



Department for
Energy Security
& Net Zero

Darlington Economic Campus
Darlington
DL1 5BF

To:

Our Ref: EN010135

EPL 001 Limited
Kent County Council
The Environment Agency
South East Water
Colt Technologies Limited
Lumen Technologies Limited
OpenReach Limited
Department for Transport

4 September 2025

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by EPL 001 Limited (“the Applicant”) for an Order granting Development Consent for the proposed Stonestreet Green Solar Farm (“the Proposed Development”)

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 19 May 2025, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 11 August 2025. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.
2. **The Applicant, Kent County Council, the Environment Agency, South East Water, Colt Technologies Limited, Lumen Technologies Limited, OpenReach Limited, and the Department for Transport** are requested to provide updates or further information regarding the matters set out below.

Agreements in respect of Kent County Council (“KCC”) land interests

3. **The Applicant and KCC** are asked to provide an update on the status of their negotiations in respect of voluntary agreements for KCC land interests, which are related to flood storage and cable drilling. If agreement has not yet been reached, details should be provided setting out the reasons why, and when agreement is expected to be reached.

Agreements in respect of Environment Agency (“EA”) land interests

4. **The Applicant** and **the EA** are asked to provide an update on the status of their negotiations in respect of voluntary agreements for EA land interests, which are related to flood storage and cable drilling. If agreement has not yet been reached, details should be provided setting out the reasons why, and when agreements is expected to be reached.

Protective Provisions – Statutory Undertakers

5. **The Applicant** and **South East Water** should confirm the status of protective provisions proposed for the benefit of South East Water. If agreement has not yet been reached, details should be provided setting out the reasons why, and if and when agreement is expected to be reached.
6. **The Applicant** and **Colt Technologies Limited** should confirm the status of protective provisions proposed for the benefit of Colt Technologies Limited. If agreement has not yet been reached, details should be provided setting out the reasons why, and if and when agreement is expected to be reached.
7. **The Applicant** and **Lumen Technologies Limited** should confirm the status of protective provisions proposed for the benefit of Lumen Technologies Limited. If agreement has not yet been reached, details should be provided setting out the reasons why, and if and when agreement is expected to be reached.
8. **The Applicant** and **OpenReach Limited** should confirm the status of protective provisions proposed for the benefit of OpenReach Limited. If agreement has not yet been reached, details should be provided setting out the reasons why, and if and when agreement is expected to be reached.
9. **The Applicant** should also confirm if there are any other statutory undertakers for which there are ongoing negotiations in respect of proposed protective provisions. If any other negotiations are ongoing, **the Applicant** should provide an update confirming the status of the proposed protective provisions, the reasons for disagreement, and if and when agreement is expected to be reached.

Easement Rights – Freehold Landowners

10. At Compulsory Acquisition Hearing 1 and 2, the Applicant outlined that it had reached option agreements or signed Heads of Terms with the majority of freehold owners of land within the order limits of the Proposed Development and that it was in advanced negotiations with the few remaining freehold owners where only easements rights are required.
11. **The Applicant** should provide an update on the status of these negotiations. If agreement has not yet been reached, the reasons for this should be set out, and details on if and when agreement is expected should also be provide.

Section 135 Consent – Department for Transport Crown Land

12. On 20 June 2025 the Department for Transport provided a letter confirming that the Secretary of State for Transport has given consent pursuant to sections 135

(1) and 135 (2) of the Planning Act 2008 in respect of various plots of land and thereby agrees to the wording of Article 42 of the draft Order.

13. For the avoidance of doubt, **the Applicant** and **the Department for Transport** should confirm if Crown consent has now been provided for all Department for Transport Crown Land. **The Applicant** should also confirm that all necessary Crown consents and authorisations have been obtained.

Biodiversity Net Gain Requirement

14. The Applicant is invited to comment on the proposed insertion of new subparagraphs (1)(a) and (b) in Requirement 8 of the draft Order, which is shown in *italics* below:

8 - (1) The authorised development must not commence until a biodiversity design strategy has been submitted to and approved by the local planning authority, such approval to be in consultation with the Environment Agency, Kent County Council and the relevant statutory nature conservation body.

(a) The biodiversity design strategy must include details of how the strategy will secure a biodiversity net gain for all of the authorised development during the operation of the authorised development of at least 100% in area-based habitat units, at least 10% in hedgerow units, and at least 10% in watercourse units; calculated using the biodiversity metric published by the Department for Environment, Food & Rural Affairs on 12 February 2024, or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.

(b) The biodiversity design strategy must be substantially in accordance with the outline landscape and ecological management plan, must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates.

Flood Risk Assessment

15. Following the March 2025 publication of the new Environment Agency flood and erosion risk data referenced in [AS-027], the Applicant submitted an updated Flood Risk Assessment at Deadline 5 [REP5-015]. The **Environment Agency** is invited to comment on the updated assessment and confirm whether it is still in agreement with the assessment's conclusions, in line with the signed statement of common ground [REP4-015].

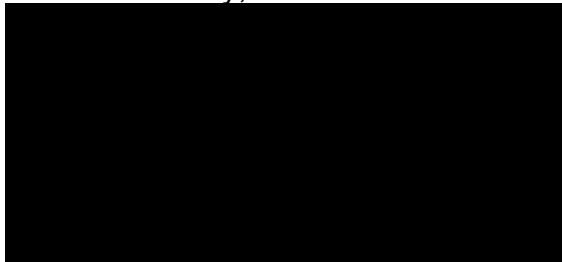
DEADLINE FOR RESPONSE

16. Responses should be submitted by email only **by 23:59 on 12 September 2025** to stonestreetgreensolar@planninginspectorate.gov.uk.
17. Responses will be published on the Stonestreet Green Solar project page of the National Infrastructure Planning website as soon as possible after **12 September 2025**:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010135>

18. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,



Ben Million

Co-Head of Energy Infrastructure Planning