

[REDACTED]

From: Stephen Fox [REDACTED]
Sent: 14 June 2026 19:02
To: One Earth Solar
Subject: Formal Response to the Secretary of State's Consultation Letter of 21 May 2026 and the Applicant's Submissions of 25 May 2026
Attachments: Cumulative Flood Impact Assessment of Saturated Post-.pdf; INDEPENDENT HYDROLOGICAL & HYDRAULIC ASSESSMENT.pdf; BESS Material Non-Compliance^J Administrative Failure^J and [REDACTED] Substitution of Regulatory Baselines in the Outline Battery Safety Management Plan.pdf; BESS Material Non-Compliance^J Administrative Failure^J and [REDACTED] Substitution of Regulatory Baselines in the Outline Battery Safety Management Plan.pdf; MANIFEST ERROR OF LAW, MATERIAL INDUCTION OF SYSTEMIC COMPLACENCY, AND EVIDENCE OF TERMINAL FLOOD RISK EVASION.pdf

To [REDACTED]

Head of Planning

Department of Energy Security & Net Zero 3-8 Whitehall Place London, SW1A 2AW

By Email: oneearthsolar@planninginspectorate.gov.uk

Date: 14 May 2026

Reference: EN010159 – Application by One Earth Solar Farm Limited **Interested Party**

Reference: [REDACTED] **Subject:** Formal Response to the Secretary of State's Consultation Letter of 21 May 2026 and the Applicant's Submissions of 25 May 2026

Dear Mr. Dawkins,

I am writing in direct response to the Secretary of State's consultation letter dated 21 May 2026. This letter serves to formally introduce my four attached technical and legal papers, which constitute my response to the Applicant's post-examination submissions of 15 May 2026. Please ensure that they are published individually and given individual reference numbers.

By means of this submission, I am putting the Secretary of State on formal notice that the safety case for the One Earth proposal has not been made, and that the surrounding region is currently exposed to a [REDACTED]. Furthermore, a rigorous evaluation of the Applicant's own Outline Battery Safety Management Plan (oBSMP) makes it unequivocally clear that it would be fundamentally unsafe to grant a Development Consent Order (DCO) based on the submitted parameters.

I must also draw the Secretary of State's urgent attention to the profoundly inadequate responses provided by the Environment Agency (EA) and the Lead Local Flood Authorities (LLFAs). Their submissions confirm that their regulatory positions are [REDACTED]. They remain intractably wedded to the [REDACTED] established during the examination. Furthermore, their on-the-record admissions of technical incapacity and lack of resourcing mean that it would represent a [REDACTED] to allow these bodies to privately adjudicate this proposal post-consent.

These [REDACTED] by their failure to integrate critical, supervening regulatory and policy developments. They appear to be operating entirely oblivious to the Environment Agency's own NaFRA2 mapping updates deployed in May 2026, as well as the national planning policy updates issued in January and March 2026. Under the strict statutory commands of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, the substance of these updates reflects the "current knowledge and methods of assessment" as it existed during the examination and which they were legally required to be utilising throughout the entirety of the examination.

Considering the uncontradicted empirical evidence detailed in the four enclosed papers, I respectfully submit that the proposed infrastructure is [REDACTED]. I urge the Secretary of State to recognize these [REDACTED] and refuse development consent for the One Earth Solar Farm.

Reservation of Rights and Non-Waiver (Litigant in Person)

This submission is made under explicit protest and strictly without prejudice to this Interested Party's established position regarding the [REDACTED] that has compromised this process. For the avoidance of doubt, the Secretary of State has operated under formal notice of [REDACTED] since the direct service of this Interested Party's technical paper and legal notice on 31 October 2025.

The continued active participation of this Interested Party in this post-examination consultation is legally compelled by the statutory framework of the Planning Act 2008 solely to maintain standing. This action does not constitute, and must not be interpreted as, an implied waiver, acceptance, or validation of any alleged procedural impropriety, [REDACTED], or [REDACTED]. Engaging in this consultation does not cure the [REDACTED] identified herein, nor does it immunize the [REDACTED] from secondary legislation. All rights to seek Statutory Appeal and Judicial Review in the Planning Court against the final Development Consent Order decision are fully and strictly reserved.

Yours sincerely,

Stephen Fox [REDACTED]

Interested Party Reference: [REDACTED]

Enclosures (4):

1. Cumulative Flood Impact Assessment of Saturated Post-Development Solar Infrastructure on 62 Communities in the River Trent and River Witham Catchments
2. Independent Hydrological & Hydraulic Assessment Report
3. Formal Submission on the Outline Battery Safety Management Plan (oBSMP) Revision 08
4. Submission on Manifest Error of Law, Material Induction of Systemic Complacency, and Evidence of Terminal Flood Risk Evasion

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