Planning Inspectorate
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Reference: OR-0013837/01
Customer reference: TR050008

13 October 2026

Oxfordshire Strategic Rail Freight Interchange – Development Consent Order Application

Land west of the B430, east of Upper Heyford Former Airfield, and south of the village of Ardley

Deadline 1, 13 October 2026

Dear Sir/Madam,

This response constitutes the Environment Agency's Deadline 1 response in relation to the following matters:

1. Written Representations (WR)
2. Comments on Procedural Deadline A (15 September 2026) submissions
3. Post-hearing submissions summary in relation to Issue Specific Hearing 2 (ISH2) – agenda item 3.4 Groundwater

1. Written Representations (WR)

We have no further issues to add to those raised in our Relevant Representations (RR) [RR-042]. As such, our WR comprises an update on the resolution of the issues we raised in our RR since their submission.

Appendix 1 provides a summary of our position on each of the issues raised in our Relevant Representation [RR-042] at this deadline. Appendix 4 provides a summary of our overall position across topic areas relevant to our remit.

2. Comments on Procedural Deadline A (15 September 2026) submissions

We have reviewed the Procedural Deadline A submissions and have provided detailed comments in response to the following documents submitted by the Applicant in Appendix 2 and Appendix 3 of this submission:

- 9.1A Applicant's Responses to RRs relating to the draft DCO (Appendix A) [PDA-008]
- 9.1B Applicant's Responses to the CDC / EA / OCC Relevant Representations (Appendix B) [PDA-009]

3. Post-hearing submission summary in relation to Issue Specific Hearing 2 (ISH2) – agenda item 3.4 Groundwater

The Examining Authority (ExA) referred to the concerns raised in our Relevant Representation [RR-042] regarding the level of detail in the groundwater monitoring plan, the lack of a clear mechanism to secure remediation of known contamination, and the consistency and clarity regarding groundwater effects considered in the assessments, including groundwater dewatering and pollution prevention methods.

In response, we first addressed matters relating to PFAS. We explained that the Applicant had acknowledged in PDA-009 that the ground investigations undertaken to date had informed the preliminary assessment and that further targeted investigations are required. If PFAS or related contaminants are identified during future ground investigations at the site, we would require the Applicant to commit to a review of the Conceptual Site Model (CSM) and to reassess the potential risks from PFAS to future site users and the environment. If required, the Applicant would need to commit to further mitigation or remediation where an active pollutant linkage is identified.

We also explained that the excavation and movement of landfill material would be carried out under an environmental permit, which would have its own monitoring requirements.

Following the submission of PDA-009, in which the Applicant explained the groundwater monitoring strategy, we confirmed that we are now comfortable with what has been proposed because this would relate only to the linkages from the new development. A robust groundwater monitoring and leachate monitoring plan will form part of the environmental permit.

We explained that, if PFAS or related contaminants are identified during future investigations, the Applicant may wish to assess whether the source is from off-site, and we can discuss with the Applicant whether remediation is required.

We also noted that the CSM presented in the Phase 2 Geo-environmental Assessment [APP-289] should be revisited, as some of the potential linkages in the

CSM include PFAS and related contaminants, but testing of these contaminants has not yet been undertaken.

In relation to the recently raised issue concerning PFAS chemicals in watercourses surrounding the site, we explained that we did not have the information available at the hearing and offered to liaise with Cherwell District Council to obtain a clearer understanding of the local issues and provide a written response in due course.

The ExA then moved on to other matters.

If you have any questions regarding our response, please contact NIteam@environment-agency.gov.uk.

Yours sincerely,

[redacted], Planning Specialist - National Infrastructure Team
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Appendix 1 – Summary of Environment Agency (EA) position on issues raised in Relevant Representation [RR-042] as of Deadline 1

EA RR issue	Topic(s)	Status
EA01 – Requirement 10 (Construction Environmental Management Plan)	DCO; CEMP	Remains unresolved
EA02 – Requirement 10 Phraseology	DCO; CEMP	Remains unresolved
EA03 – Requirement 22 (Flood Risk and Surface Water Drainage)	DCO; Flood risk	Remains unresolved
EA04 – Requirement 28 (Contamination Risk – Previously Unidentified Contamination)	DCO; Groundwater & contaminated land	Partially resolved: wording concerning identifiable perimeters resolved; named consultee request remains outstanding
EA05 – Requirement 29 (Contamination Risk – Verification Investigation)	DCO; Groundwater & contaminated land	Remains unresolved
EA06 – Discharge of Requirements Procedure	DCO	Remains unresolved
EA07 – Article 52 – Interface with Waste Operation Permits	DCO; Permitting & licences	Remains unresolved, but the Applicant's correspondence received by the EA on 12/10/2026 is review
EA08 – Flood Risk Activity Permitting Requirements	Flood risk; Permitting & licences	Remains unresolved
EA09 – Freeboard Allowance for Warehouse Finished Floor Levels	Flood risk	Remains unresolved

EA10 – Culvert Freeboard Requirement Not Specified	Flood risk	Remains unresolved
EA11 – Hydraulic Model Representation Uncertainties – Gagle and Ashgrove Brooks	Flood risk; Hydraulic modelling	Remains unresolved
EA12 – Future Assessment of Ashgrove Brook Diversion and Culverting	Flood risk; Hydraulic modelling	Remains unresolved
EA13 – Potential Under-Representation of A43 Culvert in Padbury Brook Hydraulic Model	Flood risk; Hydraulic modelling	Remains unresolved
EA14 – Specific Fish Mitigation for In-Channel Works	Aquatic ecology; WFD; In-channel works	Resolved, subject to a satisfactorily updated CEMP being submitted
EA15 – Mitigation for Watercourse Diversions	Aquatic ecology; Watercourse diversions; CEMP	Resolved, subject to a satisfactorily updated CEMP being submitted
EA16 – Reference Point for 10m Riparian Buffer Not Defined	Aquatic ecology; Riparian habitat; CEMP	Resolved, subject to a satisfactorily updated CEMP being submitted
EA17 – Biosecurity Measures for Non-native Crayfish and INNS Management	Aquatic ecology; INNS/biosecurity; CEMP	Resolved, subject to a satisfactorily updated CEMP being submitted
EA18 – Culvert Watercourse Crossings and Habitat Connectivity	Aquatic ecology; WFD	Remains unresolved
EA19 – Padbury Brook Characterisation	Geomorphology	Resolved, subject to a satisfactorily updated ES Appendix 6.1 Ecological Appraisal Report being submitted
EA20 – Definition of Temporary Effects for the Water Environment	Geomorphology; WFD	Remains unresolved

EA21 – Incomplete Study Area Extent	Groundwater	Resolved, subject to satisfactory updated documentation being submitted
EA22 – Consistency of Groundwater Effects Considered in the Assessment	Groundwater	Resolved, subject to satisfactory updated documentation being submitted
EA23 – Inconsistent Order Limits in WFD Assessment	Groundwater; WFD	Resolved, subject to satisfactory updated documentation being submitted
EA24 – Groundwater Bodies Omitted from WFD Assessment	Groundwater; WFD	Remains unresolved
EA25 – Groundwater Dewatering and Permitting Requirements	Groundwater protection; Permitting	Resolved
EA26 – Insufficient Justification for Discounting Groundwater Risks	Groundwater & contaminated land	Resolved
EA27 – Incomplete Land Contamination Investigation Coverage	Groundwater & contaminated land	Resolved, subject to satisfactory updated documentation being submitted
EA28 – Contaminated Land Remediation Strategy – Securing Remediation of Known Contamination	Groundwater & contaminated land; Remediation	Remains unresolved
EA29 – Controlled Waters Pollutant Linkage Omitted from CSM	Groundwater & contaminated land; CSM	Resolved, subject to satisfactory updated or additional documents being submitted
EA30 – Groundwater Receptors Omitted from Construction Phase Mitigation	Groundwater protection; CEMP	Resolved, subject to satisfactory updated

		documentation being submitted
EA31 – Ground Contamination Assessment Commitments and Controlled Waters Risk	Groundwater & contaminated land	Remains unresolved
EA32 – Groundwater Monitoring Plan – Lack of Detail	Groundwater monitoring; CEMP	Resolved
EA33 – Groundwater Pollution Prevention Measures in the CEMP	Groundwater protection; CEMP	Resolved, subject to satisfactory updated documentation being submitted
EA34 – Foundation Works Risk Assessment Requirement	Groundwater protection; CEMP	Resolved, subject to satisfactory updated CEMP being submitted
EA35 – Permitting and DCO Interface for Landfill Reprofiling and Related Activities	Groundwater & contaminated land; Ardley Landfill; Permitting & licences	Resolved
EA36 – Alternative Management of Excavated Landfill Waste	Waste management; Ardley Landfill	Remains unresolved
EA37 – Lack of Clarity on Controls for Pre-Commencement Activities	Groundwater & contaminated land; Pre-commencement activities	Remains unresolved
EA38 – Water Quality Data	Water quality; WFD	Remains unresolved
EA39 – Outdated and Incomplete Pollution Prevention Guidance References	Water quality; Pollution prevention; CEMP	Resolved, subject to satisfactory updated documentation being submitted
EA40 – Water Quality Monitoring	Water quality; Monitoring; CEMP	Remains unresolved

