



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# **SCOPING OPINION:**

## **Proposed Oaklands Farm Solar Project**

**Case Reference:** EN01022

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**September 2021**

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# 1. INTRODUCTION

## 1.1 Background

- 1.1.1 On 20 August 2021, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from Oaklands Farm Solar Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Oaklands Farm Solar Project (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled Oaklands Farm Solar Park Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
  - (b) *the specific characteristics of the development;*
  - (c) *the likely significant effects of the development on the environment; and*
  - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) *a plan sufficient to identify the land;*
  - (b) *a description of the proposed development, including its location and technical capacity;*
  - (c) *an explanation of the likely significant effects of the development on the environment; and*
  - (d) *such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on '*the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*'.
- 1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations.

## **1.2 The Planning Inspectorate's Consultation**

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.
- 1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is

provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.

- 1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

## **2. THE PROPOSED DEVELOPMENT**

### **2.1 Introduction**

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

### **2.2 Description of the Proposed Development**

2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity (where relevant) is provided in Scoping Report Chapter 3: Project and Site Description.

2.2.2 The Proposed Development consists of the construction and operation of a solar photovoltaic (PV) electricity generating facility with associated infrastructure, including battery storage and connection to the national grid. The Proposed Development is anticipated to have a combined installed capacity of approximately 200MW. This would result in a maximum generating capacity of 163 megawatts (alternating current) of solar power and 37.5 megawatts of energy storage.

2.2.3 The Scoping Report states that once operational, the infrastructure will include the following:

- solar PV modules incorporating solar panels;
- PV module mounting structures;
- transformers;
- inverters;
- on-site cabling;
- over-head lines;
- fencing and security measures;
- access tracks; and
- an electric compound including battery storage facility, substation and control building and electrical connection to the national grid.

2.2.4 It is expected that the specific quantities of technologies required will be detailed in the ES once this has been determined.

2.2.5 The proposed application site is located to the south east of Walton-on-Trent in South Derbyshire in the administrative area of South Derbyshire District Council. The site is in close proximity to East Staffordshire and Lichfield Districts. To the north of the site is the decommissioned Drakelow Power Station where the Proposed Development is proposed to connect to the national grid. To the east of the site is the village of Rosliston.

- 2.2.6 The site is 177 hectares in area and comprises mostly of land within the Oaklands Farm and Park Farm land-holdings which are currently used for arable crops and grazing.

## **2.3 The Planning Inspectorate's Comments**

### **Description of the Proposed Development**

- 2.3.1 The description of the Proposed Development within the Scoping Report is relatively high level (at this stage) which does affect the level of detail possible in the Inspectorate's comments. In particular the Inspectorate notes that approximate dimensions of the energy storage facility, which is likely to be a prominent feature of the Proposed Development, have not been provided in the Scoping Report, nor have details regarding the number and dimensions (including maximum heights) of the solar PV modules proposed.
- 2.3.2 The Inspectorate expects that at the point when an application is made, the description of the proposed structures will be sufficiently developed to include the design, dimensions and locations of the different elements of the Proposed Development. This should include the footprint and heights of the structures (relevant to existing ground levels), including security fencing, and height and location of cctv, as well as land-use requirements for all phases and elements of the development. The description should be supported (as necessary) by figures, cross-sections and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out the design parameters that would apply and how these have been used to inform an adequate assessment in the ES. Where specific details are not known, a worst-case scenario or maximum figures should be used.
- 2.3.3 The ES should include a description of the location of the development and description of the physical characteristics of the whole development, including the land-use requirements during construction and operation phases.
- 2.3.4 The ES should provide details of the locations for sections of cabling which will be underground. Information should be included regarding the techniques which will be used, ie open trenching or tunnelling. The routes for the underground cabling should be assessed for potential impacts on habitats, soils, watercourses etc and also for existing utilities in the area such as gas pipelines. Details should be included within the ES explaining how the cable corridor will be reinstated if trenching has been undertaken. Cross references should be made to relevant aspects such as ecology, historic environment, geology and soil and hydrology.
- 2.3.5 Paragraph 9.27 of the Scoping Report notes the potential for agricultural use of the land through grazing. The Inspectorate would expect the proposals relating to the management of land and vegetation under and around the solar PV modules to be described in the ES. Proposals for maintaining vegetation around the Public Right of Way (ProW) within the application site, including any potential to enhance biodiversity should also be described. Details should be included of any proposal to divert the ProW which runs through the site.

- 2.3.6 Where relevant the Applicant should describe any production process, including energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used. The impacts associated with any particular technologies or substances proposed to be used should be described and assessed.
- 2.3.7 Land uses during construction (such as access roads, material stockpiles and construction compounds), including their locations, should also be fully described and their locations illustrated on accompanying plans. The ES should explain how any phased approach to construction will occur, including the likely duration and location of construction activities. Construction traffic routing and anticipated numbers/types of vehicle movements should be described.
- 2.3.8 The Scoping Report states that a Drainage Strategy will be prepared, this should include details of how run-off will be managed and detail potential contribution to flood risk as a result of the changing pathway in which water would infiltrate into the surface.
- 2.3.9 Para 2.15 of the Scoping Report states that "*at the end of the operational phase, the solar farm will either be decommissioned, or an application made for consent to extend its operation life or replace the panels*" however, there is no reference to the expected lifespan of the Proposed Development. The ES should detail the predicted length of the operational phase and where there is uncertainty a range should be provided.

### **Alternatives**

- 2.3.10 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.
- 2.3.11 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

### **Flexibility**

- 2.3.12 The Applicant's attention is drawn to the Inspectorate's Advice Note Nine 'Using the 'Rochdale Envelope'<sup>1</sup>, which provides details on the recommended approach to follow when incorporating flexibility into a draft DCO (dDCO).
- 2.3.13 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed

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<sup>1</sup> Advice Note nine: Using the Rochdale Envelope. Available at:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters should be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.

- 2.3.14 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.

## **3. ES APPROACH**

### **3.1 Introduction**

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'<sup>2</sup> and associated appendices.
- 3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.
- 3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.4 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through dDCO requirements (or other suitably robust methods) and whether relevant consultation bodies agree on the adequacy of the measures proposed.

### **3.2 Relevant National Policy Statements (NPSs)**

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.
- 3.2.2 The designated NPS(s) relevant to the Proposed Development are the:
- Overarching NPS For Energy (NPS EN-1);
  - NPS on Renewable Energy Infrastructure (NPS EN-3); and
  - NPS for Electricity Networks Infrastructure (NPS EN-5).

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<sup>2</sup> Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- 3.2.3 It is noted that there is a current consultation regarding the energy NPS: <https://www.gov.uk/government/consultations/planning-for-new-energy-infrastructure-review-of-energy-national-policy-statements>

### **3.3 Scope of Assessment**

#### **General**

- 3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:
- to demonstrate how the assessment has taken account of this Opinion;
  - to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
  - to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (e.g., a dDCO requirement);
  - to describe any remedial measures that are identified as being necessary following monitoring; and
  - to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of National Site Network sites and their locations, together with any mitigation or compensation measures, that inform the findings of the ES.
- 3.3.2 The format of the text in the Scoping Report, presented in two columns, is difficult to read both on the paper and electronic copies. The Applicant is reminded that the ES should be clear and accessible to readers.

#### **Baseline Scenario**

- 3.3.3 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
- 3.3.4 In light of the number of ongoing developments within the vicinity of the Proposed Development application site, the Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.

#### **Forecasting Methods or Evidence**

- 3.3.5 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.
- 3.3.6 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are

'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.

- 3.3.7 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

### **Residues and Emissions**

- 3.3.8 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.
- 3.3.9 The Inspectorate notes from Chapter 10 of the Scoping Report that matters relating to air quality and waste are proposed to be scoped out of the ES. Notwithstanding this, estimates of residues and emissions to air and waste produced (by type and quantity) must be provided in the ES.

### **Mitigation and Monitoring**

- 3.3.10 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific dDCO requirements or other legally binding agreements.
- 3.3.11 The ES should identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

### **Risks of Major Accidents and/or Disasters**

- 3.3.12 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development, such as battery storage fire hazards. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to the Inspectorate's Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.
- 3.3.13 Relevant information available and obtained through risk assessments pursuant to national legislation may be used for this purpose. Where appropriate, this description should include measures envisaged to prevent or mitigate the

significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

### **Climate and Climate Change**

- 3.3.14 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

### **Transboundary Effects**

- 3.3.15 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES.
- 3.3.16 The Scoping Report concludes that the Proposed Development is not likely to have significant effects on a European Economic Area (EEA) State and proposes that transboundary effects do not need to be considered within the ES.
- 3.3.17 Having considered the nature and location of the Proposed Development, the Inspectorate is not aware that there are potential pathways of effect to any EEA states but recommends that, for the avoidance of doubt, the ES details any such consideration and assessment.

### **A Reference List**

- 3.3.18 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

## **3.4 Coronavirus (COVID-19) Environmental Information and Data Collection**

- 3.4.1 The Inspectorate understands that measures adopted in response to COVID-19 may have consequences for an Applicant's ability to obtain relevant environmental information for the purposes of their ES. For example the ability to conduct specific surveys and obtain representative data may be affected by these measures. The ES should explain any such limitations and any assumptions made relating to the environmental information on which it relies.
- 3.4.2 The Inspectorate has a duty to ensure that the environmental assessments necessary to inform a robust DCO application are supported by relevant and up to date information. It is anticipated that Applicants will make every effort to overcome any limitations encountered as a result of the COVID-19 situation. However, where this has not been possible, the Inspectorate will seek to adopt an approach which balances the requirement for suitable rigour and scientific certainty in assessments with pragmatism in order to support the preparation and determination of applications in a timely fashion.

- 3.4.3 Applicants should make effort to agree their approach to the collection and presentation of information with relevant consultation bodies. In turn the Inspectorate expects that consultation bodies will work with Applicants to find suitable approaches and points of reference to allow preparation of applications. The Inspectorate is required to take into account the advice it receives from the consultation bodies and will continue to do so in this regard.

### **3.5 Confidential and Sensitive Information**

- 3.5.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to personal information specifying the names and qualifications of those undertaking the assessments and / or the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information.
- 3.5.2 Where documents are intended to remain confidential the Applicant should provide these as separate documents with their confidential nature clearly indicated in the title and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.
- 3.5.3 The Inspectorate adheres to the data protection protocols set down by the Information Commissioners Office<sup>3</sup>. Please refer to the Inspectorate's National Infrastructure privacy notice<sup>4</sup> for further information on how personal data is managed during the Planning Act 2008 process.

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<sup>3</sup> <https://ico.org.uk>

<sup>4</sup> <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

## 4. ASPECT BASED SCOPING TABLES

### 4.1 Landscape and Visual

(Scoping Report Chapter 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	Table 1.1 and Para 4.33.	<ul style="list-style-type: none"> <li>• Effects on landscape and visual receptors beyond 5km from the site.</li> <li>• Effects on receptors outside of the Zone of Theoretical Visibility (ZTV).</li> <li>• Effects on landscape character types/areas beyond 5km from the Site.</li> </ul>	<p>The Scoping Report states that the ZTV has been based on a panel height of 2.7 metres, however the Scoping Report does not contain details of the dimensions of other structures which will be on site such as the battery storage facility, security fencing and CCTV equipment. Consequently, the ZTV may be unrepresentative of the full extent of visibility.</p> <p>In order to demonstrate that the full extent of the Proposed Development has been assessed, the ZTV should be based on maximum height parameters. The ES should clearly evidence and justify the final extent of the ZTV used in the assessment of landscape and visual impacts and ensure that any assessment of significance is based on this maximum extent.</p> <p>The Scoping Report states that the study area for the LVIA will extend 5km from the site boundary. As the study area is in part defined by the ZTV, the ES should evidence and justify the final extent of the study area.</p> <p>Therefore, at this stage, the Inspectorate does not agree that these matters can be scoped out.</p>
4.1.2	Table 1.1	Effects from decommissioning of the Proposed Development at the end of operation. The Applicant considers that these effects will be	The Inspectorate agrees that significant landscape and visual effects from decommissioning are unlikely and therefore this matter can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		similar to those arising from construction.	
4.1.3	Table 1.1	Effects of night-time lighting during construction and operation.  The Applicant states that alarm lights will be used, which are only activated in case of theft, and temporary floodlighting if night-time working is required.	The Inspectorate considers that the ES should provide details regarding the layout of operational lighting and why significant effects will be unlikely.  The ES should assess effects from lighting which will be required during construction. If the specific lighting scheme is not known, a worst-case scenario should be used assuming lighting will be used during 'hours of darkness'. The assessment of effects from lighting should include human and ecological receptors and be undertaken for the construction and operational phases.
4.1.4	4.33	Effects on private residential dwellings as part of a Residential Visual Amenity Assessment (RVAA).	The Scoping Report states that a development such as the Oaklands Farm Solar Park will not require a RVVA, however this will be reviewed once the design of the development has evolved. On the basis that the need for the assessment is not yet confirmed the Inspectorate does not agree to scope this matter out.

ID	Ref	Other points	Inspectorate's comments
4.1.5	4.23 and Table 4.1	Viewpoints	Table 4.1 provides a list of 13 viewpoints which have been selected to represent various views to the site and via a range of receptors. It is noted that only one of these represents views of people from a settlement, the other proposed viewpoints are views from roads or PRoWs. The viewpoints included in the ES should ensure views from residential receptors are assessed. The Applicant should consult with relevant local planning authorities to discuss and agree the final selection of representative viewpoints and photomontages for inclusion in the ES.

