Planning Department
South Holland District Council
Council Offices
Priory Road
Spalding
PE11 2XE

via Planning Portal submission 08/07/2024

To whom it may concern,

Ref: Section 73 Application for ref: H18-1126-20 Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9MW with associated infrastructure and landscaping.

Please find enclosed information relating to a Section 73 application requesting a variation of condition following the grant of planning permission ref: H18-1126-20.

H18-1126-20 received approval from South Holland District Council on 12/03/2021 for 'Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with capacity of up to 49.9MW with associated infrastructure and landscaping'.

The development is currently in the late stages of construction.

Condition 10 of the approval states:

"The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Arcus Consultancy Services, dated November 2020) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- *Non-flood sensitive infrastructure (i.e. PV arrays, cabling, inverters and transformer sets) shall be located 300mm above the potential flood depths for the 0.5% (1 in 2000 year) overtopping event including for climate change. Stilts are to be utilised where applicable to provide flood protection for the transformer and inverter units.*
- *The electricity sensitive infrastructure (i.e. the substation compound) shall be located above the 0.1% (1 in 1000 year) breach event including climate change.*
- *A continuous flood protection bund shall encircle the substation compound with a finished crest level no lower than 2.61 metres above Ordnance Datum (AOD).*

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding."

This Section 73 Application is to regularise a change in the specification of the flood protection surrounding the substation compound of the Sutton Bridge Solar Farm and to correct an error in the condition wording.

Background

The Flood Risk Assessment prepared by Arcus Consulting Services Ltd (November 2020) which accompanied the H18-1126-20 planning submission provides details (Page 4) of the original consultation undertaken with the Environment Agency (EA). Consultation with the EA confirmed that non-flood sensitive infrastructure such as photovoltaic (PV) arrays, cabling, inverters and transformer stations should be designed to be resilient to the 1:200 year plus climate change overtopping event and electrically sensitive aspects of the Development such as the substation compound to be flood resistant for the 1:200 year plus climate change for breach event (Arcus Consultancy Services Ltd, November 2020).

The electrically sensitive aspects of the Development were proposed in the planning application design to be flood resistant against the 1:1,000 year plus climate change breach event, going above and beyond the 1:200 year EA requirement.

Additional consultation was undertaken during late 2023 and early 2024 with the EA to discuss the implementation of the project and reconfirm the latest design parameters to be used. The EA confirmed the modelling parameters in writing on 19th March 2024 and their response is enclosed further clarification was sought and confirmed in May 2024. The parameters are that the mitigation is set according to the 2115 0.5% (1:200) breach of defences tidal flood depths.

Following this updated advice, the owner/operator of the Site, EDF Renewables is applying to update the bund design specification for the electrically sensitive aspects of the Development (the substation) to reflect the latest Environment Agency advice and to also correct the erroneous value of 2.61 metres AOD referred to in the existing planning condition.

This results in revised specifications for the proposed flood protection bund to encircle the substation which are a crest height of 4.18 m Above Ordnance Datum (AOD) (0.33 m flood depth plus 3.55 m AOD plus 0.3 m freeboard). This equates to a bund height of approximately 0.63 m Above Ground Level (AGL).

Proposed Amendment to Condition 10

The following documents accompany the Section 73 application:

- Application Form;
- Flood Risk Statement (Raincloud Consulting, July 2024).

The proposed amendments to the condition wording are set out in the table below:

Existing Wording	**Proposed Amendment**	**Reason**
Planning Condition 10		
The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Arcus Consultancy Services Ltd, dated November 2020) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:	The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Statement (prepared by Raincloud Consulting, dated July 2024), unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:	A Flood Risk Statement has been provided with this application addressing the modelling parameters agreed with the EA.
- Non-flood sensitive infrastructure (i.e. PV arrays, cabling, inverters and transformer sets) shall be located 300mm above the potential flood depths for the 0.5% annual exceedance probability (AEP) (1 in 200 year) overtopping event including for climate change. Stilts are to be utilised where applicable to provide flood protection	No change	N/A

Existing Wording	Proposed Amendment	Reason
for the transformer and inverter units.		
- The electricity sensitive infrastructure (i.e. the substation compound) shall be located above the 0.1% AEP (1 in 1,000 year) breach event including climate change.	- The electricity sensitive infrastructure (i.e. the substation compound) shall be located above the 0.5% AEP(1 in 200 year) breach event including climate change.	The Environment Agency advice to design to 0.5 % AEP (1 in 200 year) breach event has been followed, as set out in the updated Flood Risk Statement (July 2024) that accompanies this application.
- A continuous flood protection bund shall encircle the substation compound with a finished crest level no lower than 2.61 metres above Ordnance Datum (AOD).	- A continuous flood protection bund shall encircle the substation compound with a finished crest level no lower than 4.18 metres above Ordnance Datum (AOD).	Corrects an error in the previous condition and applies the correct design flood level as set out in the updated Flood Risk Statement that accompanies this application.

The Applicant therefore requests that condition 10 is revised to read:

"The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Raincloud Consulting, dated July 2024), unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- *Non-flood sensitive infrastructure (i.e. PV arrays, cabling, inverters and transformer sets) shall be located 300mm above the potential flood depths for the 0.5% (1 in 200 year) overtopping event including for climate change. Stilts are to be utilised where applicable to provide flood protection for the transformer and inverter units.*
- *The electricity sensitive infrastructure (i.e. the substation compound) shall be located above the 0.5% (1 in 200 year) breach event including climate change.*
- *A continuous flood protection bund shall encircle the substation compound with a finished crest level no lower than 4.18 metres above Ordnance Datum (AOD)."*

Please let me know if you require any further information to support this Section 73 application.

Yours sincerely,



Miss Bryony Clement
Environmental Consultant

For and on behalf of Envams Ltd.

Encs. Environment Agency Advice, 19th March 2024