No.	QUESTION	ANSWER
1.2	Articles 11(7), 14(9), 16(6) confer deemed consent if the authority does not respond within 28 days (a "guillotine"). The Applicant [AS-017] considers that these provisions are necessary to ensure that delivery of the Proposed Development is not unnecessarily delayed. a) Do DCC, SDDC and the EA consider that the 28 days period is reasonable? b) Should provisions be added for any application for consent to contain a statement drawing the authority's attention to the guillotine?	DCC considers that 28 days is a tight timeframe, particularly if consultation between authorities is required. 28 days does not give much time for communications between local authorities and with internal consultees. Yes, the 28 day timeframe guillotine should be drawn to the attention of the local authorities to ensure that all internal consultees and officers are fully aware of time constraints.
1.5	Article 2 - Interpretation The defined "site preparation works" are pre-commencement activities that could be undertaken without the controls that only apply following commencement, including those in dDCO Requirements and in the Outline Construction Environmental Management Plan (Outline CEMP) [APP-090]. The Applicant [AS-017] is satisfied with the definition of site preparation works and considers that they would not be likely to have significant environmental effects. a) Do the parties have any comments on the activities included in "site preparation works"? b) Should any more mitigation be secured for "site preparation works", for example in relation to noise, impacts on protected	DCC consider that some site preparation works have the potential to create adverse noise and air quality impacts including "remedial work in respect of any contamination or other adverse ground conditions" and "site clearance (including vegetation removal, demolition of existing buildings and structures)". "Commencement" should include preparation works relating to protected species, archaeological remains and traffic. Also, additional mitigation should be secured for impacts on protected species particularly otter and Great Crested Newts.

	species, archaeological remains, or traffic?	
1.6	Article 3 - Development consent etc. granted by the Order The Applicant [AS-017] considers that the permitted limits of deviation are clarified by Article 3(2) which includes that "Each numbered work must be situated within the corresponding numbered area shown on the works plan and must not exceed the design parameters assessed in the environmental statement." Given the size of works areas, please could the Applicant comment on whether it is necessary for works to be located within the numbered areas such that there would not be any materially new or materially more adverse environmental effects compared to those identified in the environmental statement?	DDC considers that it would be reasonable for the necessary works to be located in the numbered areas to ensure the adverse impacts expected are not exceeded.
1.8	Requirement 4 - Phases of authorised development and date of final commissioning a) Should the scope of the written scheme setting out the phases of construction of the authorised development be expanded for clarity, for example by adding key activities and timescales? b) Should a written scheme be required for the site preparation works?	DCC considers that the scope of the written scheme setting out phases of construction of the authorised development should be expanded, to include key activities and timescales and that this should include preparation works.
1.9	Requirement 5 - Detailed design approval The Applicant [AS-017] states that the requirements for the detailed design to accord	DCC agrees that it would be helpful if the design parameters were in one certified document. The glint and glare assessment provides a high-level summary on the height, orientation, tilt and coating of the proposed panels, and gives explanations on how changing the design

	with the principles and assessments set out in the Environmental Statement (ES) and with the outline design principles set out in the design statement would ensure consistency with the ES. Design parameters for, amongst other things, dimensions, materials, and colours of the structures and components are set out in various chapters of the ES, including in paragraphs 4.11-14 and Table 4.2 of the Project Description [APP-096], and Appendix B of the Design Statement [APP-182]. a) Please could the Applicant ensure that the design parameters relied on for the assessment are clearly identified and secured by the dDCO [AS-005]? b) Would it help SDDC, as discharging authority, if the design parameters were set out in a single, definitive, standalone certified document? c) With reference to paragraph 5.10.29 of NPS EN-1, do SDDC consider that sufficient design content is secured to ensure that future consenting will meet landscape, visual and good design objectives? d) Please could the Applicant set out the consideration given to paragraph 5.10.38 of NPS EN-1 in relation to requirements for the incorporation of design details?	within certain parameters will not significantly affect the results of the assessment. As such, the design details are appropriate for potential variations in future approvals.
3.4	Construction phase management plans	Species Protection Plan, Travel Plan, and Water Quality and Silt Management Plans should be provided in outline during the examination.

	The dDCO [AS-005] and Outline CEMP [APP-090] refer to several management plans for the construction phase that would only be prepared post-consent, including the Public Rights of Way Management Plan, Site Waste Management Plan, Species Protection Plan, Travel Plan, and Water Quality and Silt Management Plan. a) Please could the Applicant ensure that the dDCO [AS-005] and/ or Outline CEMP [APP-090] identify the measures to be included in those management plans to demonstrate that the mitigation relied on in the ES is secured? b) Please could DCC, SDDC, and the EA advise whether outline versions of any of those management plans, or any other management plans, should be provided during the Examination to clarify and help secure the measures that should be included? In each case, please set out why this is necessary and proportionate.	The Species Protection Plan outline will enable consideration of measures required to be implemented before installation of panels commences in order to reduce the adverse impacts of the proposal on specific species, including, but not limited to Sky Lark. Early consideration of a draft plan will ensure that adverse impacts are likely to be minimised and mitigated to an acceptable level prior to the commencement of activities. Traffic congestion during the construction and decommissioning phases of the proposal are a cause of concern for local residents. Congestion on the local roads, compounded by longstanding issues relating to the Trent crossings, will need to be managed, particularly where the construction phase coincides with other long standing local events which are already known to adversely impact on traffic. Early consideration of travel planning will enable the Highway Authority to provide advice and traffic management to keep disruption to a minimum. Similarly, early consideration of the content of a Water and Silt Management Plan will ensure that those actions necessary to prevent adverse impacts on site drainage and local water courses can be fully considered at an early stage in the development process.
3.5	<u>Pollution control through other consenting and licensing regimes</u> Paragraphs 4.12.2 and 4.12.10 of NPS EN-1 note that the planning and pollution control systems are separate but complementary, that pollution control is concerned with preventing pollution using measures to prohibit or limit the releases of substances to the environment, and to ensuring that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health. It	DCC agree with the comments of SDDC. There are no specific consenting or licensing regimes which are enforced by the DDC which would apply to this development. There are specific statutory controls, such as 'statutory nuisance under Part III of the Environmental Protection Act 1990 which may apply to the development if the magnitude of the impact during the construction or operational phase is considered to be in breach this statute, however the relevant mitigations outlined in the relevant environmental chapters, if met in full, should ensure that this magnitude of impact isn't reached. I therefore consider that potential releases can be adequately regulated under the pollution control framework and that the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution would make the Proposed Development unacceptable.