EA41 – Fuel, Oil and Chemical Storage Controls	Water quality; Pollution prevention; CEMP	Remains unresolved
EA42 – Construction Wastewater Management	Water quality; Construction wastewater; CEMP	Remains unresolved
EA43 – Foul Water Management During Construction	Water quality; Foul water; CEMP	Remains unresolved
EA44 – Solar PV Materials and Operational Maintenance	Water quality; Operational management	Remains unresolved
EA45 – Operational Water Quality Pollution Sources Omitted	Water quality; Operational management	Remains unresolved
EA46 – Potential Requirement for Water Discharge Activity Permit	Water quality; Permitting & licences; Water discharge	Remains unresolved
EA47 – Operational SuDS Maintenance	Water quality; SuDS; Operational drainage	Remains unresolved
EA48 – Penstock Isolation Arrangements	Water quality; Drainage; Pollution control	Remains unresolved
EA49 – Borehole at Ardley In-Vessel Composting (IVC) Facility	Groundwater protection; Permitting (waste management)	Remains unresolved

Appendix 2– Environment Agency detailed comments on the Applicant's response to our Relevant Representations [RR-042] - Document 9.1A Applicant's Responses to RRs relating to the draft DCO (Appendix A) [PDA-008]

RR	Respondee	DCO Article/Schedule	Comment (wording is taken verbatim from the relevant representation unless stated otherwise)	Applicant's Response	Environment Agency Response Deadline 1 (13/10/2026)
RR-042	Environment Agency	Requirements 10, 22, 28 and 29	The Environment Agency should be named as a consultee for key DCO Requirements (10, 22, 28 and 29) affecting its regulatory remit, particularly the CEMP, floodplain compensation, contamination management and remediation provisions. Contamination Requirements do not adequately secure Environment Agency involvement, management of previously unidentified	The Applicant proposes that this is a matter for the discharging authority to determine as it will be responsible for carrying out consultation. The Applicant has asked CDC whether it would agree to including reference to EA in the requirements and awaits confirmation.	Status: Remains unresolved. This matter relates to EA Relevant Representation [RR-042] issues EA01, EA03, EA04 and EA05. Given the nature of the matters controlled by Requirements 10, 22, 28 and 29, the Environment Agency is a specialist regulator with statutory responsibilities relating to flood risk, groundwater protection, contamination

			contamination, or remediation of known contamination affecting the Principal Aquifer.		and environmental permitting. Naming the Environment Agency as a consultee would ensure those interests are consistently considered and would provide greater certainty, transparency and procedural robustness than reliance on discretionary consultation by the discharging authority.
		Schedule 2	The Discharge of Requirements Procedure should include a minimum consultation period for named consultees to allow adequate technical review. 15 working days is proposed.	The length of time for a consultee to respond will be addressed by the discharging authority when it requests a consultation response.	Status: Remains unresolved. This matter relates to EA Relevant Representation [RR-042] issues EA06. We maintain that the discharge procedure should specify a minimum consultation period for named consultees. Reliance on individual requests issued by the discharging

					authority provides no certainty as to the time available for technical review. A prescribed minimum period would promote consistency, procedural fairness and effective consideration of matters within statutory consultees' remits. The Environment Agency considers that a minimum 15 working day period would be reasonable and proportionate.
		Requirement 10	Requirement 10 should be revised to remove ambiguous wording and improve the certainty and enforceability of the Construction Environmental Management Plan. The use of the phrases such as “in accordance with	The Applicant does not agree with the EA’s assessment of Requirement 10. The wording is widely used in DCOs when an outline or framework document is certified by the Secretary of State and the DCO then obliges the	Status: Remains unresolved. This matter relates to EA Relevant Representation [RR-042] issues EA02. The Environment Agency proposes that “substantially

			the principles of" and "substantially in accordance with" in DCO Requirements undermines enforceability and creates unnecessary uncertainty.	undertaker to produce a detailed plan, see, for example, Schedule 2 requirements in the A122 Lower Thames Crossing Order 2025.	in accordance with" should be defined and therefore the following should be included: 'substantially in accordance with' means that the plan or detail to be submitted should in the main accord with the outline document and where it varies from the outline document should not give rise to any new or any materially new or materially different environmental effects in comparison with those reported in the Environment Statement.
		Requirement 28	The EA proposes amended wording as follows: 28. If, during the course of construction, previously unidentified contamination is discovered, construction	The wording 'within the identifiable perimeters of the area in which the suspected contamination is located' is already included with the DCO submitted with the application. This change was made at the request of the Environment Agency	Status: Partially resolved. We have reviewed the dDCO [APP-139] and we are satisfied that the wording concerning the identifiable perimeters of

			must cease ~~on that localised area of land~~ within the identifiable perimeters of the area in which the suspected contamination is located within the Order limits and the contamination must be reported in writing to the local planning authority within 10 working days. Prior to the recommencement of construction on that localised area of land within the Order limits, suitable investigation and risk-based land contamination assessment for the discovered contamination (to include any required amendments to the remedial scheme and verification plan) must be submitted to and approved	following statutory consultation. As for the EA being named as a consultee, the Applicant reiterates that this is a matter for the discharging authority. The Applicant has asked CDC whether it would agree to including reference to EA in the requirements and awaits confirmation.	suspected contamination has been included in Requirement 28. As such, this matter associated with EA04 is now resolved, however our named consultee request remains outstanding. Please refer to our comments above (row 1) in relation Requirements 10, 22, 28 and 29.

			in writing by the local planning authority in consultation with the Environment Agency. The authorised development must then be implemented in accordance with the details approved by the relevant planning authority and, unless otherwise agreed in writing by the local planning authority, retained as such in perpetuity		
		Requirements 28 and 29	Clarify how the remediation of known contamination will be secured and implemented. If this is intended to be secured through the DCO, identify the relevant Requirement or amend the dDCO as necessary to ensure that the investigation, remediation and verification	There is no known contamination outside of the landfill, which is to be governed by the landfill works requirement (30) and separate EA permit regime.	Status: Remains unresolved. Please refer to our comments on EA28 and EA31 in relation to contamination outside of the landfill.

			of known contamination are appropriately secured.		
		Article 52	We are in discussions with the Applicant as to whether the drafting of Article 52 is appropriate and, whether it would allow us to effectively discharge our regulatory responsibilities. As such, we are not currently in a position to agree Article 52 and will provide a further update on our position at an appropriate time during examination. Our permitting position comments focus on whether the proposed landfill activities are technically feasible and capable of being authorised under the Environmental Permitting regime.	The Applicant has received an amended version of Article 52 directly from the EA and is grateful for the EA's proactivity in relation to this. The Applicant is reviewing the wording and will respond to the EA in due course.	Status: Remains unresolved. This matter relates to EA Relevant Representation [RR-042] issues EA07. We have received correspondence from the Applicant on 12/10/2026 regarding this issue. We are in the process of reviewing the Applicant's details and we will respond to them directly as soon as we can. We will provide an update to the ExA at Deadline 2 where possible.

			We understand that the purpose of Article 52 is to establish a legal mechanism for managing the interface between the authorised development and the existing Ardley Landfill environmental permit, including any permit variations or partial permit surrender that may be required to facilitate the Proposed Development whilst maintaining regulation of the remaining landfill site.		
		General	Impact: Lack of clarity regarding the interface between the DCO and Environmental Permitting regimes, resulting in uncertainty over how activities will be regulated and how environmental risks will be	The Applicant has addressed these points below, however, it firstly considers it important to state that the Applicant has engaged extensively with the EA in relation to the proposed approach to the landfill works and the landfill site, which is subject to an	Status: Resolved. This matter relates to EA Relevant Representation [RR-042] issues EA35. A minor point: we note there is a typing error in the

			assessed, managed, monitored and controlled throughout the Proposed Development. Solution: Provide a clear explanation of the interface between the DCO and environmental permitting regimes in relation to activities undertaken during the pre-construction, construction and operational phases, including the associated investigations, risk assessments, remediation measures and monitoring requirements.	existing permit. The EA has been provided with preliminary risk assessments, enabling the EA's "in principle" agreement to the proposals as noted in Document 6.13A/APP-299 - ES Appendix 13.1 Landfill reprofiling technical note. The DCO provides development consent for the works and enables land acquisition and temporary possession of land, along with other consents and powers. However, the DCO does not replace the requirement for an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016 ("the 2016 Regulations"). However, the DCO does seek to alter the application of the 2016 Regulations	Applicant's response at paragraph 6, line 5, which should read, "and submit the final scheme to the EA".

				save for in relation to an existing permit only – this being Permit No. BV7346IM issued by the EA to Valencia Waste Management. Article 52 of the draft DCO ("Interface with waste operation permits") establishes a legal mechanism for managing the interface between the authorised development and the existing Ardley Landfill environmental permit. It provides that before the undertaker carries out an authorised activity which would give rise to inconsistency or conflict with an existing permit, it may consult the EA and the permit holder on a draft environmental scheme, amend that scheme as appropriate, and submit the final scheme to the ES. Article 52(9) expressly preserves the	

				requirement under the 2016 Regulations for a regulated facility to be authorised by an environmental permit. *(9) Nothing in this article affects— (a) the requirement under the 2016 Regulations for a regulated facility to be authorised by an environmental permit; or (b) the right of a permit holder to make an application for a variation or surrender of an environmental permit under the 2016 Regulations.* Article 22 (discharge of water) also expressly mentions the 2016 Regulations as follows: *(7) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the 2016 Regulations.*	

				No other Articles in the DCO refer to or modify the 2016 Regulations.	