ID	Ref	Other points	Inspectorate's comments
			<p>Figure 4.1 of the Scoping Report shows the ZTV which identifies that there are properties beyond 5km which have up to 100% visibility of the Proposed Development. The Inspectorate advises that any long distance views should be identified and assessed where significant effects may occur. The selection of viewpoints should be justified with reference to the refined ZTV.</p> <p>The Inspectorate considers that both winter and summer views should be captured, in order to demonstrate any seasonal changes to the landscape character.</p>
4.1.6	n/a	Impacts	<p>The Scoping Report does not provide dimensions for the battery storage facility or substation. The ES should assess the landscape and visual impacts of the battery storage facility and substation based on the applicable design requirements in the DCO and (if necessary) the applicable worst case parameters.</p>
4.1.7	4.35	Mitigation	<p>The Scoping Report states that a Landscape Strategy will be developed to support the landscape and visual assessment. A copy of this should be provided with the ES and it should be clear how any mitigation measures will be secured.</p>

## 4.2 Ecology

(Scoping Report Chapter 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	Table 1.1 and 5.57	Assessment of effects on dormice.	The Applicant has explained that no records of dormice within 2km of the Proposed Development site were provided by the Derbyshire Biodiversity Records Centre. Furthermore, the habitat available on site is not considered suitable for dormice. As such, the Inspectorate agrees this matter may be scoped out.

ID	Ref	Other points	Inspectorate's comments
4.2.2	n/a	Study Area	The Preliminary Ecological Appraisal Report (PEAR) used to inform the Scoping Report contains a plan showing the area which was subject to an extended Phase One Habitat Survey (Figure 1 of Appendix B). The location plan for the Proposed Development shows the site boundary extending to a significantly larger area than that which was surveyed in the PEAR. The extent of the study area should be clearly defined in the ES and the assessments should reflect the extent of the Proposed Development site. The extent of the study area should be agreed with relevant consultees, where possible.
4.2.3	Table 5.1	European Sites	The ES should include within its assessment, European sites within 20km where bats are a qualifying feature and those European sites which are hydrologically linked to the Proposed Development site.
4.2.4	n/a	Fish surveys	The Scoping Report makes reference to ponds, rivers and opportunities for fishing but does not provide details of proposed surveys for fish or other aquatic invertebrates. The ES should include details of any fish surveys (including eels) and aquatic invertebrates,

ID	Ref	Other points	Inspectorate's comments
			or it should be demonstrated that the need for such surveys can be ruled out.
4.2.5	n/a	Protected Species Licensing	The ES should confirm whether any European Protected Species licenses and/or mitigation licenses for other protected species licenses would be required and consider the relevant dates in which licensed activities can occur. To provide the ExA with assurance that any necessary license(s) are likely to be obtained, the Applicant should seek to obtain letters of no impediment (LoNI) from Natural England. These should be appended to the ES. The Applicant is referred to the Inspectorate's Advice Note Eleven, Annex C.
4.2.6	n/a	Trees and Veteran Trees	The Scoping Report makes no reference to veteran trees. The ES should identify the locations of any veteran trees which may be affected by the Proposed Development. Likewise, the ES should identify the location of trees or groups of trees on site and explain how the Proposed Development will affect them. Any mitigation measures required for trees and/or ancient trees should be secured in the dDCO.
4.2.7	n/a	National Forest	The Proposed Development site lies in an area of land which is identified for the creation of 'The National Forest'. The ES should take into account the objectives of this regeneration project and the potential impact it may have on the ability of the National Forest to achieve its objectives.

## 4.3 Historic Environment

(Scoping Report Chapter 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Table 1.1	Direct physical effects during operation as the Applicant considers that physical effects will occur during the construction phase only.	The Inspectorate agrees that significant effects from direct physical effects during operation are unlikely to arise and this matter can be scoped out of the ES.
4.3.2	Table 1.1	Direct physical effects to assets beyond the Proposed Development footprint. There will be no construction or operational activities beyond the Proposed Development footprint that could have a direct physical effect on heritage assets.	The Inspectorate agrees that significant effects to assets beyond the Proposed Development from direct physical effects during construction or operation are unlikely to arise and this matter can be scoped out of the ES.
4.3.3	Table 1.1	Effects related to setting change for all heritage assets lying more than 2.5km from the Proposed Development site as effects beyond this distance are not considered likely based on professional judgement	<p>Figure 6.1 of the Scoping Report shows a number of heritage assets located beyond the 2.5km study area. It is not clear what effect the Proposed Development may have on these assets. Furthermore the 2.5km study area is based upon the ZTV which is not yet finalised.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly the ES should include an assessment on heritage assets beyond the study area where there is potential for significant effects.</p>

ID	Ref	Other points	Inspectorate's comments
4.3.4	6.11	Baseline - Geophysical survey	The Scoping Report states that " <i>geophysical survey appears to have been undertaken on a 50m wide transect through the centre of the site in 2007</i> ". The ES should confirm which areas of the site have been subject to geophysical survey and justification should be provided as to why these locations were selected. The ES should also justify why a 50m transect is considered appropriate for a site which is 177 hectares.
4.3.5	n/a	Baseline - Trial trenching	The ES should describe any trial trenching which has been undertaken. Suitable locations for trial trenching should be discussed and agreed with the local authority along with the need for and content of a Written Scheme of Investigation (WSI). The ES should explain the extent to which this has been agreed and how it would be secured e.g. via suitable dDCO requirement.
4.3.6	6.22	Photomontages	The Scoping Report states that a photographic record will be made of field visits and will be used to inform the baseline. The ES should contain photomontages to demonstrate the visual impact of the Proposed Development on the setting of all affected cultural heritage assets. Agreement should be sought in consultation with Historic England and the local authority on the locations for photomontages as visual representations of the Proposed Development.
4.3.7	6.33 and 6.34	Mitigation measures	The Scoping Report states that mitigation measures will be developed as part of the design of the Proposed Development to limit any significant effects to designated assets. Mitigation measures should also be considered where likely adverse significant effects could arise from pre-construction, construction or operation stages on non-designated assets. All identified mitigation measures should be fully described in the ES and demonstrably secured.

## 4.4 Transport and Access

(Scoping Report Chapter 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	Table 1.1, 7.29, 7.33 and 7.37.	The operational phase.	The Inspectorate considers that based on the low predicted operational traffic volumes, the consideration of operational traffic effects may be scoped out from the ES. The description of the project included in the ES should however set out details of operational maintenance activities and predicted traffic flows.
4.4.2	Table 1.1	Driver and pedestrian delay during construction.  The Applicant considers that this can be controlled through a Construction Environmental Management Plan.	The Scoping Report states that driver and pedestrian delay will be managed through the Construction Environmental Management Plan (CEMP) and therefore no likely significant effects are anticipated. However, no details are provided as to how this will be managed. The ES should explain how driver and pedestrian delay will be managed. Furthermore, the ES should include an explanation as to how the access to the Public Right of Way (Pen No 9) which currently crosses the site will be managed. In light of these issues, the Inspectorate does not agree to scope this matter out.
4.4.3	Table 1.1 and Table 7.1.	The decommissioning phase.	The Scoping Report considers that effects during the decommissioning phase will be the same or no greater than those during the construction phase. The Inspectorate considers that this matter may be scoped out.

ID	Ref	Other points	Inspectorate's comments
4.4.4	7.4	Guidance	It is recommended that the Applicant uses the Department for Transport document 'Guidance on Transport Assessment in the preparation of the ES

ID	Ref	Other points	Inspectorate's comments
4.4.5	7.20	Baseline	The Scoping Report states that construction will result in a ' <i>temporary rise in amount of traffic travelling to and from the site</i> '. It is indicated that the construction phase is expected to last 12 months. The ES should specify the number of traffic movements which will be anticipated on a daily basis, including those by Heavy Goods Vehicles (HGVs) and consider the potential this has to create likely significant effects.
4.4.6	7.4	Methodology	The Scoping Report makes reference to a number of guidance documents but lacks specific detail regarding the proposed assessment methodological approach. The ES should clearly explain the methodology used to undertake the transport and access assessment, identifying the specific guidance documents which have been utilised for the assessment. The ES should explain how the methodological approach has been agreed with the local highways authority, where possible.

## 4.5 Noise

(Scoping Report Chapter 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	8.54 and 8.55	Assessment of noise and vibration impacts on other ES aspects.	<p>The Applicant proposes to scope out the assessment of noise and vibration impacts to other ES aspects chapters from the Noise and Vibration assessment. The assessments would instead be presented in the relevant ES aspect chapters.</p> <p>The Inspectorate is content with this approach but advises the Applicant to provided clear cross-referencing in the Noise and Vibration ES aspect chapter to where these assessments are located.</p>
4.5.2	8.49 and Table 1.1	Assessment of operational vibration.	<p>The Scoping Report states that "<i>there are no significant sources of vibration during the operational phase</i>". The Inspectorate has considered the nature and characteristics of the Proposed Development and is content for this matter to be scoped out.</p>
4.5.3	8.56 and Table 1.1	Assessment of operational noise and vibration from maintenance and traffic.	<p>The Applicant proposes to scope out an assessment of noise and vibration from maintenance and traffic during the operational phase.</p> <p>The Inspectorate has considered the nature and characteristics of the Proposed Development and locations of the potential sensitive receptors and is content for this matter to be scoped out.</p>
4.5.4	8.39 and Table 1.1	Assessment of vibration from piling during construction.	<p>The Applicant proposes to scope out construction vibration from piling.</p> <p>The Inspectorate has considered the nature and characteristics of the Proposed Development and locations of the potential sensitive receptors and is content for this matter to be scoped out.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.5	8.40 and Table 1.1	Assessment of construction vibration from vehicle movements on public roads and access tracks.	<p>The Applicant proposes to scope out construction vibration from vehicle movements on public roads and access tracks.</p> <p>The Inspectorate has considered the nature and characteristics of the Proposed Development and locations of the potential sensitive receptors and is content for this matter to be scoped out.</p>
4.5.6	8.24	Construction vehicle noise impact	<p>The Scoping Report states that "<i>If considered to be necessary, construction traffic would be assessed following guidance and methodology in Calculation of Road Traffic Noise (CRTN) 1988 and Design Manual for Roads and Bridges (DMRB), Sustainability and Environment Appraisal LA 111 Noise and Vibration Revision 2, 2020.</i>"</p> <p>The Scoping Report does not explain what the trigger for assessment would be. The ES should contain an assessment of construction vehicle noise unless otherwise justified with reference to relevant thresholds and guidance.</p>
4.5.7	8.46 and 8.47	Assessment of overhead cable noise for cables below 350kV	<p>The Applicant has asked in question 8.5 whether an assessment of overhead cable noise for cables below 350kV can be scoped out.</p> <p>It is stated that noise impacts from overhead cables are only likely to be of significance for voltages &gt;350kV and is typically not significant where receptors lie beyond approximately 100m from cables. Paragraph 8.47 highlights that the proposed overhead cable connection to the grid may fall within approximately 100m of residential properties. Voltages of overhead cables proposed and their distance from receptors are currently unclear.</p> <p>The ES should either include evidence to confirm that noise generated by overhead cables below 350kV would not result in significant effects on sensitive receptors or provide an assessment of likely significant effects.</p>

ID	Ref	Other points	Inspectorate's comments
4.5.8	8.22 and Table 8.1	Study area and sensitive receptors	<p>A 300m study area is proposed for identifying receptors sensitive to noise and vibration impacts, and Table 8.1 provides a list of preliminary sensitive receptors.</p> <p>The ES should explain how the study area and sensitive receptors have been selected with reference to the extent of the likely impacts. Sensitive receptors should include community, leisure and ecological receptors as well as residential receptors.</p>
4.5.9	8.28	Baseline surveys	<p>The Inspectorate notes that in addition to the initial daytime noise survey undertaken, continuous baseline noise monitoring is proposed at representative noise sensitive receptors with locations to be agreed with Environmental Health at South Derbyshire District Council.</p> <p>The ES should explain how the baseline noise monitoring locations were chosen with reference to relevant information including noise contour mapping.</p>
4.5.10	8.12 – 8.21	Methodology	<p>The criteria for assessing the significance of noise and vibration effects should be clearly set out in the ES with reference to established guidance. Consistent with the Noise Policy Statement for England, the Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL) should be defined for all of the construction, operational and decommissioning noise matters assessed.</p>

## 4.6 Socio-Economics

(Scoping Report Chapter 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Table 1.1 and 9.20	<p>Operational employment and associated spending.</p> <p>The Applicant considers that operational employment and associated spending could result in similar effects to those of construction employment but to a much lesser extent.</p>	<p>Due to the low numbers of staff on site during operation (3 people on site per day) the Applicant considers that no likely significant effects are anticipated.</p> <p>The Inspectorate considers that operational employment and associated spending can be scoped out of further consideration in the ES.</p>
4.6.2	Table 1.1 and 9.23 to 9.29	<p>Land use and effects on best and most versatile agricultural land.</p>	<p>The site is currently used for arable crops and grazing. It is proposed to undertake a Farm Impact Questionnaire to establish the scale of various uses and landownerships on the site. The Scoping Report states that there is potential for agricultural uses to continue by allowing grazing on the land.</p> <p>The Inspectorate agrees that the Proposed Development will not change the Agricultural Land Classification of the land in question, though it considers that the Proposed Development may inhibit certain agricultural practices such as for arable crops being able to take place. The impact of loss of agricultural land for the duration of the Proposed Development should be assessed. Furthermore, the ES should quantify the agricultural land which would be temporarily and permanently lost as a result of the Proposed Development (by ALC grade) such as for the substations, battery storage and cable corridors.</p>

ID	Ref	Other points	Inspectorate's comments
4.6.3	9.4	Information Sources	The Inspectorate notes the use of the 2011 Census data for the socio-economic assessment. The latest 2021 Census data is expected to be available in 2022. As such, depending on when the Applicant proposes to complete the ES, the Inspectorate would encourage the use of the latest data to ensure a more up-to-date assessment.
4.6.4	3.2 and 9.10	Public Rights of Way (ProW)	The Applicant should assess impacts on existing PRow and detail any diversions which may be required. This is particularly pertinent for PRow Pen No. 9 which runs through Oaklands Farm, as well as the several other footpaths which are in close proximity to the Site. If significant effects are likely these should be assessed and presented within the ES.
4.6.5	9.16	Wider community benefits	The Scoping Report states that once operational there will be " <i>economic benefits to Oaklands and Park Farms estates and the wider community</i> ". The ES should clearly set out what the economic benefits to the wider community are, given that the Scoping Report states that there will be minimal personnel on site during operation.
4.6.6	9.21 and 9.22	Approach to mitigation	The Applicant considers that no mitigation will be required since any employment and associated spending effects are likely to be positive. However, it should be demonstrated how the Applicant intends to ensure that the socio-economic impact of the Proposed Development remains positive, i.e., through local job creation for the lifespan of the project.
4.6.7	n/a	Severance	The ES should assess the impacts during construction and operation of potential severance issues for farmers and other landowners. Measures should be included within the dDCO to ensure farmers and other landowners ability to access and move their livestock and that ability to access their land is not hindered. Cross reference should be made to the Farm Impact Questionnaire to establish any business which currently operate from the site. Accordingly, these potential

ID	Ref	Other points	Inspectorate's comments
			effects should be assessed and reported in the ES for all phases of the Proposed Development.