	states that the Secretary of State (SoS) should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. Paragraph 4.12.15 of NPS EN-1 requires the SoS to consider if the EA, any pollution control authority, Statutory Nature Conservation Bodies, Drainage Boards, water and sewerage undertakers, and other relevant bodies are: • satisfied that potential releases can be adequately regulated under the pollution control framework; and • the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution would make the Proposed Development unacceptable, particularly in relation to statutory environmental quality limits. a) Please could the relevant bodies comment, highlighting any specific concerns? b) Please could the Applicant provide evidence of whether relevant bodies, including the water and sewerage undertakers, are satisfied and what concerns remain?	DCC also agree that regarding the potential adverse impacts on the River Mease SAC, without due and additional consideration in relation to pollution control and environmental regulatory regimes particularly how this will be monitored and just how these controls will prevent likely significant effects associated with water quality and quantity, spread of invasive non-native species, contaminated runoff, changes in surface water flow, and disturbance to otter specifically in relation to the River Mease SAC.

	c) Please could the Applicant set out the steps that will be taken to resolve any outstanding concerns? Please could the relevant bodies and the Applicant provide regular updates to the Examination?	
5.1	<u>Decommissioning of underground cables</u> Paragraph 2.10.68 of NPS EN-3 states that the nature and extent of decommissioning of a site can vary and generally it is expected that underground cabling will be dug out to ensure that prior use of the site can continue. The Applicant [APP-092, APP-181] says that the cables may be left in situ, depending on the method which is likely to have the least environmental impact at the time. a) Do the parties have any comments on the Applicant's suggested approach and whether it strikes an appropriate balance between the potential magnitude and duration of impacts during decommissioning and the longer-term implications for future site use? b) Should the dDCO [AS-005] require the underground cables and ducting to be removed?	DCC considers that: a) The suggested approach which is likely to result in a proportion of the underground ducting and cables to remain in situ after decommissioning, to reduce the environmental impact of the removal works, has the potential to adversely impact on the long-term agricultural use of the site – although this is to some extent dependent on the depth at which the underground cables are laid. A number of questions need to be answered to assess the potential impact of the ducting and cables remaining in situ. How deep will the cables be laid, will the ducting be sealed upon decommissioning, has an assessment of the implications for site drainage been reported and what are the long-term risks associated with the environmental leaching of materials from within the ducting. b) Ideally the underground cables and ducting should be removed for the long-term benefit of the agricultural land.
5.2	<u>Draft DCO [AS-005] Requirement 22 - Decommissioning and restoration</u> <u>End state and funding</u>	DCC considers that: a) This is a matter for consideration by agricultural and land management specialists. b) While the decommissioning of the solar array and associated infrastructure is addressed in the dDCO, it does not fully address the end state of the land. This matter must be addressed in the DEMP and relates to the response to question 5.1 above. It is necessary

	Several parties, including South Derbyshire District Council [RR-295], Lullington Parish Meeting [RR-179], Alex Wolfe [RR-010], Denise Ann Walsh [RR-077], Diane Abbott [RR-080], Jacqueline Shirley Bott [RR-129], Martin David William Abbott [RR-190], and Tracy Hiatt [RR-321] raise concerns in relation to decommissioning. The Applicant provides a description of the decommissioning activities [APP-092, APP-181]. The Applicant [AS-017] considers that it is not necessary to add a requirement to secure the end state of the Order Land after decommissioning and refers to the requirement for a decommissioning environmental management plan and a decommissioning traffic management plan to be submitted for approval. The ExA is considering if it has sufficient understanding of the likely end state of the land after decommissioning, the suitability for other uses after decommissioning, the measures that should be secured by the DCO, and the likely potential effects. a) Please could the parties comment on how the end state after decommissioning should be defined? b) Is it necessary, reasonable, and appropriate for the definition of the end state after decommissioning to be secured more precisely by the dDCO?	to understand the end sate of the land following decommissioning, and its suitability of other uses, including agriculture, if the full impact of the proposal is to be understood prior to consenting. c) The dDCO should make provision to secure funding to provide certainty that adequate land and landscape restoration can take place upon decommissioning if planning conditions are not considered an adequate control. DCC agrees with SDDC that There should be a comprehensive Soil Management Plan that deals with construction, operation and decommissioning of the site. a) Should be assessed by experts in their field - soils/agriculture expert. b) Yes. c) Yes, to ensure that there is certainty that adequate funding arrangements are in place to reinstate the land appropriately. d) All of the works identified in the DEMP for the whole site, including hedgerow restoration and the removal of cables and ducting, can be costed now. This amount can then be held in an index/inflation linked escrow account or bond and secured.

	c) Should a provision be added to the dDCO to secure funding for decommissioning? d) If it should be secured, how should the amount of funding be identified, what form of security would be appropriate, and when should the security be put in place?	
5.3	Draft DCO [AS-005] Requirement 22 - Decommissioning and restoration Timescales for completion The dDCO requires decommissioning to commence no later than 40 years following the date of final commissioning of the first phase of Work No. 1. The Applicant [APP-181] says that decommissioning is expected to take between 12 and 24 months. a) Should the dDCO include a requirement for decommissioning and restoration to be completed within a specified timescale? b) If so, how should the completion of decommissioning and restoration be defined, and what is an appropriate timescale for it to be completed? Should separate timescales be identified for different activities, for example for decommissioning, for restoration, and for any necessary maintenance? c) Should the commencement and completion of decommissioning also be related to when the generation of electricity ceases in case that is earlier	DCC considers that: a) A specified time scale would add certainty to the decommissioning process giving assurance to landowners relating to the return of the land and commencement of future uses. b) To add certainty to decommissioning, each phase or decommissioning activity should be completed within an appropriate timescale. Activities such as reseeding or replanting of trees and hedges will clearly need to be tied to appropriate planting seasons to improve establishment. c) The commencement and completion of the decommissioning phase should be linked to the cessation of energy generation if earlier than 40 years following the date of final commissioning of the first phase of Work No. 1.

