

James Ledsham

From: [REDACTED]@lemonia.org>
Sent: 08 July 2026 15:02
To: Oaklands Farm Solar
Subject: Response to NMC request for EN010122 Oakland's Farm Solar
Attachments: DA comments on NMC July 26.pdf; DA CEMP comments June 26.pdf

Dear Planning team

Please find attached two documents in relation to the Non Material Change request for Oaklands Farm Solar EN10122.

Firstly I think that the proposals amount to a Material Change in so far as they will negatively affect local residents and road users - my reasoning is attached.

Secondly, I include a copy of my objections to the Oaklands CEMP application that was submitted to the Local Authority in April 2026 - two months before the NMC was made public.

I am concerned not only the CEMP was lacking in detail and failed to meet the needs of Requirement 9 of the Order, but that it now needs updating as a result of the new changes. The CEMP is still under consideration by the local authority and I do not know whether it will be approved or not.

Similarly CTMP currently under consideration will also be affected by these changes.

I would welcome guidance from the Inspectorate on what documents and planning applications need to be revisited once the DCO has been amended.

Please let me know if you require any extra details to support this submission, if necessary I can supply copies of planning documents and reports I have referred to.

Kind Regards

Diane Abbott

**EN010122. Comments relating to the Non Material Change application for:
The Oakland's Farm Solar Park Order 2025 (SI 2025/739) & correction 2025 (SI 2025/1070)**

I am opposed to this application as I believe that taken together, the changes are significant enough to constitute a Material Change, that should therefore be subject to more rigorous evaluation by the Planning Inspectorate.

It looks as though many of the required changes have been identified following the completion of the geotechnical survey which has identified a number of risks including high ground water levels and low infiltration rates. Despite this, the Geotechnical Survey has not been included in the documentation supplied so this cannot be considered by the Inspectorate unless it is accessed via SDDC planning application DMOT/2026/0620 ([Planning Application: DMOT/2026/0620](#)).

I shall comment upon each of the proposals based on the numbering appearing in the document: Non-Material Change Supporting Statement (EIA Addendum). Document Ref: EN010122/NMC/6.1

All of my objections stand, regardless of whether the proposals amount to a material or non-material change to the DCO.

Guidance

The Department for Communities and Local Government ("DCLG") published The Planning Act 2008: Guidance on Changes to Development Consent Orders guidance in 2015 which provides non-statutory advice on the preparation and determination of applications to change development consent orders. This includes the following:

- Environmental Statement (paragraphs 12-13)

- A change should be treated as material if it would require an updated ES to take account of new, or materially different, likely significant effects on the environment. "

- Impact on business and residents (paragraph 16)

- The potential impact of the proposed changes on local people will also be a consideration in determining whether a change is material.

I propose that as the Environmental Statement submitted by the developers is being altered, then the changes must be considered to be materially different. The applicant suggests that the changes do not have significant effects on the environment or on residents, but in the case of the increased piling depths, greatly increased foundation depths and the doubling of the thickness of internal road surfaces, taller solar panels and more noisy infrastructure, then there will be a noticeable change to both the environmental impacts and on the nuisance caused to residents.

Change 1 (more solar panels) - LEMP

Sections 5.1.7 & 8 indicate that the extended area of solar panels would not have a notable impact on the Outline Landscape and Ecological Management Plan (LEMP) and notes that the LEMP will remain subject to approval by the local authority. However, the LEMP for Phases 1,2 & 3 (Haul road, grid route and internal access roads) has already been submitted and approved by SDDC as part of application DMOT/2026/0492. Does this NMC application have any impacts on the details within this partial LEMP?

It seems from the diagrams of the extended solar panel areas that some hedgerows / trees / woodlands may be impacted with the panels encroaching closer than the 5m existing hedgerow boundary and/or the 15m tree root protection zone. Can this be checked and verified please?

Change 1 (more solar panels) – Water resources

Section 5.1.13 states:

In considering Water Resources (Chapter 8) the ES topic author has confirmed that the expansion of the parameter area for Work no 1 would not have any effect on the proposed drainage which allows surface water to run off the onto the vegetated ground below and infiltrate to ground as per the current greenfield arrangement.

