

**SOUTH DERBYSHIRE DISTRICT COUNCIL’S
ANSWERS TO THE ExA’S THIRD WRITTEN QUESTIONS
FOR DEADLINE 8**

Oaklands Farm Solar Farm NSIP

(Construction and operation of a solar farm plus energy storage with
associated infrastructure and connection to the grid)

Application by Oaklands Farm Solar Ltd

PINS Reference: EN010122

EN010122 - Oaklands Farm Solar Park NSIP – SDDC’s Answers to the ExA’s Third Written Questions

Ref:	ExA’s Question	SDDC Answer:
1.	Draft Development Consent Order (dDCO) and other consents	
	General points	
	Part 1 - Preliminary	
	N/A	
	Part 2 - Principal Powers	
	N/A	
	Part 3 - Streets	
1.4	<p><u>Article 11 - Temporary stopping up of public rights of way</u></p> <p>a) Further to Issue Specific Hearing 1 [EV4-002] Item 9m), please could SDDC set out any concerns about Article 11?</p> <p>b) Please could SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	<p>b) The applicant has clarified that Article 11 follows precedent from other DCOs, with details of any temporary stopping up to be determined at the detailed design stage. This should ensure alternative access for pedestrians and prohibits the use of any stopped-up area as a working site without consultation with the authority. Additionally, compensation is available for any loss caused by the suspension of a right of way. SDDC are content that these provisions provide the appropriate safeguards.</p>
	Part 5 – Powers of Acquisition	
	N/A	
	Part 7 - Miscellaneous/General	
	N/A	
	Schedule 1, Part 2 - Requirements	
	N/A	

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Ref:	ExA’s Question	SDDC Answer:
	Schedule 1, Part 3 – Procedure for Discharge of Requirements	
	N/A	
	Schedule 10 – Protective Provisions	
	N/A	
2. Land rights, related matters, and statutory undertakers		
	N/A	
3. General and cross-topic planning matters		
3.2	<p><u>Local Planning Authority (LPA) resources</u></p> <p>a) Please could the Applicant, DCC, and SDDC provide an update about discussions about council resources for the consideration of any submissions, approvals and monitoring necessary for impact mitigation?</p> <p>b) Please could the Applicant set out how it is proposed that any resources are secured, for example through a Deed of Obligation or Planning Performance Agreement, and demonstrate that it is secured?</p> <p>c) Please could DCC and SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	<p>c) The Applicant’s proposal is to specify fees within the dDCO as per the TCPA charging schedule and for this to be supplemented by addressing the provision of additional resourcing needs through flexible mechanisms like PPAs or Agreements under Section 111 of the Local Government Act 1972, and for this to be referenced in the SoCG. SDDC is of the view that this should have been provided for as a Requirement within the DCO. However, SDDC considers that these alternative proposals would be an acceptable compromise if their inclusion in the DCO is not possible.</p>

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Ref:	ExA’s Question	SDDC Answer:
3.3	<p><u>Solar panel and battery storage replacement during the operation stage</u></p> <p>The ExA notes the potential for adverse impacts in relation to Heavy Goods Vehicle (HGV) movements during the operation stage in various chapters of the Environmental Statement (ES), including for the replacement of solar panels and other equipment. It refers to the <u>Mallard Pass Solar Farm Outline Operational Environmental Management Plan</u>, which includes related provisions in paragraphs 2.2.2, 2.2.3 and 2.2.5.</p> <p>The Applicant [REP5-024, REP5-026] has updated paragraph 3.1.4 of the Outline Operational Environmental Management Plan (Outline OEMP) [REP5-013] to “<i>provide greater certainty on the HGV vehicle movements associated with any solar panel replacement</i>”:</p> <p><i>“3.1.4 Solar panels are not expected to be replaced during the operational life of the Proposed Development, save for individual instances of damage or unexpected failure of specific panels, and that to account for this an annual replacement rate of 0.2% per year has been assumed in the ES. This results in an estimated 500 panels replaced per year. A standard HGV can hold approximately 750 solar panels.</i></p> <p><i>Therefore, a single HGV two-way movement and associated unloading vehicle (telehandler) is sufficient to deliver/remove the annual amount of panels that need to be replaced due to damage or unexpected failure. To clarify, wholesale replacement/upgrade of all panels on site is not anticipated.”</i></p>	<p>b) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“SDDC would welcome being notified about maintenance for forthcoming years alongside the necessary supporting information. SDDC would need to confirm panel replacement will not lead to any materially new or materially more adverse environmental effects arising from any planned maintenance activities, and this approach is considered acceptable.”</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The ExA is seeking firmer and more precise commitments and suggests the following, or similar:</p> <ul style="list-style-type: none"> • Annually during the operational lifetime of the Proposed Development, the Applicant will provide notification, which is not subject to approval, of planned maintenance activities to the local planning authority for the forthcoming year. The notification will include supporting environmental and traffic information to evidence that there will be no materially new or materially more adverse environmental effects arising from any planned maintenance activities when compared to those identified in the assessment of the operational phase in the ES. This supporting information must include confirmation that the approach to planned maintenance set out in the notification is consistent with the approved Operational Environmental Management Plan. • The replacement of the solar panels cannot take place until the local planning authority has provided confirmation that they agree that the activities will not lead to materially new or materially different environmental effects to those identified in the assessment of the operational phase in the ES. The traffic movements associated with the replacement of solar panels, whether planned or not, must be no more than one HGV two-way movement per year. <p>a) Please could the Applicant and SDDC comment? b) Please could SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	