## 4.7 Climate Change

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.7.2	10.5	Greenhouse gas emissions	The ES should specify the calculation methods used to quantify the greenhouse gas emissions relating to the Proposed Development.
4.7.3	10.5	Receptors	The ES should explain the term " <i>environmental receptors sensitive to climate change</i> " and set out what they are and how the Proposed Development may affect them in terms of climate change.
4.7.4	n/a	Significance criteria	The Scoping Report does not set out how a significant effect would be determined for the purposes of the Climate Change Impact Assessment. This should be clearly set out in the ES. Any use of professional judgement to assess significance should be fully justified within the ES. The assessment should explain the significance of any effects in the context of the relevant UK Carbon Budgets.

## 4.8 Glint and Glare

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.8.1	n/a	Glint and Glare	<p>The Scoping Report states that due to landscape planting which will be an embedded mitigation measure, any impacts would not be significant and would provide updated modelling but otherwise seek to scope this matter out of the assessment.</p> <p>Noting the scale and nature of the project and the period required to establish landscape screening, the Inspectorate considers that an assessment of glint and glare should be provided. This should demonstrate the short to medium term effects of the project prior to establishment of screening and the effectiveness of such landscape mitigation once established.</p>

ID	Ref	Other points	Inspectorate's comments
4.8.2	n/a	Effects on aviation receptors	<p>The Scoping Report does not discuss potential for impacts from the Proposed Development on aviation receptors e.g. any impairment of pilot's ability to navigate and or read flight instruments in proximity to the site due to glare. This issue should be assessed in the ES or justification should be provided as to significant effects on aviation are unlikely e.g. with reference to distance from aerodromes etc.</p>
4.8.3	n/a	Solar Photovoltaic Glint and Glare Study	<p>The Solar Photovoltaic Glint and Glare Study identifies a 1km buffer for glint and glare effects on ground-based receptors. The ES should justify this study area and explain how elevated receptors which may overlook the site have been considered in the assessment. Receptors should include community uses, Public Rights of Ways and bridleways as well as residential and road users.</p>

## 4.9 Major accidents and disasters

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.9.1	10.9	Major Accidents and Disasters	<p>The Scoping Report states that the solar park will be designed and maintained to adhere to health and safety standards and therefore is seeking to scope out major accidents and disasters.</p> <p>The Inspectorate does not agree to scope this matter out. The ES should identify potential major events which are relevant to the Proposed Development such as severe weather events - storms, floods; accidents such as fire risk; and transport accidents – road and rail (resulting in environmental pollution incidents). The Inspectorate advises the Applicant to have regard to paragraphs 3.3.12 and 3.3.13 of this Scoping Opinion.</p>

## 4.10 Human Health

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.10.1	10.10 – 10.12	Human Health	<p>The Scoping Report seeks to scope out effects on human health, however, it states that potential effects may be experienced due to noise, transport and effects on residential amenity. Due to the</p>

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
			uncertainty with regards to what these effects are, the Inspectorate is therefore not able to scope out effects on human health.

## 4.11 Electric, magnetic and electromagnetic fields

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.11.1	10.13 – 10.16	Electric, magnetic and electromagnetic fields	<p>The Scoping Report seeks to scope out electric, magnetic and electromagnetic fields. The Proposed Development proposes to use overhead power lines and underground cables with a maximum voltage up to and including 132kV. As such it is considered that this meets guidelines published by the International Commission on Non – Ionizing Radiation Protection (ICNIRP) in 1998.</p> <p>The Inspectorate is content that an assessment of likely significant effects from EMF from cables up to and including 132kV can be scoped out of the ES. However, if as the design of the Proposed Development changes and voltages of over 132kV are proposed, this matter must be assessed.</p>

## 4.12 Ground Conditions

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.12.1	n/a	Ground Conditions	<p>The Scoping Report states that "no significant effects are expected for ground conditions during construction, operation or decommissioning, subject to the implementation of a detailed Construction Environment Management Plan (CEMP). As such, it is proposed that ground conditions is scoped out of the ES."</p> <p>In the absence of baseline information to inform this statement, the Inspectorate does not agree to scope ground conditions out of the ES at this stage.</p>

ID	Ref	Other points	Inspectorate's comments
4.12.2	10.17	Mineral sterilisation	<p>The ES should have regard to local planning policies such as the Derby and Derbyshire Minerals Local Plan (Adopted April 2000), which consider potential mineral resources in the area and the potential of the proposed development to result in sterilisation of important mineral reserves.</p>

## 4.13 Hydrology

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.13.1	n/a	Hydrology	<p>The Applicant proposes to scope out hydrology on the grounds that no significant effects are expected subject to the implementation of a CEMP, Flood Risk Assessment (FRA), Outline Drainage Strategy and appropriate mitigation measures.</p> <p>Although the majority of the site is located in Flood Zone 1, there are some areas which are located in Flood Zones 2 and 3. The development will introduce areas of impermeable surfaces, such as the battery storage facility and substation, however the dimensions and locations relative to the Flood Zones 2 and 3 of these structures is not included within the Scoping Report.</p> <p>In the absence of information required to make an informed decision on this matter, the Inspectorate is not in a position to scope this matter out from the assessment. Accordingly the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE. The ES should explain how the sequential and exception test have been applied, where relevant. Furthermore the detailed design and cable routes required for the Proposed Development should be assessed for potential impacts on hydrology.</p>

ID	Ref	Other points	Inspectorate's comments
4.13.2	10.30 and 10.32	Mitigation measures	The Inspectorate notes the proposed use of mitigation measures, namely Sustainable Urban Drainage (SUDs). The design of such

ID	Ref	Other points	Inspectorate's comments
			mitigation measures should be informed by relevant and up to date climate change allowances for the project's lifespan.
4.13.3	10.35	Potential impact on River Mease Special Area of Conservation (SAC)	The Applicant is seeking to scope out impacts on the River Mease SAC as it is considered the likelihood of impact is low. However, detail is lacking in terms of the potential hydraulic links between the River Mease and the Proposed Development site. The ES should provide detailed information on the potential impacts of the Proposed Development on this European designated site, such as the potential for sediment from the Proposed Development entering the watercourse. Agreement on the impacts and conclusions of assessment should be sought from Natural England.

#### 4.14 Telecommunication, television reception and utilities

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.14.1	10.37	Telecommunication, television reception and utilities.	<p>The Scoping Report explains that a desk based study and consultation will be undertaken with statutory undertakers. Information gained will help to determine the design of the Proposed Development and avoid significant effects.</p> <p>In the absence of more detailed information or evidence demonstrating clear agreement with relevant stakeholders, the Inspectorate is not in a position to agree to scope these matters from the assessment at this stage.</p>

ID	Ref	Other points	Inspectorate's comments
4.14.2	10.37	Impacts	It should be clear how the results of the desk study and consultation have informed the layout of the Proposed Development. Should any diversions of utility or telecommunications infrastructure be required, these should be described in the ES and any resultant likely significant effects should be assessed.

## 4.15 Waste

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.15.1	10.42	Waste	The Scoping Report seeks to scope out waste from assessment in the ES. The ES must include " <i>an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.</i> " The ES must also assess how battery waste would be managed in the decommissioning phase.

ID	Ref	Other points	Inspectorate's comments
4.15.2	10.40	Site Waste Management Plan (SWMP)	The Applicant should append a draft/outline SWMP to the ES and demonstrate how this document will be secured, through the DCO or other legally binding mechanism. The SWMP should be sufficiently detailed to ensure its efficacy.

## 4.16 Air Quality

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.16.1	10.44	Air quality impacts during construction.	Little information is provided in the Scoping Report regarding the number of vehicles which will access the site during the construction phase and it is therefore uncertain whether the proposed development is likely to exceed relevant air quality assessment threshold criteria. On this basis, the Inspectorate is not able to scope out an assessment of emissions from construction traffic at this time.
4.16.2	10.44	Air quality impacts during operation.	Having had regard to the scale and nature of the Proposed Development, the Inspectorate is content that operation of the proposed solar park is unlikely to give rise to significant air quality effects. This matter may be scoped out.

ID	Ref	Other points	Inspectorate's comments
4.16.3	n/a	Air Quality Management Areas	Details regarding the locations of any Air Quality Management Areas relative to the site are not included in the Scoping Report. The ES should provide information to explain the locations of AQMAs relative the Proposed Development and any potential impacts the Proposed Development may have on them, for example, proposed routes of construction traffic.
4.16.4	10.43	Mitigation	Paragraph 10.43 states that " <i>good practice construction methodologies will be proposed to manage dust and emissions during construction</i> ".  The ES should detail the specific measures proposed to manage dust and emissions during construction and decommissioning of the

ID	Ref	Other points	Inspectorate's comments
			Proposed Development, particularly in relation to the control of dust on any adjacent sensitive receptors including designated ecological sites. It should be clear how such measures would be delivered and secured, through the CEMP/CTMP or other legally binding mechanism

## 5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus<sup>5</sup>
- Planning Inspectorate advice notes<sup>6</sup>:
  - Advice Note Three: EIA Notification and Consultation;
  - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
  - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
  - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
  - Advice Note Nine: Using the 'Rochdale Envelope';
  - Advice Note Ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note Twelve: Transboundary Impacts;
  - Advice Note Seventeen: Cumulative Effects Assessment; and
  - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

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Ould prov<sup>5</sup> The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

<sup>6</sup> The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>7</sup>**

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Derby and Derbyshire Clinical Commissioning Group (CCG)
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Derbyshire Fire and Rescue Service
The relevant police and crime commissioner	Office of Police and Crime Commissioner for Derbyshire
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Drakelow Parish Council
	Rosliston Parish Council
	Walton-On-Trent
The Environment Agency	The Environment Agency
The Relevant Highways Authority	Derbyshire County Council
The relevant strategic highways company	Highways England
The Coal Authority	The Coal Authority
Public Health England, an executive agency of the Department of Health	Public Health England
The Forestry Commission	East & East Midlands Forestry Commission

<sup>7</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>8</sup>**

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Clinical Commissioning Group	NHS Derby and Derbyshire Clinical Commissioning Group (CCG)
The National Health Service Commissioning Board	NHS England
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	South Staffordshire Water Plc
	Severn Trent
The relevant public gas transporter	Cadent Gas Limited
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
Leep Gas Networks Limited	

<sup>8</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
	Murphy Gas Networks limited
	Quadrant Pipelines Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Last Mile Electricity Ltd
	Energy Assets Networks Limited
	ESP Electricity Limited
	Forbury Assets Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
Vattenfall Networks Limited	
Western Power Distribution (East Midlands) plc	
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

**TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>9</sup>**

<b>LOCAL AUTHORITY<sup>10</sup></b>
Amber Valley Borough Council
Barnsley Metropolitan Borough Council
Cheshire East Council
Derby City Council
Derbyshire County Council
Derbyshire Dales District Council
East Staffordshire Borough Council
Erewash Borough Council
Kirklees Metropolitan Council
Leicestershire County Council
Lichfield District Council
North West Leicestershire District Council
Nottinghamshire County Council
Oldham Metropolitan Borough Council
Peak District National Park
Rotherham Metropolitan Borough Council
Sheffield City Council
South Derbyshire District Council
Staffordshire County Council
Stockport Metropolitan Borough Council
Tameside Metropolitan Borough Council

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<sup>9</sup> Sections 43 and 42(B) of the PA2008

<sup>10</sup> As defined in Section 43(3) of the PA2008

## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Amber Valley Borough Council
Coal Authority
Derby City Council
Derbyshire County Council
Derbyshire Fire and Rescue Service
Drakelow Parish Meeting
East Staffordshire Borough Council
Environment Agency
ES Pipelines
Forestry Commission
Health and Safety Executive
Historic England
Lullington Parish Council
National Grid
National Highways
Natural England
North West Leicestershire District Council
Nottinghamshire County Council
Public Health England
Rosliston Parish Council
Staffordshire County Council
Stockport Metropolitan

Walton on Trent Parish Council



**Julian Townsend**  
**Executive Director (Operations)**  
**Development Management**

Town Hall  
Ripley  
Derbyshire DE5 3BT  
Tel: [REDACTED]  
Fax: [REDACTED]  
Email: enquiry@ambervalley.gov.uk  
Web: www.ambervalley.gov.uk

EIA Advisor Planning Inspectorate

Our Ref : RAET-EIA/2021/0003  
Your Ref : EN010122-000013  
Date : 13 September 2021  
Ask For : Rae Gee  
Direct Dial : [REDACTED]  
Email : [REDACTED]@ambervalley.gov.uk

Dear Sir/Madam

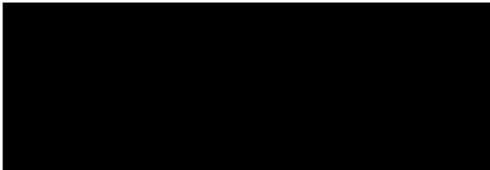
<b>Proposal</b>	<b>Scoping opinion request</b>
<b>Location</b>	<b>Oaklands Farm Solar Park project</b>
<b>Agent</b>	<b>EIA Advisor Planning Inspectorate</b>

Thank you for your letter received on 1 September 2021.