And yet, it has already been shown in the Applicants own documents (namely the Geotechnical Surveys) that the professional opinion is that infiltration will not be an adequate solution to drainage requirements because all of the infiltration tests failed.

(See documentation provided in SDDC planning application DMOT/2026/0620 – which states:).

Section 5.13 summarises the results of on Site infiltration testing. All of the tests failed and therefore it is not recommended to adopt infiltration drainage at the Site.

How does the Applicant propose to manage the drainage from the solar panels without relying on infiltration?

If the solar panels now cover 3.4% more area than previously reviewed, how is this increase likely to impact on the drainage and subsequent flood management proposals?

One of the main areas where the solar panel coverage has increased borders Coton Road to the North West of Oakland's Farm. This road frequently floods in the dip by Copperhill Spinney and near the entrance to the farm / Chilled Hub (at the "slow" sign in the road). Can the applicant show that the increased run-off from the panels near the road do not exacerbate the flooding at the bottom of the hill?

I suggest that the above changes, together with the fact that that infiltration has been deemed to be an inappropriate drainage strategy amounts to a major change causing a significant impact that warrants assessment by the Planning Inspectorate.

Change 2 (Solar panels mounting changes) – Landscape & Visual Assessment

The increased the solar panel height will predominately impact users of the ProW through the site, leading to an even greater feeling of enclosure and removal of horizons from a large portion of the route. The screening from hedgerows as noted in the application will be minimal and the supposed screening from Redfern's Wood would only protect walkers off the site, not those on site or using the new concessionary path.

The further erosion of the visible horizon from properties in Rosliston would again cause a long term negative impact to residents which amount to a material change.

Change 2 (Solar panels mounting changes) – Water resources / ground conditions

The increase in depth of piling is a notable change, going from 2m piles to 3m piles. The original concerns that the 2m piles would damage land drains will be exacerbated. However, the document fails to consider how 3m piles will impact BMV, flood risk and the sub-aquifers, nor how the decommissioning of the site and reinstatement of BMV agricultural land will be affected.

I believe that the 50% increase in piling depth has come about as a result of the findings of the Geotechnical Survey meaning that ground conditions are markedly different from those originally predicted. This is therefore a substantial change that I do not believe it can be classed as non-material.

Change 2 (Solar panels mounting changes) – Glint and glare

It is obvious that increased height (by up to 10%) will increase the risk of glint and glare for residents and road users. Whilst the report authors claim that 3m hedging will reduce glint and glare, it was noted in the original ES that land topography means some areas will not be screened no matter how tall hedges are grown. Furthermore, the glint and glare assessment only considered the mid-point of the panels, at 1.75m; now that panels may extend up 3m, the potential area of glint and glare effects must be very much larger than modelled and should be reassessed.

Certain areas of the site need screening to prevent glint and glare affecting traffic on the local roads. The documentation has not explained how this screening will be affected, and if it needs to be even taller or over a larger area than originally planned. Increased screening heights would have a substantial impact on the landscape and visual effects, and should be evaluated accordingly.

Looking at the resubmitted Design Statement, it only notes fencing heights of 2.1m with temporary screening.

“Fencing When Greater Security Required 2.1m wire mesh with steel posts piled into ground up to 2m. Including mammal gaps, and may utilise a single line of barbed wire. Temporary screening (such opaque netting attached to the deer fencing) (up to ten years) in key locations to mitigate glint and glare hazards on road users. Fencing to be removed once hedge /screening planting has matured.”

How is screening that is 0.9m lower than the maximum panel height (on rising ground) going to provide any protection to road users? Should this not be assessed for road safety?

Change 2 (Solar panels mounting changes) – Construction Noise

The change in piling depth and its impact on residents does not appear to have been considered from a construction noise perspective. Given that piles are now 3m instead of 2m, it is likely that piling operations will not only be noisier, but will take at least a third longer than originally planned. This is likely to have a substantial effect on local receptors and should be considered as a material change. At the very least, the Applicants should have consulted with the noise experts to obtain their feedback and include it within this document.