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Ref:	ExA’s Question	SDDC Answer:
4.	Need case, effects on climate change, alternatives, electricity generation, and grid connection	
	N/A	
5.	Project lifetime and decommissioning	
5.1	<p><u>End state after decommissioning</u></p> <p>Section 3.1 and paragraph 1.7 of Appendix A of the Outline Decommissioning Environmental Management Plan (Outline DEMP) [REP5-015] set out the anticipated end state after decommissioning.</p> <p>The Applicant [REP5-024, REP5-025] considers that it is not necessary to review and agree updates to the description of the end state through the construction and operational phases.</p> <p>a) Do SDDC, DCC, EA, or NE have any comments?</p> <p>b) Please could the Applicant set out the consideration given to potential conflicts between restoring land to agricultural use after operation with any habitats established on the same land at that time, and how these potential conflicts are addressed by the Outline DEMP [REP5-015]?</p> <p>c) Please could SDDC, DCC, EA, NE also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	<p>c) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“SDDC are of the view that the review and agreement of updates to the end state after decommissioning during the construction and operational phase could ensure that the end state is appropriately described.”</p>
5.2	<p><u>Funding for decommissioning</u></p> <p>The ExA is considering whether, to respond to concerns and provide security, a commitment should be made to building a decommissioning fund during operation.</p>	<p>b) Requirement 27 in the dDCO requires the project owners to submit a plan for decommissioning the solar farm when it stops being used. They would also need to provide a financial guarantee, like a bond or insurance, to make sure the funds are there to carry out the plan.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The Applicant [REP5-026] states that it is not appropriate for a decommissioning bond to be secured under the dDCO [REP5-003], but proposes the following wording if it is required:</p> <p><i>"Requirement 27 – Decommissioning fund</i></p> <p><i>27— (1). No phase of the authorised development may commence until a decommissioning fund or other form of financial guarantee that secures the cost of performance of all decommissioning obligations under Requirement 22 of this Order has been submitted to and approved by the local planning authority.</i></p> <p><i>(2) The value of the decommissioning shall be agreed between the Undertaker and the local planning authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning obligations referred to in Requirement 22 of this Order.</i></p> <p><i>(3) The decommissioning fund shall be maintained in favour of the local planning authority until the date of completion of the works to be undertaken in accordance with Requirement 22 of this Order.</i></p> <p><i>(4) The value of the decommissioning fund shall be reviewed by agreement between the Undertaker and the local planning authority by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning obligations and best practice prevailing at the time of each review."</i></p>	<p>Whilst the phrase "other form of financial guarantee" in Requirement 27 is purposely broad, it covers options like bonds, insurance policies, or trusts. This approach gives flexibility to choose the best method for the situation, subject to local planning authority approval, and avoids problems that might arise by requiring only one specific method at this stage. The local planning authority ultimately has control over the process and on this basis SDDC are content with the approach provided for.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>a) Please could SDDC comment?</p> <p>b) Please could SDDC also summarise any outstanding concerns about funding for decommissioning at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	
<p>6. Agriculture, land use, soils, ground conditions, minerals, and geology</p>		
<p>6.3</p>	<p><u>Agricultural Land Classification (ALC)</u></p> <p>NE [AS-022] [REP1-037] raise various concerns regarding ALC, including:</p> <ul style="list-style-type: none"> • where Best and Most Versatile (BMV) agricultural land is not expected then a semi detailed survey (1 auger per 2 ha plus representative pits) will suffice; • in areas that BMV agricultural land is expected then a full ALC (1 auger per ha plus representative pits) must be undertaken; • it does not concur with the assumption that land quality is mostly 3b within the cable route; • an ALC survey should be undertaken on the cable route; • in the absence of a detailed survey for most of the cable corridor it is impossible to provide an accurate baseline and demonstrate the likely potential impacts; • the survey requires an experienced ALC surveyor to make the correct professional judgements; 	<p>e) At Deadline 6, SDDC stated the following:</p> <p>“SDDC accept that the Additional Land Classification Survey at Park Farm was undertaken by an appropriate professional.</p> <p>SDDC note that of the 48.2Ha surveyed in the 2021, 7.3Ha was subgrade 3a (Good) ALC, i.e. 15.2% of that area. However, of the additional 10.2Ha surveyed in 2024, 8.1Ha was subgrade 3a (Good) ALC, i.e. 79.4% of that area.</p> <p>SDDC are of the view that the total impacted area of BMV agricultural land is clearly significantly more when the additional survey area is taken into account, more than double, and this increases the concerns SDDC has in regard to the loss of BMV agricultural land resulting from the development.”</p> <p>SDDC would add that the access track, provides no direct climate benefit. The track would result in the unnecessary loss of agricultural land for the lifetime of the development, with no biodiversity net gain (BNG) upon reinstatement. SDDC questions the viability of restoring this land after 40 years due to disturbance and compaction during construction and use.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> • detail should be provided of the professional credentials and experience required of soil scientists (surveyors) experience carrying out ALC; and • the ALC survey will inform the SMP. <p>NE [AS-033] say that they have no further concerns regarding ALC survey methodology, but did not provide any further detail.</p> <p>The Applicant [REP3-032], [REP4-011], [REP5-024], [REP5-025], [REP5-026] has responded and provided an Additional Land Classification Survey at Park Farm [REP5-036].</p> <p>SDDC [REP5-039] generally concur with NE’s comments, adding that soil scientists (surveyors) should be British Society of Soil Science standard, and that ALC survey must inform the SMP.</p> <ol style="list-style-type: none"> a) Please could NE address each of the above concerns individually, in each case setting out whether it is satisfied, and either how it is satisfied or how it could be? b) Please could the Applicant respond to SDDC’s additional concerns and ensure that any necessary related mitigation is secured? c) Do NE or SDDC have any comments on the Additional Land Classification Survey at Park Farm [REP5-036]? d) Does NE have any other concerns about ALC? How might they be addressed? e) Please could SDDC and NE set out any remaining concerns at Deadlines 7 and 8 with suggestions about how they might be addressed? 	