The Borough Council have no comments to make on the scoping request.

I trust this information is of use.

Yours faithfully



Julian Townsend  
***Executive Director (Operations)***



The Coal  
Authority

Resolving the **impacts** of mining

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

T: [REDACTED]

E: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

[www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the attention of: Mr B Jenkinson – EIA Advisor

On behalf of the Secretary of State

**[By email: [oaklandsfarmsolar@planninginspectorate.gov.uk](mailto:oaklandsfarmsolar@planninginspectorate.gov.uk)]**

02 September 2021

Dear Mr Jenkinson

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11**

**Application by Oaklands Farm Solar Ltd (the Applicant) for an Order granting Development Consent for the Oaklands Farm Solar Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your notification of 23 August 2021 on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the above site.

I have reviewed the site location plan (Figure 1.1 of the Scoping Report, August 2021) against our coal mining information and can confirm that, whilst the site falls within the coalfield, it is located outside the defined Development High Risk Area; meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability.

Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the determining authority will not need to consult us on any subsequent application for this site.

I hope that this is helpful however please do not hesitate to contact me if you require any further assistance with this matter.

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*

Planning & Development Manager

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

**From:** [Paul Clarke](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** RE: EN010122 - Oaklands Farm Solar Park - - EIA Regulation 10 Consultation  
**Date:** 24 August 2021 13:33:41  
**Attachments:** [image001.png](#)  
[image003.jpg](#)  
[image004.jpg](#)

---

Dear Sirs

Thank you for the correspondence. We have reviewed the content and have no points of substance to raise. This is sufficiently remote from Derby not to require further involvement in the process.

Regards,

**Paul Clarke** MRTPI | Chief Planning Officer | Communities and Place | Derby City Council, The Council House, Corporation Street, Derby, DE1 2FS | Telephone [REDACTED] | Mobile [REDACTED] | Minicom [REDACTED] | [www.derby.gov.uk](http://www.derby.gov.uk)

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**From:** Oaklands Farm Solar <OaklandsFarmSolar@planninginspectorate.gov.uk>  
**Sent:** 23 August 2021 18:21  
**Subject:** EN010122 - Oaklands Farm Solar Park - - EIA Regulation 10 Consultation

**CAUTION:** This email originated from outside of the organisation. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

**FAO: Head of Planning**

Dear Sir/Madam

Please see attached correspondence relating to the proposed Oaklands Farm Solar Park project.

Please note the deadline for consultation responses is **20 September 2021**, and is a statutory requirement that cannot be extended.

Regards

**Richard Kent**  
Senior EIA Advisor  
Environmental Services  
PINS-LOGO

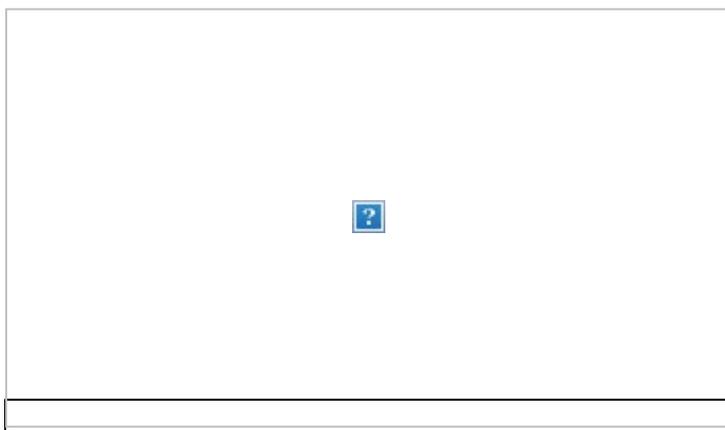


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Web: <https://www.gov.uk/government/organisations/planning-inspectorate>  
(The Planning Inspectorate)  
Web: <https://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning)  
Twitter: [@PINSgov](https://twitter.com/PINSgov)

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Chris Henning  
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DE4 3AG

Ben Jenkinson  
EIA Advisor  
Planning Inspectorate  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Email: [planningpolicy@derbyshire.gov.uk](mailto:planningpolicy@derbyshire.gov.uk)  
Telephone: [REDACTED]  
Our Ref: SDDC/Strategic Consultations  
Your Ref: EN010122-000013  
Date: 20 September 2021

Dear Sir,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Oaklands Farm Solar Ltd (the Applicant) for an Order Granting Development Consent for the Oaklands Farm Solar Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

**Submission on Behalf of Derbyshire County Council**

Thank you for consulting Derbyshire County Council in respect of the above Environmental Impact Assessment (EIA) Scoping Report. Derbyshire County Council's Member and Officer comments on the EIA Scoping Report are given below.

**Chapter Two: The Environmental Impact Assessment**

**Question 2.1 Are there any further consultees that should be engaged with?**

Engagement with Derbyshire County Council's Members

Please note that as part of the coordination of Derbyshire County Council's response on the Scoping Report, consultation has been undertaken with Councillor Stuart Swann, Local County Council Member for Linton Electoral Division. Councillor Swann has made the following comments on the EIA Scoping Report.

*At this stage, I have been asked to comment only in respect of the Environmental Statement associated with Oaklands Farm Solar Limited's intention to submit an*

*application for a Development Consent Order to construct and operate Oaklands Farm Solar Park, a proposed solar photovoltaic electricity generating facility on land to the south-east of Walton-on-Trent and south of the former Drakelow Power Station.*

*I would expect all due processes to be followed strictly with a robust report produced thoroughly assessing all issues and impacts locally including, but not limited to, Landscape and Visual; Ecology and Biodiversity; Historic Environment; Transport and Access; Socio-Economics; Climate Change; Major Accidents and Disasters; Human Health; Flooding; Waste; and Air Quality.*

Further engagement on the DCO application, particularly any further public consultation undertaken by the applicant, will be coordinated by Derbyshire County Council's Officers with Councillor Swann, as above. However, as the DCO application progresses for the scheme, direct engagement by the applicant or their consultants with Councillor Swan may be beneficial through, for example, a presentation or meeting (s) to address any questions or issues directly.

#### Derbyshire Wildlife Trust

The Derbyshire Wildlife Trust (DWT) provides expert ecological advice to local authorities in Derbyshire under a Service Level Agreement. Engagement by the applicant or their consultants with the DWT is recommended so that they have the opportunity to assess the Environment Statement (ES) Ecology Chapter and the approach to the assessment and mitigation of ecological impacts generated by the solar farm proposals.

#### National Forest Company

No reference is made in Section 2.7 of the Scoping Report of any intention to consult with the National Forest Company. As the solar farm proposals are located within the National Forest area, it is considered essential that the applicant or their consultants should engage with the National Forest Company about the proposed scheme.

#### Parish Councils

Engagement is recommended with Parish Councils potentially impacted by the solar farm proposals, particularly Walton-on-Trent Parish Council and Rosliston Parish Council. South Derbyshire District Council (SDDC) will no doubt be able to provide the applicant with appropriate contact details.

#### **Question 2.2 Are there other solar farm proposals or other developments that should be considered in the cumulative assessment?**

SDDC will no doubt provide details to the applicant of other committed developments or developments in the pipeline in the vicinity of the site that should be considered as part of the assessment in the ES of cumulative impacts.

From Derbyshire County Council's point of view, officers have had extensive involvement with planning applications for two major developments in the local area which are considered to be important in the assessment of cumulative impacts:

Application Ref: DMPA/2021/1014

Full planning application for the proposed development of a ground-mounted solar farm including associated infrastructure, comprising inverters, transformers, a substation and grid connection, which will cover an area of 70.18ha on land north of Lullington, Swadlincote.

Application Refs: 9/2015/1030 and DMPA/2020/1460

Hybrid planning application with all matters reserved for up to 2,239 dwellings including a retirement village, an employment park, two local centres comprising retail services, leisure employment and community uses, public open spaces, a new primary school, associated landscape and infrastructure, including car parking, road and drainage measures, and the refurbishment of the listed stables and cottages, Drakelow Park, Walton Road, Drakelow.

Consultation should also be undertaken with East Staffordshire District Council and Lichfield District Council to ascertain if there are any other major developments of relevance proposed in their local authority areas.

**Other Issues**

It is noted that paragraph 2.42 of the Scoping Report, that the planning policy context for assessing the proposed solar farm development will be set out in the Planning Statement accompanying the DCO application and in the interests of a proportionate ES, it is not proposed to include a separate planning policy context chapter within the ES, though an overview of the relevant policy will be included in the Introduction Chapter of the ES. A list of planning policy documents that are of particular relevance to the assessment is provided in paragraph 2.42.

In this context, it is noted that although appropriate reference is made to the South Derbyshire Local Plan Part 1, no reference is made to the South Derbyshire Local Plan Part 2. It is considered important that reference to the Local Plan Part 2 is included in the ES and Planning Statement, particularly as the Part 2 Local Plan identifies a hierarchy of settlements in South Derbyshire District and defines settlement boundaries, including for Walton on Trent and Rosliston; and includes policies for Developments in Rural Areas (Policy BNE5); Trees, Woodland and Hedgerows (Policy BNE7) and Heritage (Policy BNE10).

Chapter 10: Other Issues of the Scoping Report, reference is made to impacts relating Ground Conditions and Waste.

In the context of Ground Conditions, paragraph 10.18 indicates that the underlying geological strata of the site includes discontinuous superficial deposits including Glacio-Fluvial Deposits, Glacial Till, Alluvium, Peat and River Terrace Deposits. These are underlain principally by the Edwalton Member (sandstone and mudstone) with the Mercia Mudstone Group in the far north.

Paragraph 10.20 indicates that an initial screening of the Site shows that whilst it falls within a Coal Authority reporting area and may have historically been mined, the Coal Measures strata are estimated to be in excess of 400m deep with a significant cover

of Triassic rock. Paragraph 10.21 then notes that a desk-based Coal Mining Risk Assessment will also be undertaken to understand the potential for future instability due to historic underground workings.

In this context, consideration should also be given in the ES and Planning Statement to the Derby and Derbyshire Minerals Local Plan (Adopted April 2000), which contains policies (MP17) relating to the Derbyshire minerals resource and need to avoid sterilisation of important mineral reserves. Under the provisions of the Town and Country Planning Act 1990, the Mineral Planning Authority is empowered to establish Minerals Consultation Areas within which the District Council Planning Authorities are required to consult the County on applications for development which could have the effect of sterilising mineral deposits. In this context, it should be noted that the northern part of the Park Farm area of the solar farm site falls within a Minerals Consultation Area for Sand and Gravel as defined on Map 3 of the Minerals Local Plan. The applicant is advised, therefore, to contact the County Council's Planning Services Development Plans Team for further details.

It should also be noted that a Review of the Joint Minerals Local Plan is currently being undertaken by both Derbyshire County Council and Derby City Council, although preparation of the Plan is at a relatively early stage with an Issues and Options consultation being undertaken in 2018. A Draft Local Plan is not anticipated for publication until late 2021.

In the context of Waste, paragraph 10.38 notes that the quantities of waste likely to be generated by the solar farm proposal are unknown at this stage. Paragraph 10.39 lists a number of types of waste that may be generated by the proposed development. Paragraph 10.40 indicates that a Site Waste Management Plan (SWMP) will detail how waste will be dealt with using the waste hierarchy: reduce, reuse, recycle, recover and dispose.

In this context, it is considered that reference should be made to the Derby and Derbyshire Waste Local Plan (adopted in March 2005) in the ES and Planning Statement to consider any policies in the Plan that may be of relevance to the approach to the impacts of waste assessed in the ES and Planning Statement.

Again, it should be noted that Derbyshire County Council and Derby City Council are currently undertaking a Review of the Joint Waste Local Plan, although the Plan is still in very early stages of preparation with an Issues and Options Consultation anticipated in early 2022.

#### **Chapter 4: Landscape and Visual**

Derbyshire County Council's Officers have already had several meetings with the applicant's consultants for the proposed solar farm development to consider the likely scope of the Environment Statement that will be submitted with the DCO application.

