



# OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Schedule of changes to the draft Development Consent Order  
August 2024

Document Ref: EN010122/D3/3.4

Revision: Deadline 3

## Table of Amendments to the draft Development Consent Order Deadlines 1 and 3

### DEADLINE 1 SUBMISSION

Article/Requirement/Schedule Number	Amendment	Reason
<b>Contents</b>	The table of contents has been updated to capture the latest article and schedule numbers.	To comply with drafting requirements for development consent orders.
<b>Article 2(1)</b>	Definition of “archaeological management plan” has been deleted as an archaeological management plan has not been submitted with the application.	To correct a drafting error.
<b>Article 2(1)</b>	Definition of “hedgerow plan” has been updated to “important hedgerows plan” and the definition relocated alphabetically.	To correct a drafting error.
<b>Article 11(7)</b>	The words “, or such longer period that is agreed in writing between the undertaker and that street authority,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertake and the street authority.
<b>Article 14(9)</b>	The words “, or such longer period that is agreed in writing between the undertaker and that person,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertake and the relevant party.

<b>Article 16(6)</b>	The words “, or such longer period that is agreed in writing between the undertaker and that authority,” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.3, the Applicant has provided for flexibility within this article to allow the 28-day deemed consent period to be extended with the written agreement of the undertake and the relevant authority.
<b>Article 19(5)</b>	The words “, with the consent of the Secretary of State” have been removed.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 2.12, the Applicant has rephrased Article 19(5) to remove the need for the Secretary of State’s consent to transfer the powers under Article 19 to statutory undertakers for the purpose of carrying out their statutory duties.
<b>Article 26(1)(a)</b>	The words “for the completion of site preparation works, construction and decommissioning of the authorised development” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 2.13. the Applicant has revised Article 26(1)(a) to clarify that the land described in Article 26(1)(a)(i)-(ii), may be temporarily possessed for the purposes of undertaking site preparation works, constructing and decommissioning the authorised development.
<b>Article 35(1)</b>	The description of the plan at Article 35(1)(b) has been updated to “important hedgerows plan”.  The reference to the “archaeological management plan” has been removed.	To correct drafting errors.
<b>Schedule 1, Part 2, R4(2)</b>	The words “The scheme submitted pursuant to sub-paragraph (1) must include a timetable for the construction of the phases of the authorised development and a plan identifying the phasing areas” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.8, this paragraph has been added to Requirement 2 to prescribe that the written scheme setting out the phases of construction of the authorised development to be submitted and approved under sub-paragraph (1) includes a timetable for the

		construction phases of the authorised development and a plan identifying the phasing areas.
<b>Schedule 1, Part 2, R4(3)</b>	The words “submitted and approved pursuant to sub-paragraph (1)” have been added.	This wording has been added for consistency and clarity.
<b>Schedule 1, Part 2, R5(2)(b)</b>	The “s” has been removed from “plans” in the “works plans”.	To correct a typographical error.
<b>Schedule 1, Part 2, R5(2)(c)</b>	The words “table 4.2 of” and “(design parameters used in the EIA)” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.9, these words have been added to clarify the design parameters of the authorised development.
<b>Schedule 1, Part 2, R7</b>	The words “contained within appendix 6.14 of the environmental statement” have been added.	To clarify the location of the Tree Retention/Removal Plan and Tree Protection Plan within the environmental statement that are to inform the arboricultural method statement secured by Requirement 7.
<b>Schedule 1, Part 2, R9(1)</b>	The words “in consultation with the Environment Agency” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.10, these words have been added to require the local planning authority to consult the Environment Agency in approving the construction environmental management plan.
<b>Schedule 1, Part 2, R8(2)(b)</b>	The words “details of measures to be adopted including pre-construction surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, this sub-paragraph has been removed from Requirement 8 and inserted to Requirements 9 to secure pre-construction surveys to protect species as defined within the CEMP.

	protected) of the Wildlife and Countryside Act 1981 applies” have been removed.	
<b>Schedule 1, Part 2, R9(2)(j)</b>	The words “a construction and environmental management plan for biodiversity that must accord with the outline construction and environmental management plan for biodiversity” have been removed.	This wording has been removed to correct a drafting error as an outline construction and environmental management plan for biodiversity has not been submitted with the application for the authorised development and commitments to manage the planting, protection and enhancement of biodiversity are secured by way of requirement 8 (landscape and ecological management plan).
<b>Schedule 1, Part 2, R9(2)(k)</b>	The words “details of measures to be adopted including pre-construction surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are protected) of the Wildlife and Countryside Act 1981 applies” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, and above, this subparagraph has been removed from Requirement 8 and inserted to Requirements 9 to secure pre-construction surveys to protect species as defined within the CEMP.
<b>Schedule 1, Part 2, R9(2)(l)</b>	The words “environmental monitoring plan” have been added.	At the request of the Environment Agency in its Relevant Representation, the Applicant has inserted this wording to prescribe that an environmental monitoring plan forms part of the construction environmental management plan.
<b>Schedule 1, Part 2, R9(2)(m)</b>	The words “flood risk management measures” have been added.	This wording has been added to prescribe that flood risk management measures form part of the construction environmental management plan.
<b>Schedule 1, Part 2, R9(3)</b>	The words “in consultation with the Environment Agency” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.10, these words have been added to require the local planning authority to consult



