater fish were considered to be of up to County importance for the purposes of sensitivity testing, the assessment methodology would remain unchanged. On that basis, operational EMF effect on freshwater fish would be revised to Minor Adverse. However, the effect would remain below the threshold for a Significant Effect in EIA terms and the overall conclusions of the Environmental Statement would remain unchanged. Accordingly, the Applicant does not consider that an		

			amendment to the receptor valuation is necessary. Even if a more precautionary receptor valuation were applied, the predicted effects would remain not significant and no changes to the mitigation strategy or overall assessment conclusions are required.		
EA-042	Ecology and Biodiversity	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. Provide 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	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. 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 of 5m below the	Resolved. The confirmation of a design commitment to lay cables at a minimum of 5m below main watercourse satisfies our issue, and we have no further comment or concern.	Agreed

		approach to avoid potential impacts on European eel.	surveyed riverbed of main rivers, as stated in the Design Principles, Parameters and Commitments [APP 213]. In more ecologically 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 of the Avoidance Areas as set out in the Outline CEMP [APP-196]. 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		

			Scheme adopts the same minimum burial depth beneath main rivers. [Planning Inspectorate Reference: EN010168 - APP/6.1 Lime Down Solar Park Environmental Statement Volume 1, Chapter 9: Ecology and Biodiversity]. 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-043	Ecology and Biodiversity	The oLEMP does not include reference to the riparian enhancements and reduced encroachment that are specified within the BNG report. Management or enhancement	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	Resolved. We are encouraged to see that the applicant will permanently maintain riparian buffer strips onsite, of 10m minimum, where there is no encroachment from either the array or access tracks. This would also generate	Agreed

		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. Secure 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.	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. The Avoidance Areas are secured through the Outline CEMP [APP-196]. 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 offsetting permanent losses of riparian habitat ES Volume 3: Appendix 8.9 – Aquatic Habitat Assessment Report [APP 160], Biodiversity Net Gain Report [APP-218]. The Scheme already incorporates a range of measures relevant to aquatic habitats, including	an uplift in watercourse units from reducing encroachment value where land was previously under agriculture.	

			minimum stand-off distances from watercourses, trenchless crossings at watercourses, habitat reinstatement, and ecological management measures secured through the Outline CEMP [APP-196] and 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-044	Ecology and Biodiversity	The potential for aquatic invertebrates to be	Operational effects associated with solar	Resolved.	Agreed

		attracted to solar panels has not been addressed. Risk of interrupted lifecycle of aquatic invertebrates. 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.	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. The Design Principles, Parameters and Commitments [APP-213] 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 (see Table 4.1 of the DPPC). These are also secured through the Works Plan Part 1 and 2 [AS-002 and AS-003]. Undeveloped buffer zones adjacent to watercourses will be retained for the lifetime of the Scheme, maintaining	The Applicant's response is noted.	

			physical separation between operational infrastructure and aquatic habitats. 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 (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. 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.		
EA-045	Scheme Description	Error: There is an inconsistent approach to the listing of active and historic landfills within 1km of the Order Limits. Some landfills are listed multiple times, sometimes with different names or no name provided, and it is not always clear whether a referenced landfill is historic or authorised. Howe Pits is included in the list but is situated over 1km from the Order Limits.	The Applicant notes that there is an inconsistent approach used within paragraph 3.4.22 within ES Volume 1, Chapter 3 - Order Limits [APP-039]. Section 2.4 of ES Volume 3, Appendix 16.1 – Phase 1 Ground Conditions Assessment [APP-184 to APP-186] defines the landfills and areas of infilled land within the Order Limits and surrounding area, and these have been considered appropriately within the effects assessed within ES Volume 1, Chapter 16 – Ground Conditions [APP-052].	Resolved. The Applicant's response is noted. We recognise that the identification and description of landfills given within Volume 3 Appendix 16.1 is accurate and this information has been considered in the assessment presented in Volume 1 Chapter 16, and that Volume 1 Chapter 3 Section 3.4.24 directs readers to these documents for full baseline ground conditions information including landfills. We advise that the list provided in Chapter 3 is updated for the sake of clarity	
EA-046	Water Environment – Water Framework Directive	Error: The WFD Groundwater body present beneath the site, 'Broadland Rivers Chalk and Crag Water Body', is described as being classified as 'Poor' ecological status.	The Applicant notes this comment. Considering the chemical status and quantity, the Broadland Rivers Chalk and Crag Water Body is classified as 'Poor',	On-going. We agree that the error does not materially affect the conclusions of the Water Framework Directive Assessment but request that this	

