

Planning Inspectorate

[via Planning Inspectorate website &  
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**Our ref:**

XA/2025/100412/01

**Your Ref:** EN010159

**Date:** 28 July 2025

Dear Sir/Madam

**One Earth Solar Farm – Development Consent Order Application**

**Registration as Interested Party and Submission of Written Representations**

Further to our Relevant Representations ref: XA/2024/100116/02 submitted 15 May 2025, we have no additional comments to make at this time, we may have further representation to make when supplementary information becomes available in relation to the project.

The key issues we see as unresolved are highlighted below in our Work Package Tracker, Appendix 2, we are in regular consultation with the applicant to work through these points but yet to confirm our position to address these issues within a Statement of Common Ground.

Yours Faithfully

[Redacted Signature]

**Planning Advisor – National Infrastructure Team**

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**Appendix 1** – Response to Relevant Representations Made by Mr White

**Appendix 2** – Environment Agency Work Package Tracker

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## **Appendix 1 - Response to Relevant Representations made by Mr White**

### **Drinking Water Protected Areas**

Drinking Water Protected Areas (Surface Water) are defined by the Water Environment (Water Framework Directive) (England & Wales) Regulations 2017 (or WFD Regulations) as locations where raw water is abstracted for human consumption providing, on average, more than 10 cubic metres per day, or serving more than 50 persons, or is intended for such future use.

Drinking Water Protected Areas are based on the River Basin Management Plan water body area within which the abstraction is located, in this case, the river Trent from Carlton-on-Trent to Laughton Drain (GB104028058480). Water sources used for drinking supplies are protected under the WFD Regulations to ensure they are not polluted and avoid or minimise the need for additional purification treatment which can be costly and resource intensive. Water companies must also ensure compliance with the Drinking Water Directive and the Priority Substances Directive chemical parameters at the tap, as regulated by the Drinking Water Inspectorate (DWI).

The Environment Agency provides, where available, information to help the Planning inspectorate to assess the environmental risks that could affect the quality of private water supplies, for example knowledge of the local geology, water quality trends and catchment management initiatives. The Environment Agency ensures environmental permits or abstraction licences are not issued for activities that could impact on private water supplies.

### **Environmental Risk Assessments**

Comprehensive environmental risk assessments are conducted to evaluate the environmental impacts on designated drinking water protected areas. This does include assessing impacts on soil degradation and toxic contamination. We have raised concerns with the proposed retention of buried cables following the Decommissioning Phase of the project and require the Applicant to demonstrate that the retention of this infrastructure would not pose an unacceptable risk to sensitive environmental receptors including potable water sources.

The Environment Agency works with the developer to ensure that any associated risks during the construction, operation and maintenance, and the decommissioning phases are mitigated against using best design and management plans available.

### **Micro-plastic risks**

The Environment Agency is actively engaged in understanding and mitigating the impact of microplastics. Current actions include:

- Development of a regulatory framework: The Environment Agency is developing our evidence base to understand how regulation could minimise the impacts of microplastics on the environment. Key areas of work include:
- Identifying the most significant sources and pathways of microplastics to the environment to target regulation effectively.
- Understanding the level at which microplastics cause harm to the environment.

- Identifying areas of high contamination and environmental sensitivity to microplastics so that we can focus on areas most at risk.
- Producing potential regulatory options for further analysis.

At the present time, the Environment Agency does not have a regulatory position statement and no regulatory standards currently exist to define unacceptable concentrations of microplastics in groundwater. However, as outlined above there is ongoing work to establish the impacts from these contaminants. We anticipate that by the time that decommissioning arrangements are being finalised, a regulatory position will be available that will inform the method of decommissioning of onsite underground cables.

