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For and on behalf of
Warley Green Limited

WRITTEN REPRESENTATION
Unique Reference Number: 20035563

**Application by National Highways for an Order Granting Development Consent for the
Lower Thames Crossing**

**Prepared by
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July 2023



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APPENDICES

Appendix 1 Site Location Plan

1.0 INTRODUCTION

1.1 This Written Representation has been prepared by DLP Planning Ltd on behalf of Warley Green Limited ('the client') in relation to the Application by National Highways for an Order Granting Development Consent for the Lower Thames Crossing ('the Project').

This Written Representation is to be read in conjunction with our previously submitted relevant representation on 23rd February 2023. Our client continues to seek to ensure that any works relating to the DCO, or Order Limits, would not prejudice the consented development for a solar farm and energy storage facility.

Background

1.2 Warley Green Limited is a wholly owned subsidiary of Verdant, which is jointly owned by DIF Capital Partners (DIF) and ib Vogt (IBV).

1.3 The Bulphan Fen Solar Farm is part of a portfolio of Verdant sites with a total capacity of 720MW of solar and battery storage. The extant permission applies to land sited within the administrative boundaries of both the London Borough of Havering (ref. P0059.21) and Thurrock Council (ref. 21/00077/FUL). The solar development and energy storage facility is now progressing towards construction which is expected to commence late August 2023. The development will be fully implemented when the DCO works are expected to begin in 2024.

1.4 This Written Representation has not gone into the detail of the merits or otherwise of the Project which is before the Inspectorate. The proposed scheme is broadly supported by our client.

1.5 This Written Representation raises the following concerns:

- Temporary possession of land;
- Temporary road closures;
- Downtime to grid connection;
- Dust deposition;
- Impacts of hydrology and drainage; and
- Impacts on proposed landscaping mitigation.

1.6 Each point is addressed in detail below.

2.0 TEMPORARY POSSESSION OF LAND

- 2.1 Application Document 2.2 'Land Plans (Volume C)' (Sheets 38, 41, 42, 43) sets out that Clay Tye Road, Fen Lane, the boundary of the site located to the south of Fen Farm Cottages and Footpath no 136 are all subject to Temporary Possession and / or Permanent Acquisition of rights.
- 2.2 Given that Clay Tye Road and Fen Lane comprise the operational route to the consented solar farm and energy storage facility, our client would like to understand the justification for the temporary possession of land and an indication as to the length of time National Highways will require the land for. Our client would also like to understand the reason for the required temporary possession of land to the south of Fen Farm Cottages and Footpath no 136 and potential implications for this on the consented solar farm.

3.0 TEMPORARY ROAD CLOSURES

- 3.1 Application Document 2.8 'Streets Subject to Temporary Restrictions of Use Plans (Volume C)' (Sheet 41, 42 and 43) explains that temporary road closure alteration, diversion or restriction of Clay Tye Road may occur during construction of the Project. Our client seeks an understanding to the length of time proposed for the road closure to ascertain the potential implications that these may have on the operational visits associated with the solar farm and energy storage facility once constructed and operational.
- 3.2 As mentioned in our previous representations, the solar farm and energy storage facility will be operational once construction of the Project is underway. Operational visits will be required at the solar farm and energy storage facility on a regular basis for maintenance checks.

4.0 POTENTIAL FOR DOWNTIME TO GRID CONNECTION

- 4.1 Application Document 2.17 'Streets Subject to Temporary Restrictions of Use Plans (Volume C)' (Sheet 41, 42 and 43) shows that Clay Tye Road is planned for indicative temporary underground utility tunnel work. The proposed cable route for the approved solar farm and energy storage facility also utilises Clay Tye Road.
- 4.2 The solar farm and energy storage facility development is reliant on connection to the National Grid for the output of energy once fully operational. Our client seeks clarification on whether there is potential for downtime to the National Grid connection as a result of the

development of the Project, particularly during underground works. Full details are required on the potential downtime in relation to the amount of time that this would occur for, and how frequently over the development period of the Project.