The change to pile depth will also impact the CEMP which has already been submitted to SDDC. This should therefore be revisited to ensure it does not require modification as a result of this proposed change to the DCO. (Link to CEMP documentation: [Planning Application: DMOT/2026/0536](#)).

Change 3 (MV transformer stations) – Operational Noise

The proposed change to MV transformer skids that are now almost double in length and 0.6m taller than the original smaller transformers is clearly going to have a greater impact on the landscape. The fact that they require substantially deeper foundations must also be considered a material change affecting BMV and future decommissioning.

The new transformers are expected to have a sound power level of between 3 and 5dBA higher than the transformers originally modelled and 11dB more than the transformers expected to be installed (where a 10dB increase sounds twice as loud). Whilst the applicant claims that “In simple terms a decrease from 70 to 30 units is a reduction of 3.7 dB”. There are so many parameter changes to consider that this cannot be substantiated without a more detailed review.

It should be noted that the original Noise assessment only considered 62 MV transformer stations (not the claimed 70 units as currently referenced), meaning that baseline operational conditions before this proposed change could also have been underestimated.

The original noise assessment also indicated that the transformers were the only items of plant with significant tonal character, but that the detailed frequency data for the proposed kit was not available. In light of the plans to alter the types of transformers used, it should be checked whether it is now possible to assess the frequency data to identify if it will add to residential nuisance in terms of a distinct tonal quality or low frequency component that should have a sound character weighting added.

Also, as the transformers are taller and larger than before, it is likely that the noise will be less well screened by surrounding infrastructure and will become more dominant in the soundscape. I have not ascertained where the new transformers will be sited, and this too may have an impact on residential nuisance. I think that the details (location, mounting heights, new sound power levels, frequency data etc) need to be reviewed and re-modelled to assess the likely impact on noise levels at the boundary of the site.

Change 4 (Substation) – Operational Noise

I am concerned that the increased height within the substation will elevate the noise source of the transformers meaning that the previous noise models underestimated how noise would be emitted. The increased height of the blast wall may impact sound propagation / reflection from the structure that has not been appropriately assessed.

Change 7 – (Permanent tracks) – Noise / Transport

The increased amount of foundations and a hardstanding around the site, including the elevated track and greater heights / surface area of the solar panels will reflect more noise out of the site, causing an overall increase in noise levels at the site boundary.

In the original noise assessment the following assumption was recorded:

11.125 Predictions of noise are based on hemispherical spreading from point sources with defined sound power levels. Predictions are based on 'Porous' ground ($G=1$) as defined in ISO 199630, except for the areas of solar panels, where mixed 'hard' and 'porous' ground is used ($G=0.5$) to take account of potential reflection from solar panels.

Now that track positions, widths and materials are known, together with the increased extent of the solar panels and other infrastructure, it becomes clear that the ground conditions assumptions are no longer applicable.

Typical values of G can be defined as follows:

- | | |
|--|-----------|
| •Soft, uncompacted ground (pasture, loose soil); snow etc: | $G = 1.0$ |
| •Compacted soft ground (lawns, park areas): | $G = 0.7$ |
| •Compacted dense ground (gravel road, compacted soil): | $G = 0.3$ |
| •Hard surfaces (asphalt, concrete, metal, glass): | $G = 0.0$ |

It is clear that the majority of the site will be made up of hard surfaces, with G levels between 0 and 0.3. The soft ground underneath the solar panels will be completely obscured by the hard surface of the solar panels (which now extend higher and also and closer to the ground than originally proposed) and cover a much greater area than the underlying soil. It is my belief that the noise calculations should be carried out with G values of 0.2 across the site to identify how this impacts on local receptors.

The doubling in height of compacted stone / gravel required for the internal access roads will undoubtedly lead to an increase in transport as the material is brought onto site. This will need to be considered within the Construction Transport Management Plan which has already been submitted to the Local Authority and will therefore have to be rewritten.

The deeper road profiles will also increase the construction duration causing yet more resident disturbance that has not been considered as part of the DCO.