In that regard, a Landscape and Visual Impact Assessment (LVIA) will be prepared as part of the ES and Derbyshire County Council's Officers have already provided feedback on this submission with regard to both the methodology and selected viewpoints to inform the LVIA. In that regard, the LVIA proposes to include a number

of additional viewpoint locations identified by both Derbyshire County Council's Officers and SDDC's Officers, although it is noted that the Scoping Report lists 13no. viewpoints at Table 4.1, when Officers consider that there are now 16no. or potentially 17no. if the viewpoint near Lullington is included.

It is considered that the assessment will be undertaken in accordance with the relevant guidance and will take account of the relevant documents produced by Derbyshire County Council, which primarily relates to the 'Landscape Character of Derbyshire' and 'Areas of Multiple Environmental Study' (AMES). It is noted that the LVIA proposes to use guidance produced by other local authorities throughout England, including 'Accommodating Wind and Solar PV Developments in Devon's Landscape', so it will be important for the ES to explain to what extent these documents are relevant to the Derbyshire landscape.

Derbyshire County Council's Officers are aware of, and support, comments that SDDC's Officers propose to make on the Scoping Report relating to landscape and visual impacts, in that the assessment as part of the decommissioning of the proposed development should also consider any permanent landscape change and long term landscape effects. The current character of the Village Estate Farmlands is distinctive comprising arable farmland with well-managed, low cut hedgerows and occasional trees so if visual mitigation proposes to thicken hedgerows or leave them to grow taller, then these effects need to be considered within the context of the established landscape characteristics of the area.

## **Chapter 5: Ecology**

Derbyshire County Council's key concern on the scope of the Ecology Chapter is the approach to assessing the impacts of the proposed development on the River Mease Special Area of Conservation (SAC).

Having reviewed the submitted Scoping Report it is noted that it states:

*'The River Mease SAC and SSSI was recorded 4.4km to the south of the Site. No further statutory designated sites were recorded within a 5km buffer of the Site. The potential for the proposals to result in Likely Significant Effects on the River Mease SAC will be fully considered as part of the EclA process. The EclA will include sufficient information for the competent authority to discharge their duty in concluding whether the development will result in adverse effects on the integrity of River Mease SAC. The ES will specify embedded mitigation and avoidance measures during construction and operation which will ensure that contaminated run-off will not enter watercourses, and therefore adverse effects on the River Mease SAC will be avoided.*

*The Applicant will also undertake a shadow Habitat Regulations Assessment (HRA) as a separate requirement to EIA.*

*Relevant HRA documentation will be provided with the DCO application, to provide sufficient information to the competent authority in relation to their duty to conclude whether the Proposed Development will result in adverse effects on the integrity of internationally designated sites. A draft Shadow HRA Report will be issued to Natural England for consultation in advance'.*

In the context of the above, Derbyshire County Council is aware of the comments that SDDC is likely to submit on the Scoping Report and concerns it is likely to raise regarding the approach to assessment of the impacts of the development on the River Mease SAC in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017 no 571) and particularly Regulation 27 requires that:

*Where in relation to EIA development there is, in addition to the requirement for an EIA to be carried out in accordance with these Regulations, also a requirement to carry out a Habitats Regulation Assessment, the relevant planning authority or the Secretary of State, as the case may be, must, where appropriate, ensure that the Habitats Regulation Assessment and the EIA are co-ordinated.*

Derbyshire County Council fully supports and endorses the concerns that SDDC will be raising in this context, which in summary indicate that it is the view of their officers that the EIA can only properly take account of the vulnerabilities or the Conservation Objectives of the SAC if some early assessment under the Habitat Regulations takes place to inform the scope of the EIA. In order to properly co-ordinate the EIA and HRA requirements, a level 1 HRA (Screening assessment) should be undertaken as soon as practicable during the pre-application stage. An early understanding of the potential ways in which development could affect the SAC can then inform the evidence or assessment that needs collecting or preparing as part of the EIA. As it stands no substantive screening work has been undertaken. In the absence of properly considering the potential of the SAC to be affected by the scheme, there is a risk that the issues that ought to be within the scope of the EIA could be inadequately considered.

In terms of paragraph 5.3 of the Scoping Report and the information sources that will inform the approach to the assessment of ecological impacts, the applicant may wish to be aware that Derbyshire County Council has recently completed the procurement of a Natural Capital Strategy (NCS) for Derbyshire. Consultants will be beginning work on this strategy imminently, and it is envisaged the strategy will be published in approximately 12 months' time. The NCS will include not only a detailed study of the provision value of and need for natural capital in all its forms, but also a thorough assessment of biodiversity across the County, including mapping of the habitat resource, robust modelling of habitat connectivity and mapping of biodiversity opportunity and priority areas.

## **Chapter 6: The Historic Environment**

Derbyshire County Council's Officers have reviewed Chapter 6 (Historic Environment) of the Scoping Report and based on Officer observations of the site, it is considered that it should sufficiently cover all aspects of the built historic environment that are likely to be impacted on by the proposed development. Accordingly, Officers have no further comments to add to the consultation at this stage.

## **Chapter 7: Transport and Access**

From a highways impact perspective, from experience elsewhere in the County relating to large solar farm developments, such schemes once built, generate little in

the way of any traffic beyond the occasional maintenance vehicle and cleaning etc. Therefore, on this basis, Derbyshire County Council's Officers do not see a need for a 'conventional' transportation assessment. i.e. quantification of 'numbers' impacts etc. to be submitted as part of the ES. However, there will be a considerable amount of traffic generated during the construction phase(s) of the scheme and therefore this will need to be fully addressed as part of the Construction Management Plan (CMP). The evidence base will, however, need to demonstrate that safe and satisfactory access(s) can be provided to both of the proposed sites with adequate visibility provided.

A key consideration of the CMP is the possibility of large indivisible loads and their routing. Officers understand that the area is subject to environmental weight limits. The single way bailey bridge across the River Trent at Walton presents further constraint to the movement of (large) vehicles.

In view of the significance of the scheme and routing considerations for construction traffic, it is requested that the applicant or their consultants engage with the County Council's Traffic Management Officers, as it is important that officers provide input into the development of the CMP.

Appendix E of the Scoping Report includes a Glint and Glare Study from which it is noted that some of the sites seemingly have been scoped out on account of their distance away from the highway. This is not accepted as light can travel more or less infinite distances. The Environmental Statement should include an assessment of potential glint and glare and its implications for road safety.

Appendix B of the Scoping Report includes a list of scoping questions which asks, are there any specific conditions or requirements being sought for Drakelow Park regarding operational hours, vehicle routing or similar which we can align to?

In this respect, Derbyshire County Council is aware that there are conditions on the outline permission DMPA/2020/1460 for the Drakelow Park development that restrict construction work which abuts occupied dwellings to 07.30-19 00 Mon-Fri & 07 30-13 30 Sat. No deliveries should take place outside 07.00-19.00. It is likely, therefore, that construction traffic to both the Drakelow Park and the Oaklands solar farm proposals will overlap.

The applicant may also wish to be aware that a Section 106 Agreement has recently been completed for the planning application for the Drakelow Park development which includes requirements for developer contributions to be provided by the applicant towards improvements of the local highway network that includes £130K towards improvements to the junction of Caldwell Road and Rosliston Road South cross roads and other highways improvements within the vicinity of the site. The funds need to be paid prior to occupation of 407 dwellings. There is also a TRO contribution of £10K for the purposes of promoting a TRO to reduce speeds on Drakelow Road, Walton. Walton Bypass (including the new bridge) now needs to be delivered by the developer prior to the occupation of 207 dwellings (this takes into account the 194 dwellings already constructed on phase 1).

Although Section 10 of the Scoping Report does mention 'accidents', this consideration is in the context of disasters i.e. not traffic. This omission of traffic accidents will need to be addressed in the ES. Traffic Accident data (for Derbyshire) can be provided by Derbyshire Constabulary. Contact Carol Meek [REDACTED]@derbyshire.pnn.police.uk [REDACTED].

Paragraph 7.11 indicates that separate construction vehicle routes have been proposed for each site using online mapping and street view imagery. These have been proposed to seek to avoid as many potential receptors as possible, whilst recognising physical access constraints, such as height and weight restrictions. Whilst it is appreciated that the use of such 'virtual means' to assess construction vehicle routes is likely to have been employed due to the impact of the Covid-19 pandemic, it is considered that such virtual means of assessment would also benefit from physical on site surveys of the route to fully appreciate if there are any particular locations on the route or anomalies that may prove to be difficult for the manoeuvring of vehicles, which may not be apparent from the virtual surveys.

In this context, it is noted that paragraph 7.15 indicates that due to the impact of the Covid-19 pandemic, it has not been possible to collect reliable and accurate traffic survey to date. This is expected to take place from September 2021, subject to consultation with the relevant highway authorities. 7.16 indicates that site visits are also expected to take place at the same time as traffic surveys to identify any survey anomalies and confirm the proposed vehicle routing. This approach is welcomed and strongly endorsed by the County Council in the context of the comments made above.

In paragraph 7.14 it is noted that due to the height restriction on the A513, it is proposed that any abnormal loads travelling to the Oaklands site do so from Junction 11 of the M42 via the A444. This will require passing through the village of Coton in the Elms. Paragraph 7.14 then indicates that these limited events would be subject to detailed coordination with the Highways Authority and Police, which is welcomed and strongly endorsed by Derbyshire County Council as too is the indication that the delivery of abnormal loads will be managed through a Construction Traffic Management Plan (CTMP) to be submitted with the application. The preparation of the CTMP should give the Highway Authority a degree of control to ensure that the routing of abnormal loads takes place as indicated and is enforceable if the agreed routing is not adhered to by contractors delivering to the site.

## **Chapter 9: Socio-Economics**

Derbyshire County Council has few comments to make on the socio-economic chapter except to note and welcome that the impact of the scheme on tourism receptors will be considered in the ES, particularly as there are two important tourist facilities in close proximity to the site including the National Forest and Rosliston Forestry Centre.

It is also noted that under the heading of 'Potential Significant Effects of the Proposed Development' consideration is given to operational effects and reference is made to the provision of a 'Renewable energy and educational resource for the wider community. In this context, in its comments made on other planning applications for large solar farm developments, Derbyshire County Council has been keen to ensure

that such solar farm proposals include the provision of significant community benefits. This could, for instance, include a community fund for local community projects or the provision of education opportunities for the local community related to the renewable energy technology being provided on the site. A number of examples that Derbyshire County Council is aware of are set out below:

<https://www.carsingtonandhoptonparishcouncil.co.uk/meetings-documentation/wind-farm/>

<https://www.grantscape.org.uk/fund/solarcenturycf/>

Details of any community or educational benefits that may be provided as part of the propose scheme should be included in the Environment Statement.

## **Chapter 10: Other Issues**

Question 10.1 Are consultees in agreement with the scoping out of the following topics, as explained in Chapter 10 - Glint and Glare; Major Accidents and Disasters; Human Health; Ground Conditions; Hydrology; Telecommunications, Television Reception and Utilities; Waste; and Air Quality.

### Glint and Glare

In Derbyshire County Council's experience of assessing planning applications for solar farm developments elsewhere in the County, the impacts of glint and glare has been a key consideration that has been assessed as part of planning application submissions by applicants. Comments made above on the Transport Chapter, highlight the potential for glint and glare from the solar farm development to impact on road users. Accordingly, Derbyshire County Council considers that glint and glare is an important topic that should be included in the ES and not scoped out.

### Major Accidents and Disasters

As highlighted above in the comments on the Transport and Access Chapter, Derbyshire County Council notes that in paragraph 10.9 of the Scoping Report, consideration is only given major accidents and disasters in the context of the design and maintenance of the solar farm development. Consideration is not given, however, to accidents relating to traffic. Details are provided in the comments above of where the applicant is able to obtain traffic accident data from the Derbyshire Constabulary relating to the local area. It is considered that the applicant should obtain and review the relevant traffic accident data and use this to inform any decision as to whether traffic accidents are scoped in or out of the ES.

Question 10.2 Are consultees in agreement with scoping in Climate Change?

Yes. Derbyshire County Council fully supports and agrees with the inclusion of Climate Change within the scope of the ES. It is considered particularly important that consideration is given to the impact of the development on predicted greenhouse gas emissions and the proposed development's contribution to carbon emissions savings through the generation of renewable energy. This assessment should include Scope 1, 2 and 3 emissions. This would particularly relate to the construction phase of the proposal.

In this context, Derbyshire County Council has been working closely with its local authority partners (8 district and borough councils) to address the impacts of climate change and to reduce greenhouse gas emissions which are consistent with the allocated carbon budgets for Derbyshire and to reduce carbon emissions to net zero by 2050. To this end, the Derbyshire local authorities published the Derbyshire Environment and Climate Change Framework (DECCF) in October 2019, which committed all the local authority partners to seek to achieve these targets. Renewable energy and significant increase in development of renewable energy projects across the County will play a very important part in enabling local authority partners to meet their climate change commitments and carbon budgets to achieve the overall aim of net-zero emissions by 2050. The DECCF can be viewed by the applicant at the link below, which may provide a more local context for consideration of the impacts on climate change by the proposed development.

<https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/climate-change/derbyshire-environment-and-climate-change-framework.pdf>

The applicant may also wish to note that Derbyshire County Council has recently commissioned consultants to prepare a Climate Change Strategy on behalf of the County Council. This is likely to be finalised and published in the next few months and again may provide a more local context for consideration of the impacts on climate change by the proposed development.

