

Appendix 14-PD-1: Ground Conditions Consultation

Table of Contents

Appendix 14-PD-1: Consultation	1
1. Introduction	1

Tables

Table 1: Ground Conditions Scoping Opinion Responses	2
Table 2: Summary of further consultation	8

Appendix 14-PD-1: Consultation

1. Introduction

- 1.1.1 This Preliminary Environmental Information (PEI) Report appendix consolidates key comments raised in the Environmental Impact Assessment (EIA) Scoping Opinion (**Appendix 5-PD-2** in PEI Report **Volume 4**) from the Planning Inspectorate (PINS) and other consultees, such as Environment Agency, Natural England, Historic England, local planning authorities, in relation to ground conditions.

1.2 Scoping Opinion and Additional Consultation

Scoping Opinion

- 1.2.1 A scoping exercise was undertaken early 2025 to establish the content of the assessment and the approach and methods to be followed.
- 1.2.2 The Scoping Report (**Appendix 5-PD-1** in PEI Report **Volume 4**) was issued on 28 March 2025 and records the findings of the scoping exercise and details the technical guidance, standards, best practice and criteria to be applied in the assessment to identify and evaluate the likely significant effects of the Proposed Development on agriculture and soils.
- 1.2.3 Following receipt of the Scoping Opinion on 08 May 2025 (**Appendix 5-PD-2** in PEI Report **Volume 4**), the requirements summarised in **Table 1** have been identified by consultees in relation to ground conditions.
- 1.2.4 **Table 1** outlines how and where these issues have been addressed within the PEI Report or will be addressed within the Environmental Statement (ES) to ensure they are taken account of as part of the ongoing assessment of effects on ground conditions.
- 1.2.5 **Table 2** provides a summary of further consultation that has taken place outside the EIA Scoping process.

Table 1: Ground Conditions Scoping Opinion Responses

Consultee	Topic	Summary of comment	How and where addressed
Planning Inspectorate	Effects on human health from dewatering during construction	3.7.1: The scoping report seeks to scope this matter out on the basis that any effects would be temporary and the proposed development would be undertaken in accordance with Construction Design and Management 2015 Regulations. Human receptors are also protected by health and safety legislation and mitigation. On this basis, the Inspectorate agrees this matter may be scoped out from further assessment.	No further assessment required.
Planning Inspectorate	Indirect and direct impacts to identified receptors i.e. human health and controlled waters resulting from disturbance of ground during operation	3.7.2: The scoping report seeks to scope this matter out on the basis that operation and maintenance activities are unlikely to result in impacts to human health and controlled waters. The scoping report states that an unacceptable risk from contaminated land would be addressed during the construction phase. On this basis, the Inspectorate agrees this matter may be scoped out from further assessment.	No further assessment required.
Planning Inspectorate	Study Area	3.7.3: The scoping report states that the study area for hydrogeology receptors is 250 m but will be extended to 1 km in areas where these are higher permeability aquifers such as Principal aquifers and Source Protection Zones (SPZs). The scoping report does not justify the study areas proposed. The final study area should be based on an understanding of the likely contamination/impact pathways that exist, informed by the baseline data collection. The ES should also confirm the guidance that has been used to support the choice of	Further justification of the study area extents is provided in Chapter 14: Ground Conditions in PEI Report Volume 2 . Agreement on study area extents has been sought from the Environment Agency and