The LEMP for the access tracks has already been submitted to the Local Authority, with the old data (200mm depth material). Will the LEMP for the first three phases of the project be re-submitted following the change to the DCO?

Construction Environmental Management Plan.

The CEMP was submitted to review by the Local Authority on 13/05/26 and is still under consideration.

As a result of this request for change to the DCO, it is clear that the CEMP as submitted is no longer in accordance with the revised proposal and will need to be re-written.

The CEMP did not include detailed information regarding timing, impacts, expected nuisances and control / monitoring protocols for each of the forthcoming Phases of the project,. Instead, the CEMP (and consultation event) was purported to cover the whole project, despite having a timing plan that amounted to only seven lines of information (the seven phases of delivery) and with no principal contractor defined.

The public consultation carried out prior to the submission of the CEMP contained very little information and failed to answer, record or respond to any concerns raised by stakeholders. Nor was the principal contractor defined, or contact details provided in the event of resident concerns. These are key activities that were clearly stated in Requirement 9 of the DCO.

An extract of the Development Consent order relating to the CEMP (also known as Requirement 9) is shown overleaf, I have highlighted areas where I feel the CEMP has not yet met the DCO requirements.

Construction environmental management plans (CEMP)

51.—(1) No phase of the authorised development may commence until a construction environmental management plan (CEMP) for that phase has been submitted to and approved by the local planning authority in consultation with the Environment Agency and Natural England. Any CEMP submitted for approval must be in accordance with the outline CEMP and the construction of any phase of the authorised development to which the CEMP relates must be carried out in accordance with the approved CEMP.

(2) The CEMP for each phase of the authorised development must provide details of—

- (a) community liaison;
- (b) complaints procedures;
- (c) nuisance management including measures to avoid or minimise the impacts of construction works (covering dust, noise and vibration);
- (d) a soil management plan;
- (e) site waste and materials management measures;
- (f) pollution control measures to prevent the introduction of any hazardous substances;
- (g) a water quality and silt management plan;
- (h) security measures and use of artificial lighting;
- (i) a protocol requiring consultation with the Environment Agency in the event that unexpected contaminated land is identified during ground investigation or construction;
- (j) details of out of hours working procedures;
- (k) details of measures to be adopted including pre-construction surveys to protect species defined as a European Protected Species in regulation 42 (European protected species of animals) and regulation 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017(a) or any species to which Part I (wildlife) and Schedule 5 (animals which are protected) of the Wildlife and Countryside Act 1981(b) applies;
- (l) environmental monitoring plan;
- (m) flood risk management measures including surface water management; and
- (n) a habitats constraints plan.

(3) Pre-commencement establishment of construction compounds, preparation of land for construction, construction area fencing and installation of site drainage must only take place in accordance with a specific plan for such works which accords with the outline CEMP and which has been submitted to and approved by the local planning authority in consultation with the Environment Agency.

(4) No site preparation works are to be commenced until a soil management plan covering the site preparation works which accords with the outline CEMP has been submitted to and approved by the local planning authority. Such soil management plan must be implemented as approved.

(5) For the purposes of requirement 9(1) “commence” includes any site preparation works comprising site clearance (including vegetation removal, demolition of existing buildings and structures).

Currently, there is no information on where the construction compounds etc will be sited, therefore item 51(3) of the DCO remains entirely outstanding, and stakeholders have been unable to comment on any potential concerns arising from the proposed location, fencing, drainage, noise or lighting etc.

I am concerned that the Local Authority is being completely overwhelmed by the amount of applications being submitted in relation to this (and other) large scale developments. They do not have the resource or sufficient oversight from experienced planning officers to review the myriad of highly technical papers. As a result they are being pressurised to accept applications with entire sections missing (as per 51.3 above). It is not yet known whether the Local Authority will be approving the CEMP as it stands, but it appears likely.

To illustrate my concerns, I attach separately the file of my objections made on 02/06/26 to the Local Authority regarding the CEMP.