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Ref:	ExA’s Question	SDDC Answer:
	<p>f) Please could the Applicant update ES Chapter 15 [APP-169] to reflect the Additional Land Classification Survey at Park Farm [REP5-036] and also update any related mitigation in the relevant management and mitigation plans?</p>	
6.5	<p><u>Decommissioning of underground cables</u></p> <p>The ExA [EV4-002] requested that the Applicant respond to SDDC’s concerns that cables left in place after decommissioning could conflict with future agricultural land uses including in relation to the reinstatement of land drainage.</p> <p>Chapter 4 of the ES [REP5-019] secures a minimum depth of cables of 0.9m, apart from a minimum depth of 0.7m at onsite cabling between PV modules and inverters and from inverters to transformers and the crossing of Coton Road.</p> <p>NE [AS-033] say that <i>“the maximum possible depth of a soil profile is generally considered to be 1.2 m and 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.”</i></p> <p>Paragraph 2.6.9 of the Outline CEMP [REP5-011] includes that <i>“During construction of the Proposed Development, piling of solar panel mounts and / or the installing underground electrical cabling via trenching may result in disturbance or damage to existing land drains. Where this occurs and creates an unacceptable surface drainage issue, other measures (e.g., repairing or installing new land drains) would be available to rectify such drainage issue. Once established, the drainage on-</i></p>	<p>b) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“SDDC are of the view that it is important to understand and fully consider at this stage whether cables will be removed or not, since cable removal at decommissioning is likely to have a significant adverse impact on soil quality at that time.”</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p><i>site will be monitored, and drainage measures altered or improved as necessary.”</i></p> <p>Section 3.1.4 of the Outline DEMP [REP5-015] says that “<i>the Applicant intends to remove buried cables after decommissioning, though will be led by the planning authority and relevant policy in place at the time of decommissioning. The cables may be left in situ, depending on the method which is likely to have the least environmental impact at the time.</i>”</p> <p>Paragraph 1.6 of the Outline SMP embedded in the Outline DEMP [REP5-015] includes that “<i>The Applicant commits to the repair of land drains or the installation of new land drains where removal of solar panel mounts and/or the removal of underground electrical cabling results in damage or disturbance to existing land drains and where an unacceptable surface water issue occurs as a result. Once established, the drainage on-site will be monitored for up to 5 years, and drainage measures altered or improved as necessary.</i>”</p> <p>a) Does SDDC have any comments?</p> <p>b) Noting NE’s comments in relation to soils, and the need to provide adequate protection to cables crossing roads, does the Applicant consider that all cables should be laid to a minimum depth of 0.9m? If not, why not?</p> <p>EA [REP5-043] say that:</p> <ul style="list-style-type: none"> • cables in general, unless oil filled, would be unlikely to be considered as a waste if left in the ground; • the Applicant would need to demonstrate that leaving cables in situ would not result in pollution; 	