5.0 DUST DEPOSITION

5.1 Environmental Statement Chapter 5 Air Quality (APP 143) cites that, given the size of the project, the receiving environment sensitivity is 'high' up to 100m from construction activities.

5.2 Figure 1: Construction Dust Study Area (Application Document 6.2) includes a 50m, 100m and 200m buffer around anticipated construction works (which represents the area most at risk of being impacted by construction dust), including haul routes, compound areas and soil storage areas. All sensitive receptors (human and designated habitats for ecology) within distance bands 0 – 50m, 50 – 100m and 100 – 200m of the construction works have been identified.

5.3 The western part of the consented solar farm and energy storage facility site, notably Fen Lane and the part of the site to the southwest of Fen Farm, is identified as falling within the 50m buffer. It should be noted that solar panels are located within this buffer and will therefore be impacted by the construction dust associated with the Project.

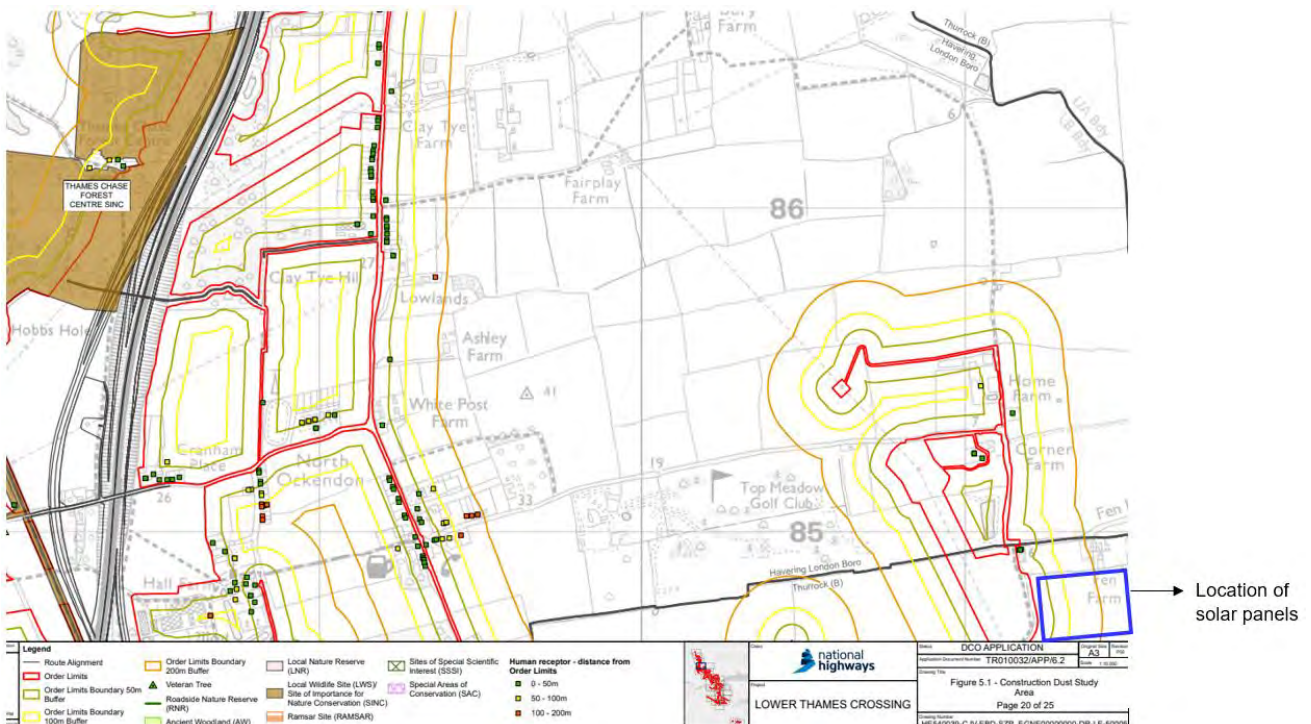


Figure 1: Construction Dust Study Area

- 5.4 Clarification is required on how dust will be controlled during construction of the Project to protect the Bulphan Fen solar farm. Gradual dust accumulation can reduce solar panel efficiency which translates to a decline in the amount of power produced and therefore, lost income for our client. Dust accumulation will also have implications on ecology habitats.
- 5.5 Further, dust deposition will incur large costs due to the necessary cleaning and maintenance required to ensure that the solar panels remain fully efficient. Our client would like to see details specific to dust control for the solar farm, which will be operational by November 2023.

6.0 IMPACTS ON HYDROLOGY AND DRAINAGE

- 6.1 Paragraph 14.6.53 of the Environmental Statement Chapter 14 – Road Drainage and the Water Environment cites that in order to ensure that the construction activities of the Project do not cause impacts on flood risk elsewhere, compensatory flood storage would be provided to offset any loss of flood storage volume due to temporary earthworks, stockpiles and construction compounds.