I trust the information and comments set out above are helpful. Should you wish to seek any clarification on any of the issues highlighted above please contact Steve Buffery on [REDACTED] or email [REDACTED]@derbyshire.gov.uk

Yours sincerely

Chris Henning

Executive Director Place



The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

[Oaklandsfarmsolar@planninginspectorate.gov.uk](mailto:Oaklandsfarmsolar@planninginspectorate.gov.uk)

Contact Name & Address  
Anders Hobson

South Area Office  
Ascot Drive Community Fire  
Station  
Ascot Drive  
Derby  
DE24 8GZ

Our Reference  
J629-971/AH/OA

Your Reference  
EN010122-000013

Date  
31 August 2021

Contact Telephone No  
[REDACTED]

Contact Email  
[REDACTED]@derbys-fire.gov.uk

Dear Sir/Madam

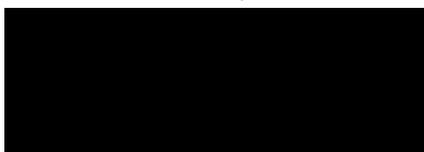
**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING  
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA REGULATIONS) –  
REGULATIONS 10 AND 11  
OAKLANDS FARM SOLAR PARK, WALTON ON TRENT, SWADLINCOTE, DE12**

Thank you for your letter dated 24 August 2021 which included the Scoping Report for Oaklands Farm Solar Park.

The Fire Authority have no objections or comments to make in relation to the granting of an Order for Development Consent for the proposed solar park project at Oaklands Farm. This is subject to a separate Building Regulation Consultation being submitted which demonstrates compliance with Part B of Schedule 1 of the Building Regulations 2010.

If I can be of any further assistance to you in this matter please do not hesitate to contact me.

Yours faithfully



Authorised Fire Safety Inspecting Officer  
And on behalf of the Derbyshire Fire and Rescue Authority

email: [reception@derbys-fire.gov.uk](mailto:reception@derbys-fire.gov.uk)  
[www.derbys-fire.gov.uk](http://www.derbys-fire.gov.uk)

Chief Fire Officer / Chief Executive  
Gavin Tomlinson MBA MIFireE



# DRAKELOW PARISH MEETING

*CHAIR: SHARON FRASER-SMITH. VICE CHAIR: MAC CUMMINGS*

*CLERK TO THE MEETING: MERVYN JOHN.*

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25th August 2021

The Planning Inspectorate  
Environmental Services,  
Central Operations,  
Temple Quay House,  
2 The Square,  
Bristol,  
BS1 6PN

Dear Sir/Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning  
(Environmental Impact Assessment) Regulations 2017(the EIA Regulations)  
– Regulations 10 and 11**

**Application by Oaklands Farm Solar Ltd (the Applicant) for an Order granting  
Development Consent for the Oaklands Farm Solar Project (the Proposed  
Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to  
make available information to the Applicant if requested.**

We thank you for your letter dated 23/08/2021 in connection with the above application for a Scoping Opinion.

As the Drakelow Parish Meeting we are the lowest tier of government in Drakelow and as such we do not, unfortunately, possess the necessary technical expertise to enable us to suggest any additional information that may be required to be included in the Environmental Statement (ES) for this project. However, in view of the size and location of the proposed Solar Farm and the way in which it will impact our community, we have taken this opportunity to review the report (SOR) prepared by the applicant in support of their request for a Scoping Opinion and we would like to comment on that.

We understand that there are several parameters which are normally required to be considered within an ES and the purpose of seeking a Scoping Opinion is to enable the applicant to effectively ignore some of those parameters when they prepare the ES for the project. Because of the scale of this project and the very large and environmentally diverse area that it covers we are not convinced that any of the normal parameters should be ignored by the ES and we

# DRAKELOW PARISH MEETING

*CHAIR: SHARON FRASER-SMITH. VICE CHAIR: MAC CUMMINGS*

*CLERK TO THE MEETING: MERVYN JOHN.*

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are also sure that in principle you would agree with this as a base point for your decision. Any parameters that are removed must therefore only be omitted if there are very good and clear reasons for their omission. Should there be no such reason, then they should not be removed. During our review of the SOR we have concentrated on the justifications given by the applicant, in SOR chapter one, for the requested removal of parameters and where we believe that no good reason has been given for their removal, we have included them below.

## **Landscape and Visual.**

The applicant has requested that certain possible effects be scoped out and has stated as justification that these effects 'are not expected to occur.' Surely such an expectation is an insufficient reason for a particular parameter to be removed because whether these effects, if they do occur, are relevant to the proposal can only be ascertained if they are scoped in.

The applicant has requested that the effects of decommissioning are also scoped out and has stated that the justification for this is that they will be 'similar' to those effects arising from the construction. It is our contention that decommissioning is a different process to construction, if only because when decommissioned the site will be in a condition totally different from the condition it was in prior to construction, so the effects of decommissioning should not be scoped out of the ES.

The effects of night-time lighting during construction should not be scoped out either because, even if only temporary, local residents should not be expected to have their sleep disturbed by floodlighting when night-time working is undertaken. Indeed, it is our opinion that night-time working should not be permitted at all.

## **Ecology.**

An assessment of the effects on dormouse should not be scoped out simply because no records of dormouse have been provided by the Derbyshire Biological Records Office. The fact that there are no records is not proof that dormouse are not present within the confines of the site. Whether they are present or not should be the subject of a survey and the results of the survey, with appropriate mitigation, should be included within the ES.

# DRAKELOW PARISH MEETING

*CHAIR: SHARON FRASER-SMITH. VICE CHAIR: MAC CUMMINGS*

*CLERK TO THE MEETING: MERVYN JOHN.*

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## **Historic Environment.**

We assume that Historic England will be consulted in connection with this Scoping Opinion application, and we certainly do not agree that any parameters associated with the Historic Environment in which we live should be scoped out.

## **Transport and Access.**

We do not believe that any effects on drivers and pedestrians should be scoped out because all effects, significant or not, need to be fully investigated. They should therefore form part of the ES.

## **Noise.**

Noise and vibration from construction can affect properties some distance from the site, particularly if piling operations are to be undertaken, and, because of this, we believe that the effects of noise should not be scoped out.

## **Socioeconomics.**

It is not the case that significant environmental effects will not occur to land use because the use of that land, currently for agricultural purposes, will be severely affected by the project. Indeed, during operation as a solar farm the land cannot be used at all for agricultural purposes and therefore the use of land cannot be scoped out of the ES.

## **Glint and Glare.**

The applicant proposes to provide a modelling report on glint and glare as part of the planning application so there is surely no need to scope this aspect out of the ES. Rather, the modelling report should form part of the ES.

## **Major Accidents and Disasters.**

We do not believe that this aspect should be scoped out because if the solar farm is going to be designed and maintained to H & S standards, as stated by the applicant, this fact should be recorded in the ES along with details of how this will be achieved.

# **DRAKELOW PARISH MEETING**

*CHAIR: SHARON FRASER-SMITH. VICE CHAIR: MAC CUMMINGS*

*CLERK TO THE MEETING: MERVYN JOHN.*

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## **EM fields.**

Is it not the case that the fact that there will be no equipment capable of producing excessive radiation needs to be included within the ES? If so, then it should not be scoped out.

## **Ground Conditions.**

We do not understand why the applicant has requested that this item be scoped out given that he plans to carry out a detailed CEMP with mitigation measures together with Coal Mining Risk Assessments for the project. Surely all of these should be included within the ES.

## **Hydrology.**

We believe that this item should not be scoped out because, since this development is adjacent to various flood plains, its implementation may reduce the run-off time for rainfall entering the drainage systems to a considerable extent. If this turns out to be the case the project could add to the flooding events which have been experienced locally.

## **Telecommunications.**

We note that the applicant proposes to avoid any effects on telecommunications, television reception and utilities through careful design of the scheme but surely the detail of that design should be included in the ES. It should not, therefore, be scoped out.

Currently there are other proposals in the planning process for Solar Farms in our locality and we would advise and, indeed, expect all those proposals to be considered in relation to the others. We trust that this will be the case with this project.

We thank you for contacting us in connection with this application and we look forward to seeing your decision notice in due course.

Yours faithfully,

**Mervyn John M.Sc. B.A. (Hons).**  
Secretary to the Drakelow Parish Meeting.



Sal Khan CPFA, MSc  
Head of Service (Section 151 Officer)

Date : 17 September 2021

Direct Line: [REDACTED]  
Direct Fax: [REDACTED]  
Reply To: Emily Summers  
E-mail: [REDACTED]@eaststaffsbc.gov.uk  
Our Ref: P/2021/01117  
Your Ref:  
*(please quote this reference on all correspondence with us)*

The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir/Madam

**Re: Consultation - Scoping Opinion, Oaklands Farm Solar Park  
SE of Walton on Trent and South of Drakelow Power Station  
Staffordshire**

I am writing to you in connection with your consultation relating to the above development received on 24/08/2021.

East Staffordshire Borough Council has no comments to make on the above scoping opinion as submitted.

Yours faithfully

*Emily Summers*

Emily Summers  
Senior Planner  
Development Control

The Planning Inspectorate  
Environmental Services  
Temple Quay House (2 The Square)  
Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** LT/2021/126408/01-L01  
**Your ref:** EN010122-000013  
**Date:** 20 September 2021

Dear Sir/Madam

**SCOPING OPINION CONSULTATION AND NOTIFICATION OF THE APPLICANT'S CONTACT DETAILS FOR OAKLANDS FARM SOLAR PROJECT OAKLANDS FARM SOLAR PROJECT, NR ROSLISTON**

Thank you for consulting the Environment Agency on the scoping opinion for the Oaklands Farm Solar Project NSIP.

The Environment Agency has the following comments on the scoping opinion which is detailed below.

**Flood Risk**

**Question 10.1**

Are consultees in agreement with the scoping out of the following topics, as explained in Chapter 10 - Glint and Glare; Major Accidents and Disasters; Human Health; Ground Conditions; Hydrology; Telecommunications, Television Reception and Utilities; Waste; and Air Quality.

No objections because the fluvial flood risk is limited to that shown on the Flood Map for Planning (Rivers and Sea) and there are no designated Main Rivers located within the Red Line boundary of the site, and section 10.30 states that a FRA will be submitted to accompany the application.

However as per section 10.34 (...suitable mitigation is designed and implemented.), the advice detailed under Additional Information below should be taken into account in the detailed design of the site layout and cable route/s.

We would also highlight that the lead local flood authority (LLFA) will be commenting on matters within their remit, such as surface water, and they should be consulted for their views.

**Question 10.2**

Are consultees in agreement with scoping in Climate Change?

Yes, as section 10.5 states that this includes considering the vulnerability of the proposed development to climate changes including flood risk, and that a FRA will be submitted to accompany the application.

**Additional Information.**

The proposed cable route crosses some watercourses, and it is best practice to cross

Environment Agency  
Trent Side North, West Bridgford, Nottingham, NG2 5FA.  
Customer services line: [REDACTED]  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

these at 90 degrees to the flow direction (so the crossing is perpendicular/at right angles to the watercourse), however if it is necessary to run parallel to any watercourse for any length then the cable duct should be located a minimum of 8m away from the top of the bank of the watercourse on both/either side of it.

The solar panel layout should also be located with a minimum 8m easement between the top of bank of any watercourse and any solar panel.

Please note: The 8m easement starts from the top of the bank of the watercourse, however this is not the blue line (normal water's edge) as shown on the OS mapping, but the topographic change in bank slope which clearly defines the river channel from the surrounding land.

Reason - The permanent retention of a continuous unobstructed area (including below ground) is an essential requirement for the preservation of the water course corridor, wildlife habitat, flood flow conveyance and future watercourse maintenance or improvement.

For any works in, over, under or near a watercourse please refer to the following link for the LLFA's guidance on Land Drainage Act consent requirements;  
<https://www.derbyshire.gov.uk/environment/flooding/ordinary-watercourse-consents/ordinary-watercourses-land-drainage-consent.aspx>

## **Groundwater**

Chapter 10 of the Scoping Report indicates that the site has probably been used for agriculture since at least 1883. Furthermore, they are proposing to submit a desk top study that will establish the contemporary and historical context of the site with regards to ground conditions and contamination. Consequently, we have no additional requirements for the Scoping Report.

## **Environment Management**

Under 10.35 of the scoping document identifies that the River Mease SAC is a potential receptor to the impact of the site construction. However they considered it low due to two reasons:

1. The site is situated in the headlands of one of the tributaries and do is distant from the actual SAC.
2. The watercourse on site is considered a dry overland flow path rather than a watercourse.

During construction there is a risk that sediments will enter the watercourse especially during wet weather and could result in a pollution. It must be advised that only clean water is allowed to enter watercourses, if sediment enters the site from this site it would be classed as an offence under Section 12 and 38 of the Environmental Permitting Regulations 2016. The offence would be investigated and an appropriate enforcement response would be considered.

Mitigation measures need to be identified and considered to ensure sediment does not enter the tributary of the Mease or the tributary of the Mease especially during wet weather.

An environmental water quality discharge permit may be required should an water need to be treated onsite and discharged to the brook. More guidance on the requirement for

a permit can be found using the link below.

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

## **Biodiversity**

We note that that the preliminary ecological appraisal in Appendix C only appears to assess the lower half of the scoping report site when compared to the location plan shown in figure 1.1 of the scoping document. The document does not also appear to use the same cable route, as shown in figures 1.2a and b. Appendix D also appears to only cover the lower half of the site. We would highlight that the whole site needs to be assessed as part of the NSIP application to ensure all aspects of the ecological impact are understood.

We note that the applicant intends to consult with the local planning authority and their ecologist to discuss biodiversity net gain. We encourage biodiversity net gain to be implemented throughout the site especially within areas near watercourses where buffer habitats surrounding watercourses should be established with relevant wetland habitats such as marsh, reedbeds and ponds and scrapes should be created into to provide ecological improvement. Within the terrestrial areas nectar rich habitats such as herb rich lays, wildflower areas and hedgerows should be created to provide foraging for invertebrates and birds.