Appendix 3 – Environment Agency detailed comments on the Applicant's response to our Relevant Representations [RR-042] – Document: 9.1B Applicant's Responses to the CDC / EA / OCC Relevant Representations (Appendix B) [PDA-009]

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA01	Requirement 10 does not identify the Environment Agency as a consultee for matters within its statutory remit.	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.
EA02	The use of phrases such as "in accordance with the principles of" and "substantially in accordance with" in DCO Requirements undermines	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	enforceability and creates unnecessary uncertainty.		
EA03	Requirement 22 provides for the review and approval of floodplain compensation details but does not identify the Environment Agency as a named consultee.	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.
EA04	The Environment Agency is not mentioned as a named consultee for draft Requirement 28 and the Requirement does not specify construction is to stop	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	within the area where contamination is suspected.		
EA05	The Environment Agency is not mentioned as a named consultee for draft Requirement 29 in relation to approval of the verification investigation.	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission. Also please refer to our comments in relation to EA28 and EA31 below.
EA06	The discharge procedure does not specify a minimum consultation period for named Requirement consultees.	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA07	The Environment Agency is not currently in a position to agree Article 52 and is discussing its drafting with the Applicant.	The Applicant's responses to the EA's comments on the DCO are contained in **Appendix A**.	See comment in the table above in Appendix 2 of this submission.
EA08	Potential requirement for a Flood Risk Activity Permit has not been identified within the Other Consents and Licences Statement.	Communication with Thames Water is ongoing regarding the proposed foul sewer outfall. Due to the route to the proposed outfall crossing a culverted main river it is currently anticipated that a Flood Risk Activity Permit (FRAP) will be required. A FRAP application will be made ahead of construction, The Applicant will provide an updated Other Consents and Licences Statement at Deadline 1 to reflect this.	Status: Remains unresolved. We acknowledge that the Applicant is discussing the foul sewer connection with Thames Water. We will await the submission of an updated Other Consents and Licences Statement at Deadline 1 to reflect the requirement for a Flood Risk Activity Permit (FRAP).
EA09	The freeboard allowance for warehouse finished	The development will sit on plateaus which are raised significantly above the design event flood level. As stated in the FRA	Status: Remains unresolved.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	floor levels has not been specified.	(Document 6.9B/AS-076), the Cherwell SFRA District Council Level 1 SFRA (2017 Update) states that for non-residential development finished floor levels may not need to be raised further. Including this detail in the FRA report would not change the overall assessment and conclusions of the FRA. Nevertheless for clarity an updated FRA with finished floor levels explicitly stated can be provided, and the Applicant will submit in accordance with details in the Cover Letter for Procedural Deadline A.	We would expect to see the freeboard included within design and stated within the Flood Risk Assessment (FRA) given the nature and scale of the Proposed Development as a Nationally Significant Infrastructure Project. As such, evidence to show resilience to the design flood event should be provided. We will await the submission of a revised FRA before commenting further.
EA10	The proposed culvert freeboard height has not been specified.	The Applicant notes the points raised around freeboard levels. The FRA (Document 6.9B/AS-076) states in Section 4.6 that even in the 1 in 1000-year flood event, the proposed culverts demonstrate the required freeboard. As above (issue EA09), including this detail in the FRA report would not change the overall assessment	Status: Remains unresolved. The Applicant has stated within the Flood Risk Assessment (FRA) that capacity for the 1 in 1000 year flood event is being provided within all new culverts and has stated this demonstrates the required freeboard. However, we expect developers to provide a 600mm freeboard

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		and conclusions, but for clarity an updated FRA can be provided, and the Applicant will submit in accordance with details in the Cover Letter for Procedural Deadline A.	between the design flood level and the soffit of the culvert. In many of the nodes provided to determine the design flood height and the 1 in 1000 year flood height, there is less than a 600mm difference. Due to this, we require the Applicant to specifically determine what is meant by the phrase “the proposed culverts demonstrate the required freeboard in all events up to and including the 1 in 1000-year event”, as it is unclear whether all soffit heights include a 600mm freeboard. We await further clarity in the forthcoming updated FRA before commenting further.
EA11	There are uncertainties associated with the model representation for the Gagle and Ashgrove Brooks.	The Applicant understands that this comment relates to uncertainty as to whether the Applicant has addressed the minor comments raised by the EA upon their review of the hydraulic modelling. For completeness, the Applicant confirms that those comments were addressed, but acknowledges that the submitted FRA does	Status: Remains unresolved. We request that the Applicant submits an updated model report and finalised model review spreadsheet that addresses the comments raised during our review of the hydraulic modelling.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		not include a ‘review form’ explaining where those comments were addressed. For clarity a modelling report with finalised model review form can be provided.	
EA12	Future assessment of the proposed diversion and culverting of Ashgrove Brook has not been secured through the DCO.	Details on the proposals for the diversion and culverting works on Ashgrove Brook will form part of the detailed design once layout and levels are fixed across the development. A conservative approach has been applied within the modelling removing the potential flood storage that would be provided by these works. This approach shows a worst-case scenario which still shows an appropriate level of risk downstream.	Status: Remains unresolved. Further explanation is required regarding whether the Applicant intends to assess the proposed Ashgrove Brook diversion and culverting works as part of the detailed design process. The Applicant's response states that "a conservative approach has been applied within the modelling, removing the potential flood storage that would be provided by these works". However, as the detailed design of the diversion and culverting works has not yet been finalised, the extent of any additional flood storage that may be provided by these features is currently unknown. It is therefore unclear whether this assumption is valid and

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			whether the modelling assessment can reasonably be regarded as conservative. The Applicant should provide additional justification to demonstrate why this approach is considered conservative and why the diversion and culverting works do not require additional hydraulic assessment. Alternatively, if the Applicant intends to undertake hydraulic modelling of these features as part of the detailed design process, this should be clearly identified, together with the mechanism by which the assessment would be secured. This would help address the remaining uncertainty and provide confidence that flood risk would not increase on-site or elsewhere.
EA13	There are uncertainties associated with the representation of the A43 culvert within the	See the Applicant's response to EA11 above.	Status: Remains unresolved. We request that the Applicant submits an updated model report and finalised model review

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	Padbury Brook hydraulic model.		spreadsheet that addresses the comments raised during our review of the hydraulic modelling.
EA14	Insufficient evidence to describe aquatic habitat and justify scoping fish out of the assessment.	Beyond the Gagle Brook the other on-site watercourses comprise ditches and minor brooks with low flow that seasonally run dry and as such are not considered suitable to support spawning fish. The Applicant remains of the view that these characteristics justify the scope of the assessment regarding aquatic habitats and ecology. Paragraph 21.22 of the submitted CEMP Document 6.2C/APP-189) confirms that works within and adjacent to the Gagle Brook channel will not be undertaken during October to May (to avoid the main fish spawning period). Further details will be provided within the updated CEMP as outlined under point EA15 below should any relevant	Status: Resolved, subject to a satisfactorily updated Construction Environmental Management Plan (CEMP) being submitted into the examination. We note that a Modular River Physical Survey (MoRPh) was completed on watercourses and further River Condition Assessment (RCA). Therefore, we note the Applicant's position on watercourses being unsuitable for spawning fish with low flow and seasonally dry. We welcome the addition of mitigation to avoid the fish spawning period (October to May) within the CEMP [APP-189] as stated in paragraph 21.22. In addition, we look forward to the updated CEMP [APP-189] with additional mitigation in place to

