

EAST CAMBRIDGESHIRE DISTRICT COUNCIL RESPONSE

Introduction

1. This is a short note responding to the latest draft DCO on issues specific to the District Council. There is a separately coordinated response from the authorities in relation to the written questions. Please consider that alongside this specific response.

Part 1 Preliminary

2. Definition of ‘maintain’ (to also be construed as, *inter alia*, ‘maintenance’ (page 6) – still reads as being too wide. Whilst it does not suggest that the whole of the authorised development could be replaced, the definition still does appear to suggest that the vast majority of it could be reconstructed in some other form. We ask that the ExA look again at the scope of this definition.
3. The reason it is not acceptable is because it could mean this large site could be rebuilt in its entirety within 25 years (predicted life of solar panels).
4. Please consider the responses to ExQ1 Q1.5.8 both by developer and by Richard Kimblin KC. It may be that we either are going to need another requirement to deal with maintenance impacts or for the lifetime of the development to be revisited.

Trees/Landscape

5. **Part 6, page 28, Article 36:** a great deal of discretion is left to the Applicant to decide what is reasonable and ‘necessary’ in relation to the felling, and the lopping of trees that overhang the sites with no consultation or permission required from the LPA. A properly designed scheme should make allowances for the future growth potential of trees on or adjacent the sites such that this clause would be redundant and unnecessary.

6. **Schedule 1, page 40, Work No. 10**, the revised text would appear to allow the removal of or the irrevocable harm to be done to important highways trees up to and including their removal for temporary access or usage. The Council considers that should it be possible for the applicant to provide information prior to determination as to where trees and other vegetation will be required for removal to facilitate access making this clause redundant and unnecessary. Again, further works in relation to tree surveys (as is currently proposed) will be necessary in order to achieve this.
7. The inclusion of the above clauses must serve as implicit acceptance by the Applicant that the currently submitted evidence is lacking and insufficient. This would be the case for present purposes in terms of informing their own work, and making it even more difficult for the District Council take an informed view with clarity.
8. **Part 4, 27 (1)(b) page 23** – Allows trees to be removed. This is again unacceptable. This links to the concerns raised by our Tree Officer in regards for the works mentioned on page 40.
9. **Part 6, 36 page 28 and 37 page 29**– As detailed by our Tree Officer, this gives the developer the right to cut down trees and does not define adequately what is meant by ‘near’. Developer under ExQ1 Q1.5.44 is not able to define what near means. The developer is seeking a power that could cause both detrimental harm and they don’t know how it will be implemented. Also under 37 (1) the developer is still seeking to cause damage/remove trees protected by a TPO.
10. **Schedule 2, 14 (3) page 46** – Given the concerns raised above, it is the Council’s view that this does this fails to provide the protection we are seeking to trees

Landscape/ecology

11. **Schedule 2, 8 (3) page 44** – Developer is only seeking to protect landscape and ecology through construction and operation. Thought needs to be given to what happens after this, including the demolition and decommissioning stage. As it currently stands, significant damage could result at that stage.

Temporary Use of Land

12. **Part 4 Article 28, page 24** – There is an ambiguity around how long the temporary use of land for maintaining the authorised development is likely to be for. At the moment, it would appear to read as though it could be 40 years long. Some clarification around (11) of Article 28 would be helpful given that it lasts 5 years from the last commissioned part, which could be a long time after the first part. This may just be a drafting exercise to help with the clarification.

Electricity Generation

13. **Schedule 1, 2 page 35** – developer confirmed in the DCO Hearing on the 1 November 2022 that the scheme will be 500 MW Solar Farm and a 500 MW per hour battery connection. Yet in the DCO they are again being unclear on power generation going back to “over 50 megawatts”. More precision is needed to avert any ambiguity in the future.

Noise

14. **Requirement 14, Page 46** - identifies the Construction Environmental Management Plan.
Requirement 15, Page 46 - identifies the Operational Environmental Management Plan
Requirement 22, Page 48 – identifies the Decommissioning Environmental Management Plan.

Therefore on **Page 46 under Requirement 17 (2)** this should be changed to “*The design as described in the operational noise assessment must be implemented as approved and maintained throughout the construction, operation and decommissioning of the authorised development*”

Employment

15. **Requirement 20, page 48** – Employment during demolition needs to be covered somewhere.

End

25.11.2022