

Mr David Cliff & Mr Mark James
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
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BS1 6PN

Our ref: AN/2023/133932/03-L01
Your ref: EN010127
Date: 19 July 2023

(submitted via the online portal only)

Dear Sirs

Planning Act 2008 - application for a Development Consent Order for the Mallard Pass Solar Farm: Deadline 4 submission - summary of oral reps made at the Compulsory Acquisition Hearing

The Environment Agency attended the Issue Specific Hearing on Compulsory Acquisition held on the 14 July 2023 and made oral submissions, summarised below, in relation to the following Agenda item:

Item 10 c) Submissions from Statutory Undertakers

The Environment Agency met with the applicant to discuss the protection of the River Gwash/River Glen water transfer pipeline on 23rd June 2023. Our Solicitor wasn't able to attend this meeting, so we subsequently discussed the applicant's intention for this land with her. She is of the view that bespoke Protective Provisions are probably the most efficient way of resolving the objection, which would enable the applicant to retain the flexibility they are seeking and enable the Environment Agency to comment on any detailed works plans that come forward in the vicinity of this pipeline.

The Protective Provisions included in the Draft DCO were a version the Environment Agency was in the process of updating. Our solicitor forwarded a draft of revised provisions to the Applicant on 7th July: these cover flood risk activities for main rivers, and are close to being agreed. However, the Environment Agency's Solicitor will need to suggest some additional wording to add into these, on this issue of protecting the water transfer pipeline for the Applicant's consideration.

We are content that the principle of agreement has been reached and the only outstanding issue is the detailed Protective Provisions drafting, which we will aim to complete and agree by Deadline 5, if possible. We will provide further updates in due course.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.

Yours faithfully

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Principal Planning Adviser

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