Date: 21 October 2024
Your ref: EN010122

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BY EMAIL ONLY

Dear Stuart Cowperthwaite

NSIP Reference: EN010122 – Oaklands Farm Solar Park
Consultation: Issue Specific Hearing 1

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

As previously communicated, NE is unable to attend ISH1, however, having reviewed the agenda, NE have set out below comments on relevant matters included for discussion.

Item 4: Agriculture, soils, and decommissioning

a) **NE and SDDC concerns about the Agricultural Land Classification (ALC), including those summarised by the ExA [PD-012 question 6.1].**

Natural England have no further concerns regarding ALC survey methodology.

b) **Whether the agricultural land within the Order Limits should be restored to the same ALC grade following decommissioning. Whether soil health should be monitored for the lifetime of the Proposed Development to inform remediation and the wider understanding of impacts on soil health. Reference: Applicant's response to the ExA [REP4-011 question 6.3] and the Cottam Solar Project decision letter.**

Natural England notes that this is not highlighted as a question for NE to answer in document REP4-011 question 6.3, however we have the following advice to offer:

The SMP should include an aftercare programme for all land to be restored, which would enable a satisfactory standard of agricultural after use to be reached, with regards to cultivating, reseeding, draining or irrigating, applying fertiliser, or cutting and grazing the site.

The submitted SMP needs to include restoration and aftercare proposals to demonstrate the ALC grade can be achieved, which would include on-going monitoring to ensure the soils are not damaged. Where soil damage is identified, appropriate remediation will need to be employed, for example the decompaction of soils.

Aftercare and associated monitoring (and remediation where required), will provide sufficient evidence that the restored land will retain its longer term capability to be farmed to its land classification potential, thus remaining a high quality resource for the future.

For areas of temporary development, the ALC grade determined from the soil survey should be used to inform the restoration criteria, with temporarily disturbed BMV land returned to the same quality as far as practicable to minimise potential loss.

The above detail must be provided in the final SMP; it is recommended that the oSMP is updated to ensure the inclusion of these measures is committed to through the DCO.

Natural England would welcome commitment by the applicant to monitor wider soil health for the lifetime of the development to inform the wider understanding of impacts on soil health. However, where the above-described aftercare is secured, Natural England would consider this additional monitoring commitment to be preferred, not essential.

c) Whether the Outline Soil Management Plan in Appendix 1 of the Outline Construction Environmental Management Plan (Outline CEMP) [REP4-036] satisfies NE's concerns, including those summarised by the ExA [PD-012 question 6.2] and in relation to concerns about the area of the BESS and onsite substation [REP4-055].

The SMP should include an aftercare programme for all land to be restored, which would enable a satisfactory standard of agricultural after use to be reached, with regards to cultivating, reseeding, draining or irrigating, applying fertiliser, or cutting and grazing the site.

d) Mitigation of impacts on agricultural land due to potential damage to existing land drains by piling and cabling, including the suitability of Sustainable Drainage Systems (SuDS). Reference: responses to the ExA by the Applicant [REP4-011 questions 6.3 and 12.7], SDDC [REP4-014 question 12.7] and DCC [REP4-012] question 12.7]; and the Applicant's summary of the status of the SoCG with NE [REP4-055].

It would be expected that a specialist Land Drainage Consultant would be engaged to undertake the preparation of preliminary pre- and post-construction agricultural land drainage plans that will be agreed with the landowners, we note the applicants commitment to appoint a specialist agricultural land drainage consultant as part of the agricultural drainage design works (para 1.1.4 oSMP).

e) Mitigation of potential impacts on agricultural land due to underground cables either being left in place or removed after decommissioning. Reference: responses to the ExA [PD-012 question 5.2] by the Applicant [REP4-011], SDDC [REP4-014], DCC [REP4-012], and the EA [REP4-017].

Different Soil Associations exhibit different depths of natural soil profile, however (with the exception of peats) the maximum possible depth of a soil profile is generally considered to be 1.2 m. Therefore, the cables may be laid partially within the depth of the natural soil profile, but will be well below the topsoil layer and the minimum depth of cover over the cables is not considered to compromise the ability of the overlying agricultural crops to produce a functioning and effective root system. This depth is expected to be consistent with the industry standard of 0.9m depth.

f) How and when the end state after decommissioning should be described and secured. Reference: responses to the ExA [PD-012 question 5.1] by the Applicant [REP4-011], SDDC [REP4-014], DCC [REP4-012], and the EA [REP4-017].

The SMP should include an aftercare programme for all land to be restored, including the restoration criteria. The target specification for the restored soils should be based on pre-construction ALC grade. Soils should be monitored for up to 5 years following restoration to ensure the correct ALC criteria has been reached (on land restored to agricultural use) and the habitats created are in a suitable condition. Depending on the land-use, agricultural activities, site-specific

conditions, and site-specific construction activities, the aftercare may include treatments such as: cultivation (e.g. subsoiling), installation of underdrainage, seeding, liming, and/or fertilising.

g) Other agriculture, soils, and decommissioning matters.

Preferred not essential; The outline Soil Management Plan considers impacts on soils and agricultural land at all phases of the proposed project therefore should be provided as a standalone document rather than an appendix in the oDEMP.

Item 5: Biodiversity

a) NE and SDDC concerns in relation to the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The suitability of the related mitigation measures, including for chemical cleaning of the solar panels [REP4-038 Section 4.2] and the establishment of grassland within the Mease Catchment [REP4-040 paragraph 4.26].

Construction: Natural England note the mitigation measures set out in oCEMP section 2.6 to avoid water pollution during construction. NE consider that where the final CEMP is completed and implemented in accordance with these measures, an impact on the River Mease SAC could effectively be avoided. NE are satisfied that the CEMP is secured appropriately in DCO requirement 9. NE would be happy to be included as a required consultee on the final CEMP should the ExA feel this necessary.

Operation: Natural England note the inclusion at oLEMP paragraph 4.26 that grassland will be established immediately following completion of the proposed development. The commitment to explore the earlier sowing of grassland in the part of the site within the catchment of the River Mease SAC is welcomed; as discussed , sowing of grassland in advance of panel installation would further reduce any silt mobilisation effects during construction. NE consider that where grassland is established across the solar PV site, sediment mobilisation during construction, i.e. via preferential flow pathways & soil erosion, would effectively be avoided. NE would be happy to be included as a required consultee on the final LEMP should the ExA feel this necessary.

Operation: Natural England note the mitigation measures specified in section 4.2 of the oOEMP. Whilst it is specified that no 'harsh chemicals' will be used, no detail of the chemicals to be used has been provided. Nonetheless, with the exception of obviously harmful/toxic chemicals, Natural England consider that where grassland cover is maintained under and around all solar PV areas, any cleaning product or chemical runoff is likely to infiltrate & be attenuated within the soil prior to reaching the SAC.

NE have no further comment on the additional matters included on the ISH1 Agenda. We would be happy to respond to any additional questions raised at ExQ3.

For any further advice on this consultation please contact consultations@naturalengland.org.uk.

Yours sincerely

Robbie Clarey
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