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		watercourse section continue to hold sufficient water at the time of proposed works that they potentially support fish. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	protect fish, should channels hold sufficient water to support fish at the time of the proposed work.
EA15	The CEMP does not include measures specifically relating to protection of watercourses during diversion works.	The CEMP (Document 6.2C/APP-189) will be updated to specify that each channel section will be subject to detailed inspection by the Ecologist prior to the commencement of any construction works within or adjacent the channel/s (also see EA16 re: the riparian buffers). Where works are required in the presence of water (beyond shallow pools or ditches with no/low flow), appropriate mitigation will be implemented at that point in line with established guidance and/or in consultation with the EA. Such works will where practicable utilise temporary diversion channels.	Status: Resolved, subject to a satisfactorily updated Construction Environmental Management Plan (CEMP) being submitted into the examination. We welcome to the proposed update to the CEMP [APP-189] and including the addition of fish rescues and translocation. It should be noted by the Applicant that any fish rescues and translocation must have written permission from the Environment Agency. Further information can be found at Apply to move live fish to or from a fishery - GOV.UK. In addition, any pumps used to over-pump from watercourses must be fitted with a 2mm aperture screen to protect European eel.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		Otherwise suitably qualified operatives will undertake fish rescue and relocation. Where appropriate, screened pumps/siphons and gravity/flume pipes will be utilised to maintain habitat connectivity during construction. Full detail of precautionary working methods is required to be provided within the relevant P-CEMPs (secured by Requirement 10).	
EA16	The documentation does not specify where the 10m riparian buffer will be measured from.	The Applicant will update the CEMP (Document 6.2C/APP-189) (paragraph 21.19) to confirm that the 10m riparian buffer will be measured from the bank tops. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	Status: Resolved, subject to a satisfactorily updated Construction Environmental Management Plan (CEMP) being submitted into the examination. We note that the Applicant has proposed to amend the CEMP, as requested, to specify that the 10m riparian buffer will be measured from the bank top.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA17	Biosecurity procedures for non-native crayfish are not included.	In response to the EA's comments the CEMP (Document 6.2C/APP-189) paragraph 21.72 will be amended to acknowledge it is an offence under the WCA 1981 to return removed non-native crayfish to the wild and to include monitoring with appropriate biosecurity control procedures to be followed should signal crayfish or other non-native crayfish species be encountered during construction works, together with a requirement for their humane dispatch where necessary, and appropriate disposal on site. This will then provide clearer and more detailed requirements of the phase specific CEMPs in due course. The updated CEMP will be provided as set	Status: Resolved, subject to a satisfactorily updated Construction Environmental Management Plan (CEMP) being submitted into the examination. We note that the Applicant has proposed to amend the CEMP, as requested, to include monitoring and biosecurity control procedures for non-native invasive crayfish species, during construction.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		out in the Cover Letter for Procedural Deadline A.	
EA18	Culverts are proposed to facilitate watercourse crossings.	The use of culverts has been minimised as far as possible and is largely confined to sections crossed by highways infrastructure. Where the Gagle Brook is proposed to be routed underneath the Middleton Stoney Relief Road this will be via an oversized culvert (internal dimensions 6m(w) x 3.5m(h)) with an invert level set 0.3m below the existing bed that will retain the watercourse and adjacent habitats with minimal alteration. A clear span bridge is not feasible at this location due to the scale of the span necessary supporting bridge structure being out of proportion with the function of the bridge and resulting in a far greater disruption to the Gagle Brook corridor.	Status: Remains unresolved. We accept that clear span bridges might not be suitable for all watercourse crossing locations. If culverting is deemed necessary, then we would recommend the culvert should have a mammal ledge with ramps incorporated into the design, to ensure connectivity of riparian habitat to allow continued passage of otter alongside water bodies. We also note that paragraph 3 of Policy F8 (Sustainable drainage systems and watercourses) of the National Planning Policy Framework states that, “development proposals should not enclose existing watercourses where this is not already the case, unless there are compelling reasons to do so; and should where possible remove existing

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			culverts and renaturalise existing river channels, unless to do so would increase flood risk, result in other environmental harm or cause harm to heritage assets."
EA19	It is unclear whether the eastern section of Padbury Brook has been characterised.	The drafting error within ES Appendix 6.1 Ecological Appraisal Report (Document 6.6A/AS-068), section 5.108 will be amended to ensure the section of Padbury Brook east of the M40 culverts is accurately described and characterised, and that any related assessments and figures are updated accordingly. The updated report will be provided as set out in the Cover Letter for Procedural Deadline A.	Status: Resolved, subject to a satisfactorily updated ES Appendix 6.1 Ecological Appraisal Report being submitted into the examination.
EA20	An inappropriate definition of temporary effects has been applied.	The Applicant acknowledges the EA's comments with regard to the definition of temporary effects within the WFD assessment of ES Chapter 9 (Water Environment) (Document 6.9/APP-177) but	Status: Remains unresolved. The Applicant has taken our comments under advisement but maintains that the approach taken is robust and consistent with best practice, and

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		the Applicant considers the approach taken is robust and in line with best practice, and has been accepted by the EA in numerous other assessments.	notes that it has been accepted by us in other assessments. However, the fact that an approach has been accepted in other assessments does not necessarily mean that it remains appropriate in all cases. Our advice and guidance are subject to periodic review and update, which can result in changes to definitions, assessment approaches and subsequent advice. Following a recent review of our internal advice relating to risk-based assessment criteria, culverting is now considered a high-risk activity irrespective of scale or duration, whilst the construction of watercourse crossings is considered a medium-risk activity irrespective of scale or duration. The duration of an activity is therefore no longer a determining factor in the risk classification of these activities. Consequently, culverted "temporary" construction crossings should be assessed as high-risk

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			activities and "temporary" bridge crossings should be assessed as medium-risk activities. The timescale element is no longer a determining factor in the risk classification of these activities. The assessment should therefore be reviewed accordingly. We also note that paragraph 3 of Policy F8 (Sustainable drainage systems and watercourses) of the National Planning Policy Framework states that, “development proposals should not enclose existing watercourses where this is not already the case, unless there are compelling reasons to do so; and should where possible remove existing culverts and renaturalise existing river channels, unless to do so would increase flood risk, result in other environmental harm or cause harm to heritage assets.”

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA21	The study area does not extend around the full Order Limits.	The Applicant can confirm that the Assessment undertaken was on the correct Order Limits, but acknowledges that the Figures reflect previous draft Order limits. This can be addressed through an update to the report to replace the out of date Figure if considered necessary, however, it is not felt that this would materially impact the Application, and the Applicant reiterates that the correct Assessment was undertaken.	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We acknowledge that the correct Assessment was undertaken, however the Figures should be updated and the revised documentation submitted into the examination for clarity.
EA22	There is a lack of consistency and clarity regarding groundwater effects considered in the assessment.	The Applicant acknowledges the EA response on this. Although the overall conclusions of ES Chapter 9 (Water Environment) (Document 6.9/APP-177) are unlikely to be affected, the Applicant acknowledges that increased clarity could help and therefore an update to the ES Chapter, specifically Table 9.3 can be undertaken.	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We acknowledge the Applicant's comment. We can consider the issue resolved once the satisfactorily updated ES Chapper 9 has been submitted into the examination for clarity.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA23	Order Limits differ from those shown elsewhere in the ES.	As for EA21 above, the Applicant can confirm that the Assessment undertaken was on the correct Order Limits. This discrepancy can be addressed through an update to the report to replace the out of date Figure if considered necessary, however, it is not felt that this would materially impact the application.	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We acknowledge that the correct Assessment was undertaken, however the Figures should be updated and the revised documentation submitted into the examination for clarity.
EA24	Groundwater bodies have not been included in the WFD assessment.	Provision is made within the WFD Assessment (Document 6.9E/AS-079) within Table 6 to ensure that suitable mitigation is put forward to avoid any deterioration to groundwater body status with further information provided within the CEMP (Document 6.2C/APP-189) and phase specific CEMPs in due course.	Status: Remains unresolved. The Water Framework Directive (WFD) Assessment has not been completed in accordance with Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK This guidance states that for WFD Stage 1 Screening, screening should identify the extent to which the proposed development is likely to affect water bodies. Where impacts are 'screened out'