Section 1.1.6 of the Outline Decommissioning Environmental Management Plan produced by the Applicant states the following:

*“The mode of cable decommissioning for the grid connection and other underground cables will be dependent upon government policy and best practice at that time. Currently, the most environmentally acceptable option is leaving the cables in situ, as this avoids disturbance to overlying land and habitats and to neighbouring communities. Alternatively, the cables can be removed by opening the ground at regular intervals and pulling the cable through to the extraction point, avoiding the need to open cut the entire length of the cable route.”*

We will expect to see commitments to the use of standard construction good practice methods to manage surface water, siltation, spills and leaks and other issues for all elements of the Scheme within the Outline Construction Environmental Management Plan (OCEMP) and its supporting documents. When this document is submitted for review, we will be able to work with the developer to ensure that it provides sufficient mitigation to prevent unacceptable impacts to controlled waters.

#### Water Framework Directive Specialist

Our role is to provide expert and impartial advice directly to the applicant and the Planning Inspectorate in accordance with statutory requirements. We are committed to maintaining regular communication with the applicant to ensure that our input is fully considered throughout the process and do attend meetings between the applicant, their representatives and ourselves. We do not routinely attend community or third-party meetings, as this falls outside our statutory remit.

The Environment Agency does not consider there to have been a failure to provide a WFD specialist. Technical specialists in Groundwater and Contaminated Land, Water Resources and Water Quality have been involved with the developers since the pre-application of the project.

The [Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK](#) was advised by the EA to the developer in July 2024, as part of the Section 42 of the Planning Act (2008) when the EA had a duty to consult on the Preliminary Environmental Information Report for One Earth Solar Farm. This information was re-given to the developer in January 2025. Subsequently, the applicant has submitted a WFD Stage 1 Screening Assessment which we are in consultation with them directly to ensure the requirements of the WFD are met.

#### What is a Stage 1 Screening Assessment

A Stage 1 Screening Assessment will illustrate all relevant WFD waterbodies (including groundwater) on a map/plan, identify zones of influence based on

activities/characteristics of the project that could affect the identified waterbodies and identify any specific activities/characteristics that could be screened out and why.

### Environmental Framework

For Nationally Significant Infrastructure Projects such as One Earth Solar Farm the Environment Agency is designated as a mandated party for consultation purposes under the Planning Act 2008 (PA2008) and related secondary legislation. Via statutory consultations from the Planning Inspectorate, we will review relevant documents relating to our remit regarding the scheme and provide detailed comments in response, where necessary. Whilst reviewing documents, we ensure that they conform to relevant legislation, national and local planning policies and national and local guidance.

## **Appendix 2 – Environment Agency Work Package Tracker**

<b>Biodiversity Net Gain</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<p>EAFBG-004 - Lack of detail on the creation and management of habitats though BNG processes.</p> <p>EAFBG-005 - Lacking detail in the BNG map in addition no BNG metric calculator is supplied.</p> <p>EAFBG-006 - Clarity needed on the watercourses included within the metric, some may be missed/classified as ditches.</p> <p>EAFBG-007 - Use of culvert as habitat type in post development scenario is not appropriate.</p>
<b>Decommissioning Management Plan (DMP)</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<p>EAFBG-012 - Post decommissioning plan needs putting in place to ensure left in situ cables don't have an adverse affect on water quality.</p>

Ecological Assessment	Not Agreed	Not Agreed	Not Agreed	Not Agreed	<p>EAFBG-001 - Fish species missing from EIA, only river lamprey and sea lamprey have been assessed.</p> <p>EAFBG-002 - Protected fish species have not been included within Table 3-1 Extended Habitat Survey.</p> <p>EAFBG-003 - No fish species are included within the desk study (appendix 6.2).</p> <p>EAFBG-008 - Construction phase effects on mammals has not been identified.</p> <p>EAFBG-009 water vole populations/locations need to be considered when undertaking crossings.</p> <p>EAFBG-010 - a biosecurity plan should be developed including an INNS monitoring and eradication plan is developed.</p> <p>EAFBG-011 - Water vole survey was undertaken outside of optimal survey season</p>
Water Environment Report / WFD	Not Agreed	Not Agreed	Not Agreed	Not Agreed	<p>EAFBG-012 - Watercourse sensitivity not identified correctly.</p> <p>EAFBG-011 - Impacts on WFD waterbodies through the use of culverts</p>