		the Environment Agency in approving the construction environmental management plan.
<b>Schedule 1, Part 2, R11(2)(c)</b>	The words “detailed operational drainage design” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.3, this wording has been added to prescribe that a detailed operational drainage design is secured within the operational environmental management plan.
<b>Schedule 1, Part 2, R14(1)</b>	The word “streets” has been added.	To correct a typographical error.
<b>Schedule 1, Part 2, R14(2)</b>	Sub-paragraphs (c)-(f) have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, the prescribed content of the public rights of way management plan has been updated to ensure the proposed mitigation in the environmental statement is clearly secured.
<b>Schedule 1, Part 2, R16(7)</b>	The words “Any proposed temporary fences, walls or other means of enclosure for the site preparation works must be carried out in accordance with the approved details” have been added.	Further to the Examining Authority’s request at ExQ 1.11, the Applicant has inserted this wording to Requirement 16.
<b>Schedule 1, Part 2, R17(2)</b>	The words “be in accordance with and”, “outline” and “forming appendix 8.1” have been added.	This wording has been added to clarify that the written details of the surface and foul water drainage system must be in accordance with and include the plans and strategies referred to in the flood risk assessment and outline drainage strategy forming appendix 8.1 of the environmental statement.
<b>Schedule 1, Part 2, R17(3)</b>	The words “and thereafter operated and maintained by the undertaker” have been added.	This wording has been added to clarify that the surface and foul water drainage system shall be operated and maintained by the undertaker following its approval and implementation.

<b>Schedule 1, Part 2, R18(3)</b>	The words “and any written analysis, reporting, publication or archiving required as part of the approved scheme must be deposited with the Historic Environment Record of the local planning authority” have been added.	Further to the Examining Authority’s request at ExQ 8.4, the Applicant has inserted this wording to require the written scheme for the investigation of areas of archaeological interest secured by Requirement 18 to be deposited with the Historic Environment Record of the local planning authority.
<b>Schedule 1, Part 2, R20(4)</b>	The words “a scheme for the carrying out of” and “must be agreed with the local planning authority in writing in advance. Where such a scheme is approved, the works set out in that scheme” have been removed.	Further to the Examining Authority’s request at ExQ 1.12, the Applicant has revised the wording of Requirement 20(4) for clarity.
<b>Schedule 1, Part 2, R22(3)(b)</b>	The words “details of measures to be adopted including pre-decommissioning surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 or any species to which Part I (wildlife) and Schedule 5 (animals which are protected) of the Wildlife and Countryside Act 1981 applies” have been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 3.4, and above, this subparagraph inserted to secure pre-decommissioning surveys to protect species as defined within the decommissioning environmental management plan.
<b>Schedule 9</b>	The plan referenced in column (1) of each of the tables in Part 1 (removal of important hedgerows) and Part 2 (removal of hedgerows) has been corrected to “Important Hedgerows Plan”.	To correct a drafting error.
<b>Schedule 12</b>	Schedule 12 (documents to be certified) has been added.	As explained in the Applicant’s Deadline 1 submission and its response to ExQ 1.7, the Applicant proposes to identify all documents to be certified in a separate schedule on the face of the development consent order.

**DEADLINE 3 SUBMISSION**

Article/Requirement/Schedule Number	Amendment	Reason
<b>Contents</b>	The table of contents has been updated to capture the latest article numbers.	To comply with drafting requirements for development consent orders.
<b>Article 6(1)</b>	Reference to section 25 (restrictions on impounding) of the Water Resources Act 1991 has been deleted and the footnotes within Article 6 updated.	Following agreement with the Environment Agency, the Applicant is no longer seeking to disapply this legislative provision.
<b>Article 44</b>	Article 44 (inconsistent planning permissions) has been added.	Following emerging practice and the judgment in <i>Hillside Parks Ltd v Snowdonia National Park Authority</i> [2022] UKSC 30.
<b>Requirement 9(2)(m)</b>	The words “including surface water management” have been added.	To clarify that surface water management will be secured through the construction environmental management plan.
<b>Requirement 9(5)</b>	This sub-paragraph has been added.	To clarify that for the purpose of Requirement 9 (construction environmental management plans), “commence” includes site preparation works comprising site clearance further to the Interested Parties’ responses to ExQ 1.5..
<b>Requirement 13(1)</b>	The word “part” has been replaced with “phase” and the words “, and no part of the site preparation works for that phase comprising remedial work in respect of any contamination,” have been added.	As explained in the Applicant’s Deadline 3 submission and its comments on Interested Parties’ responses to ExQ 1.5 these words have been added to ensure that no phase of site preparation works requiring remedial work for land contamination can commence until a contamination risk assessment in respect of soils has



		been submitted to and approved by the local planning authority in consultation with the Environment Agency.
<b>Requirement 13(1)(e)</b>	This sub-paragraph has been removed and restructured as a tailpiece to sub-paragraph (1).	As explained in the Applicant's Deadline 3 submission and its comments on Interested Parties' responses to ExQ 1.5 these words ensure the details to be included within the contamination risk assessment in respect of soils have been submitted to and approved by the local planning authority in consultation with the Environment Agency.
<b>Requirement 21(2)</b>	The words "in consultation with Natural England" have been added.	As explained in the Applicant's Deadline 3 submission and its comments on Interested Parties' responses to ExQ 7.7, these words have been added to ensure the Species Protection Plan is agreed with the local planning authority in consultation with Natural England.