

The Planning Inspectorate
[OaklandsFarmSolar@planninginspector
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Our ref: XA/2024/100168/01-L01
Your ref: EN010122

Date: 1 October 2024

Dear Sir/Madam

EXAMINATION - SOLAR FARM. DEADLINE 4 - RESPONSE TO DEADLINE 3 SUBMISSIONS. OAKLANDS FARM SOLAR PARK, DERBYSHIRE.

We write in response to the Examining Authority's invitation to respond to information submitted at Deadline 3.

Updated Draft Development Consent Order (dDCO) Version: Deadline 3 - Tracked [REP-009]

Article 6

Article 6 (d) (disapplication of Section 25 [restrictions on impounding] of the Water Resources Act 1991) has been removed. We note this change and have updated our Work Package Tracker to reflect this change.

Requirement 9 Construction Environmental Management Plan (CEMP)

We note and welcome the below change to Requirement 9.

(5) For the purposes of requirement 9(1) "commence" includes any site preparation works comprising site clearance (including vegetation removal, demolition of existing buildings and structures).

Requirement 13 Land Contamination

We note and welcome the below change (in bold) to Requirement 13.

*(1) No phase of the authorised development, **and no part of the site preparation works for that phase comprising remedial work in respect of any contamination**, is to be commenced until a contamination risk assessment in respect of soils has been produced which is to include details of—.*

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

creating a better place
for people and wildlife



Yours faithfully

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Appendix 1 EA 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	Working on solution	Working on solution	Working on solution		The Applicant sent us an amended WFD Assessment 25/09/2024 which addresses our WFD concerns regarding ecology/biodiversity. We will turn this topic green once the WFD Assessment is showing on PINS website.
Flood Risk	Sequential Test (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		We received an updated FRA 11/09/ 2024 (informed by the recent flood modelling the Applicant carried out) which we are currently reviewing. We will provide an update to the Applicant shortly after Deadline 4
	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		We received an updated FRA 11/09/ 2024 (informed by the recent flood modelling the Applicant carried out) which we are currently reviewing. We will provide an update to the Applicant shortly after Deadline 4
	Climate Change Allowance (RR point 1)	Working on solution	Not Agreed	Not Agreed	Not Agreed		We received an updated FRA 11/09/ 2024 (informed by the recent flood modelling the Applicant carried out) which we are currently reviewing. We will provide an update to the Applicant shortly after Deadline 4
	Detailed Flood Modelling (RR point 1)	Agreed	Agreed	Agreed	Agreed		We received flood modelling, undertaken by the Applicant, 11/09/2024 which we have no concerns with.

Appendix 1 EA Work Package Tracker

Geomorphology	Water Environment Report / WFD (RR Point 2)	Working on solution	Working on solution	Working on solution	Working on solution		The Applicant sent us an amended WFD Assessment 25/09/2024 which addresses our WFD concerns regarding geo-morphology/ hydro-morphology. We will turn this topic green once the WFD Assessment is showing on PINS website.
Groundwater Protection	WFD Assessment (WFD assessment needs to include WFD Groundwater Body) (RR Point 2)	Working on solution	Working on solution	Working on solution	Working on solution		The Applicant sent us an amended WFD Assessment 25/09/2024 which addresses our WFD concerns regarding groundwater. We will turn this topic green once the WFD Assessment is showing on PINS website.
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	Agreed	Agreed	Agreed	N/A so agreed	9	Our Waste Team have confirmed that the topsoil bunds appear to be an appropriate height and profile. We recommend that they are compacted and planted with grass or other suitable vegetation to prevent soil erosion and potential runoff pollution.
Water Quality	Construction Environment Management Plan (CEMP) 1) daily monitoring by Principal Contractor. The need for an Environmental Monitoring Plan (RR Point 4)	Agreed	Agreed	Agreed	Agreed	9	Updated DCO [REP1-004] and oCEMP [REP1-008] at Deadline 1 has resolved this point.
	Construction Environment Management Plan (CEMP) 2) Environmental Permit for discharges should be reflected in the CEMP (RR Point 4)	Agreed	Agreed	Agreed	Agreed	9	Updated oCEMP [REP1-008] at Deadline 1 has resolved this point.
	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	Working on solution		The Applicant sent us an amended Drainage Strategy 11/09/2024 which addresses our concerns. We will turn this topic green once the Drainage Strategy is showing on PINS website.
	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.

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Development Consent Order (DCO)	Disapplication of s25 of the Water Resources Act (impoundment) (RR Point 3)	Agreed	Agreed	Agreed	Agreed		The Draft DCO have been updated and reference to disapplication of s25 of the Water Resources Act has been removed.
	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)	Agreed	Agreed	Agreed	Agreed		Updated DCO [REP1-004] at Deadline 1 has resolved this point.