- 6.2 The Environmental Agency's Flood Map indicates that the majority of the site is located within Flood Zone 3, therefore has a high probability of flooding from rivers and the sea. However, the northwestern corner and the eastern part of the site are located within Flood Zones 1 and 2 (medium and low risk, respectively). Our client would like clarification that the development of the Project is not likely to increase the chance of flooding at the solar farm and energy storage facility site.

7.0 IMPACTS ON PROPOSED LANDSCAPING MITIGATION

- 7.1 Application Document 2.17 Works Plans (Volume C) (Sheet 38) shows that the land to the immediate south of the proposed solar farm and energy storage facility is subject to Linear Work Centreline. Our client requires further details on the works proposed as currently it is unclear as to the extent of works proposed. There may, however, be implications on the enhanced hedgerow planting proposed along footpath 159.
- 7.2 Further, Application Document 2.7 Rights of Way and Access Plans (Volume C) (Sheet 38) shows that part of footpath 136 is proposed to be redesignated to a bridlepath. Our client requires further details on the works proposed and when this will be implemented as this may also have implications on the planting programme for the approved solar farm and energy storage facility development.

7.3 Dependent upon the works proposed, it may be necessary for our client to seek agreement from Thurrock Council for the implementation of the approved planting scheme proposed along the site boundaries to be undertaken at a later date (Condition 11 of permission 22/01145/CV requires that this be implemented in the first planting season after the commencement of development, so spring 2024).

8.0 HEALTH AND SAFETY

8.1 Our client would like to make the Applicant aware that they will be permanently required to access the site in an emergency.

8.2 Further, our client would like confirmation that during the construction period of the Project, the health and safety of those working on the solar farm and energy storage facility site will not be compromised.