	than 40 years following the date of final commissioning of the first phase of Work No. 1?	
6.2	<u>Agricultural Land Classification (ALC)</u> Paragraph 2010.33 of NPS EN-3 states that the ALC is the only approved system for grading agricultural quality in England and, if necessary, field surveys should be used to establish the ALC grades in accordance with grading criteria and identify the soil types to inform soil management at the construction, operation, and decommissioning phases in line with the DEFRA Construction Code. a) Are NE and SDDC content with the Applicant's ALC and surveys [APP-168, APP-169, APP-170, APP-171]? b) Is Subgrade 3b a robust worst case assumption for the areas that were not surveyed [APP-168]? c) Should surveys be required of areas that were not surveyed to rule out that they could be BMV agricultural land?	DCC agrees that: a) It is considered that they meet the minimum criteria of MAFF 1988, but soil survey work was not supervised / observed. b) Yes, this is the most likely grade. c) Only where land is shown on provisional maps to be higher than Grade 3 or on the Likelihood of BMV map as moderate to high likelihood of BMV.
6.6	<u>Potential permanent loss of agricultural land</u> The Applicant [APP-169 paragraph 15.134] states that the Battery Energy Storage System and onsite substation would be removed during decommissioning, but that the land in these areas may not be restored back to the same ALC grade. The Battery Energy Storage System and substation would be within a small field of mixed Subgrade 3a and 3b quality. The Applicant	The potential loss of 1.5 ha of grade 3a/b land is not considered significant, however, decisions as to whether or not the BESS facility is to be fully removed should be established in as part of the dEMP setting out the end state of the land. It would not be unreasonable for there to be no net loss of grad 3a agricultural land.

	indicates that there would be a permanent loss or downgrading of 1.5ha of Subgrade 3a agricultural land if the substation was not removed or suitably restored. a) Noting the protection afforded to BMV agricultural land, has sufficient consideration been given to measures to avoid the permanent loss of Subgrade 3a agricultural land? Would it be reasonable for the dDCO [AS-005] to require no permanent loss of Subgrade 3a agricultural land? If not, why not?	
6.7	<u>Return to agricultural land uses after decommissioning</u> a) Should the dDCO [AS-005] explicitly require the land to be returned to agricultural use immediately after decommissioning has been completed? If not, why not? b) Please could the Applicant suggest suitable wording in case the ExA is minded to include such a provision?	a) Yes, the default should be to restore the land to agricultural uses. Any decision to deviate from this position, in 40 years time, should be made in light of circumstances prevailing at that time.
6.9	Mineral safeguarding Paragraph 5.11.19 of NPS EN-1 states that Applicants should safeguard any mineral resources on the proposed site as far as possible, considering the long-term potential of the land use after any future decommissioning has taken place. Paragraph 5.11.28 of NPS EN-1 states that where a Proposed Development has an impact upon a Mineral Safeguarding Area, the SoS should ensure that appropriate mitigation	a) The nearest identified mineral safeguarding area is not impacted by the proposal. A small sand and gravel safeguarding area exists adjacent to the River Trent, north of Walton Road/Drakelow Business Park in the area of 'The Verge'. This site is to the north of the proposal and is unaffected. b) No longer relevant.

	measures have been put in place to safeguard mineral resources. The Applicant [APP-146 Paragraph 9.45] states that a short section of cable routing parallel to Walton Road to the north of Grove Wood is in a Sand and Gravel Safeguarding Area in the Draft Derbyshire and Derby Minerals Local Plan. DCC is quoted as saying that this is unlikely to impact the availability of the resource. DCC [RR-078] states that the nature of the Proposed Development means it could be removed relatively easily and it is unlikely therefore that it would lead to the permanent sterilisation of the sand and gravel resource. a) Is DCC satisfied that mineral resources are safeguarded "as far as possible"? b) Have appropriate mitigation measures been put in place to safeguard mineral resources?	
7.1	<u>Skylark</u> Paragraph 5.4.55 of NPS EN-1 states that consent should be refused where harm to a protected species and relevant habitat would result, unless there is an overriding public interest, and the other relevant legal tests are met. The Applicant [APP-135 paragraph 6.69] considers it highly unlikely that 19 singing males recorded within the site boundary represent 19 successful breeding pairs within the Oaklands farm area. It [APP-135 Table 6.8] summarises that habitat loss during the construction and	DCC agree with the comments of SDDC in relation to Skylark: a) The supporting baseline for the PEIR (Arcus 2020 Breeding Bird Survey Report), identified the presence of x28 breeding territories for skylark within the Oakland Farm part of the Site, together with x1 breeding territory for lapwing – both are ground nesting birds. No evidence of skylark breeding territories was found within the Park Farm part of the Site (Luc 2022 Breeding Bird Survey Report), this has now dropped to an estimate of 19 pairs. Following best practice in monitoring breeding skylarks, at least four visits should be made to the site at dawn between April and August. The most accurate idea of a Skylark territory can be made by observing where the bird flies up from or alights. One singing male is assumed to represent one territory, i.e. one breeding pair. In order to collect meaningful data from the Application Site within the time available, it is practical to use singing skylarks as an indicator of breeding skylark density. In optimal breeding habitats, the presence of a singing skylark is probably a good indication that a pair is