Consultee	Topic	Summary of comment	How and where addressed
		study area and should consistently present study areas on relevant figures.	Local Planning Authorities (LPAs) (see Table 2).
Environment Agency	Dewatering	EA-107: Table 14-17 identifies potential construction phase effects Scoped In or Out for further assessment, with effects on groundwater Scoped In and accompanied by a list of related activities and effects. Dewatering activities are described inconsistently, being called mobilisation and migration of contamination in the Potential Effects section but referred to as groundwater abstractions in the Rationale section, which may confuse readers. It is recommended that this activity be described consistently, and an informative about construction dewatering is provided at the end of the response.	The groundwater abstractions in the Rationale column refer to the abstraction of groundwater from existing wells for potable / industrial / agricultural etc. use and are identified as a potential receptor to contamination (which may be mobilised through construction activities such as dewatering). Hydrogeological response to dewatering and a dewatering scheme is detailed in Chapter 22: Water Environment and Flood Risk in PEI Report Volume 2 .
Environment Agency	Piling	EA-111: The guidance 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' National Groundwater & Contaminated Land Centre Project NC/99/73 should be referred to, noting it is currently being updated. The selected piling method and environmental mitigation measures must be presented in a 'Foundation Works Risk Assessment Report'. Further guidance on producing this report can be found in Table 3 of 'Piling Into Contaminated Sites'.	Reference will be made to Contaminated Land: Applications in Real Environments (CL:AIRE) 'Piling and Penetrative Ground improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' (March 2025) as

Consultee	Topic	Summary of comment	How and where addressed
			directed by the Environment Agency in comment EA-92. The updated guidance is detailed in Chapter 14: Ground Conditions in PEI Report Volume 2 section 14.2 and in Appendix 1-PD-1 in PEI Report Volume 4. A commitment within the Outline Construction Environmental Management Plan (Outline CEMP) to be submitted with the DCO Application will be included to make provision for the development of a Foundation Works Risk Assessment prior to construction commencing.
Environment Agency	Waste	EA-113: Excavated materials recovered through treatment can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice (DoWCoP), which provides a framework for determining if materials are waste. Developers should ensure contaminated materials are chemically and physically characterised, and the permitting status of on-site operations is clear, contacting the Environment Agency early if uncertain to avoid delays. The Environment Agency recommends referring to the Code of Practice and their website for guidance.	The Principal Contractor will determine whether excavated material re-use meets the requirements of a Waste Framework Directive exclusion, or whether it will require a waste exemption, Environmental Permit, or could be managed through the CL:AIRE DoWCoP and a Materials Management Plan (MMP).

Consultee	Topic	Summary of comment	How and where addressed
			A commitment within the Outline CEMP to be submitted with the DCO Application will be included to make provision for appropriate excavated materials management. Further details are included in Chapter 14: Ground Conditions in PEI Report Volume 2 section 14.6.
Environment Agency	Waste	EA-114: Contaminated soil that must be disposed of is classified as waste and its handling, transport, treatment, and disposal are regulated by waste management legislation including the Duty of Care Regulations 1991 and Hazardous Waste Regulations 2005. Developers should ensure all contaminated materials are chemically and physically characterised in line with BS EN 14899:2005 and clarify the permitting status of treatment or disposal activities, contacting the Environment Agency early if uncertain to avoid delays. If hazardous waste produced or taken off site exceeds 500kg in any 12-month period, the developer must register as a hazardous waste producer, with further information available on the Environment Agency's website.	Management of waste will be in accordance with the relevant regulations and waste will be transported by licensed waste hauliers to waste management sites which hold the necessary regulatory authorisation and/or permits for those wastes consigned to them. Further details on waste management are included in Chapter 14: Ground Conditions in PEI Report Volume 2 section 14.6 and in Chapter 18: Materials and Waste in PEI Report Volume 2 .
Environment Agency	Piling guidance	EA-92: The report references outdated Environment Agency guidance on piling and penetrative ground improvement methods, which has been superseded by new CL:AIRE guidance as of March 2025. This raises the potential for	Updated guidance will be used in the assessment and development of mitigation measures. The updated