		This is incorrect as Ecological status is not used to classify groundwater bodies. The overall classification of WFD Groundwater bodies is based on the lower of two categories – chemical status and quantity.	therefore this does not change the conclusions presented within the Water Framework Directive Assessment (APP-163].	is corrected at a future deadline for the sake of accuracy	
EA-047	Ground Conditions	Error: All bedrock lithologies are described as Secondary (undifferentiated) aquifers, creating the risk that the significance and sensitivity of the bedrock aquifers underlying the site are under-represented. The bedrock lithologies should be identified as Principal aquifer. However, this error has not been carried through in the Phase 1 Preliminary Risk Assessment.	This error is acknowledged and it is agreed that the bedrock aquifers should be classified as Principal Aquifers. It is noted that the Assessment of Likely Effects uses a receptor sensitivity of Very High – appropriate for the Principal Aquifers and hydrogeological baseline and therefore correction of this error will not result in a change to the significance of the identified effects. This error will be corrected at a later deadline.	On-going. Error in table to be corrected at a future deadline. We acknowledge that the error does not impact the significance of identified effects.	
EA-048	Ground Conditions	Error: APP-052 Tables 16.5 and 16.6 and APP-184 Table 3.1 present a summary of superficial geology present on the site. This does not	This omission of the very limited area of Alluvium within the south-western corner of Sub-Site 8B from Table 16.5 of ES Volume 1:	On-going. We agree that the omission does not impact the conclusions of the risk assessment due to the presence of a higher sensitivity	

		identify the presence of Alluvium within Sub Site 8B, as is indicated on British Geological Survey mapping.	Chapter 16 – Ground Conditions [APP-052] is acknowledged. The Assessment of Likely Effects uses a receptor sensitivity of Very High (based on the Principal bedrock aquifer). The Alluvium is classified as a Secondary A Aquifer (Medium sensitivity). The bedrock Principal aquifer remains the critical receptor, and the assessment presents a reasonable worst-case basis. Were the assessment to be amended to reflect the lower sensitivity of the Alluvium (Secondary A Aquifer), the significance of the assessed effects would not be more adverse than currently assessed.	receptor (bedrock Principal aquifer). Volume 1 Chapter 16 should be amended at a future deadline for the sake of accuracy.	
EA-049	Management Plans	Error: Table 4.4 states that "A Foundation Works Risk Assessment will be completed prior to the start of any work associated with the foundations of the Project Substations, supported by the Ground	The Applicant notes that the Outline CEMP [APP-196] references 'Project Substations' within tables 3.4, 3.12, 4.4 and 4.12. The intention was for this to include the National Grid Substation and BESS. The	On-going. We are pleased to note that the assessment of likely significant effects has been developed considering embedded mitigation for the NG Substation and BESS in addition to the Project Substations, and that these will	

		Investigation data." This should refer to the National Grid Substation. Error: Table 4.12 states that "A Foundation Works Risk Assessment will be undertaken post-consent for structures requiring deep foundations and/or piling such as the Project Substations." This should refer to the National Grid Substation. Possible error: Table 4.18 states that "The relevant risk assessments for safety during construction will be required and produced by the Contractor prior to decommissioning, which will be implemented to minimise the risk of accidents and disasters." We presume the reference to decommissioning is an error	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. The Outline CEMP [APP-196] will be updated for Deadline 1 to confirm inclusion of the National Grid Substation and BESS within tables 3.4, 3.12, 4.4 and 4.12. The Applicant notes that the table 4.18 within the Outline CEMP [APP-196] references 'decommissioning', this table will be updated for Deadline 1 to instead reference 'construction'.	be included in an updated version of the oCEMP, along with a correction of the identified error in Table 4.18.	
EA-050	Ground Conditions	Error: Probable typographical error: "The peat is	This error is noted and should state "The peat is considered likely to be in	On-going. The Applicant's response is noted.	

		considered likely to be in continuity with the peat…"	hydraulic continuity with the underlying Alluvium and Leet Hill Sand and Gravel Member".	This should be corrected in a future revision of Volume 1 Chapter 16.	
EA-051	Decommissioning	Error: Table 5.4 and Table 5.12 refer to the use of an Emergency Response Plan and other pollution avoidance measures for decommissioning of the National Grid Substation and Grid Connection infrastructure. However, the National Grid Substation and Grid Connection Infrastructure are understood to be intended to remain in situ and presumably not subject to decommissioning activities.	Paragraph 3.1.6 of the Outline DEMP appropriately confirms that the National Grid Substation and the Grid Connection Infrastructure would remain in situ. Any measures included within Tables 5.1 to 5.18 summarise the mitigation measures to be included within the DEMP that will be relevant to the National Grid Substation and the Grid Connection Infrastructure during the decommissioning phase. The measures are not included to suggest that they will apply to the decommissioning of that infrastructure itself.	Resolved. The Applicant's response is noted and accepted.	
EA-052	Water Environment	Error: Table 9.3 showing the sensitivity criteria of identified receptors does not include Groundwater Dependent Terrestrial Ecosystems (GWDTEs). GWDTEs are subsequently	The Applicant notes that Groundwater Dependent Terrestrial Ecosystems (GWDTE) are missing from ES Volume 1, Chapter 9 – Water Environment [APP-045] Table 9.3, however, they have been	Resolved. The Applicant's response is noted and accepted.	