Flood Risk Assessment	Not Agreed	Not Agreed	Not Agreed	Not Agreed	<p>EAFR-001 - panels indicated to be submerged by 600mm, assessment needed for the panels which will not remain operational, justification needed</p> <p>EAFR-002 - Proposals of voids under inverter stations which could cause increases in offsite flood risk, justification needed and maintenance plan.</p> <p>EAFR-003 - Construction phase impacts have not been identified.</p> <p>EAFR-004 - Details of proposed crossings (above and below ground) have not been provided, impacts on water course and flood defences need to be identified.</p> <p>EAFR-005 - Maintenance plans for debris clearance and upkeep of panel legs have not been provided.</p>
Detailed Flood Modelling (Flood Risk Assessment)	Working on solution	Working on solution	Working on solution	Working on solution	<p>EAFM-01 - proposed bridges must sit above the design flood level</p> <p>EAFM-02 - Flood flows from areas where the panels sit below the design flood level could have an effect on flow rates which has not been quantified.</p> <p>EAFM-03 - Grid references for the catchments where the ReFH2 peak flows were</p>

					calculated need to be included.
<b>Water Environment Report / WFD</b>	<b>Working on solution</b>	<b>Working on solution</b>	<b>Working on solution</b>	<b>Working on solution</b>	
<b>WFD Assessment</b>	<b>Working on solution</b>	<b>Working on solution</b>	<b>Working on solution</b>	<b>Working on solution</b>	
<b>Decommissioning Management Plan (DMP)</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	
<b>Hydrogeology Sensitivities</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<p>EAGWCL-003 - Greater clarity needed on WFD classification/magnitude of impacts.</p> <p>EAGWCL-006 - SPZs presumed to not be connected to the underlying Superficial Secondary A aquifers.</p> <p>EAGWCL-011 - Firefighting water containment and unlined features associated with the BESS could cause contamination to aquifer</p> <p>EAGWCL-008 - no commitment has been made to the production of a hydrogeological risk assessment for watercourse crossings.</p> <p>EAGWCL-012 - Automatic penstock valve not specified to ensure firefighting water does not discharge into surface water drainage.</p>



					EAGWCL-013 - Uncited source of data supporting statement associated with fire runoff water.
<b>Surface water and Groundwater abstractions, pollutions incidents and discharge consents Report</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAGWCL-002 - No referance to private groundwater abstractions has been made and it is unclear what infomation sources have been used to identify the discussed groundwater abstractions.  EAGWCL004 - Figure 8.7 shows additional groundwater abstraction point which may not be considered.
<b>Contaminated Land</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAGWCL-001 - Requirement 21 (2) of Draft DCO, incorporation of all parts of the proposed development to be included not just the area for site investigation.  EAGWCL-007 - No commitmnt made to mitigate the risk of unexpected contamination being dicovered.  EAGWCL-010 -

					Drilling fluid breakout plan has not been included.  EAGWCL-009 - potential for cables left in situ to cause contamination to groundwater.
<b>Piling Risk Assessment</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAGWCL-005 - no commitment to producing a Foundation Works Risk Assessment (this could be completed through the oCEMP)
<b>Waste Management Strategy</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	
<b>Battery Safety Management Plan (BSMP)</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	
<b>Decommissioning Management Plan (DMP)</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	
<b>Modelling</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	
<b>Water Supply Strategy</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAWR-001 - Recommendation of a water resources strategy to ensure demands can be met.
<b>Water Resources Assessment</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAWR-001 - Anglian Water asks for a Water Resources Assessment to be completed to understand water demands.
<b>Consents Strategy</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	<b>Not Agreed</b>	EAGCC-01 - Delays to the delivery of the scheme where consents and agreements are insufficiently comprehensive, to ensure the EA can effectively deal with permit applications.