Key points to note are that the CEMP relies on ground infiltration for drainage, but that has been deemed an inadequate solution as a result of the Geotechnical Surveys. The CEMP references a Flood Risk Assessment document that has not been correctly included in any of the referenced Appendices (other than as "Error: Bookmark not defined". And, as noted above, the CEMP fails to meet Requirement 9 (or section 51.3 of the DCO), by not confirming the construction compound locations, which therefore means that the consultation exercise contained no information that was useful to residents.

I would welcome guidance from the Inspector about how the CEMP should be delivered in detail for each phase of the project and how this might translate to multiple consultation exercises throughout the course of the development to keep residents up to date with the evolving plans.

Summary

I believe the requested alterations amounts to a material change of the DCO based on the DCLG guidance which states: "change should be treated as **material if it would require an updated ES** to take account of new, or materially different, likely significant effects on the environment." And "The potential **impact of the proposed changes on local people** will also be a consideration in determining whether a change is material."

It seems as if many of the changes have been brought about by the information contained within the geotechnical survey, which has identified a number of risks including high ground water levels and low infiltration rates. Despite this, Geotechnical Survey has not been included in the documentation supplied to the Planning Inspectorate, nor referenced in the Application.

I am concerned about how the following will affect local residents and road / ProW users:

- Taller solar panels will worsen glint and glare, and landscape effects.
- Larger and louder equipment with unknown frequency characteristics will impact noise levels.
- Noise sources will be operating in an environment with even more hard surfaces reflecting the sound out of the site (noise maps need to be reassessed with a lower ground absorption ratio G).
- The Geotechnical Survey has determined that infiltration is not a suitable drainage strategy, but this has not been discussed in this application.
- Greater area of solar panels will shed more water raising flooding concerns.
- The Flood Risk Assessment document is not referenced correctly.
- Deeper internal access track depths will need more material to be transported to site and also longer construction times.
- Much deeper piles will impact construction noise and timescales.

Furthermore, I remain convinced that the CEMP as originally submitted was inadequate and will need modification in light of the requested changes to the DCO. Other Planning Applications already submitted and/or approved by the local authority (such as the LEMP, CTMP and Detailed Design) may also be affected by these changes and require revision.

Comments relating to application DMOT/2026/0536

Construction Environment Management Plan (CEMP) for Oakland's Farm Solar Park (EN010122)

Requirement 9 - Requirement 9 of the Order states that:

- (1) No phase of the authorised development may commence until a construction environmental management plan (CEMP) for that phase has been submitted to and approved by the local planning authority in consultation with the Environment Agency and Natural England.
- (2) The CEMP for each phase of the authorised development must provide details of—
 - (a) community liaison;
 - (b) complaints procedures;
 - (c) nuisance management including measures to avoid or minimise the impacts of construction works (covering dust, noise and vibration); ... etc.
- (3) Pre-commencement establishment of construction compounds, preparation of land for construction, construction area fencing and installation of site drainage must only take place in accordance with a specific plan for such works which accords with the outline CEMP and which has been submitted to and approved by the local planning authority in consultation with the Environment Agency.

Scope of this CEMP

Firstly, it is clear that the CEMP is much shorter than the Outline CEMP that was approved by the Order. This new document covers 56 pages, that's 23 pages less than the OCEMP. It is important that the two documents are checked to ensure there are no omissions that will negatively impact the environment, community or that weaken the controls that were put in place to achieve approval of this NSIP.

After reading the supplied documentation, it is unclear as to which Phase of the development that this CEMP is written for, or whether it is supposed to apply to the whole project (including pre-commencement works).

Section 1.2.1 suggests that this document relates to the whole of the project:

"The purpose of this document is to provide a clear and consistent approach to the control of construction activities by establishing the main mitigation and control measures that will be utilised to provide robust environmental management throughout the construction period of the consented development."

If it is designed to be applicable for the whole project, then I find the community engagement that was held on 22nd April 2026 at Rosliston Forestry Centre to be wholly insufficient.

Also, Section 1.2.2 indicates that this document does not yet address Section 3 of the Requirement 9 within the Order.

"This document will identify the commitments made by the Applicant to suitably limit the environmental impacts from the construction phase of the development. This will include details to address each point of 9(2). A plan has been produced to address 9(3)."

