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Examining Authority
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Our ref: OR-0001687/01

Your ref: EN010168

Interested Party ref: [REDACTED]

Date: 30 April 2026

Dear Examining Authority

Lime Down Solar Park- Development Consent Order (DCO) Application

Environment Agency Written Representation

This letter constitutes the Environment Agency's Deadline 1 Written Representation to the above mentioned DCO application.

PDA-008 7.9 Biodiversity Net Gain Assessment Appendix Statutory Biodiversity Metric Calculation

We do not have any comments to make on this document.

APP-016 Draft Development Consent Order (dDCO)

Requirements 6: Battery safety management; 11: Surface and foul water drainage; 13 Construction environmental management plan; 14 Operational environmental management plan and 20 Decommissioning and restoration

We are proposed to be a consultee on the above requirements. The use of the word 'substantially' in the dDCO requirements undermines the enforceability of proposals and/ or may erode the environmental protections put in place. The overarching plans provide a large scope for the detail to come later, and the Rochdale envelope applies – thus flexibility is built into the process.

To resolve this matter, we request the words 'substantially' be removed from the requirements identified.

Requirement 17: Soil Management

Following further consideration we agree not to be a consultees on requirement 17. We are listed as a consultee in relation to the surface water drainage scheme to be approved under Requirement 11, so this provides appropriate oversight of matters within our remit that may affect ground conditions and soil quality.

Schedule 16 Procedure for Discharge of Requirements

As a named consultee on the discharge of several Requirements, we request the provision of at least 21 calendar/ 15 business days in which to respond to the discharge authority. This should be reflected in the dDCO.

Water Quality

In addition to our Relevant Representation ([RR-1394](#)), we would like to make the following comments following further discussion with the Applicant to improve document consistency and clarify construction mitigation for water quality.

Document reference:

APP-063 [EN010168-000598-6.1 Chapter 11 Hydrology, Flood Risk and Drainage.pdf](#)

APP-279 [EN010168-000551-7.14 Outline Decommissioning Strategy.pdf](#) (ODS)

In APP-063 section 11.10.64 suggests that welfare facilities in operation could be self-contained septic tanks. The Applicant should make it clear that there will be no discharge to the environment.

We note that section 11.4.1 says “there will be no ongoing foul water discharge from the Scheme” and section 11.10.27 on welfare facilities for construction says that the “units are sealed, require no connection to on-site drainage infrastructure”. We recommend that this phrasing is repeated for operation.

Section 11.10.67 and Table 5 in the ODS does not include any mention of welfare facilities during decommissioning so this should be updated for consistency.

If road transport to an offsite disposal facility is required, there should be regard for this within the waste management procedures.

Document reference:

APP-063 [EN010168-000598-6.1 Chapter 11 Hydrology, Flood Risk and Drainage.pdf](#)

APP-276 [EN010168-000548-7.11 Water Framework Directive Assessment.pdf](#) (WFD)

APP-277 [EN010168-000549-7.12 Outline Construction Environmental Management Plan.pdf](#) (OCEMP)

APP-278 [EN010168-000550-7.13 Outline Operational Environmental Management Plan.pdf](#) (OOEMP)

APP-279 [EN010168-000551-7.14 Outline Decommissioning Strategy.pdf](#) (ODS)

Construction water quality monitoring will be based on “visual observations and reviews of Environment Agency’s automatic water quality monitoring network”. The Applicant should confirm if any onsite measurements and samples, for the purposes of water quality monitoring is intended.

We note that Table 5 of the OOEMP and ODS, also say in their Monitoring requirements “A Water Management Plan (which will form part of a detailed CEMP) will include details of pre-construction, construction, and post-construction water quality monitoring.” We ask the Applicant to consider if water quality monitoring is intended in all phases, then the wording should be updated to include the OEMP and DS to reflect all phases. We support water quality monitoring being included in the OOEMP, as the Applicant has already committed to a ‘post-construction’ phase. As the impacts of Decommissioning are expected to be similar to Construction, we

support water quality monitoring being included in the ODS.

We recommend a frequency of at least once per month, which should start at least six months prior to construction. During construction, we suggest the frequency of sampling should increase, i.e. every two weeks during the first three months of construction, and during any earthworks or concrete work. Monitoring should continue all throughout construction, and for six months after construction. The monitoring plan will include enough monitoring samples to detect any variation as a result of seasons or weather conditions.