	operational phases would each be a significant adverse effect at the local level that would be a minor adverse effect in the context of EIA Regulations and not significant. The Applicant [APP-135 Table 6.5] states that the study area is considered of district ecological value for skylark. a) Please could the Applicant clarify the ecological importance (e.g., district level or site level) given to skylark habitats in the assessment and provide an update to correct any inconsistency? b) Please comment on the potential for any successful breeding skylark on the site currently and during the operational phase. c) Please comment on the potential for harm to skylark during the site preparation works, and during the construction, operational and decommissioning phases?	breeding (Delius 1965 and Schlapfer 1988) but it is noted that where breeding habitats are suboptimal the presence of a singing bird in all likelihood does not necessarily imply that it has a mate. To remove a degree of uncertainty, it would be best to assume the maximum population estimate and not rely on speculation as for species that establish territories and breed late in the season, maximum counts have been shown to be more appropriate. Skylarks have multiple broods and breed from mid-April to mid-July. Therefore, impacts are significant adverse at District Ecological Value. b) Establishing the impact of the operational phase on the skylark population would be useful and what opportunities the breeding population would have to disperse to the surrounding area given 19-28 pairs is relatively significant considering the surrounding area having the capacity to accommodate the movement of those dispersed birds. c) An examination of the potential harm to the skylark population would give greater clarity on the potential for sustaining the population and help guide appropriate and specific mitigation.
7.2	<u>Barn owl</u> The Applicant [APP-135 paragraph 6.68 and Table 6.6] records the presence of barn owl in the study area and considers that there would not be a loss of nesting or foraging habitat for barn owl during the construction phase, and that the provision of enhancements would provide overall benefit during the operational phase. SDDC [RR-295] expresses concern about whether barn owls have been identified as nesting within site trees, and, if so, whether	DCC agree with the comments of SDDC in relation to Barn owls: a) SDDC predicts a loss of foraging habitat to Barn Owl during the construction stage from particularly disturbance. b) The supporting baseline (LUC 2022 Breeding Bird Survey Report, appended) appears to identify the presence of a nesting barn owl within tree T24 of the Oaklands Farm part of the Site, although the report makes several inconsistent statements in this respect (Sections 3.10, 4.6, 4.7). The Preliminary Environmental Information Report (PEIR) makes no reference to barn owl or the potential nesting site, specifically whether the tree would be retained and whether appropriate mitigation measures in respect of disturbance have been considered, given that this species is listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). The ES should clarify whether barn owl has been identified as nesting within a Site tree; and if nesting has been identified, mitigation and compensation measures should be

	appropriate mitigation and compensation will be provided. a) Please could the Applicant, following consultation with SDDC, update its assessment and secured mitigation measures as necessary? b) Please could SDDC advise if it has any outstanding concerns on the Applicant's updates? c) Please could NE comment?	prescribed to adhere to statutory legislation and best practice guidelines during construction and operational phases
7.3	<u>Other breeding birds of conservation concern</u> The Applicant [APP-135 paragraph 6.68] states that the site supports suitable habitat for a range of farmland bird species. Breeding bird surveys of the southern portion of the site identified a total of 56 bird species, including 22 species of conservation concern. It considers that the study area has limited potential for Schedule 1 bird species other than barn owl. a) Please could the Applicant set out the consideration given to all 22 species of conservation concern identified, including in relation to the removal of any hedgerow that may provide a suitable habitat? b) What length of hedgerow would be removed and how much would be replaced? How is this secured?	DCC agree with the comments of SDDC in relation to other breading birds: The Applicant details most breeding bird interest was within the agricultural buildings at Park Farm which support house sparrow, swallow, and house martin. Will this ecological feature/receptor be given due consideration in relation to the disturbance during the construction phase and is any enhancement possible for these three species resulting from the Proposed Development. a) Species specific considerations would be welcomed.
7.4	<u>Great crested newt</u> The Applicant [APP-135 paragraph 6.7] scoped great crested newt out of the detailed	DCC agrees with the comments of SDDC: a) SDDC is not content that GCN was scoped out of the detailed assessment because in respect of the NSIP proposal, the PEIR determines 'a likely absence of (GCN) and therefore adverse impacts are considered extremely unlikely'. The survey limitations section of the PEIR

	assessment as it considers that the Proposed Development would not result in the loss of any ponds and would be focused in areas of arable and grazed grassland which provide low suitability habitat for great crested newt in their terrestrial phase. It states that surveys of all accessible ponds functionally connected to the site within 250m confirm the likely absence of great crested newt. SDDC [RR-295] suggests that additional compensation and mitigation measures may be required to suitably control the potential for killing and injuring great crested newt during the construction phase. a) Is SDDC content that great crested newt was scoped out of the detailed assessment? b) Please could SDDC explain why additional compensation and mitigation measures may be required?	(6.47) identifies that 'it was not possible to survey all ponds within 250m of the Site, and outside of the site boundary, due to access restrictions' but this 'was not considered a constraint to the survey as extensive eDNA survey effort was undertaken for numerous ponds within 250m of the Site, which were recorded as negative for GCN'. The detailed GCN baseline for the Oaklands Farm part of the Site is provided within an appended report - Arcus 2020 PEA Report. Of the x9 accessible ponds within the Site (on-site ponds), x6 were dry and x1 was of limited suitability for GCN. The x2 remaining on-site ponds were subject to eDNA water sampling which tested negative for GCN. Critically, the Arcus 2020 PEA identifies a further x15 off-site ponds within 250m of the Site boundary which could not be surveyed as no access was granted from landholders, therefore, presence or absence of GCN could not be determined within all off-site ponds. The absence of GCN survey data for the x15 off-site ponds is a significant constraint to the survey baseline and assessment of likely significant effects to GCN for the Oaklands Farm part of the Site. Natural England standing guidance requires impacts to GCN to be considered from a minimum 250m buffer of the development boundary. Whilst offsite ponds clearly cannot be surveyed if access has not been granted, the Arcus 2020 PEA simply states that 'it is considered unlikely that GCN are present on site and are unlikely to be a constraint to the Development design'. No consideration of the absence of GCN survey data for the x15 offsite ponds have been considered in this assessment. In respect of the Oaklands Farm part of the Site, the ES should have considered in more detail the implications of an absence of GCN survey data for off-site ponds and furthermore, the likely significant impacts arising from the construction phase of the solar installation following the precautionary principle. b) Those additional compensation and mitigation measures that may be required to suitably control the potential for killing and injuring GCN during the construction phase because of the absence of survey data for 15x ponds within the locality would come under a GCN Mitigation Strategy and could include: 1.Further survey work on all ponds in the extended locality. 2. Creation, retention and enhancement of habitats of primary importance for GCN including terrestrial habitats (hedges, grassland, hibernacula) 3. Prevention of harm to GCN including exclusion fencing.