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	<ul style="list-style-type: none"> • if the Applicant proposes to install cables in such a manner as to mitigate likely adverse impacts, a risk assessment will need to be undertaken to determine what can be designed in or out to achieve appropriate mitigation; and • risks to the environment will remain at the time of decommissioning so another risk assessment should also be carried out before decommissioning takes place. <p>a) Please could the Applicant respond to the matters raised by the EA and ensure that any necessary related mitigation is secured?</p> <p>b) Please could EA and SDDC summarise any outstanding concerns about the decommissioning of cables in relation to agriculture, soils, and pollution at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	
7. Biodiversity		
7.2	<p><u>Draft DCO [REP5-003] Article 38 - Trees subject to Tree Preservation Orders (TPO)</u></p> <p><u>Ancient/ veteran trees</u></p> <p>SDDC [REP4-014] and DCC [REP4-012] raised concerns about impacts on ancient/ veteran trees.</p> <p>The ExA [EV4-002] referred to <u>Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects</u>, and suggested that the Applicant identify trees subject to a TPO that would be affected and the works permitted to each tree (e.g. fell, lop, or cut back its roots) in a schedule to the dDCO [REP5-003].</p>	<p>b) SDDC are of the view that there should be no provision within the DCO for deemed consent to be applied to the felling or lopping of TPO trees, or veteran or ancient trees, and that explicit approval from the local planning authority (LPA) should be required for such works.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The Applicant [REP5-024, REP5-026] responds to the concerns and has revised Article 38 (trees subject to tree preservation orders) of the dDCO [REP5-003] to limit the powers granted by that article to the trees identified in Schedule 13 of the dDCO. Schedule 13 identifies trees within the area identified as W4 in SDDC’s TPO No. 122.</p> <p>a) Please could SDDC and DCC comment?</p> <p>b) Please could SDDC and DCC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	
7.3	<p><u>Habitat Constraints Plan</u></p> <p>SDDC [REP4-014] and DCC [REP4-012] referred to the need for a Habitat Constraints Plan with interpretable maps to provide the necessary details and extent of site clearance works relating to buffer zones to sensitive features such as ancient/ veteran trees, other retained trees, ponds, watercourses, hedgerows and woodlands.</p> <p>The Outline CEMP [REP5-011] includes provisions for a Habitats Constraint Plan [Section 2.8.5] and buffers [Sections 2.6.4, 2.6.5, 2.8.2, 2.8.3, 2.8.5, and 2.8.6]. The Applicant provides a series of interpretable maps of habitat constraints [REP5-030].</p> <p>a) Please could the Applicant add the draft interpretable maps to the Outline CEMP [REP5-011] and secure that interpretable maps be included in the final CEMP?</p> <p>b) Please could SDDC and DCC comment?</p>	<p>c) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“SDDC have reviewed those interpretable maps, and they provide useful clarity and should be attached to the Outline CEMP for further comprehensive review.”</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>c) Please could SDDC and DCC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	
7.4	<p><u>Skylark</u></p> <p>SDDC [REP4-014] considers that the Proposed Development would harm skylark or other ground nesting birds and that specific mitigation for skylark would be appropriate in the form of skylark plots to be created within arable fields adjacent to Oakland Farm.</p> <p>The Applicant [REP5-024, REP5-026] considers that specific mitigation for skylark is not necessary, but acknowledging SDDC’s differing position is in the process of agreeing the terms of a S106 unilateral undertaking to provide for offsite mitigation in the form of skylark plots. The Applicant’s position is that the mitigation being proposed would be sufficient to result in a benefit for this species. It says that the terms of any undertaking would require a skylark mitigation strategy to be submitted to SDDC prior to the commencement of development and the skylark mitigation areas maintained for the lifetime of the development.</p> <p>a) Please could the Applicant provide evidence that the S106 unilateral undertaking is secured, as described?</p> <p>b) Please could SDDC comment?</p> <p>c) Please could SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	<p>c) SDDC has reviewed the Unilateral Undertaken produced by the Applicant, and, as a result, SDDC are now content that the impact on skylark has been suitably addressed.</p>