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			from further assessment, this should be clearly justified. The screening stage should: • show all relevant WFD water bodies on a map or plan • identify the zone or zones of influence based on specific activities and/or characteristics of the proposed development that could affect the identified water bodies and • identify any specific activities and/or characteristics of the proposed development that have been screened out and why While Table 6 of the WFD assessment [AS-079] lists pollution prevention measures and includes surface water bodies, it does not mention groundwater bodies.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA25	Groundwater dewatering has not been addressed.	Regarding the potential requirement for groundwater dewatering during construction and the associated management of any contaminated groundwater or leachate, the landfill currently operates under an Environmental Permit, which includes controls for the collection, management, treatment and discharge of leachate. These arrangements will remain in place throughout the construction period and any groundwater, leachate or contaminated water encountered during earthworks would be managed in accordance with the requirements of the existing permit and any additional regulatory approvals determined necessary by the EA. The Environmental Statement focuses on the likely significant environmental effects of the proposed development for the purposes of the DCO application, and reflects the fact	Status: Resolved. The Applicant has noted our comments and acknowledges that any dewatering of groundwater for construction purposes may require appropriate environmental permits.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		that additional design and other details regarding the landfill reprofiling works are to be confirmed and agreed post-consent, including some detailed issues regarding construction and engineering solutions associated with issues such as potential dewatering, if required. The management of leachate, contaminated groundwater, dewatering discharges and associated permitting requirements are regulated through the Environmental Permitting regime and detailed controls relating to these issues, if relevant, will be appropriately addressed through the existing permitting framework. At this stage, detailed construction methodologies, including any temporary dewatering requirements, have not been finalised. Should dewatering be required, the contractor will be required to assess the	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		relevant permitting, abstraction and discharge requirements and obtain any necessary approvals prior to commencement. Appropriate measures would be implemented to ensure that dewatering activities do not adversely affect the operation of the landfill's leachate management system or result in unacceptable environmental impacts. In summary, the Applicant notes the EA's comments and confirms that any future dewatering requirements will be undertaken in compliance with the Environmental Permit and any other relevant consents, licences or approvals required at the time of construction.	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA26	Insufficient evidence provided to justify attenuation and dispersion assumptions.	The Applicant notes the EA's comments regarding the evidence for attenuation and dispersion of contaminants within the underlying limestone. The Ground Conditions chapter does not seek to reassess the environmental acceptability of the existing permitted landfill, nor to determine compliance with the requirements of the Environmental Permit. The references to attenuation and dispersion are based on the established conceptual site model and the regulatory framework under which the landfill currently operates. The landfill is a permitted attenuation and dispersion landfill and has been subject to detailed hydrogeological assessment as part of the Environmental Permitting regime. The acceptability of contaminant migration	Status: Resolved. We acknowledge that the discussion in the Ground Conditions chapter regarding attenuation and dispersion of contaminants within the underlying limestone relates to the Environmental Permitting regime for the existing landfill.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		pathways, including the attenuation and dispersion processes operating within the underlying strata, has therefore been considered separately by the EA through the landfill permitting process. In addition, the site is subject to ongoing groundwater monitoring in accordance with permit requirements. The purpose of the Ground Conditions chapter is to assess the likely significant environmental effects arising from the Proposed Development. It is not intended to revisit or validate the hydrogeological risk assessment that supports the operation of the existing landfill or to reassess risks associated with the baseline landfill condition. Accordingly, the chapter has relied upon the established baseline position that the landfill	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		is operating under a current Environmental Permit, supported by an approved hydrogeological risk assessment and groundwater monitoring regime. The identified groundwater contaminant concentrations therefore form part of the existing baseline condition of the site and do not represent an impact arising from the Proposed Development itself. The Proposed Development does not alter the established attenuation and dispersion principles upon which the permitted landfill operation is based, nor does it modify the existing groundwater monitoring and environmental management controls in place under the Environmental Permit. Consequently, no further assessment of attenuation and dispersion within the limestone has been included within the Environmental Statement, as this matter	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		falls within the scope of the existing Environmental Permitting regime rather than the assessment of likely significant effects of the Proposed Development.	
EA27	Investigation boundaries do not align with the Order Limits.	The relevant risk assessments have been focused on those areas where physical development, ground disturbance or construction activities associated with the Proposed Development are anticipated, including: • Preliminary Risk Assessments (Main Site Phase 1 Geotechnical Geoenvironmental Desk Study (Document 6.11A/APP-286); • Off-site Highways Geotechnical Geoenvironmental Desk Study (Document 6.11B/APP-287)); • Main Site Phase 2 Geo-Environmental Assessment (Document 6.11D/APP- 289); • Road Corridor Geo-Environmental	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We note the Applicant's point regarding the excavation, movement and reprofiling of material in the existing Ardley Fields landfill being regulated through the Environmental Permitting Regulations. However, our comments on this RR issue relate to the assessment of environmental effects arising from the Proposed Development that are not regulated by the Environmental Permitting Regulations. The Applicant has suggested that a figure is produced to identify the Order Limits and the

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		Assessment (Document 6.11E/APP-290). The assessments have therefore been undertaken in accordance with the requirements of the Environmental Statement and have considered the areas where there is potential for likely significant effects to arise. Whilst the Order Limits encompass a larger area, including parts of the existing Ardley Fields landfill, these additional areas have been included primarily to provide powers for access, environmental monitoring, installation of additional groundwater monitoring infrastructure if required, maintenance or modification of existing monitoring infrastructure, and activities associated with the operation and regulation of the existing Environmental Permit. No substantive development, engineering works	extent of the areas subject to geo-environmental assessment together with clarification within the Environmental Statement that certain parts of the Order Limits are included solely for monitoring, access and permitting purposes and are not proposed for development. This detail would be helpful to provide clarity on this issue.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		or ground disturbance are proposed across the majority of these areas. The existing Ardley Fields landfill is a permitted facility that has been subject to extensive site investigation, hydrogeological risk assessment and ongoing environmental monitoring under the Environmental Permitting regime. The inclusion of these areas within the Order Limits does not alter their existing use, nor does it introduce new contamination sources or pathways requiring reassessment through the planning process. As no development is proposed within these parts of the Order Limits, the Applicant does not consider it necessary or proportionate to undertake additional Preliminary Risk Assessments or intrusive ground investigations solely because they fall within	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		the Order Limits. The purpose of the land contamination assessment is to evaluate the potential effects of the Proposed Development and associated ground disturbance, rather than to reassess the condition of the wider permitted landfill. A figure identifying the Order Limits and the extent of the areas subject to geo-environmental assessment can be provided, together with clarification within the Environmental Statement that certain parts of the Order Limits are included solely for monitoring, access and permitting purposes and are not proposed for development. The assessment coverage should therefore be considered in the context of the proposed works rather than the full extent of the Order Limits.	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		Consequently, the Applicant considers that the investigations undertaken are appropriate and proportionate to the nature and extent of the Proposed Development and that no additional intrusive investigation is required in those areas of the Order Limits where no development or ground disturbance is proposed.	
EA28	No clear mechanism secures remediation of known contamination.	The Applicant disagrees with the EA's comments regarding the mechanism for securing remediation of known contamination. Requirements 28 and 29 of the Draft DCO (Document 3.1/APP-139) have been included to address the potential discovery of previously unidentified contamination during construction and to ensure that any necessary investigation, remediation and verification measures are appropriately	Status: Remains unresolved. We note the Applicant's point regarding the excavation, movement and reprofiling of material in the existing Ardley Fields landfill being regulated through the Environmental Permitting Regulations. However, our comments on this RR issue relate to the assessment of environmental effects arising from the Proposed Development that are not regulated by the Environmental Permitting Regulations.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		implemented should such circumstances arise. The Applicant does not consider that an additional requirement securing remediation of "known contamination" is necessary. The land contamination assessments undertaken to support the application have not identified contamination requiring remediation. Known contamination is present within the existing Ardley Fields landfill and has been identified as part of the baseline conditions. However, this contamination forms part of an operational permitted landfill and is regulated through the Environmental Permitting regime. The landfill is operated in accordance with an Environmental Permit, supported by established controls relating to landfill engineering, leachate management, groundwater monitoring and environmental protection.	Also see our comments in relation to EA31. We request clarification from the Applicant about whether the recommendation in the ES Appendix 11.5 Road Corridor Geo-Environmental Assessment [APP-290] to complete further works to confirm the absence of contamination will be actioned, or for them to provide an explanation why it will not be completed. This relates to the wider site and not the existing Ardley Fields landfill and associated reprofilling works. If this recommendation to complete additional ground investigation is to be actioned, then a securing mechanism for this should be presented.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		Whilst elements of the landfill mass will be reprofiled as part of the Proposed Development, these activities will be undertaken in accordance with the relevant Environmental Permit requirements and any associated approvals agreed with the EA. The management of landfill materials, including any measures required to control risks associated with contaminated waste, leachate generation, groundwater protection and restoration profiles, will therefore be secured through the environmental permitting framework rather than through a remediation strategy secured by the DCO. Accordingly, the remediation and management of known contamination associated with the landfill is already subject to an established regulatory regime and does not require a separate DCO	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		requirement. Requirements 28 and 29 are intended to address unforeseen contamination encountered during the course of the authorised development and provide an appropriate mechanism for managing contamination risks arising from previously unidentified contamination. The Applicant therefore considers that appropriate and enforceable mechanisms are in place to manage both known and unknown contamination, with the former regulated through the Environmental Permit and the latter secured through Requirements 28 and 29 of the draft DCO.	
EA29	Controlled waters receptor omitted from conceptual site model.	The potential pollutant linkage between landfill-derived contaminants within the existing made ground/waste mass, migration via groundwater pathways, and controlled waters was identified and considered as part	**Status:** Resolved subject to satisfactory updated or additional documents being submitted into the examination.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		of the wider ground conditions assessment. As noted within ES Chapter 11 (Ground Conditions, Document 6.11/APP-179), the presence of putrescible waste and leachable contaminants within the landfill material has the potential to result in leachate generation and infiltration to groundwater, and this has been reflected in the assessment of effect significance presented within the Environmental Statement. The omission of this linkage from Table 11.10 does not indicate that the risk pathway was not considered. Rather, Table 11.10 is intended to summarise the significant pollutant linkages relevant to the assessment of likely significant effects arising from the Proposed Development. The identified linkage principally relates to the existing landfill baseline condition and is already subject to regulation and	We note the Applicant's point regarding the excavation, movement and reprofiling of material in the existing Ardley Fields landfill being regulated through the Environmental Permitting regime. These comments relate to the assessment of environmental effects arising from the Proposed Development that are not regulated by permitting regime. The Applicant has suggested that they will review the presentation of the Conceptual Site Model (CSM) and include appropriate cross-referencing to the discussion of the landfill-groundwater pollutant linkage and its management through the Environmental Permitting regime, and will continue to discuss these points with the EA. The Applicant has acknowledged (PDA-009) that ground investigations undertaken to date have informed the preliminary assessment and that further targeted investigations are required.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		management through the Environmental Permitting regime. Ardley Fields landfill operates under an Environmental Permit supported by a hydrogeological risk assessment, leachate management controls and an ongoing groundwater monitoring programme. The pollutant linkage between landfill-derived contaminants and groundwater is therefore already recognised and managed through the existing regulatory framework. The purpose of the Ground Conditions chapter is not to reassess the acceptability of the existing permitted landfill or its compliance with permit requirements, but rather to assess whether the Proposed Development would introduce new pollutant linkages or materially alter existing risks. The Proposed Development does not	If PFAS or related contaminants are identified during any ground investigations at the site, we would require the Applicant to commit to a review of the CSM and reassess the potential risks from PFAS to future site users and the environment. If required, the Applicant would need to commit to further mitigation or remediation if an active pollutant linkage is identified. It may be that if PFAS or related contamination is identified during the targeted investigations, the Applicant would like to assess whether the source is from an off-site source and we can discuss this with the Applicant in terms of whether remediation is required. We also note that the CSM presented in the Phase 2 Geo Environmental Assessment [APP-289] should be revisited as some of the potential linkages in the conceptual site model include