		4. Monitoring/Identification of a Receptor Site 5. Appropriate ECoW
7.5	<u>River Mease Special Area of Conservation (SAC)</u> The Applicant [APP-122 paragraph 5.3] concludes that the avoidance and mitigation measures which would be secured in relation to the construction of the Proposed Development provide certainty that harmful effects associated with contaminated run-off, changes in surface water flow, and disturbance to otter, would be avoided entirely, thereby eliminating any potential for adverse effects on the integrity of the River Mease SAC either alone or in-combination with other plans and projects. a) Please could the Applicant set out the conclusions, with reasoning, in relation to white clawed crayfish, bullhead and spined loach? b) Are NE, DCC, and SDDC satisfied with the Applicant's assessment?	DCC would reiterate the comments of SDDC: The Applicant has been unable to rule out the potential for likely significant effects associated with water quality and quantity, spread of invasive non-native species, and disturbance to otter during construction, alone or in-combination on the River Mease SAC'. However, the shadow appropriate assessment concluded that 'the avoidance and mitigation measures which will be secured in relation to the construction of the NSIP will provide certainty that harmful effects associated with contaminated runoff, changes in surface water flow, and disturbance to otter, will be avoided entirely, thereby eliminating any potential for adverse effects on the integrity of the River Mease SAC either alone or in-combination with other plans and projects' The Applicant states "The Proposed Development will include construction activities in and near to the unnamed watercourse. Therefore, it is possible that this will result in increased noise and disturbance and as such cause disturbance to otter. It is expected impacts will be short-term, localised and small in extent with the majority of the construction activities located in areas away from habitat suitable for use by otter". The statements are somewhat in contradiction of each other. Furthermore, Under Planning Application SDDC ref: DMPA/2024/0789 for the proposed development of an Installation and operation of an Energy Storage System (ESS) including energy storage units, substation, site access, cable connection, landscaping and ancillary infrastructure located at Fairfields Farm, Rosliston Road, Walton-on-Trent, Swadlincote, DE12 8LR, Innova Renewables Developments were commissioned to conduct an Ecological Impact Assessment (ECIA) for the Fairfield Energy Centre immediately adjacent to this NSIP application by Oaklands Farm Solar Limited for an Order Granting Development Consent for Oaklands Farm Solar Park. The ECIA Surveys confirmed the presence of otter in the form of a spraint and feeding signs including pulled apart signal crayfish and mussels. This further confirms the presence of otter on the watercourses connected with the site and both these applications. Otter was scoped out of both ECIA's (1), (2) yet the Fairfield Farm ECIA goes onto state that the tributary of the River Trent is considered to be a Priority Habitat following evidence of otter presence during the 2023 surveys (4.5.12. Other Rivers and Streams (r2b), Fairfield Energy Centre ECIA).

		(1) The watercourse which is present within the site boundary is not also considered functional habitat for maintaining the population of otters which are linked to the River Mease SAC (2) Surveys have confirmed the absence of otter and water vole within the site. Measures detailed within the CEMP will be prevent any adverse impacts upon the species in terms of disturbance which would contravene legislation. Otter and water vole have been scoped out of detailed assessment. Further clarification on the importance of the Site for otter is required and what mitigation measures are in place, particularly regarding site works and water crossings particularly in relation to otter disturbance given that in the likely future both applications will be aligned. The Outline Operational Environmental Management Plan does not appear to show any mitigation for otter.
7.6	River Mease Site of Special Scientific Interest (SSSI) The Applicant [APP-135 Table 6.6] states that the provision of embedded mitigation as part of the CEMP, such as the application of best practice run-off and pollution control methods, would ensure that the predicted impact of contamination would be extremely unlikely. Are NE, DCC, and SDDC satisfied with the Applicant's assessment?	There is evidence that proposals of this nature can alter surface water runoff and drainage within developed sites. Indeed, a planning appeal for a solar farm scheme has addressed this issue directly. Appeal Ref: APP/D3315/A/13/2203242[4] Land at Glebe Farm, Tolland, Lydeard St Lawrence, Taunton TA4 3PR considers the issue of drainage as follows: 17. The planning application was accompanied by a Flood Risk Assessment (FRA). A carefully considered and professionally well-informed letter of objection to the proposed development makes the important point that it would be unsound to assume that rain falling on each row of solar panels would flow evenly into the rain-shadow of the row below, so as to mobilise the same percentage of the ground for infiltration as was available before the panels were installed. Rather, because the panels would be set at a downward slope and aligned to follow the contours of the land, rainwater would be likely to fall in a column from the lowest corner of each panel, and could then form rivulets flowing down through the rain-shadows of the rows below without utilising their whole area for infiltration, thus increasing the amount of water run-off from the site. SDDC find that argument persuasive. It is also noted that it is a concern which informed the proposed "Sustainable Drainage Scheme (SuDS)" incorporated in the appellant's FRA,

		following consultation with the Environment Agency. The FRA recognises that intensification of the run-off into small channels could occur beneath the lower end of the panels, and that this could increase run-off above that associated with the undeveloped site: it goes on to explain that the design of the SuDS has therefore incorporated a system of bunds, swales and scrapes to promote infiltration, limit erosion and provide on-site storage, thereby effectively managing the surface water run-off from the site. It also unclear whether any investigation or consideration of the impact of the proposal on land drainage within the site has been made. Officers at this Council have recently been involved with a Natural Flood Management (NFM) scheme close to the proposed site. This NFM scheme is being implemented because the area has recently become prone to high levels of surface water flooding/overland flows following significant tree planting locally. It appears the changes to hydrology have been caused by tree roots penetrating and breaking up land drains beneath that site which was formally in use as arable land. It is unclear whether land drains are located within the development site, however if they are present and still operative, given that the steel frames which will hold the panels will be piled into the ground to some depth there may be potential for the proposal to similarly destroy or damage existing field drains and ultimately affect land drainage across the proposal site. Given the size of the site, and the extensive nature of the project, it is likely that should any hydrological effects occur these could be addressed on site through the incorporation of an appropriate Sustainable Drainage System (SUDS) and through the careful management of soil quality to avoid compaction during construction. SDDC would expect the detailed and thorough consideration of the potential for this scheme to alter flood risk from all sources and expect appropriate measures to be identified to ensure that flood risk and hydrological impacts do not occur. For the reasons set out above by SDDC, DCC considers that the installation of the solar panels is likely to impact upon surface water run off characteristics, which over such an extensive site, may have adverse hydrological impacts due to increased run off and reduced infiltration. This issue should be addressed by the incorporation of a suitable Sustainable Drainage System (SuDS) to delay run off and encourage infiltration.

