

The Planning Inspectorate
[OaklandsFarmSolar@planninginspectorate.gov.uk.]

Our ref: XA/2024/100130/01-L01
Your ref: EN010122

Date: 6 August 2024

Dear Sir/Madam

DEADLINE 1 - WRITTEN REPRESENTATION.OAKLANDS FARM SOLAR PARK, DERBYSHIRE

Following our Relevant Representation (RR) [[AS-019](#)] dated 3 May 2024, we have had two meetings (09/05/2024 and 18/07/2024) with the applicant and their consultants to address the issues raised.

Point 6 of our RR (*Changes to water quality that does not impact WFD need to be considered*) has been resolved. Our initial concerns were due to a misunderstanding. However, we are confident that Chapter 8 (Water Resources and Flood Risk) does not underestimate water quality impacts and sufficient mitigation is proposed.

The other issues (Points 1-5, and 7) that we raised in our RR are still outstanding. However, the applicant has committed to resolving these issues.

We are unable to provide a more detailed update at this moment in time as we are awaiting updates to the following:

- Flood Risk Assessment
- Drainage Assessment
- Water Framework Directive Assessment
- Construction Environmental Management Plan
- Draft Development Consent Order

Please see *Appendix 1 Environment Agency Work Package Tracker* below which provides more detail on our progress of overcoming each RR point.

Yours faithfully

Mr Lewis Pemberton
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Appendix 1 Environment Agency Work Package Tracker

Overarching Tracker							
Subject	Topics	Assessment/ Plan/ DCO	Impact	Solution	Agreed requirement/ or assessment updated to resolve issue	Requirement Number in DCO	Note:
Ecology	Water Environment Report / WFD (with regards to potential culverting of Ordinary Watercourses) (Relevant Representation (RR) Point 2)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised Water Framework Directive Assessment (WFD) has been updated to include this point and they will send to EA in due course
Flood Risk	Sequential Test (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised Flood Risk Assessment (FRA) will be updated to include this point and they will send to EA in due course
	Vulnerability Classification (RR point 1)	Agreed	Agreed	Agreed	Agreed		FRA now includes correct Vulnerability Classification, 'Essential Infrastructure'
	Exception Test (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They are currently undertaking flood modelling and will update the FRA to address this point in due course.
	Climate Change Allowance (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They are currently undertaking flood modelling and will update the FRA to address this point in due course.
	Detailed Flood Modelling (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They are currently undertaking flood modelling and will update the FRA to address this point in due course.
Geomorphology	Water Environment Report / WFD (RR Point 2)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised WFD has been updated to include this point and they will send to EA in due course

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Groundwater Protection	WFD Assessment (WFD assessment needs to include WFD Groundwater Body) (RR Point 2)	Working on solution	Not Agreed	Not Agreed	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised WFD Assessment has been updated to include this point and they will send to EA in due course
Waste	Construction Environment Management Plan (CEMP)	Agreed	Agreed	Agreed	Agreed	9	Please see Requirement
	Decommissioning Environment Management Plan (DEMP)	Agreed	Agreed	Agreed	Agreed	22	Please see Requirement
	Operational Environment Management Plan (OEMP)	Agreed	Agreed	Agreed	N/A so agreed		
	Waste Management Strategy	Working on solution	Working on solution	Working on solution	Not Agreed	9	Applicant to send EA topsoil removal proposals. EA to provide advice regarding Waste Management Strategy and CL:AIRE DoW CoP
Water Quality	Construction Environment Management Plan (CEMP) 1) daily monitoring by Principal Contractor. The need for an Environmental Monitoring Plan (RR Point 4)	Working on solution	Not Agreed	Not Agreed	Not Agreed	9	Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised CEMP has been updated to include this point. They will send to EA in due course.
	Construction Environment Management Plan (CEMP) 2) Environmental Permit for discharges should be reflected in the CEMP (RR Point 4)	Working on solution	Not Agreed	Not Agreed	Not Agreed	9	Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - They advised CEMP has been updated to include this point. They will send to EA in due course.
	Decommissioning Environment Management Plan (DEMP)	Agreed	Agreed	Agreed	Agreed	5	Please see Requirement
	The pollution risks of emergency response have not been appropriately assessed. (Point 7 on RR)	Working on solution	Working on solution	Working on solution	Not Agreed		Meetings held with applicant's consultants 09/05/2024 and 18/07/2024 - We are waiting for the Drainage Assessment (part of FRA) to be updated to include this point, which they will forward to EA in due course.
	Operational Environment Management Plan (OEMP)	Agreed	Agreed	Agreed	Agreed	11	Please see Requirement
	Water Environment Report / WFD - Changes to water quality that do not impact WFD Status should still be considered (RR Point 6)	Agreed	Agreed	Agreed	N/A so agreed		This point has been fully resolved. No need for any assessments/ documents to be updated as this was a misunderstanding rather than an issue with methodology.
Development Consent Order (DCO)	Disapplication of s25 of the Water Resources Act (impoundment) (RR Point 3)	Working on solution	Working on solution	Working on solution	Not Agreed		Meetings held with applicant's consultants 18/07/2024 - They no longer wish to disapply s25 of the Water Resources Act. Applicant to apply for Impoundment Licence through usual process outside of DCO. dDCO to be updated.
	CEMP Requirement wording changed to include EA to be consulted [submitted to and approved by the local planning authority, in consultation with the Environment Agency] (RR Point 5)	Working on solution	Working on solution	Working on solution	Not Agreed		Meetings held with applicant's consultants 18/07/2024 - They will update the dDCO as we requested.