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		introduce a new source of contamination, create a new groundwater pathway, or fundamentally alter the existing landfill containment and monitoring strategy. Consequently, the identified groundwater pollutant linkage represents an existing baseline condition rather than a significant new effect arising from the Proposed Development. Nevertheless, to improve clarity and consistency, the Applicant will review the presentation of the Conceptual Site Model and include appropriate cross-referencing to the discussion of the landfill-groundwater pollutant linkage and its management through the Environmental Permitting regime, and will continue to discuss these points with the EA.	PFAS and related contaminants but has not included testing of these contaminants yet. We have not received the information regarding the new issue relating to PFAS chemicals in water courses surrounding the site that has been mentioned by Cherwell District Council, as it seems to have come to light fairly recently. We can liaise with them and the Applicant about this matter to get a clearer understanding of the local issues and reply with a written response in due course.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA30	Groundwater receptors are not explicitly referred to in construction mitigation.	The intent of the mitigation measures described in Section 11.5.2 of ES Chapter 11 (Ground Conditions) (Document 6.11/APP-179) and the CEMP (Document 6.2C/APP- 189) is to protect both surface water and groundwater receptors during the construction phase. The reference to surface water receptors does not imply that groundwater receptors have been excluded from consideration. Potential risks to groundwater have been considered within the Ground Conditions assessment, and the construction-phase mitigation measures contained within the CEMP are intended to prevent the creation of pollution pathways and to control the release of contaminants that could affect either surface water or groundwater receptors. To provide greater clarity, the Applicant will amend Section 11.5.2 and, where	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We note that the Applicant will amend section 11.5.2 of ES Chapter 11 [APP-179] and, where appropriate, the Construction Environmental Management Plan (CEMP) [APP-189] to explicitly refer to groundwater receptors alongside surface water receptors when describing the objectives and application of construction-phase mitigation measures. Such amendments would be to ensure clearer and more detailed requirements are set out for the phase specific CEMPs in due course. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A [PDA-001]. We welcome this suggested amendment to provide additional clarity.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		appropriate, the CEMP to explicitly refer to groundwater receptors alongside surface water receptors when describing the objectives and application of construction-phase mitigation measures. Such amendments would be to ensure clearer and more detailed requirements are set out for the phase specific CEMPs in due course. The Applicant considers this to be a clarification of the existing mitigation approach rather than a change to the assessment or mitigation strategy, as groundwater protection measures are already embedded within the construction environmental management framework. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	
EA31	Need for further contamination	The Environmental Statement recognises that ground investigations undertaken to	Status: Remains unresolved.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	investigations is not reflected in ES Chapter 11.	date have informed the preliminary assessment for the road corridors and that further targeted ground investigations and detailed geotechnical assessments will be undertaken as part of the detailed design process, where required. This requirement is already embedded within the Scheme through the commitment to undertake detailed geotechnical design and assessment in accordance with DMRB CD 622 for National Highways assets and relevant Network Rail standards. Should any previously unidentified contamination be encountered during these investigations or subsequent construction activities, it will be managed in accordance with relevant legislation, industry guidance and environmental management procedures. No significant effects on controlled waters have been identified at this stage.	The Applicant has acknowledged in their response that targeted ground investigation will be undertaken as part of the detailed design process. It is not clear whether this is simply for geotechnical purposes or is to address the recommendations made in the Geo-Environmental Assessment. If the investigations are for geo-environmental purposes, they should be completed in line with the Land Contamination Risk Management guidance and British Standards BS 10175 and BS 5930. Please refer to the following links: • Land contamination risk management (LCRM) - GOV.UK • BS 10175: Investigation of potentially contaminated sites – code of practice • BS 5930: Code of practice for ground investigations

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			A securing mecahnism for the ground investigation should also be presented (see also issue EA28 above). If the investigations are for geotechnical purposes only, the Applicant should provide an explanation why the recommendations of the Geo-Environmental Assessment are not being actioned.
EA32	Groundwater monitoring plan lacks detail.	The groundwater monitoring referred to in the Environmental Statement relates principally to the ongoing monitoring requirements associated with the existing permitted landfill and any landfill relocation works, which are matters regulated through the Environmental Permitting regime rather than the DCO process. Detailed monitoring objectives, methodologies, trigger levels, reporting	Status: Resolved. We have no further comments on this matter.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		procedures and links to Construction Quality Assurance requirements will be developed and agreed through the relevant permitting and environmental management processes, as appropriate. The purpose of the Environmental Statement is to identify and assess the likely significant effects of the Proposed Development, rather than to duplicate the detailed controls and monitoring requirements secured through the Environmental Permit. Accordingly, no further detail is considered necessary for the purposes of the DCO application, noting that groundwater monitoring will continue to be undertaken in accordance with the requirements of the Environmental Permit and any associated approved management plans.	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA33	Groundwater pollution prevention measures lack sufficient detail.	Groundwater pollution prevention measures are listed within Table 6 of the WFD Assessment (Document 6.9E/AS-079) as well as in ES Chapter 9 (Water Environment) (Document 6.9/APP-177) and the CEMP (Document 6.2C/APP-189).	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. In relation to EA30, we note that the Applicant will amend section 11.5.2 of ES Chapter 11 [APP-179] and, where appropriate, the Construction Environmental Management Plan (CEMP) [APP-189], to explicitly refer to groundwater receptors alongside surface water receptors when describing the objectives and application of construction-phase mitigation measures. Such amendments would be to ensure clearer and more detailed requirements are set out for the phase specific CEMPs in due course. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A [PDA-001].

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA34	Foundation Works Risk Assessment not referenced in CEMP.	The Applicant agrees that, where relevant, in the unlikely event that penetrative foundation solutions are required, a Foundation Works Risk Assessment will be undertaken in accordance with current best practice guidance, including CL:AIRE Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention (March 2025). A commitment to undertake such assessments, where required by the proposed foundation design and ground conditions encountered, will be included within the CEMP (Document 6.2C/APP-189) and relevant phase-specific CEMPs to ensure risks to groundwater are appropriately identified and managed.	Status: Resolved, subject to satisfactory updated Construction Environmental Management Plan (CEMP) being submitted into the examination.
EA35	Unclear which activities are regulated by DCO	The reprofiling of the landfill and removal / decommissioning of the composting facility (except for variation of a 3rd party permit)	Status: Resolved.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
	and which by permitting.	are to be regulated under the environmental permitting regime. Works that are not part of the permitting regime form part of the DCO process. The following comments have been provided in Appendix A: The Applicant has addressed these points below, however, it firstly considers it important to state that the Applicant has engaged extensively with the EA in relation to the proposed approach to the landfill works and the landfill site, which is subject to an existing permit. The EA has been provided with preliminary risk assessments, enabling the EA's "in principle" agreement to the proposals as noted in Document 6.13A/APP-299 - ES Appendix 13.1 Landfill reprofiling technical note.	We note there is a typing error in the Applicant's response at paragraph 6, line 5, which should read, "and submit the final scheme to the EA".