Consultee	Topic	Summary of comment	How and where addressed
		aspects of the design not to align with the latest guidance. The applicant should refer to the new CL:AIRE guidance for future submissions to ensure compliance with current standards.	guidance is referenced in Chapter 14: Ground Conditions in PEI Report Volume 2 section 14.2 and in Appendix 1-PD-1 in PEI Report Volume 4 . However, note that this comment contradicts with comment EA-111 which makes reference to the Applicant needing to refer to the outdated guidance.
The Coal Authority	Coal Mining	TCA-2: Concurs that ground conditions should be included in the ES and expects consideration of coal mining risks where features are present.	Coal mining features are detailed in Appendix 14-PD-2 and Annex 14-1 in PEI Report Volume 4 . Risks from coal mining will be considered in Appendix 14-PD-5 in PEI Report Volume 4 .
Buckinghamshire Council	Assessment	BC-10: Section 14.5.44 highlights limited resources for determining historical land use, relying only on historical landfill mapping, with further reviews planned. Buckinghamshire Council's Strategic Environmental Protection Team should be contacted for extensive historical land use data. Table 14-17 discusses construction phase effects, including contamination mobilization and migration, which will be scoped in for human health impacts on nearby users but scoped out for construction workers due to health and safety protections. New contamination sources from construction materials are also scoped in. Table 14-18 addresses	Buckinghamshire Council has been contacted with regards to providing any further details on land uses which may have the potential to cause contamination to land. Further details are provided in Table 2 .

Consultee	Topic	Summary of comment	How and where addressed
		operational phase effects, stating that impacts on human health and controlled waters from maintenance works and spillages are scoped out, as good practice and remediation during construction will mitigate risks. Environmental permits will control operational discharges, which is agreed upon.	
Rugby Borough Council	Assessment	RBC-3: Ground conditions notes that a stage 1 tier 1 assessment shall be undertaken as per Land Contamination Risk Management guidance.	This is presented in Appendix 14-PD-2 in PEI Report Volume 4 .

Additional Consultation

Table 2: Summary of further consultation

Organisation	Contact	Date and form of consultation	Summary of response
West Northamptonshire Council	Lead Geospatial Data Officer	Request submitted 9 th September 2024 ¹ and 8 th September 2025	Response received 15th September 2025: • GIS data for historical landfills and MSA; and • No Part 2A sites within the 250 m buffer. No other information received at the time of writing this PEI Report.
Central Bedfordshire Council	Principal Planning Officer – Minerals and Waste Senior Planning Officer – Planning Delivery	Request submitted 9 th September 2024 ¹ and 8 th September 2025	Response received 13th January 2025: • GIS data for allocated minerals and waste sites and MSA in Bedfordshire. Response received 10th October 2025: • The boundary has been examined by the Minerals and Waste Team who advise the following: – There are no active landfill operations within 250 m of the scheme boundary. – Kensworth quarry (south of Dunstable) lies within 250 m of the boundary. Further information can be found through planning permission CB/09/05429/MWR. It is possible that the quarry might be extended to the south-east. – The Eastern Way quarries complex lies within 250 m of the boundary. This occupies much of the land south-west of the

¹ Request only for information on MSA / MCA / mineral sites / geologically designated sites (and contacts for local geological groups)

Organisation	Contact	Date and form of consultation	Summary of response
			A5 between Woburn Road and Eastern Way (east of Heath and Reach). Further information can be found through planning permission CB/16/04588/MW. - In relation to the proposed study areas, the LPA would be in agreement that these should be increased where the boundary falls into areas of higher permeability aquifers (e.g. Principal aquifers and SPZs). With this being particularly sensitive and important ground for water retention in the area, the additional scrutiny for potential contamination impacts is needed. The LPA would seek further justification as to why a 1 km extension has been deemed acceptable in this case. - The details associated with the applications referred to above can be found via our planning application database. No other information received at the time of writing this PEI Report.
Milton Keynes City Council		Request submitted 8 th September 2025	No information received at the time of writing this PEI Report.
Buckinghamshire Council	Environmental Protection Officer and Minerals and Waste Consultant.	Request submitted 9 th September 2024 ¹ and 8 th September 2025	Response received 19th September 2025: - List of details for landfills within the Buckinghamshire area and just into the Central Bedfordshire area. - There are no sites which have been designated as contaminated land under Part 2A of the Environmental Protection Act 1990 along the scheme or within a 250 m radius within the Buckinghamshire Council area. - With regards to potential or known contamination issues in the location of Site H, there are records of transport support and cargo handling being present in 1900 until 1960, of clay brick and tile manufacture in 1885 and 1900 which is later labelled as