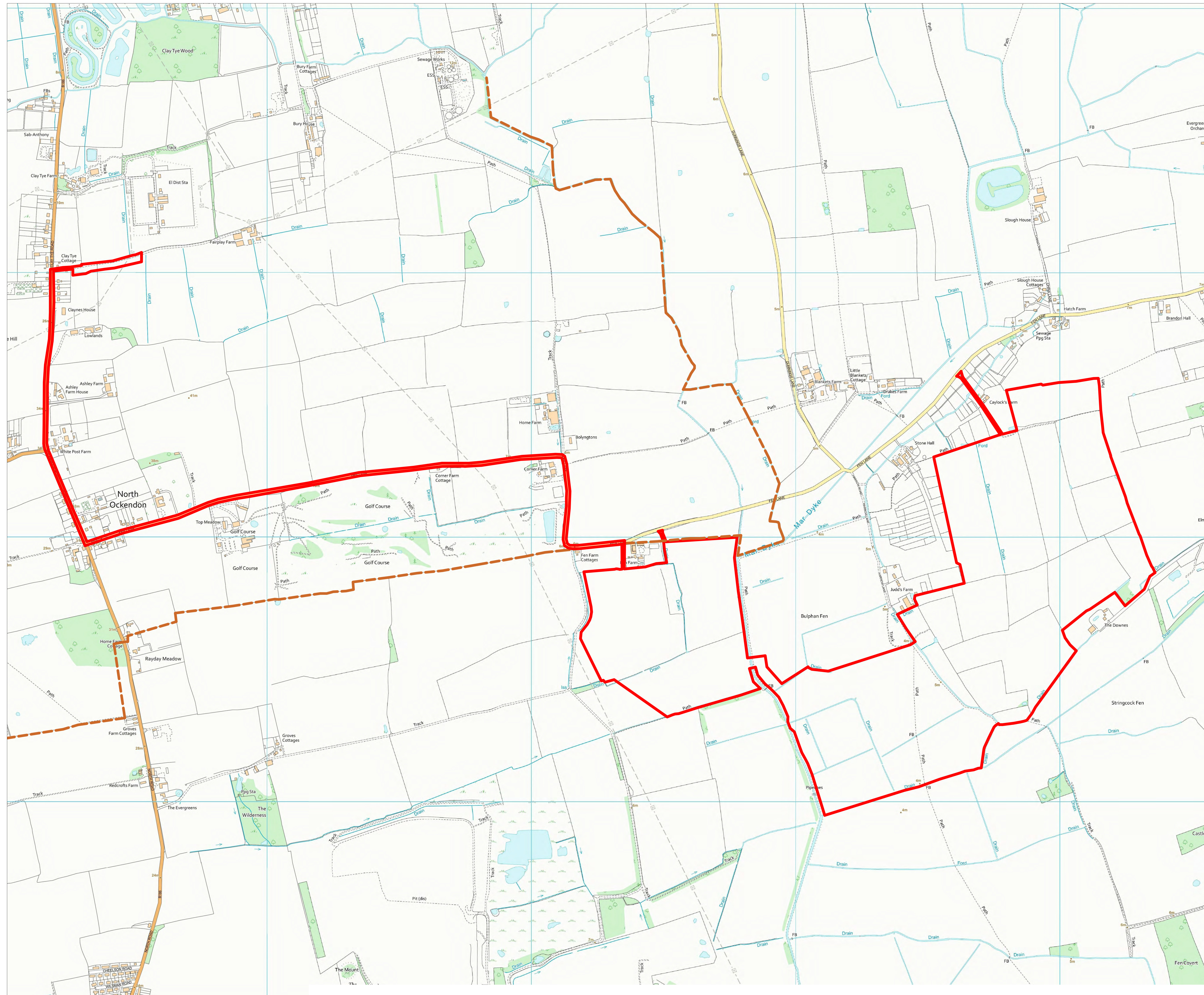
9.0 CONCLUSION AND NEXT STEPS

9.1 We are of the view that the above matters can be addressed through communication from National Highways (NH) to ensure that any works directly related to the DCO, or Order Limits, would not prejudice the consented solar farm and energy storage facility development. Our client therefore welcomes further discussions with NH to address the concerns as set out above and in its representation dated 23 February 2023, and the incorporation of requirements into the DCO to address their concerns and secure necessary mitigation. We are therefore keen to understand from the Inspector if our attendance would be required at an Issue Specific Hearing.



G5117/2
Warley Green Limited
Application by National Highways for an Order Granting
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Appendix 1
Site Location Plan



General Notes

Key

- Site Application Boundary
- Administrative Boundary

REVISION	DATE	MODIFICATION

PROJECT NAME:
Bulphan Fen Solar Farm

DRAWING TITLE:
Consolidated Location Plan

DRAWING No: **BF1.0** REVISION: **v.b**

SCALE: **1:5000** FORMAT: **A0** DATE: **22 Dec 2020**

Drawn By: **DP** Checked By: **NL**



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