7.7	Draft DCO [AS-005] Requirement 21 – Protected Species Provisions are included for the authorised development not to commence until protected species surveys have been carried out by a suitably qualified person, and for mitigation to be carried out in accordance with a resulting Species Mitigation Plan that must be agreed with the local planning authority. a) Should the Species Mitigation Plan be agreed with the local planning authority in consultation with NE? b) Noting the potential for disturbance during the pre-commencement site preparation works, operation and decommissioning, are similar provisions required for those phases?	In response to a) and b), DCC concludes that the species mitigation plan should be agreed by the Local Authorities in consultation with NE and that similar provisions are required for site preparation, operation and decommissioning phases.
7.9	Operational phase detailed assessment The Applicant [APP-135 paragraph 6.7] scoped adverse impacts arising during the operational phase out of the detailed assessment on the basis that there is no potential for significant effects to occur for all ecological receptors. Are the parties content that adverse impacts arising during the operational phase were scoped out of the detailed assessment?	DCC considers that there are potentially adverse ecological effects arising from the operational phase of the proposal particularly in relation to the passage of mammal species which may be affected by site fencing. While it is accepted that fencing is required for security and to protect panels from damage by deer, consideration should be given to the ground level fencing design to enable the passage of smaller mammals such as badger, fox and hedgehog. Ecological receptors including badger setts and bat roosts should be given greater consideration in respect of buffer zones to minimise disturbance.
7.11	Draft DCO [AS-005] Article 37 - Felling or lopping of trees or removal of hedgerows. The Applicant [AS-007, AS-017] considers that the broad powers to fell or lop any tree or shrub	DCC considers that such powers to fell or lop trees or to removed hedgerows should be removed from the dDCO.

	trees subject to tree preservation orders or cut back their roots are subject to appropriate limitations, and is necessary for the safe delivery of the Proposed Development. a) Should the exercise of these powers be subject to the prior consent of the local planning authority? b) Should the removal of hedgerows be restricted to those identified in Schedule 9 to ensure that any impacts are minimised and to ensure consistency with the ES?	
7.12	Draft DCO [AS-005] Article 38 - Trees subject to Tree Preservation Orders. The Applicant [AS-007, AS-017] considers that the broad powers to fell or lop trees subject to tree preservation orders or cut back their roots provide necessary flexibility. a) Should the exercise of these powers be subject to the prior consent of the local planning authority? **b)** Should the relevant trees be identified in Schedule 9 to ensure that any impacts are minimised and to ensure consistency with the ES? **c)** With reference to paragraph 5.4.32 of NPS EN-1, would the proposals fully mitigate the direct and indirect effects on ancient and veteran trees?	a) DDC considers that it is necessary for SDDC's prior consent to be required for the removal to fell or lop trees. b) DDC would deem it necessary to identify the trees in Schedule 9 so that any impacts are minimised, and good practice is evidenced. c) The proposals would only fully mitigate those direct and indirect effects on ancient and veteran trees if no ancient or veteran trees were to be removed or damaged under broad powers.
7.13	Buffers	DCC considers that: a) The proposed buffer distances are acceptable. and

	The Applicant states that there would be: • a 5m buffer to retained hedgerows [APP-135 paragraph 6.78]; • a protection buffer of at least 15m from ancient woodland associated with Grove Wood LWS and for any ancient or veteran trees a buffer zone at least 15 times larger than the tree diameter [APP-135 paragraph 6.79]; and • in accordance with the EA's requirements, an 8m buffer to watercourses, apart from water crossings. DCC and SDDC [APP-121] are quoted as recommending that a habitat constraints plan or similar is produced for the CEMP, which clearly defines buffer zones to sensitive features such as ancient/veteran trees, other retained trees, ponds, watercourses, hedgerows, and woodlands etc. a) Please could DCC and SDDC comment on the buffers proposed by the Applicant? b) Please could the Applicant ensure that each buffer relied on for mitigation in the assessment is included in the Outline CEMP [APP-090]? c) Please could the Applicant, DCC, and SDDC consider whether a habitat constraints plan, or similar, would provide helpful clarification of the buffer zones, seek to agree what should be included in the Outline CEMP [APP-090], and each	c) A habitats constraints plan, clearly setting out the extent of buffer zones should be provided for clarification and to provide certainty that all areas and features requiring a buffer have been appropriately identified.

	provide an update at the earliest opportunity?	
7.17	Biodiversity Net Gain The Applicant [AS-017] states that delivery of biodiversity net gain is secured via the Outline Landscape Ecological Management Plan. The Applicant has submitted a Biodiversity Net Gain Report [APP-131]. The ExA is considering whether to add a requirement to the dDCO [AS-005] for no part of the authorised development to commence until a Biodiversity Net Gain Strategy has been submitted to and approved by the local planning authority in consultation with NE, and for it to be implemented as approved. Please could the parties comment?	DCC would welcome the submission of a BNG Strategy prior to commencement.
8.2	Archaeology – potential later prehistoric to Roman assets The Applicant [APP-139] considers that that is a low risk of high value later prehistoric to Roman assets being present on the site. a) Please could the Applicant and the DCC archaeologist comment on the value of later prehistoric to Roman assets that should be considered in the assessment and the potential for them to be of demonstrably equivalent value to designated heritage assets? b) Please could the Applicant provide supporting evidence to justify the assessment that they are at a low risk of being present and clarify the meaning of 'low risk' in the context of a	While there are no recorded Roman assets within the site, there have been late Mesolithic and early neolithic finds within the development area. Further assets cannot be ruled out. There are also possible medieval features. pre commencement surveys and construction works may identify further features of value and micro-siting of infrastructure during the construction phase may be useful in ensuring protection of these assets. The degree of harm inflicted would depend on the asset impacts and the nature of the work being undertaken, but could potentially result in total loss or substantial harm to significance.