The methodology is to be determined by the Applicant and their contractors. We recommend a commitment that any water samples collected use Monitoring Emissions to Air, Land and Water (MCERTS) accredited methods, where applicable. These would be sent to a United Kingdom Accreditation Body (UKAS) accredited laboratory for analysis.

Document reference:

APP-063 [EN010168-000598-6.1 Chapter 11 Hydrology, Flood Risk and Drainage.pdf](#)

APP-277 [EN010168-000549-7.12 Outline Construction Environmental Management Plan.pdf](#) (OCEMP)

APP-279 [EN010168-000551-7.14 Outline Decommissioning Strategy.pdf](#) (ODS)

Water Quality Mitigation during construction

1. Vehicle washdown and refuelling was specified to be carried out in designated areas, we request that this is committed to being in an impermeable area, at least 10m away from the top of bank of watercourses.

We note that Table 5 of the OCEMP says that “Equipment and plant are to be washed out and cleaned in designated areas within the Sites’ compound where runoff can be isolated for treatment before disposal.” However, the method of disposal is unknown.

2. Concrete can be a risk to water quality as it is a known source of hazardous substances, particularly during the curing phase.

We have identified that Table 5 of the OCEMP says “Suitable facilities for concrete wash water (e.g. geotextile wrapped sealed skip, container or earth bunded area) will be adequately contained, prevented from entering any drain, and removed from the Sites for appropriate disposal at a suitably licenced waste facility.” The second part of this could be copied into Chapter 11 for consistency.

Concrete mitigation measures during concrete laying should:

- Identify all areas where concrete works are proposed
- Specify whether any of these will be cast in situ or precast and delivered
- For in situ concrete pours, suggest timing, weather conditions, and runoff control. These construction works should be minimised during heavy precipitation events and carried out during dry months where practicable.

3. Where previous advice said, sediment capture methods should be used on tracks and compounds, we request that further information on Sustainable Drainage Systems (SuDS) types are provided. There should also be a commitment to SuDS maintenance throughout all phases to ensure that they remain in good condition and can provide sufficient water quality treatment.

4. Fuels, oils and chemical advice previously stated they should be in impermeable ground and sufficiently bunded. However, we acknowledge that this is already committed to in section 11.9.4.

We request using containers which are covered (to prevent rainfall getting into them) and in bunded areas which can retain 110% of the volume. Oil interceptors and double-skinned tanks could be used.

5. In addition to these construction activities mentioned in our Relevant Representation we request that the Applicant provides more information on wheel wash water disposal. It is unclear how wash water will be contained and disposed of.

It should be ensured by the Applicant that these activities will be undertaken within a designated impermeable or lined area and should not be allowed to discharge into a watercourse.

Any Sustainable Drainage Systems (SuDS) incorporated around wheel washing facilities should provide sufficient treatment for suspended sediment, metals and hydrocarbons.

We note that Table 5 of the CEMP says “No discharges from any self-contained wheel wash and localised wheel wash will be permitted to discharge directly into any surface water system.” However, the Applicant should confirm if they intend for them to be treated by SuDS first, before onsite discharge.

6. We recommend the ODS states that all measures of Storage of Materials, Discharge/Disposal of Site Runoff, Temporary Drainage, and Spillage Risk included in the OCEMP are also included for the Decommissioning Phase.

Document reference:

APP-063 [EN010168-000598-6.1 Chapter 11 Hydrology, Flood Risk and Drainage.pdf](#)

APP-276 [EN010168-000548-7.11 Water Framework Directive Assessment.pdf](#) (WFD)

Watercourse buffers

We support the use of 10m watercourse buffers as this is in line with best practice. If distances are not sufficiently away from the edge of the watercourse, then it can increase the risk of contamination in the event of a pollution incident.

Document reference:

APP-063 [EN010168-000598-6.1 Chapter 11 Hydrology, Flood Risk and](#)

[Drainage.pdf](#)

Horizontal Directional Drilling (HDD)

We request that the Applicant commits to ensuring that entry and exit pits are at least 10m away from the top of bank of watercourses.

Additionally, where bentonite pellets are used for the drilling fluid the Applicant should commit to PFAS (per- and polyfluoroalkyl substances)-free pellets.

Current Position

We are working with the applicant on a Statement of Common Ground which will set out our latest position on the issues raised in our Relevant Representation ([RR-1394](#)).

Should you have any queries regarding this response, please contact me.

Yours sincerely,


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