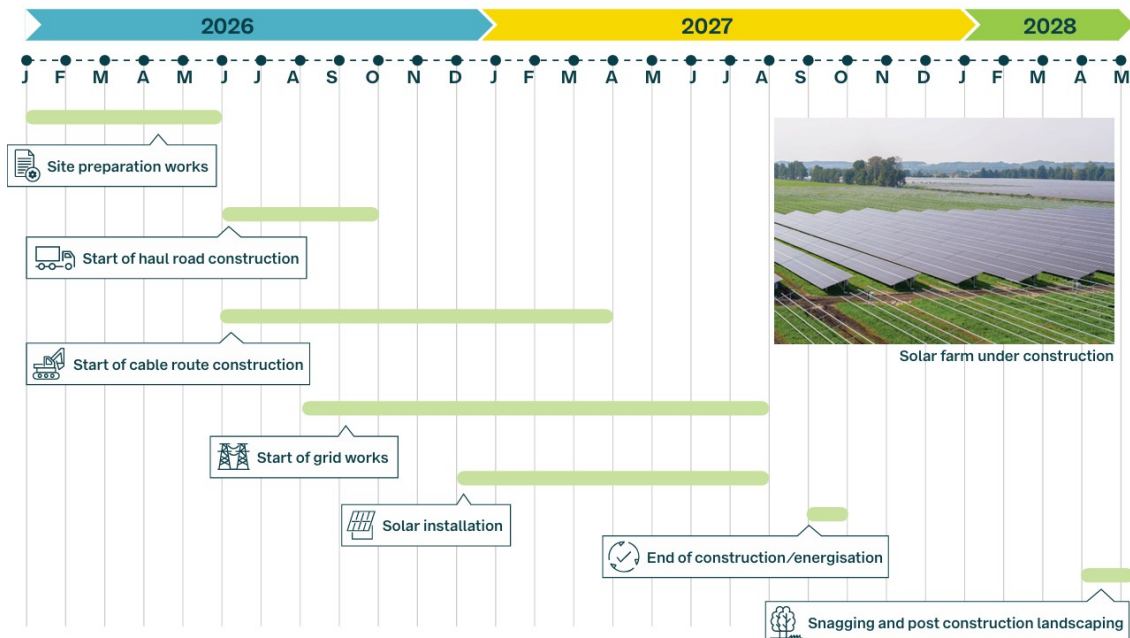
Without the definition of the construction compound locations, fencing and drainage etc (as per 9.3) it is not possible to obtain feedback from the community about these features of the development, and therefore the CEMP cannot be considered to apply to the whole project.

Also, I can see nothing in this document regarding the removal and making good of the temporary haul route once the site has been commissioned, this is likely to cause as much nuisance as the construction and should be similarly managed.

Community Engagement

The community liaison event (22/04/26) held very little information about the forthcoming works other than a vague timeline with just seven activities defined over 2 years.

Indicative construction timeline



I raised several questions at the event, none of which could be answered, nor were these recorded so that they could be communicated to the lead developer for future feedback.

In particular, no one at the event could confirm where the construction compounds would be sited, or where associated fencing and security cameras would be located. This means it would be impossible for any attendees to comment on the potential nuisances from dust, noise, and lighting pollution generated at the compounds.

Section 3.2 of the CEMP states that Community engagement will be held prior to works, and will provide details of the works being carried out, with details of the Principal Contractor being provided so residents have a point of contact to liaise with. None of these requirements were met at the event that was held in April 26.

I think it is reasonable for a Community Engagement timeline to be developed, with regular liaison events scheduled such that residents can comment on the detail of each of the phases once the plans are defined. Whilst the chosen venue of Rosliston Forestry Centre seems reasonably close to the site, the fact that parking fees may dissuade residents from attending should be considered and mitigated.

Security and lighting:

Section 3.4 Security measures on site and 3.5 Artificial Lighting: It is not yet possible for residents to comment on the potential nuisance caused by lighting, generators and CCTV etc as the construction compounds and security fencing locations are not yet defined.