### ***Questions related to Biodiversity***

Question 5.1: Do the consultees agree with the survey scope and methods that are being deployed to inform this project? A: **Yes**

Question 5.2: Do the consultees support the proposed applications of the CIEEM EcIA best practice methods<sup>8</sup> detailed above? A: **Yes**

Question 5.3: Do the consultees hold any further relevant data sets that may inform the assessment? A: **No**

Yours faithfully

**Mr Joseph Drewry**  
**Planning Specialist**

Direct dial [REDACTED]  
Direct e-mail [REDACTED]@environment-agency.gov.uk

**From:** [ESP Utilities Group Ltd](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** Reference: PE162832. Plant Affected Notice from ES Pipelines  
**Date:** 27 August 2021 11:10:05  
**Attachments:** [AffectedPlantEnquiryGuidelinesGas.pdf](#)  
[B96416231-1\\_PIV-2184\\_Gas\\_Drawing.pdf](#)

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Oaklands Farm Solar Park project  
Planning Inspectorate

27 August 2021

Our Ref: PE162832

Your Ref: EN010122 - Oaklands Farm Solar Park - - EIA Regula

Dear Sir/Madam,

Further to your enquiry received on 23/08/2021, I can confirm that ESP Utilities Group Ltd may be affected by the proposed works in the area of . ESP Utilities Group Ltd has a intermediate pressure gas main serving the area in question (Reference ESN030925) at grid reference E423401, N317500 and security of supply is vitally important.

Project drawing as laid extracts for these sites are enclosed (not to scale) for your information which show the approximate location of the ESP Utilities Group Ltd network close to the area of interest off .

As your plans for the proposed work develop you are required to keep ESP Utilities Group Ltd regularly updated about the extent and nature of your proposed works in order for us to fully establish whether any additional precautionary or diversionary works are necessary to protect our network.

Arrangements can be set in place so that one of our representatives can meet on site (date to be agreed) and we will be happy to discuss the impact of your proposals on the network once we have received the details.

A list of precautionary measures is attached for your information. This must be passed on to the appointed contractors carrying out the work and any other associated parties.

ESP are continually constructing new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

If you wish to discuss the matter further please contact myself or the team on [REDACTED], alternatively you can email us at [PlantResponses@espug.com](mailto:PlantResponses@espug.com).

**ESP have provided you with all the information we have to date however, there may be inaccuracies or delays in data collection and digitisation caused by a range of practical and unforeseeable reasons and as such, we recommend the following steps are taken as a minimum before work is commenced that involves the opening of any ground and reference made to HSG47 (Avoiding danger from underground services).**

- A. Plans are consulted and marked up on site
- B. The use of a suitable and sufficient device to locate underground utilities before digging (for example the C.A.T and Genny)
- C. Trial holes are dug to expose any marked up or traced utilities in the ground
- D. If no utilities are shown on any plans and no trace is received using a suitable and sufficient device, trial holes are dug nonetheless using hand tools at the location or at regular intervals along the location that the work is being carried out depending on the length of excavation work being undertaken
- E. All location work is carried out by individuals with sufficient experience and technical knowledge who may choose to control this activity under a Safe System Of Work

Yours faithfully,

Plant Protection Team  
ESP Utilities Group Ltd

**This plan shows those pipes owned by ESPUG in their role as a licensed Independent Gas Transported (IGT). Gas pipes owned by other GTs/IGTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy therefor cannot be guaranteed. Service pipes, valves, stub connections etc are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by ESPUG or their agents, servants or contractors for any error or omission. Safe digging practices in accordance with HS(G)47 must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contracts) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.**



Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA



<http://www.espug.com>

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

## PRECAUTIONS TO BE TAKEN WHEN CARRYING OUT WORK IN THE VICINITY OF UNDERGROUND GAS PIPES

### ADVICE TO SITE PERSONNEL

#### **MANAGEMENT NOTE**

Please ensure that a copy of this note is read by your site management and to your site operatives.

Early consultation with ES Pipelines Ltd prior to excavation is recommended to obtain the location of plant and precautions to be taken when working nearby.

This note has been produced after consultation with and at the request of the Health and Safety Executive, the construction industry and the local authorities as an interim measure pending the issue of an HSE Guidance Note.

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#### **Introduction**

Damage to ES Pipelines Ltd's plant can result in uncontrolled gas escapes which may be dangerous. In addition these occurrences can cause expense, disruption of work and inconvenience to the public.

Various materials are used for gas mains and services. Cast Iron, Ductile Iron, Steel and Plastic pipes are the most widely found. Modern Plastic pipes are either bright yellow or orange in colour.

Cast Iron and Ductile Iron water pipes are very similar in appearance to Cast Iron and Ductile Iron gas pipes and if any Cast Iron or Ductile Iron pipe is uncovered, it should be treated as a gas pipe. ES Pipelines Ltd do not own any metallic gas pipes but their gas network infrastructures may be connected to Cast Iron, Ductile Iron or Steel pipes owned by Transco.

The following general precautions apply to Intermediate Pressure (2-7barg MOP), Medium Pressure (75mbarg-2barg MOP), Low Pressure (up to 75mbarg MOP) and other gas mains and services likely to be encountered in general site works and are referred to within this document as 'pipes'.

#### **Locating Gas Pipes**

It should be assumed when working in urban and residential areas that gas mains and services are likely to be present. On request, E S Pipelines Ltd will give approximate locations of pipes derived from their records. The records do not normally show the position of service pipes but their probable line can be deducted from the gas meter position. E S Pipelines Ltd's staff will be pleased to assist in the location of gas plant and provide advice on any precautions that may be required. The records and advice are given in good faith but cannot be guaranteed until hand excavation has taken place. Proprietary pipe and cable locators are available although generally these will not locate plastic pipes.

#### **Safe working Practices**

##### **To achieve safe working conditions adjacent to gas plant the following must be observed:**

Observe any specific request made by E S Pipelines Ltd's staff.

Gas pipes must be located by hand digging before mechanical excavation. Once a gas pipe has been located, mechanical excavation must proceed **with care**. A mechanical excavator must not in any case be used within 0.5 metre of a gas pipe and greater safety distances may be advised by E S Pipelines Ltd depending on the mains maximum operating pressure (MOP).

Where heavy plant may have to cross the line of a gas pipe during construction work, the number of crossing points should be kept to a minimum. Crossing points should be clearly indicated and crossings at other places along the line of the pipe should be prevented.

Where the pipe is not adequately protected by an existing road, crossing points should be suitably reinforced with sleepers, steel plates or a specially constructed reinforced concrete raft as necessary. E S Pipelines Ltd staff will advise on the type of reinforcement necessary.

No explosives should be used within 30 metres of any gas pipe without prior consultation with E S Pipelines Ltd.

**E S Pipelines Ltd must be consulted prior to carrying out excavation work within 10 metres of any above ground gas installation.**

Where it is proposed to carry out piling or boring within 15 metres of any gas pipe, E S Pipelines Ltd should be consulted prior to the commencement of the works.

Access to gas plant must be maintained at all times during on site works.

### **Proximity of Other Plant**

A minimum clearance of 300 millimetres (mm) should be allowed between any plant being installed and an existing gas main to facilitate repair, whether the adjacent plant be parallel to or crossing the gas pipe. No apparatus should be laid over and along the line of a gas pipe irrespective of clearance.

No manhole or chambers shall be built over or around a gas pipe and no work should be carried out which results in a reduction of cover or protection over a pipe, without consultation with E S Pipelines Ltd.

### **Support and Backfill**

Where excavation of trenches adjacent to any pipe affects its support, the pipe must be supported to the satisfaction of E S Pipelines Ltd and must not be used as an anchor or support in any way. In some cases, it may be necessary to divert the gas pipe before work commences.

Where a trench is excavated crossing or parallel to the line of the gas pipe, the backfill should be adequately compacted, particularly beneath the pipe, to prevent any settlement which could subsequently cause damage to the pipe.

In special cases it may be necessary to provide permanent support to the gas pipe, before backfilling and reinstatement is carried out. Backfill material adjacent to gas plant must be selected fine material or sand, containing no stones, bricks or lumps of concrete, etc., placed to a minimum depth of 150mm around the pipes and well compacted by hand. No power compaction should take place until 300 mm of selected fine fill has been suitably compacted.

If the road construction is in close proximity to the top of the gas pipe, a "cushion" of selected fine material such as sand must be used to prevent the traffic shock being transmitted to the gas pipe. The road construction depth must not be reduced without permission from the local Highway Authority.

No concrete or other hard material must be placed or left under or adjacent to any Cast Iron pipe as this may cause fracture of the pipe at a later date.

Concrete backfill should not be used closer than 300 mm to the pipe.

### **Damage to Coating**

Where a gas pipe is coated with special wrapping and this is damaged, even to a minor extent E S Pipelines Ltd must be notified so that repairs can be made to prevent future corrosion and subsequent leakage.

### **Welding or "Hot Works"**

When welding or other "hot works" involving naked flames are to be carried out in close proximity to gas plant and the presence of gas is suspected, E S Pipelines Ltd must be contacted before work commences to check the atmosphere. Even when a gas free atmosphere exists care must be taken when carrying out hot works in close proximity to gas plant in order to ensure that no damage occurs.

Particular care must be taken to avoid damage by heat or naked flame to plastic gas pipes or to the protective coating on other gas pipes.

### **Leakage from Gas Mains or Services**

If damage or leakage is caused or an escape of gas is smelt or suspected the following action should be taken at once:

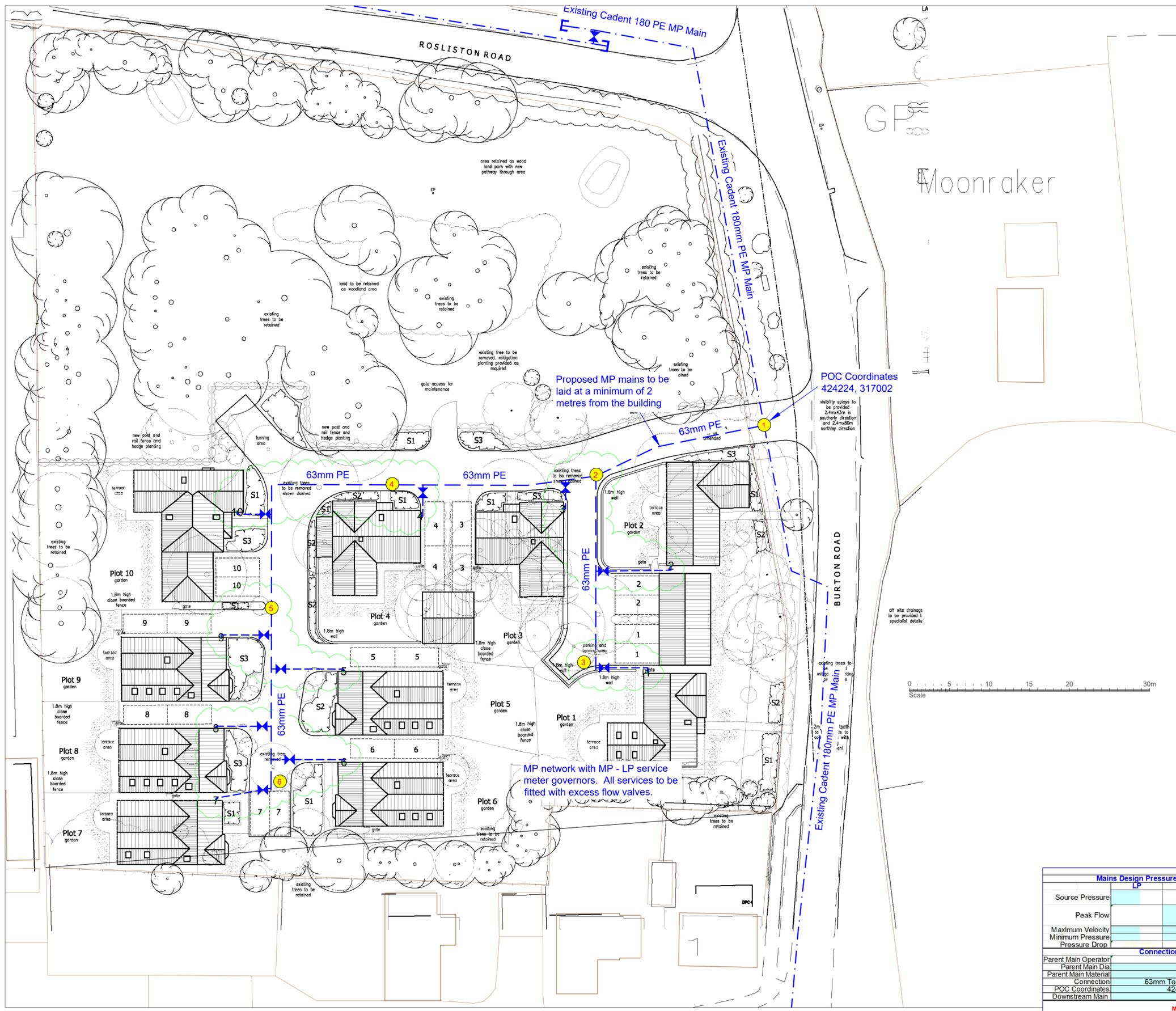
- ❖ Remove all personnel from the immediate vicinity of the escape;
- ❖ Contact Transco's National Gas Escape Call Centre, on: [REDACTED]
- ❖ Prevent any approach by the public, prohibit smoking, extinguish all naked flames or other source of ignition for at least 15 metres from the leakage;
- ❖ Assist gas personnel, Police or Fire Service as requested.