	reasonable worst-case assessment. Please could the DCC archaeologist comment on the likelihood of them being present? c) Please could the Applicant clarify, with detailed justification, the potential for harm to later prehistoric to Roman assets of demonstrably equivalent value to designated heritage assets, and whether that potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance? Please could the DCC archaeologist comment?	
8.3	Archaeology – micrositing: Paragraph 2.10.137 of NPS EN-1 states that the ability of the Applicant to microsite specific elements during the construction phase should be an important consideration by the SoS when assessing the risk of damage to archaeology. a) Please could the Applicant provide its consideration of the potential for micrositing, including the practical feasibility in relation to the foundations of the solar panels? b) Please could the Applicant ensure that any micrositing mitigation is explicitly secured in the Outline CEMP [APP-090]? c) Please could the DCC archaeologist comment?	The use of micrositing to enable the avoidance of harm to archaeological assets identified during commencement and construction phases may be crucial to the protection of previously unrecorded assets.
8.4	Draft DCO [AS-005] Requirement 18 - Archaeology	DCC considers that: a) The requirement should apply in relation to commencement for the identification and protection of previously unidentified archaeological assets. b) A requirement should d be added to secure that a copy of any analysis, reporting, publication, or archiving required as part of the written scheme to be deposited with the Historic Environment Record of the local planning authority within one year of the date

	a) Should this requirement also apply to the site preparation works, rather than only in relation to commencement? b) Should a requirement be added for a copy of any analysis, reporting, publication, or archiving required as part of the written scheme to be deposited with the Historic Environment Record of the local planning authority within one year of the date of completion of the authorised development or such other period as may be agreed in writing by the local planning authority? c) In relation to any archaeological remains not previously identified which are revealed when carrying out the authorised development, should it be required that: • they must be retained in situ and reported to the relevant planning authority as soon as reasonably practicable from the date they are identified; • no construction operations are to take place within 10 metres of the remains for a period of 14 days from the date of any notice unless otherwise agreed in writing by the local planning authority; and • if the local planning authority determines in writing that the archaeological remains require further investigation, no construction operations are to take place within 10	of completion of the authorised development or such other period as may be agreed in writing by the local planning authority. c) In relation to any archaeological remains not previously identified which are revealed when carrying out the authorised development, it should be required that: • they must be retained in situ and reported to the relevant planning authority as soon as reasonably practicable from the date they are identified; • no construction operations are to take place within 10 metres of the remains for a period of 14 days from the date of any notice unless otherwise agreed in writing by the local planning authority; and • if the local planning authority determines in writing that the archaeological remains require further investigation, no construction operations are to take place within 10 metres of the remains until provision has been made for the further investigation and recording of the remains in accordance with details to be submitted in writing to, and approved in writing by, the local planning authority? d) On completion of the authorised development, suitable resources and provisions for long term storage of the archaeological archive should be agreed with the county archaeologist?

	metres of the remains until provision has been made for the further investigation and recording of the remains in accordance with details to be submitted in writing to, and approved in writing by, the local planning authority? d) Should it be required that on completion of the authorised development, suitable resources and provisions for long term storage of the archaeological archive will be agreed with the county archaeologist?	
9.6	<u>Glint and glare</u> Footnote 93 of NPS EN-3 states that most commercially available solar panels are designed with anti-reflective glass or are produced with anti-reflective coating and have a reflective capacity that is generally equal to or less hazardous than other objects typically found in the outdoor environment, such as bodies of water or glass buildings. Please comment on whether mitigation using anti-reflective glass or anti-reflective coating should be secured?	The glint and glare assessment has modelled solar panels of smooth glass with anti-reflective coating (ARC) "because it is the panel surface most used for modern solar panels". The current industry standard for solar panels is that an ARC is applied, and in the absence of confirmation of the make and model of the panels, an anti-reflective coating is a reasonable assumption. It is recommended that a condition be attached to the consent to submit details of the solar panels and confirmation that an ARC will be applied to the installed solar panels.
10.2	<u>Noise limits</u> Paragraph 5.12.18 of NPS EN-1 requires that consideration be given to including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the	DDC is not aware of any update to the secured mitigation measures, but DDC is satisfied with the proposed site noise limits.

	construction, operation, and decommissioning of the energy infrastructure development. SDDC [APP-160 Table 11.2] are quoted as recommending a condition for a site noise limit at the boundary. a) Please could the Applicant, following consultation with the SDDC, update its secured mitigation measures for the construction and operational phases as necessary, or set out why it does not consider it necessary to secure noise limits? b) Please could SDDC advise if it has any outstanding concerns on the Applicant's updates?	
10.3	Construction and delivery hours Requirement 20 of the dDCO [AS-005] specifies construction hours as a firm requirement. Paragraph 1.15.1 of the Outline OEMP [APP-090] states that working hours would be agreed with the Council prior to construction. SDDC [APP-160 Table 11.2] is quoted as recommending a condition for SDDC's standard working hours to be adopted. a) Please could SDDC advise if it has any concerns about Requirement 20 of the dDCO [AS-005]? b) Please could the Applicant, following consultation with SDDC about its concerns, update the Outline OEMP [APP-090] to recognise the firmness of the	DCC has no concerns relating to construction hours but would emphasise the need for coordination of delivery times (HGV movements) to reduce the potential impacts on the local road network.

	construction hours secured in the dDCO [AS-005]?	
11.1	Significance criteria and significance of effect matrix a) Please could the Applicant explain the basis for the significance criteria [APP-155 Table 10.7] and significance of effect matrix [APP-155 Table 10.8] in the context of relevant guidance, including in National Highways' Design Manual for Road and Bridges and as provided by the Institute of Environmental Management and Assessment? b) Please could DCC comment?	The Highway authority have no comments regarding the content of tables 10.7 and 10.8.
11.2	Field surveys The Applicant [APP-155 paragraph 10.57] states that field surveys were carried out in November 2021 and April 2023. Do the parties have any concerns about whether the timing of these surveys is likely to provide sufficient understanding of the baseline conditions, including for non-motorised users?	DCC considers that a summer survey would be appropriate to assess the use of the site, including by non-motorised users, particularly during the summer holiday period of July and August.
11.3	Condition of roads Several parties including Andrew Passey [RR-025], David Frost [RR-065], Gemma Price [RR100], Martin David William Abbott [RR-190], Miriam Elizabeth Mary Campion [RR-212], and Richard Giddings [RR-259], raise concerns in relation to the existing condition of roads. a) Please could the Applicant set out the consideration given to road condition,	The Highway Authority is responsible for the maintenance of the highway network and conducts periodic surveys of network condition to inform maintenance strategies. It is anticipated that the applicant will be responsible for keeping the highway clear of debris and preventing the trafficking of mud onto the road. The rectification of additional harm caused to the network assets demonstrably caused by the applicant tor its contractors should be the responsibility of the applicant, to the satisfaction of the Highway Authority.