Organisation	Contact	Date and form of consultation	Summary of response
			an area of unknown filled ground and a second area of unknown filled ground dated from 1960. No other potential or known contaminated land issues are present along the remainder of the Proposed Development. Response received 25th September 2025: • There is one extant planning permission for mineral extraction, planning permission no. WG/337/62. The planning permission is recorded in the former county council's "The Review of Planning Permissions – The "First" List of Active Phase I, II and Dormant sites" (a review required pursuant to the Environment Act 1995) as a Dormant site. This means that no further winning and working of minerals or depositing of mineral waste may be lawfully carried out until new planning conditions have been submitted to, and approved by, the council (the Buckinghamshire Council now being the successor Mineral Planning Authority to the former Buckinghamshire County Council). No such application has been made to date. • No records of any former landfill sites within the area. No other information received at the time of writing this PEI Report.
Birmingham City Council		Request submitted 9 th September 2024 ¹ and 22 nd September 2025	No information received at the time of writing this PEI Report.
North Warwickshire Borough Council (part of		Request submitted 9 th September 2024 ¹	No information received at the time of writing this PEI Report.

Organisation	Contact	Date and form of consultation	Summary of response
Warwickshire County)		and 22 nd September 2025	
Nuneaton and Bedworth Borough Council (part of Warwickshire County)	Lead Investigator – Customer Services Senior Environmental Health Officer	Request submitted 9 th September 2024 ¹ and 8 th September 2025	Response received 13th December 2024: - The LPA do not hold MSA / MCA / mineral sites / geological sites data in GIS format. Response received 28th October 2025: - Information received on landfill information from the LPA (excel spreadsheet). - Nuneaton and Bedworth Borough Council does not classify the proposed site under investigation as ‘Contaminated Land’ under section 78 of the Environment Protection Act 1990 and are not presently considering investigation of the site under Part 2A legislation. The site is a low priority for further investigation, and Nuneaton and Bedworth Borough Council are not currently aware of any specific pollution or contamination issues within the vicinity of the site. - Having reviewed the proposed approach, the methodology and study areas appear appropriate and consistent with the recognised practice and guidance that Nuneaton and Bedworth Borough Council would expect. - The use of a 250 m study area from the red line boundary for the geological baseline is considered suitable to establish the wider geological context, geodiversity, and conceptual ground model. This extent is considered sufficient and aligns with approaches we would expect from EIA assessments. - The proposed study area for hydrogeology, extending to 1 km in areas in the vicinity of Principal Aquifers or SPZs, is also

Organisation	Contact	Date and form of consultation	Summary of response
			considered appropriate. This precautionary approach should sufficiently capture the hydrogeological setting and potential pathways for migration, ensuring that potential effects on sensitive groundwater receptors are properly characterised. Overall, the proposed study area and methodology are considered acceptable and proportionate to the scale and nature of the proposed development within the borough. It is recommended that the scope is reviewed and refined, where/when necessary, as the conceptual site model evolves through subsequent phases of assessment or investigation. Please note that these comments only capture the aspects of the development within the NBBC area and may not reflect the opinion of neighbouring authorities. No other information received at the time of writing this PEI Report.
Rugby Borough Council (part of Warwickshire County)	Environmental Health Officer	Request submitted 9 th September 2024 ¹ and 8 th September 2025	Response received 10th September 2024: The data requested (MSA / MCA / mineral sites / geological sites) is held by Warwickshire County Council. No other information received at the time of writing this PEI Report.
Coventry City Council		Request submitted 9 th September 2024 ¹ and 8 th September 2025	No information received at the time of writing this PEI Report.
Warwickshire County Council		Request submitted 26 th September 2024 ¹ and 22 nd September 2025	No information received at the time of writing this PEI Report.