Section 3.5 details when Artificial lighting may be used at the construction compounds and on access routes, it contains several contradictory statements:

- Lighting of temporary construction compounds will be restricted to agreed working hours (one-hour period before sunrise and a one-hour period after sunset) and that which is necessary for security;
- Temporary lighting at construction compounds comprising either 4-6 light towers (up to 4 m in height) in each compound or spotlights mounted on container/welfare units, with just the entry points, walkways and front of storage facilities lit (the whole compound will not be lit up) for one-hour periods prior to the start and end of the working day;

Working hours are defined as 7am to 7pm which may or may not match with sunrise and sunset times throughout the year – which is it to be?

Or – will lighting be used throughout the night as suggested by this statement:

- Temporary lighting overnight comprising downward facing lighting mounted on top of storage containers where materials or equipment is stored.

Working hours

Section 3.7.1 states:

“No working on Sundays, Bank or Public Holidays with prior written agreement of the Local Planning Authority.”

I think this should be “without prior written agreement of the Local Planning Authority.”

Section 3.7.2 states:

To maximise productivity within the core working hours, contractors would require a period of up to one hour before and up to one hour after core working hours for start-up and closedown activities. This would include but not be limited to, movement to place of work, maintenance and general preparation works. This would not include operation of plant or machinery that is audible at the boundary of the Order limits. These periods would not be considered an extension of core working hours.

How will this promise that no plant or machinery will be audible at the site boundary be monitored? If noise monitoring takes place, will the data be available to residents?

Nuisance - Noise

In relation to Construction noise, Section 4.1.6 references BS5228 and proposes setting a lower limit of 65dB La eq over 12 hours. This means that the noise limit is for an average of 12 hours, meaning loud and quiet periods will averaged out.

I think this is unreasonable and a shorter period should be defined (especially as long term earthworks and piling are planned). I would propose the time period should be reduced to 1 or 2 hours to ensure that peak noise levels are not too extreme. (BS5228 does not specify what time period should be used and this can be agreed as appropriate).

Note that BS5228 Appendix E5 has a special section for long term earthmoving activities (such as the building the haul road and cable route) which states:

Based upon the above, it is suggested that the limit of 55 dB $L_{Aeq, 1h}$ is adopted for daytime construction noise for these types of activities but only where the works are likely to occur for a period in excess of six months. Precedent for this type of approach has been set within a number of landmark appeal decisions associated with the construction of ports.

Would it not be reasonable to apply this noise limiting methodology as suggested by BS5228?

Referring back to the Environmental Statement; Chapter 11 on Noise included the following statement:

11.144 As part of the detailed design stage, the Applicant will be required to undertake and submit an operational noise assessment to the local planning authority prior to the start of works on site (DCO requirement 15) to demonstrate that detailed design and plant selected do not demonstrably affect noise sensitive receptors in accordance with the conclusions of this assessment. A noise complaint procedure is also included in the Outline Operational Environmental Management Plan (see Appendix 4.4).

This is also referenced in section 4.1.11 of the CEMP. When and how will this requirement be met?

Nuisance – Vibration

Section 4.1.8 States that the vibration limit set by BS5228-2: 2009 for Peak Particle Velocity is 1mm/sec. Section 4.1.9 says that PPV of 10mm/sec must not be exceeded. How will it be confirmed in practice that these level is not being exceeded during construction? Will monitoring equipment be used at nearby properties and if so, will the data be available for public scrutiny?

Soil Management

Section 4.2.5 states that a suitably qualified Soil Advisor will be employed to: provide training to the site foreman, advise when works can commence or should stop due to rain or ground conditions. Yet, section 4.2.11 indicates the soil surveyor will only be employed between October and March.

Construction of the haul road commences in June along a water corridor which is known to be boggy and susceptible to flooding. Surely the Soil Advisor needs to be employed / contracted for the entire duration of the construction programme to provide training and ensure the Soil Management Plan is adhered to correctly.

There are numerous stop conditions within the Soil Management plan (section 4.2.14 – 4.2.17), and Section 4.2.10 outlines the best practice guidelines that will be followed to protect the soil structure.