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		The DCO provides development consent for the works and enables land acquisition and temporary possession of land, along with other consents and powers. However, the DCO does not replace the requirement for an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016 ("the 2016 Regulations"). However, the DCO does seek to alter the application of the 2016 Regulations save for in relation to an existing permit only – this being Permit No. BV7346IM issued by the EA to Valencia Waste Management. Article 52 of the draft DCO ("Interface with waste operation permits") establishes a legal mechanism for managing the interface between the authorised development and the existing Ardley Landfill environmental	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		permit. It provides that before the undertaker carries out an authorised activity which would give rise to inconsistency or conflict with an existing permit, it may consult the EA and the permit holder on a draft environmental scheme, amend that scheme as appropriate, and submit the final scheme to the ES. Article 52(9) expressly preserves the requirement under the 2016 Regulations for a regulated facility to be authorised by an environmental permit. *(9) Nothing in this article affects— (a) the requirement under the 2016 Regulations for a regulated facility to be authorised by an environmental permit; or (b) the right of a permit holder to make an application for a variation or surrender of an environmental permit under the 2016 Regulations.*	

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		Article 22 (discharge of water) also expressly mentions the 2016 Regulations as follows: *(7) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the 2016 Regulations.* No other Articles in the DCO refer to or modify the 2016 Regulations.	
EA36	No alternative management option identified for excavated landfill waste.	The principle of reprofiling waste within the existing landfill area (under an amended Environmental Permit) was agreed with the EA earlier in the application (and ES) preparation process. Alternatives, including removal off-site are considered sub- optimal from a sustainability and commercial perspective, and given the EA's agreement to the principle of reprofiling (relocating) the	Status: Remains unresolved. The Environment Agency notes that reprofiling has been discussed with the Applicant and may be capable of being permitted in principle. However, whether reprofiling can ultimately proceed remains subject to assessment of a future permit application and supporting risk assessments. The Environment Agency therefore considers that the

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		waste, these alternative options do not form part of the Applicant's strategy. As reflected in the EA's RR, were the material to be taken off-site this can reasonably be assumed to have likely additional transport and associated carbon emissions implications, as well as potentially additional construction noise and odour implications compared to the strategy agreed in principle with the EA (to retain the waste on-site). As referred to earlier in the Applicant's response to the EA's RR, the clear indication that no reasons have been identified why the works could not be permitted is welcome, and the Applicant is in ongoing dialogue with the EA to respond to the outstanding detailed queries raised.	Applicant should identify an alternative management route for excavated landfill waste as a contingency should reprofiling not be capable of being permitted. Accordingly, the issue is not presently considered fully resolved from a DCO examination perspective, notwithstanding that detailed consideration of reprofiling itself will fall within the permitting regime.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA37	Mitigation and management measures for pre-commencement activities are unclear.	The Applicant's responses to the EA's comments on the DCO are contained in Appendix A.	Status: Remains unresolved. No comments have been provided to address this issue. We note that EA37 does not appear to have been addressed directly within Appendix A [PDA-008] or Appendix B [PDA-009]. However, it may be that the response to Oxfordshire County Council [RR-109], row 4 of Appendix A [PDA-008], is also intended to address EA37. If so, please could you confirm this. However, it would be better for clarity if our issue EA37 was addressed directly.
EA38	EA Water Quality Explorer data not included.	Water quality data has been assessed as part of the WFD Assessment (Document 6.9E/AS-079) previously. It is acknowledged that there may be more recent data available since the Applicant's assessment was undertaken, however the Water Quality Explorer data is high-level, catchment level data, whereas the Applicant has undertaken site-specific testing. It is not considered	Status: Remains unresolved The Applicant states that water quality data has been assessed as part of the WFD Assessment [AS-079] and that the Applicant has undertaken site-specific testing; however, there is no data or information from this site-specific testing available in AS-079. We request that the Applicant provides

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		necessary to include any further assessment of this new, non-site specific data, and any such assessment would be unlikely to have any effect on the overall conclusions of the WFD assessment or ES Chapter 9 (Water Environment) (Document 6.9/APP-177).	the site-specific data used to inform the assessments. At present, information on water temperature, pH levels, dissolved oxygen, ammonia, nitrates, phosphates, turbidity and phytoplankton/harmful algae in watercourses is unknown. Additionally, Water Quality Explorer should not be confused with Catchment Data Explorer. We recognise the latter is high-level, catchment-level data, but the former (which we recommended in RR-042), may be able to provide site-specific data if there are relevant sampling points in proximity to the site. Whilst we recognise that further data may be unlikely to affect the overall conclusions of the WFD Assessment [AS-079] or ES Chapter 9 (Water Environment) [APP-177], we wish to further

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			understand how these assessments were completed.
EA39	Pollution prevention guidance references are outdated or incomplete.	The CEMP (Document 6.2C/APP-189) paragraph 11.8 will be updated to reflect the latest CIRIA SUDS Manual (c753) and EA Pollution Prevention Guidance to enable that the current industry guidance is being reflected. In addition, paragraph 17.2 of the CEMP references guidelines that have now been withdrawn. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	Status: Resolved, subject to satisfactory updated documentation being submitted into the examination. We consider the Applicant's response to be appropriate and will review the updated CEMP once it has been submitted into the Examination.
EA40	Water quality monitoring strategy not provided.	The CEMP (Document 6.2C/APP-189) paragraph 11.8 states that arrangements for monitoring water bodies to ensure and demonstrate water quality will be the responsibility of the contractor. Further details are found within the paragraphs 11.9 and 11.10 of the CEMP however, further	Status: Remains unresolved. The Applicant's response suggests that paragraph 11.8 of the CEMP [APP-189] provides a sufficient commitment to monitoring water bodies to ensure and demonstrate water quality, but we disagree. Whilst we recognise that this will be the

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		details will be added to this section to provide clearer and more detailed requirements of the phase specific CEMPs in due course. The updated CEMP (and any necessary updates to the DCO Requirements) will be provided as set out in the Cover Letter for Procedural Deadline A.	responsibility of the contractor, consistent with best practice on other DCOs, we expect further details and commitments, as described in RR-042, to be provided at this stage. Paragraphs 11.9 and 11.10 of the CEMP are currently insufficient, and we therefore request that the CEMP is amended to any “phase-specific CEMPs in due course”. We welcome further discussion with the Applicant, if required.
EA41	Fuel, oil and chemical storage controls lack sufficient detail.	The CEMP (Document 6.2C/APP-189) does contain information with regard to storage of chemicals and fuels however, it is noted that there are some inconsistencies in the document as identified by the EA. The CEMP will be updated and will provided as set out in the Cover Letter for Procedural Deadline A.	Status: Remains unresolved. In response to the Applicant's comment that the CEMP [APP-189] contain**s** information on the storage of chemicals and fuels, we wish to clarify that we did not state in RR-042 that the CEMP contains no information on this matter, but that the information provided is insufficient. We await the updated CEMP when it is submitted.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA42	Insufficient information on construction wastewater management.	The CEMP (Document 6.2C/APP-189) paragraphs 19.3 – 19.5 includes details regarding construction waste water management, with phase specific P-CEMPs to provide further specific details for approval. This includes with regard to wheel washing, vehicle washing and concrete related construction activities, and the detail required by phase-specific P-CEMPs. This will be cross referenced against the mitigation parameters proposed in the CEMP. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	Status: Remains unresolved. As we commented in our RR-042, we were already aware that the CEMP [APP-189] contains information on construction wastewater management in paragraph 19.3, but we were seeking further detail to be secured prior to the preparation of the phase-specific P-CEMPs. We await the updated CEMP when it is submitted. We are happy to discuss this further if required.
EA43	Construction phase foul water arrangements are unclear.	Further information will be included in the CEMP (Document 6.2C/APP-189) to add clarity on the management of foul water during construction, which will be subject to details determined by contractors and agreed via phase specific CEMPs in due	Status: Remains unresolved. We appreciate that the Applicant has confirmed that further clarity will be added regarding the management of foul water during construction, and we await the updated CEMP.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		course. The updated CEMP will be provided as set out in the Cover Letter for Procedural Deadline A.	
EA44	Solar PV specification, PFAS content and maintenance regime not defined.	The detailed specification and supplier of solar PV is not yet known. The Applicant is content to agree that any cleaning of solar PV panels will be with PFAS free products.	Status: Remains unresolved. We are content that the Applicant has agreed that any cleaning of solar PV panels will use PFAS-free products. This commitment should be secured in a relevant document. We understand that the detailed specification and supplier of the solar PV panels are not yet known, However, on previous projects, the Applicant has been able to commit to considering this when selecting a supplier.
EA45	Operational pollution sources are omitted from the assessment.	The Applicant would appreciate specific direction from the EA on this point. ES Chapter 9 (Water Environment) (Document 6.9/APP-177) does consider pollution sources and impacts on water quality.	Status: Remains unresolved. We note that the Applicant has requested further direction on this topic. In RR-042, we raised the need for water quality to be managed throughout

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
			the operational phase. We recommended that an Operational Environmental Management Plan (OEMP) should be produced, but we have seen no response from the Applicant to this request. We believe that the Applicant should clarify the mechanism for securing the management of vehicles on site and equipment maintenance, as ES Chapter 9 (Water Environment) [APP-177] is not secured through the DCO. We are open to discussing this further if required. We note that the Illustrative Masterplan [AS-009] could be updated to include further details of the proposed operational drainage arrangements.
EA46	Potential requirement for water discharge permit has not been identified.	Water discharges in the landfill area will be addressed separately under the Environmental Permitting. Elsewhere, Water Discharge Activity Permits will not be required for the final drainage strategy	Status: Remains unresolved. The Applicant suggests that “Water Discharge Activity Permits will not be required for the final drainage strategy during the operational phase”,

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		during the operational phase. The contractor will apply for such permits during the construction phase, if required. e.g. dewatering or temporary discharges of treated water. The Applicant will provide an updated Other Consents and Licences Statement at Deadline 1 to reflect this.	however we are unclear on the basis for this reasoning. We await the opportunity to review the updated Other Consents and Licences Statement to be submitted at Deadline 1.
EA47	It is unclear how operational SuDS maintenance will be secured.	The Sustainable Drainage Statement (SDS) – Main Site (Document 6.9C/AS-077) discusses the proposed drainage interventions for the proposed scheme. In Section 4 of the report, the expected maintenance regime is outlined. Further information will be provided at a later date prior to handover of the drainage to a management company. The Applicant proposes to amend Requirement 21 of the DCO to include reference to maintenance, this will be	Status: Remains unresolved. We agree that Section 4 of the Sustainable Drainage Statement (SDS) – Main Site [AS-077] includes maintenance, but at the time of our review, we were unclear whether this document was sufficient to secure this commitment in the absence of an OEMP. This links to issue EA45. However, if Requirement 21 of the DCO is amended to include a reference to maintenance, we await the updated dDCO to be submitted at the next relevant examination deadline.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
		included in the dDCO submitted at Deadline 1.	
EA48	Unclear whether penstocks form part of the drainage design.	The drainage strategy will include the provision of penstocks to isolate parts of the drainage system during a pollution event to prevent contamination from areas further down the catchment/drainage system. Detailed design and future maintenance will be secured through Requirement 21 of the DCO, detailed plans will show locations of these assets.	Status: Remains unresolved. We have already seen that section 19.3 of the CEMP [APP-189] states that a penstock will be provided on the outfall(s) so that the discharge into the receiving watercourse or drainage system can be stopped in the event of a pollution incident. However, we needed to see further commitments regarding maintenance to ensure that the penstock remains operational without seizing, and further detail on how the closing mechanism will work. This information is usually available prior to detailed design. It is unclear from the Applicant's response whether details of the maintenance to be secured through Requirement 21 of the dDCO will be provided by the next deadline.

