



Application by One Earth Solar Farm for an Order Granting Development Consent for the One Earth Solar Farm

The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO)

Article/ schedule etc.	ExA's Proposed Changes	ExA's Reasoning
Part 6 Article 36 (4) page 30	(4) Where the consent of the Secretary of State is not required, the undertaker must notify the Secretary of State, and the relevant planning authorities	The addition of the word and makes for clearer reading of the article
Schedule 1 Authorised Development Work No 2 (i) Page 37	acoustic fencing or acoustic barriers	The design of the acoustic treatment has yet to be determined, by providing an alternative there is a greater opportunity to ensure that the most environmentally sensitive solution is delivered where additional acoustic protection is required
Schedule 2 Requirements 1. (a) page 40	The addition at (i) Requirement 4 (requirement for written approval), subsequent renumbering of (i) – (vi)	To ensure that that where appropriate for their respective functions the written approval of the County Councils is required.
Requirement 12 (1) (b) Archaeology page 44	any additional trial trenching required pursuant to the approved archaeological mitigation strategy to inform the approach to mitigation has been carried out in accordance with the outline written scheme of investigation and the approved archaeological mitigation strategy	Addition of the clarifies the sentence

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Additional Requirement No. 22	Notwithstanding the provisions of Class B of Part 15 (electricity undertakings) of Schedule 2 to the 2015 Regulations, (or any order revoking and re-enacting that Order with or without modification) no building is to be provided within the Order limits unless otherwise agreed by the relevant planning authority.	<p>The extent of permitted development rights over the whole of the order limits, the ExA remain concerned that despite the submissions made at ISH1 and as set out subsequently in [REP1-077] the justification and need for permitted development rights for the full extent of the Order Limits is not justified.</p> <p>Significant areas of land are provided to be mitigation or excluded from having structures on them as it is recognised to do so would result in a degree of harm that is not appropriate. The ExA are concerned that these areas are neither necessary for operational reasons nor is it justified for the full extent of permitted development rights to apply over such a wide area.</p> <p>While the ExA understands the argument presented in respect of the ES and the definition of 'materially new or different' may give some degree of protection, this does not give the certainty that the removal of permitted development rights would achieve. The ExA would welcome the views of the relevant planning authorities and the applicant on this wording.</p> <p>The ExA would invite each party to provide a revised wording for the SoS consideration on a without prejudice basis.</p>



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		<p>The ExA also recognise there may be alternative ways of approaching this for example defining a plan which would exclude certain areas from being included within the definition of operational land, or a more defined limitation on the restrictions on specific elements of the permitted development rights.</p> <p>The ExA remain open to considering all options and would welcome representations from all parties on this matter.</p>