

From: [REDACTED]
To: [Cleve Hill Solar Park](#)
Cc: [REDACTED]
Subject: Deadline 2 submission: Written Questions, Environment Agency
Date: 25 June 2019 16:21:31
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Dear Sir/Madam,

Please find our responses to the Written Questions for the Cleve Hill Solar Park Development Consent Order attached.

Kind regards,

Karolina

Karolina Allu

Planning Advisor, Kent, South London and East Sussex Area

Environment Agency | Orchard House, Endeavour Park, London Road, Addington, Kent ME19 5SH

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EM010085 Cleve Hill Solar Park: Environment Agency’s response to first written questions and requests for information

ExQ1	Question to:	Question:	Environment Agency responses
1.0	General, Cross-topic and Miscellaneous Questions		
1.1.47.	The Applicant Environment Agency	<p>In his Relevant Representation, Mr Hatchwell [RR-148] refers to a European eel population on the proposed development site. Could the Applicant and the Environment Agency confirm whether the drainage ditches and other watercourses on and around the application site contain fish populations (including European eels) and if so, whether the Proposed Development could result in any likely significant effects on these species?</p> <p>The Environmental Statement explains that mammal-friendly box-section culverts would be utilised for new and upgraded culverts [APP-035]. Can the Applicant explain how safe passage through the culverts of any fish and eel populations would be ensured?</p>	We can confirm that there are eels in the water courses to the east of the Cleve Hill site. It is very likely that they enter the site via the Nagden Sluice at TR0272764464, and as such this sluice needs to be maintained to allow the safe passage of eels.
1.4.	Draft Development Consent Order (dDCO)		
1.4.18.	Environment Agency	<p>Could the Environment Agency confirm whether the assumptions in the Environmental Statement with regards to managed realignment at the site in the MEASS are correct?</p> <p>Could the Environment Agency confirm the current status of the MEASS and if the final version has been published?</p>	<p>The assumptions in the Environmental Statement are correct.</p> <p>MEASS has received internal approval, and is awaiting final approval from Defra. The final version will be published as soon as we receive Defra approval.</p>
1.4.23.	Environment Agency	Is the Environment Agency content with the decommissioning strategy for the Proposed Development	We are satisfied that the decommissioning strategy covers the main requirements to leave the site suitable for managed realignment (specifically, removing anything that

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		[APP-206] in relation to leaving a suitable site for the proposed, future managed retreat works?	could be considered a contaminant and generally restoring ground levels).
1.4.25.	The Applicant Environment Agency	Can the Applicant provide an update to [APP-255] with some indication of when it would apply for the Environmental Permit(s)? Can the Environment Agency confirm whether there is anything to suggest that the necessary Environmental Permit(s) would not be issued?	Flood Risk Activity Permits (FRAPs) would be issued subject to suitable design and method of works. There is no reason at this stage to believe that this would not be achieved.
1.10.	Water, Flooding and Coastal Defence		
1.10.8.	Environment Agency	Is the Environment Agency content that the climate change predictions used in the assessment have not been updated to take account of UKCP18? To what extent does the Environment Agency consider that the application of the most recent climate projections (UKCP18) would result in findings different to those identified in the Environmental Statement and Flood Risk Assessment [APP-227], particularly with regards to sea levels and tidal flooding events?	We are satisfied that at the time of preparing the Flood Risk Assessment (FRA) to support the application, appropriate climate change projection data was used, and that this does not need updating since the publication of UKCP18. Our tidal modelling of the North Kent coast is based on UKCP09 climate data, and has not yet been updated. We are therefore unable to confirm the potential difference in UKCP09 and UKCP18 results for the site. However, the proposed flood mitigation is based on a 1 in 1000 year flood event. This is in excess of our requirements for use of the 1 in 200 year event.
1.10.10.	Environment Agency	Can the Environment Agency confirm whether or not it agrees that the Water Framework Directive information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the Water Framework Directive? Do any	Providing installation, use and decommissioning of the site is conducted in a responsible manner, we have no concerns from a WFD perspective.

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ExQ1	Question to:	Question:	Environment Agency responses
		other matters relevant to Water Framework Directive need to be taken into account?	