Organisation	Contact	Date and form of consultation	Summary of response
Natural England		Request submitted 22 nd September 2025	No information received at the time of writing this PEI Report.
Environment Agency	Planning Specialist – National Infrastructure Team National Requests	Request submitted 22 nd September 2025	Response received 1st October 2025: • In response to the query raised about study areas: – The use of a 250 m study area for determining the wider geological context, geodiversity and conceptual understanding of the ground model is acceptable – The proposed use of a 250 m study area for hydrogeological assessment, expanded to 1 km where Principal Aquifers and Source Protection Zones are present is generally acceptable. However, we consider that the 1 km hydrogeological study area should also be extended to include Secondary A aquifers for the parts of the Proposed Development in which trenchless crossing are proposed (i.e. Parts 1b and 4b). • It is noted that the redline boundary shapefiles provided for the information request include some areas not previously incorporated into the redline boundary for the Scoping consultation. This notably includes a new spur in Part 1b which extends up to a previously off-site watercourse, Merevale Brook, and passes close to several potential historic/current contamination sources including the BioGen waste management facility, Jaguar Land Rover distribution centre and Baddesley and Baxterley Colliery near Baxterley. We are not aware of the rationale behind this change to the redline boundary and are concerned that boundary changes could mean that interactions between the Scheme and tributaries originally outside the scoping boundary may not be identified and assessed.

Organisation	Contact	Date and form of consultation	Summary of response
			Response received 17th October 2025: • Historical and authorised landfill and layer information is available online as GIS Open Data. • The Environment Agency only regulate a small subset of known contaminated land sites that have been determined as contaminated land under Part 2A of the Environmental Protection Act 1990 (as amended). These are Special Sites. Information about these sites is published on the Environment Agency website for Contaminated Land Special Sites (Ref. 1). We do not hold a record of any designated Special Sites within 250 m of your proposed scheme site areas. This is because local authorities are main Part 2A regulators, we recommend additional referral to them. Please be aware that they may not have full GIS facility. No other information received at the time of writing this PEI Report.
Warwickshire Geological Conservation Group	Engineering Geologist	Request submitted 22 nd September 2025	Response received 23rd September 2025: • The database for Warwickshire's Sites of Special Scientific Interest (SSSI) and Local Geological Sites (LGS) can be found at the following addresses: – SSSI (Triple-SI) Warwickshire Geological Conservation Group (WGCG) website (Ref. 2). – LGS Map WGCG website (Ref. 3).
Bedfordshire Geology Group	Secretary	Request submitted 8 th September 2025	Response received 28th September 2025: • The planned route does not pass any Regionally Important Geological Sites (RIGS) or LGS.

Organisation	Contact	Date and form of consultation	Summary of response
Bucks Geology Group	Keeper of Natural History & Geology	Request submitted 8 th September 2025	Response received 8 th September 2025: With regard to input by the Buckinghamshire Geology Group, please contact the Buckinghamshire and Milton Keynes Environmental Records Centre who hold all our Local Geology Sites information.

1.3 References

- Ref. 1 Environment Agency website for Contaminated Land Special Sites (2025). Available at: <https://www.data.gov.uk/dataset/e3770885-fc05-4813-9e60-42b03ec411cf/contaminated-land-special-sites> [Accessed 29/01/2026].
- Ref. 2 SSSI (Triple-SI) | Warwickshire Geological Conservation Group (WGCG). Available at: <https://www.wgcg.co.uk/lgs/sssi/> [Accessed 29/01/2026].
- Ref. 3 LGS Map | Warwickshire Geological Conservation Group (WGCG). Available at: <https://www.wgcg.co.uk/lgs/lgs-map/> [29/01/2026].