		listed in Table 9.4 as 'High' sensitivity receptors. Note that Appendix 16.1 – Phase 1 Ground Conditions Assessment identifies and assesses GWDTEs within the Study Area. We consider Fritton Grange Meadows should also be assessed as a potential GWDTE.	identified as a receptor and the omission does not alter the assessment of effects. It is therefore not proposed to update the chapter.		
EA-053	Ground Conditions Water Environment	Informative: Karstic features in chalk bedrock	The Applicant notes this informative. The hydrogeology of the chalk aquifer will be considered as part of post-consent interpretative assessments, such as FWRA, Hydrogeological Risk Assessment and Generic Quantitative Risk Assessments.	Resolved.	
EA-054	Water Environment	Informative: Sustainable Drainage Systems (SuDS)	The Applicant notes this informative.	Resolved.	
EA-055	Ground Conditions Water Environment	Informative: Composition of drilling fluids	The Applicant notes this informative. The exact drilling fluid products to be used will also be confirmed in the detailed CEMP, and Safety Data Sheets (SDSs) will be	Resolved.	

			provided to the Environment Agency for approval prior to commencement of drilling works. Where feasible, the Applicant will seek to avoid the use of PFAS-containing bentonite, polymers, fuels, oils or other chemicals, and any proposed substitute products ('or similar') will be subject to review by the Environment Agency through prior submission of SDSs. These commitments ensure that drilling fluids will be appropriately selected, controlled, and monitored, and that groundwater and ecological receptors will be protected throughout the construction phase.		
EA-056	Ground Conditions	Informative: Fire Suppressant Chemicals	Section 5.1.8 of the Outline BSMP [APP-200] already confirms that: 'The detailed design stage will determine the approach to addressing the following specific requirements, which will be updated prior to construction of the BESS and	Resolved	

			submitted to the relevant planning authority as a detailed BSMP prior to the commencement of construction of the BESS. The BSMP must include: • A statement on the battery system specifications, including fire detection and suppression systems; • A statement on the overall compliance of the system with applicable legislation; • An environmental risk assessment to ensure that the potential for indirect risks (e.g., through leakage or other emissions) is understood and mitigated' The Applicant confirms that fire suppression systems considered for the Scheme will not integrate suppression agents containing PFAS.		
EA-057	Water Environment	Informative: Assessing Thermal Effects from Buried Cables	The Applicant notes this informative.	Resolved.	
EA-058	Ecology and Biodiversity	Error: Table 2.1 mentions coarse fish, eel and lamprey,	The Applicant notes the Environment Agency's	Resolved.	

		but does not include specific reference to habitat usage by salmonid fish species. Salmonids spawn in gravel, seek cover in marginal features and woody material, and could be impacted by artificial structures. We accept that the habitat features used by salmonids are already identified as of importance for other fish species, but we consider that salmonids should be specifically included.	comment. The habitat descriptions presented within Table 2.1 are based on habitat categories defined within the River Habitat Survey methodology and were not intended to provide an exhaustive list of species-specific habitat requirements. The Applicant acknowledges that salmonid species utilise habitat features including clean gravel substrates for spawning/ incubation/emergence, together with marginal cover, woody material and other instream features during different life stages. However, these habitat attributes were already captured within the habitat assessment and considered within the assessment of fish receptors. The Environment Agency's comment also recognises that the habitat features used by salmonids are already identified as		

			being of importance for other fish species. Accordingly, the Applicant does not consider that the absence of a specific reference to salmonid habitat use within Table 2.1 represents an omission from the scope of the assessment. Table 2.1 was intended to describe habitat types and their potential ecological function, rather than to provide a complete species-by-species account of habitat requirements. The relevant habitat features used by salmonid species, including gravel substrates, marginal cover, woody material and instream structural features, were recorded through the aquatic habitat assessment and considered within the assessment of fish receptors. No amendment to Table 2.1 is therefore considered necessary. This does not		

			alter the assessment findings, receptor valuation or conclusions presented within the Environmental Statement.		
EA-059	Ecology and Biodiversity	Error: Table 8.4 refers to priority species under NERC Act. Priority species are not listed under Section 31 as stated, but under Section 41. This needs to be amended.	The Applicant notes the Environment Agency's comment and agrees that the Section 31 reference within Table 8.4 is incorrect. This is a typographical error only and does not affect the assessment methodology, receptor valuation, impact assessment or conclusions presented within the Environmental Statement.	Resolved.	
Additional point for consideration: The following point was not raised in our Relevant Representation, and is highlighted here for the first time.		Chapter 9 Section 9.6.22 currently states that the northern part of the Order Limits is located within a Groundwater Source Protection Zone (SPZ) 3...the remaining area of the Order Limits is outside of the SPZ boundary. The Applicant should note that the south-western portion of the Proposed Development also lies within a SPZ 3, and should amend the chapter accordingly and ensure that the potential for impacts to that SPZ have been taken into account in the assessment.			