EA Issue No.	Issue summary description	Applicant Response [PDA-009]	Environment Agency Response - Deadline 1 (13/10/2026)
EA49	No information provided on management or capping of the IVC borehole.	The borehole at the IVC facility will be decommissioned in accordance with Environment Agency Guidance ("Good Practice for Decommissioning Redundant Boreholes and Wells" (2012)).	Status: Remains unresolved. While the Applicant states that the borehole at the IVC facility will be decommissioned in accordance with Good Practice for Decommissioning Redundant Boreholes and Wells (2012), we require clarification on whether responsibility for decommissioning rests with the current permit holder or the undertaker, and how this will be secured. We note that this 2012 guidance has been withdrawn and not replaced. However, it remains relevant as general guidance and those undertaking borehole decommissioning should continue to have regard to its aims and principles.

Appendix 4 – Summary Table of Environment Agency Position



Agreed / resolved

Working on a solution / under discussion

Not agreed

Subject	Work Package / Topic	Scope	Method & Assumptions	Results of Assessment (i.e. Impact)	Mitigation / Enhancements	Securing Mechanism	Related RR Issue(s)
DCO	Requirement 10 – Construction Environmental Management Plan					Requirement 10	EA01 – Requirement 10 (Construction Environmental Management Plan); EA02 – Requirement 10 Phraseology
DCO	Requirement 22 – Flood Risk and Surface Water Drainage					Requirement 22	EA03 – Requirement 22 (Flood Risk and Surface Water Drainage)
DCO	Requirement 28 – Previously					Requirement 28	EA04 – Requirement 28 (Contamination Risk –

	Unidentified Contamination						Previously Unidentified Contamination)
DCO	Requirement 29 – Verification Investigation					Requirement 29	EA05 – Requirement 29 (Contamination Risk – Verification Investigation)
DCO	Discharge of Requirements Procedure					Procedure for Discharge of Requirements	EA06 – Discharge of Requirements Procedure
DCO	Article 52					Article 52	EA07 – Article 52 – Interface with Waste Operation Permits
Flood Risk	Flood Risk Assessment					Requirement 22	EA03 – Requirement 22 (Flood Risk and Surface Water Drainage); EA09 – Freeboard Allowance for Warehouse Finished Floor Levels; EA10 – Culvert Freeboard Requirement Not Specified
Flood Risk	Hydraulic Modelling					Flood Risk Assessment / DCO Requirement	EA11 – Hydraulic Model Representation Uncertainties – Gagle and Ashgrove Brooks; EA12 – Future Assessment of Ashgrove Brook Diversion and Culverting; EA13 – Potential Under-Representation of A43 Culvert in Padbury Brook Hydraulic Model

Flood Risk	Flood Risk Activity Permitting						EA08 – Flood Risk Activity Permitting Requirements
Aquatic Ecology	Biodiversity Net Gain Strategy						
Aquatic Ecology	Ecology Assessment						EA14 – Specific Fish Mitigation for In-Channel Works
Aquatic Ecology	Watercourse Diversions and In-Channel Works					Requirement 10 / CEMP	EA14 – Specific Fish Mitigation for In-Channel Works; EA15 – Mitigation for Watercourse Diversions
Aquatic Ecology	Riparian Habitat Protection					Requirement 10 / CEMP	EA16 – Reference Point for 10m Riparian Buffer Not Defined
Aquatic Ecology	INNS and Biosecurity					Requirement 10 / CEMP	EA17 – Biosecurity Measures for Non-native Crayfish and INNS Management
Aquatic Ecology	Water Framework Directive Assessment						EA14 – Specific Fish Mitigation for In-Channel Works; EA18 – Culvert Watercourse Crossings and Habitat Connectivity
Geomorphology	Ecology Assessment						EA19 – Padbury Brook Characterisation

Geomorphology	Water Framework Directive Assessment						EA20 – Definition of Temporary Effects for the Water Environment
Groundwater & Contaminated Land	Water Framework Directive Assessment						EA23 – Inconsistent Order Limits in WFD Assessment; EA24 – Groundwater Bodies Omitted from WFD Assessment
Groundwater & Contaminated Land	Land Contamination Assessment					Requirement 28; Requirement 29	EA04 – Requirement 28 (Contamination Risk – Previously Unidentified Contamination); EA05 – Requirement 29 (Contamination Risk – Verification Investigation); EA26 – Insufficient Justification for Discounting Groundwater Risks; EA27 – Incomplete Land Contamination Investigation Coverage; EA28 – Contaminated Land Remediation Strategy – Securing Remediation of Known Contamination; EA29 – Controlled Waters Pollutant Linkage Omitted from CSM; EA31 – Ground Contamination Assessment Commitments and Controlled Waters Risk; EA35 –

							Permitting and DCO Interface for Landfill Reprofiling and Related Activities; EA37 – Lack of Clarity on Controls for Pre-Commencement Activities
Groundwater & Contaminated Land	Groundwater Protection					Requirement 10 / CEMP	EA24 – Groundwater Bodies Omitted from WFD Assessment; EA25 – Groundwater Dewatering and Permitting Requirements; EA30 – Groundwater Receptors Omitted from Construction Phase Mitigation; EA33 – Groundwater Pollution Prevention Measures in the CEMP; EA34 – Foundation Works Risk Assessment Requirement; EA49 – Borehole at Ardley In-Vessel Composting (IVC) Facility
Groundwater & Contaminated Land	Groundwater Monitoring					Requirement 10 / CEMP	EA32 – Groundwater Monitoring Plan – Lack of Detail
Groundwater & Contaminated Land	Remediation Strategy					Requirement 28; Requirement 29	EA28 – Contaminated Land Remediation Strategy – Securing Remediation of Known Contamination

Groundwater & Contaminated Land	Pre-Commencement Ground Investigations						EA37 – Lack of Clarity on Controls for Pre-Commencement Activities
Water Quality	ES Chapter 9 Water Environment						EA38 – Water Quality Data; EA45 – Operational Water Quality Pollution Sources Omitted
Water Quality	Water Framework Directive Assessment						EA23 – Inconsistent Order Limits in WFD Assessment; EA24 – Groundwater Bodies Omitted from WFD Assessment; EA38 – Water Quality Data; EA39 – Outdated and Incomplete Pollution Prevention Guidance References
Water Quality	Water Quality Monitoring					Requirement 10 / CEMP	EA40 – Water Quality Monitoring
Water Quality	Pollution Prevention					Requirement 10 / CEMP	EA39 – Outdated and Incomplete Pollution Prevention Guidance References; EA41 – Fuel, Oil and Chemical Storage Controls
Water Quality	Construction Wastewater Management					Requirement 10 / CEMP	EA42 – Construction Wastewater Management

Water Quality	Foul Water Management					Requirement 10 / CEMP	EA43 – Foul Water Management During Construction
Water Quality	Operational Drainage, SuDS and Water Quality					Operation & Maintenance Manual / Drainage Strategy	EA44 – Solar PV Materials and Operational Maintenance; EA45 – Operational Water Quality Pollution Sources Omitted; EA47 – Operational SuDS Maintenance; EA48 – Penstock Isolation Arrangements
Water Resources	Water Supply Strategy						
Water Resources	Water Framework Directive Assessment						
Waste Management	Materials and Waste Assessment					Waste Management Strategy	EA36 – Alternative Management of Excavated Landfill Waste
Permitting & Licences	Ardley Landfill					Environmental Permit; Article 52	EA35 – Permitting and DCO Interface for Landfill Reprofiling and Related Activities; EA36 – Alternative Management of Excavated Landfill Waste; EA07 – Article 52 – Interface with Waste Operation Permits

Permitting & Licences	Other Consents and Licences Statement						EA08 – Flood Risk Activity Permitting Requirements; EA46 – Potential Requirement for Water Discharge Activity Permit

END