	including in relation to safety, noise, and vibration? b) Please could DCC and SDDC comment? c) Are any mitigation measures required and, if so, what are they and how could they be secured?	
11.4	Heavy goods vehicles (HGV) Paragraph 5.14.14 of NPS EN-1 states that requirements may be added to a consent where there is likely to be substantial HGV traffic that control numbers and possibly routing of HGV movements in a specified period during construction; make sufficient provision for HGV parking and facilities; and ensure satisfactory arrangements for reasonably foreseeable abnormal disruption. Paragraph 2.10.123 of NPS EN-3 states that Applicants should assess the various potential routes to the site for delivery of materials and components where the source of the materials is known at the time of the application and select the route that is the most appropriate. Paragraph 2.10.125 includes that Applicants should ensure all sections of roads and bridges on the proposed delivery route can accommodate the weight and volume of the loads and width of vehicles. Where modifications to roads and/or bridges are required, these should be identified, and potential effects addressed. DCC [RR-078] considers that further assessments are required to establish the impacts of HGV movements associated with the construction and decommissioning of the proposal, particularly regarding the impacts of goods vehicle access through urban areas and	Construction traffic routing and, specifically, the timing of vehicle movements will need to take account of pre-existing events and traffic flows affecting the area to avoid compounding congestion on local roads. The applicant must work in consultation with the Highway Authority and the organisers of events in the locality to ensure that vehicle movement timings can be coordinated for the avoidance of congestion. The proposed Walton bypass and new Trent Crossing will not be available at the time of construction. Therefore scenario 2A becomes the default routing option. Traffic monitoring, signage, routing plans and clear instructions to suppliers/contractors must be implemented to ensure that unauthorised traffic does not pass through Walton-on Trent. The options for crossing the River Trent are limited due to weight and width restrictions on bridges, traffic control instructions and systems for on-site monitoring of routing must be employed to ensure compliance with routing and timing requirements. The applicant must work in consultation with the Highway Authority to reduce the potential for adverse impacts on congestion.

	along relatively quiet country roads benefiting from an environmental weight limit. SCC [APP-155 Table 2.1] is quoted as saying that the route through Stapenhill is within Staffordshire and is particularly sensitive to HGV usage and will need careful consideration. The Applicant [AS-015 Figure 10.3] indicates that the likely construction route for HGV would be on Route 6 through Stapenhill. a) Please could the Applicant, following consultation with DCC, update its assessment and secured mitigation measures as necessary? b) Please could DCC advise if it has any outstanding concerns on the Applicant's updates? c) Do SCC or DCC have any comments on the mitigation measures provided for Route 6? d) Should it be secured that construction route Scenario 2A would only be used if Scenario 1 (using Walton-on-Trent bypass) is not available [APP-155 paragraph 10.149]? e) Should it be secured that construction route Scenario 2B would only be used if Scenarios 1 and 2A are not available? f) Are any more measures required to ensure that no construction traffic would go through Walton-on-Trent? g) Are there any concerns about whether sections of roads and bridges on the proposed routes can accommodate the weight and volume of the loads and width of vehicles?	
11.8	Plots 02-045 and 02-048 The BoR [AS-009] seeks the acquisition of the freehold of a section verge on Rosliston Road. How is the maintenance of the verges provided for?	The maintenance of the verge, for the purposes of highway safety, must be included in the programme of general site maintenance.

11.9	Draft DCO [AS-005] Article 9 - Power to alter layout, etc., of streets Draft DCO [AS-005] Article 10 - Access to works The Applicant requests powers to make permanent, rather than temporary, alterations to streets and to create of permanent means of access, setting out its reasoning [AS-017]. Do DCC or SDDC have any concerns?	DCC would expect that the applicant would fully engage with the Highway Authority to ensure that any proposed temporary or permanent alterations to the road layout or structure are acceptable in terms of highway safety and for the long-term future maintenance of the highway.
12.2	Draft DCO [AS-005] Article 6 - Disapplication and modification of legislative provisions The Applicant [AS-007] is seeking to disapply a requirement in s25 of the Land Drainage Act 1991 for statutory consent from the EA in relation to impounding water necessary for the temporary stopping up of watercourses to trench and lay cables, installation of culverts, drainage and other features to cross watercourses. It states that it would be content in principle to include protective provisions for the benefit of the EA, if requested. The EA [AS-019] states that it cannot agree to disapply the requirement for any impoundment licences required. a) Notwithstanding any potential discussions on protective provisions, please could the EA set out the implications of s25 of the Land Drainage Act 1991 being disapplied, including in relation to the need to control the Proposed Development and mitigate its effects.	As Lead Local Flood Authority, DCC would seek to be consulted prior to any stopping up or culverting of water courses in connection with site works, whether temporary or permanent, for the prevention of flooding or any adverse impacts attributable to the works.

	b) Without prejudice to any later determination, please could the EA set out any concerns that it currently has that may lead to any impoundment licenses not being granted? c) Do DCC or SDDC have any related concerns?	
12.3	Draft DCO [AS-005] Requirement 9 - Construction environmental management plans (CEMP) The Applicant [AS-017] states that while the Outline CEMP [APP-090] does not refer to a Surface Water Management Plan, it includes surface water management provisions. It refers to Requirement 17, which provides for details of the surface water and foul water drainage system for each phase to be submitted to and approved by the local planning authority. a) Should a requirement to provide details of a Surface Water Management Plan be added to Requirement 9 of the dDCO? If so, why? b) Would it be helpful for the Applicant to provide an Outline Surface Water Management Plan to the Examination to clarify and help secure the measures that should be included?	DCC feel that the submission of an Outline Surface Water Management Plan would be beneficial as an addition to Requirement 9. And Outline SWMP would make a significant contribution to ensuring that surface waters are adequately managed for the prevention of flooding, conservation of ecological interest and the prevention of pollution.
12.7	Potential water quality, drainage, and flooding benefits Paragraph 2.10.154 of NPS EN-3 states that where previous management of the site has	DCC considers that there are concerns that changes to surface water run off characteristics associated with the concentration of surface flow along the lower edge of panels during the operational phase of the development. An Outline Surface Water Management Plan may contribute to a better understanding and mitigation of changes to surface water flows. Similarly, following decommissioning, the establishment of an agreed end state of the land

	involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, and water quality management. Have reasonable opportunities been taken to maximise the potential benefits?	would help to maximise the potential benefits to ecosystem services, drainage and flood alleviation derived from the site. Concerns have been expressed that changes to site sub-soil drainage resulting from construction and decommissioning may impact upon localised soil conditions, these matters should be addressed in an agreed 'End State of the Land' set out in the dEMP.