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Ref:	ExA’s Question	SDDC Answer:
7.5	<p><u>Barn owl</u></p> <p>The ExA [EV4-002] requested that the Applicant clarify the evidence to support that impacts and mitigation can be identified without a barn owl survey and asked it to consider whether a barn owl survey and update of mitigation measures is required before the start of the site preparation works.</p> <p>The Applicant [REP5-024, REP5-026] says that specific barn owl surveys were not undertaken as “<i>there is a very good understanding of barn owl ecology</i>”, and provides reasoning to support that view. The mitigation for barn owl in Section 2.8.6 of the Outline CEMP [REP5-011] has been updated and includes pre-construction checks.</p> <p>The ExA notes that, as defined by the dDCO [REP5-003], ‘pre-construction’ is not necessarily before the site preparation works.</p> <ul style="list-style-type: none"> a) Please could the Applicant consider whether a barn owl survey and update of mitigation measures is required before the start of the site preparation works and ensure that necessary mitigation is secured accordingly? b) Please could SDDC comment? c) Please could SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed? 	<p>c) SDDC remain of the view that a survey to quantify the barn owl population in the surrounding area and fully identify the degree of impact on the barn owl population should have been undertaken. Such information would ensure that the determine the appropriate level of necessary mitigation is provided for.</p>

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Ref:	ExA’s Question	SDDC Answer:
7.6	<p><u>Great crested newt</u></p> <p>The ExA [EV4-002] requested that the Applicant consider whether additional precautionary mitigation is required for great crested newt.</p> <p>The Applicant [REP5-024, REP5-026] provides reasoning for why it considers it highly unlikely for great crested newt to occur within the site or to be impacted by the Proposed Development. The mitigation for great crested newt in Section 2.8.7 of the Outline CEMP [REP5-011] has been updated to require “<i>best practice methods</i>” for the construction works.</p> <p>Section 2.8.7 of the Outline CEMP [REP5-011] includes for pre-construction surveys for great crested newt. The ExA notes that, as defined by the dDCO [REP5-003], ‘pre-construction’ is not necessarily before the site preparation works.</p> <ul style="list-style-type: none"> a) Please could the Applicant consider whether a great crested newt survey is required before the start of the site preparation works and ensure that necessary mitigation is secured accordingly? b) Please could SDDC comment? c) Please could SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed? 	<p>c) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“Pre-cautionary checks as part of ECoW immediately before site preparation works (any vegetation clearance or heavy traffic) of potential refuges and marginal areas adjacent to potential newt habitat including ponds/scrub would be appropriate particularly in the vicinity of Park Farm and Hill Covert to help conclude that mobile individuals are not at risk from proposed works.”</p>
8.	Historic environment	
	N/A	
9.	Landscape, visual, glint, and glare	
	N/A	