For instance:

“Soil shall not be handled or trafficked over/driven on immediately after a heavy rainfall (or snow/hail) in a waterlogged condition, or when there are standing pools of water on the soil surface. Additionally, soil should not be handled or trafficked over/driven on when the ground is frozen or covered by snow.”

And yet, the final bullet point of 4.2.10 states that these rules will be ignored when installing the solar panels:

The installation of the solar panels, will so far as possible, avoid periods of unsuitable weather when soil is likely to be unsuitable for trafficking. Heavy rainfall can affect ground conditions even in summer. So far as possible, trafficking over the land will only take place when the ground is adequately dry, but that is not always possible. The machinery involved in installing the panels is generally smaller than farm machinery, and no long-term damage is likely to ensue.

Solar installation is due to commence in December, when ground conditions are likely to be unsuitable for trafficking. The statement suggesting soil structure will not be harmed is not evidenced and contradicts the entire aims of soil management plan, therefore I think it should be removed.

BESS pollution containment

Within section 4.5.9 there is the following paragraph (on page 40):

To mitigate risks from potentially contaminated water during a fire event at the BESS and the Development's substation compounds, these areas will be mostly impermeable, with water diverted into an underground storage area which can be isolated if required. The BESS will comprise a 100% impermeable sub-base with drainage infrastructure built into or below the sub-base to divert runoff to a lined contaminant tank/pond in the unlikely event of a battery fire. Once in the tank testing, flow control and pumping will ensure the safe discharge and removal of the water. Control valves will be engaged at the earliest detection of a fire to initiate release of the surface and fire water contaminant.

This final sentence seems to suggest that in the event of a fire the contaminated water will be released – surely this is the opposite of what ought to happen? Please clarify and correct if necessary.

Environmental Monitoring Plan.

Appendix 2 contains the environmental monitoring plan. I would like the Local Authority to check that this contains all the necessary risks and appropriate monitoring, mitigations and protections.

Could the authority also comment on the fact that only limited data will be reported externally and they will not be able to access many of records even on request. See the footnote on page 54 relating to the final column in the table:

A record of all observations will be maintained and be made available to the project team.

Only selected issues will be reported externally if required to ensure compliance.

As a local resident, I think it would be beneficial in the interests of transparency to make all monitored data available for public scrutiny, eg: noise, vibration, and dust and air quality. I would like this request to be included in the environmental monitoring plan accordingly.

Further Update June 2026

After reading the later submission which contains the Geotechnical survey (DMOT/2026/0620) I see that the professional opinion in this document is that infiltration drainage is not recommended as none of the infiltration tests were effective due to ground conditions.

8.3.3. Infiltration testing

Section 5.13 summarises the results of on Site infiltration testing. All of the tests failed and therefore it is not recommended to adopt infiltration drainage at the Site.

In light of this evidence, I revisited the CEMP to see how this new information impacted the drainage and flood risk planning. In doing so, I identified that the CEMP mentions relying on water infiltration for drainage of the trackways and substation – which we now know to be unsuitable.

On page 39 the CEMP references an appendix that provides more detail on the drainage strategy:

- The proposed drainage strategy is detailed in the appended FRA (see Appendix C). As far as possible and in accordance with SuDS best practice,

But this document is not appended with the CEMP therefore cannot be reviewed.

Without this information, the CEMP is incomplete and should be re-submitted.

Following up further; I re-opened the Outline CEMP to see if I could find an old version of the Flood Risk Assessment (FRA). [EN010122-000776-EN010122 D6 6.1 Chp4 Appx 4.3 OCEMP Clean.pdf](#)

It transpires that this document dated November 2024 also fails to attach the Flood Risk Assessment as an appendix – here is the extract from the contents page, showing that it is not appended.

Appendix 2 - Work Plans	63
Appendix 3 – Flood Risk Assessment and Drainage Strategy	Error! Bookmark not defined.
Appendix 4 – Habitat Constraints Plans	64

Without this critical document, the CEMP is clearly incomplete and cannot be approved in its present format. This must be grounds for the Planning Team to reject this application.