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Ref:	ExA’s Question	SDDC Answer:
10. Noise and vibration		
10.1	<p><u>Noise assessment and mitigation</u></p> <p>The ExA [EV4-002] requested that SDDC consider the noise assessment concerns raised by Diane Abbott [REP4-022] and any implications for SDDC being content with the assessment and mitigation. The Applicant [REP5-025] comments on Diane Abbott’s concerns [REP4-022].</p> <ul style="list-style-type: none"> a) Please could SDDC comment on Diane Abbott’s concerns [REP4-022] and set out the reasons for any disagreement with the Applicant’s comments [REP5-025]. b) Please could the Applicant update the SoCG with DCC and SDDC [AS-029] as necessary? c) Please could SDDC summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed? 	<p>c) SDDC are content with the Applicant’s noise assessment and the proposed mitigation measures set out within the dDCO.</p>
	N/A	
11. Traffic and transport		
	N/A	
12. Water quality, resources, drainage, and flooding		
12.3	<p><u>Potential damage to existing land drainage</u></p> <p>The ExA [EV4-002] requested that the Applicant demonstrate whether damage to existing land drains could be mitigated to avoid increasing flood risk and asked it to respond to SDDC’s concerns regarding the potential for water no longer in the existing land drains to be directed more towards areas with</p>	<p>c) SDDC has no further comments to add in addition to those previously made at Deadline 6, which are repeated below:</p> <p>“SDDC are of the view that if, as stated by the Applicant, any damage to land drains will reduce off-site flows, thus reducing off-site flood risk, the damage may adversely impact on soil quality.”</p>

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	<p>higher flood risk. The Applicant was requested to secure the necessary mitigation.</p> <p>The Applicant [REP5-024, REP5-026] states that:</p> <ul style="list-style-type: none"> • it broadly knows where the land drains are based on information from the landowner and that several of its team had been through the site field by field and recording them; • it provides a map identifying where land drains are understood to be present [REP5-017 paragraph 4.2.5]; • the land drainage is generally at lower parts of fields, nearer watercourses, where farmers try to speed up water flow through a land drain; • due to the expected low number of land drains on the Site, and the very small area of the Site affected by cable trench excavations (approximately 2% of Site, with trenches almost exclusively routed around the perimeter of fields), the main source of damage to any existing land drains is expected to be piling for the solar panel mounting structure legs; • water flow would be slowed if there is any damage to the drains; • some of the detailed information regarding depth of pipes would need to be investigated and identified using a digger but that this could be dealt with in detail post-consent in the Soil Management Plan; • any problem post-construction would become obvious as there would be a damp area; 	

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> • if there are patches these can be rectified in the same manner as farmers would, which would not affect flood risk; • new land drains and other drainage features can be installed under and around the piling for the solar panels and buried cables to address any issues identified from land drains found to have been damaged during construction; and • the exact locations of piles and buried cables installed by the Applicant would be known and recorded, and these features can therefore be avoided by careful design and installation of the new drainage. <p>Paragraph 2.6.9 of the Outline CEMP [REP5-011] includes that <i>“During construction of the Proposed Development, piling of solar panel mounts and / or the installing underground electrical cabling via trenching may result in disturbance or damage to existing land drains. Where this occurs and creates an unacceptable surface drainage issue, other measures (e.g., repairing or installing new land drains) would be available to rectify such drainage issue. Once established, the drainage on-site will be monitored, and drainage measures altered or improved as necessary.”</i></p> <p>Paragraph 1.6 of the Outline DEMP [REP5-015] includes that <i>“The Applicant commits to the repair of land drains or the installation of new land drains where removal of solar panel mounts and/or the removal of underground electrical cabling results in damage or disturbance to existing land drains and where an unacceptable surface water issue occurs as a result.”</i></p>	

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Ref:	ExA’s Question	SDDC Answer:
	<p><i>Once established, the drainage on-site will be monitored for up to 5 years, and drainage measures altered or improved as necessary.”</i></p> <p>a) Please could the Applicant ensure that any mitigation required for damage to existing land drainage that is not identified until post-construction is secured in the Outline OEMP [REP5-013]?</p> <p>b) Do DCC (as Lead Local Flood Authority) or SDDC have any comments?</p> <p>c) Please could DCC and SDDC also summarise any outstanding concerns at Deadlines 7 and 8 with suggestions about how they might be addressed?</p>	
13. Other planning topics		
	N/A	