**REMEMBER - IF IN DOUBT, SEEK ADVICE FROM E S PIPELINES LTD.**

**ES Pipelines Ltd can be contacted at:**

**Office Address:** Hazeldean, Station Road, Leatherhead, Surrey, KT22 7AA

**Office Tel:** [REDACTED] **email:** plantresponses@espipelines.com



This Plan shows only the pipes owned by E S Pipelines Ltd in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GTs, and also privately owned, may be present in the area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation or warranty. The accuracy thereof cannot be guaranteed. All service pipes are not necessarily shown but pressure should be anticipated. The liability of any kind whatsoever is accepted by E S Pipelines Ltd, its agents or servants for any error or omission, including practices, as defined in Health and Safety Executive HSG247 'Avoiding danger from underground services', must be used to verify and establish the actual position of mains, services and other pipes on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant parties before any work is undertaken (either direct or indirect) on or near gas apparatus. The information on this plan should not be referred to beyond 28 days following the date of issue. (See below for date of issue). The information on this plan is provided for the use of the client and is not to be used for any other purpose. The copyright of E S Pipelines Limited and may not be reproduced without written consent.

Number	Year	Revision	Description
1	2018	1	Issue for tender
2	2018	2	Issue for construction
3	2018	3	Issue for completion
4	2018	4	Issue for as-built
5	2018	5	Issue for final

ESP GAS GROUP

Minimum distance or height for any opening door or window	Minimum distance above top of the pipe or a meter box to any electrical equipment such as switches and power points	Minimum distance of a meter box to any opening door or operable window, door or other opening	Minimum distance of a meter box to any electrical equipment such as switches and power points
0.18m	0.33m	1.00m	1.50m

Medium Pressure Services  
Service location valves (SLV) and Service and/or flow valves (SFV) should be fitted on all MP domestic services where the PID is 55bar (55bar). All other MP services should be provided with service location valves.

METER ROOMS  
INDIVIDUAL METERS OR METERS TO BE LOCATED ON MANIFOLDS IN PURPOSE BUILT GROUND FLOOR METERS ROOMS OR IN METERS ROOMS SECURE PERMANENTLY VENTILATED BASKET GARAGE AREA.

METER ROOM VENTILATION  
EFFECTIVE VENTILATION AREA TO BE NOT LESS THAN 1% OF THE FLOOR AREA OF ROOM OR OF ITS NOTIONAL EQUIVALENT OR 2% WHERE VENTILATION IS PROVIDED IN ONE WALL ONLY. ROOM TO BE SEALED FROM REST OF INTERIOR OF BUILDING.

Meter room to comply with IGM-G-5 and IGM-GM-8  
Where pipework passes through walls and floors it must be ducted and firestopped (see also BS EN 13463-3 for fire and 8 minute temporary fire stopping system such as a pipe cap).



Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm - 300mm
Gas	600mm
Water	750mm - 900mm
Telecommunications	300mm

Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

Utility	Depth (mm)
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Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

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Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
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Utility	Depth (mm)
Electricity	750mm
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Telecommunications	300mm

Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

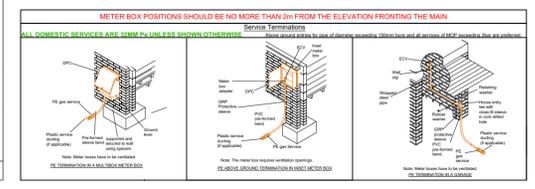
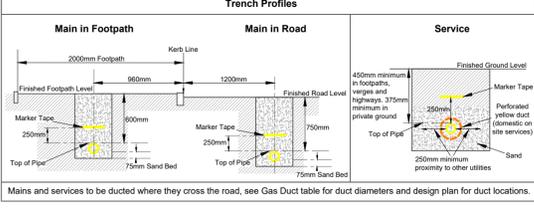
Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

Utility	Depth (mm)
Electricity	750mm
Cable TV / Communications	250mm
Gas	600mm
Water	750mm
Telecommunications	300mm

Mains Design Pressure and Velocity		Mains Lengths (m) and Diameters		
LP	MP	LP	MP	IP (HDPE100)
Source Pressure	450 mBar	63mm	63mm 125	63mm
Peak Flow	16.2 m3/hr	90mm	90mm	90mm
Maximum Velocity	1.48 m/s	125mm	125mm	125mm
Minimum Pressure	449.26 mBar	180mm	180mm	180mm
Pressure Drop	0.74 mBar	250mm	250mm	250mm
		315mm	315mm	315mm
		355mm	355mm	355mm
Parent Main Operator	Gasnet	LP	MP	IP
Parent Main Dia	180mm			
Parent Main Material	PE			
Connection	63mm Top Outlet Service Tee			
POC Coordinates	424224, 317002			
Downstream Main	63mm PE			

Meterbox Types: Recessed (for MP with blanked spigot entry).

**Standards and Material Specifications**  
 BS EN 12068:2000 Specification for the design and construction of gas meters.  
 BS EN 12069:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12070:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12071:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12072:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12073:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12074:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12075:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12076:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12077:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12078:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12079:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12080:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12081:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12082:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12083:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12084:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12085:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12086:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12087:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12088:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12089:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12090:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12091:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12092:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12093:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12094:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12095:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12096:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12097:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12098:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12099:2000 Specification for the design and construction of gas meter cabinets.  
 BS EN 12100:2000 Specification for the design and construction of gas meter cabinets.



From: [Meakins, Corinne](#)  
To: [Oaklands Farm Solar](#)  
Subject: Forestry Commission response EN010122-000013 Oaklands Farm Solar Ltd  
Date: Scoping consultation 16 September 2021 15 02:11

---

Dear Sir/Madam,

Thank you for consulting the Forestry Commission on this application. Our key concerns are impacts on woodland in particular ancient woodland. This site doesn't appear to impact ancient wood; However it does lie very close to Rosliston Forestry Centre, 0.5 km and this application site sits within the of the National Forest which is an ambitious regeneration projects whose aim is to link two forest together by steadily adding more woodland . The National Forest Company leads the creation of The National Forest is a charity and Non-Profit Institution within the Public Sector, sponsored by the Department for Environment, Food and Rural Affairs (Defra).

With regard to the scoping document we are surprised that the impact on the National Forest and its objectives has not been included in the scoping. We would also expect any trees on site to be retained or compensated for and for the developers to protect all veteran trees on site. Therefore some identification of these trees to enable a retention or likely compensation process needs to be scoped in, hedgerows are mentioned. The scoping document does say that both the National Forest and Natural England will be consulted after the consultation which appears a bit late (4.27) I would add them in although they have been mentioned in Chapter 4 as a consultee, I have been told that the National Forest have not been consulted directly yet and would encourage the applicants to do so as soon as possible, the contact is:

**Philip Metcalfe** | Green Infrastructure & Planning Manager

The National Forest Company, Bath Yard, Moira, Swadlincote, Derbyshire DE12 6BA

Tel: [REDACTED]

Direct Dial: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]@nationalforest.org

Web: [nationalforest.org](http://nationalforest.org)

Apart from this we don't have any further comments to make.

Yours sincerely

**Corinne Meakins**

Local Partnership Advisor

Forestry Commission East and East Midlands Area

Following the governments guidance issued about the Coronavirus outbreak, I am working at home. Please note my normal working pattern is 8-4.30 pm Monday, Tuesday and Thursday.

Please direct any enquiries to the Team email East and East Midlands Forest Area Enquiries [eandem@forestrycommission.gov.uk](mailto:eandem@forestrycommission.gov.uk)

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CEMHD Policy - Land Use Planning,  
NSIP Consultations,  
Building 1.2,  
Redgrave Court,  
Merton Road,  
Bootle, Merseyside  
L20 7HS.

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

FAO Richard Kent  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN  
By email only

Dear Mr Kent,

8 September 2021

**PROPOSED OAKLANDS FARM SOLAR PARK PROJECT (the project)  
PROPOSAL BY OAKLANDS FARM SOLAR LTD (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as  
amended) REGULATIONS 10 and 11**

Thank you for your letter of the 23 August 2021 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within the consultation zones of any major accident hazard sites or major accident hazard pipelines.

This is based on the current configuration as illustrated in, for example, figure 1.1 site location of the document 'PINS Ref EN010122 - Oaklands Farm Solar Limited Oaklands Farm Solar Park Scoping Report Final report Prepared by LUC in association with Integrated Transport Planning, Pager Power, Yellow Sub Geo and Sustainable Acoustics August 202

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

### Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

### Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

### Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely,

*Monica*

Monica Langton  
CEMHD4 NSIP Consultation Team



Mr Ben Jenkinson  
Environmental Services  
Central Operations  
Temple Quay House, 2 The Square  
Bristol  
BS1 6PN

Direct Dial: [REDACTED]

Our ref: PL00755482

14 September 2021

Dear Mr Jenkinson

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11**

**PINS Ref EN010122 - Oaklands Farm Solar Limited- Oaklands Farm Solar Park Scoping Report- LUC**

Thank you for consulting us on the above Scoping Report, Historic England is the Government's advisor on Historic Environment and will engage positively with information requests received in connection with producing this Environmental Impact Assessment.

We note that Historic Environment matters are scoped into the proposed Environmental Statement and that we have been asked specific questions in relation to the Historic Environment Chapter 6 within the accompanying scoping report. Our responses to the individual questions are outlined below.

Question 6.1 - Do the consultees consider the study area appropriate?

**HE Response-** We note the study area is set at a radius of 2.5km, this should be regarded as indicative at this stage. We would caution against the fixed radius approach to the consideration of setting impacts in advance of more work to understand the specific setting sensitivity of assets. The proposed scope may be unduly restrictive and should be reviewed in the context of the initial results. We would recommend the inclusion of long views and any specific designed or historically relevant views and vistas within historic landscapes. In some cases, inter-visibility between historic sites may be a significant issue and views between contemporaneous or otherwise associated heritage assets in which both assets and the development can be seen should also be considered.

Question 6.2- Are there any other relevant consultees who should be consulted about



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone [REDACTED]  
HistoricEngland.org.uk



this topic?

**HE Response-** We refer the applicant to the expertise of the relevant local authority advisors in South Derbyshire in respect of built heritage and the Derbyshire County Council Archaeological Advisors in relation to archaeological assets and impacts there-on.

Question 6.3- Are consultees aware of any other supplementary guidance of relevance to the assessment of effects to heritage assets?

**HE Response-** No- we note that Historic England Guidance- Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning Note 2 (GPA 2) and The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (GPA 3) are included which we welcome.

Question 6.4- Is the approach to the assessment of effects appropriate?

**HE Response-** We would advise that heading 6.26 is changed to include Levels of *importance* (rather than levels of *significance*) within the title. We would also advise that the proposed effects levels are broken down into sub- categories as the proposed approach tends to a skewed distribution. The proposed approach doesn't allow for a sufficient range of impacts. For example, an impact on a high importance asset in the upper half of less than substantial harm should come out at a significant environmental impact, but as proposed it would need to be Total Loss or Substantial Harm even to a high importance asset for it to register as a significant environmental effect - which would be inadequate. Overall this is an area where many assessments struggle with clarity of nomenclature, it may help if:

'significant' is restricted to 'significant environmental effect' - in the EIA sense,

'sensitivity' is restricted to 'sensitivity of a receptor to change' - in the EIA sense

'*significance*' is used for the structured analysis of heritage values for an asset which set out what makes it of interest - in the NPPF/ NPS sense

'importance' is used for the relative worth ascribed to an asset - for instance through statutory designation, expert opinion / recognition by the decision maker as a non-designated heritage asset - in the NPPS / NPS sense



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone [REDACTED]  
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Question 6.5 Is the approach to field survey considered appropriate?

**HE Response-** Desk based assessment including HER consultation, Lidar, cartographic sources, previous survey etc should inform extensive new geophysical survey; in respect of this work and further intrusive investigations we refer you to County archaeological advice.

I hope the above advice is useful. Please do not hesitate to contact us if you have any queries regarding the above advice.

Yours sincerely,

Rose Thompson

Rose Thompson  
Inspector of Historic Buildings and Areas  
[REDACTED]@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone [REDACTED]  
HistoricEngland.org.uk



H. C. Bailey Lullington Parish Chair

Dag Lane, Lullington, Swadlincote

The Planning Inspectorate  
Environmental Services,  
Central Operations,  
Temple Quay House,  
2 The Square,  
Bristol,  
BS1 6PN

14<sup>th</sup> September 2021

Dear Sir/Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11**

**Application by Oaklands Farm Solar Ltd (the Applicant) for an Order granting Development Consent for the Oaklands Farm Solar Project (the Proposed Development)**

I am writing concerning the application in respect of a scoping opinion with regard to the above proposed development of which I have been made aware.

I am Chair of the Lullington Parish Meeting and, although Lullington Parish is not directly adjacent to the above proposed development, you should be aware that as a Parish Lullington has objected to a similar large scale solar farm on land to the north of the village (South Derbyshire District Planning: Application reference DMPN/2021/1014). It is expected that there will be an overlap of concerns in respect of the two proposals; for example construction traffic routing could well be via similar routes with a compounding of negative impacts.

There is considerable concern locally regarding the increasing industrialisation of the rural landscape. There are already 3 other large scale solar developments in the planning process (Haunton, Lullington and Scropton) and a further scheme is rumoured to be under consideration. Most of these proposals involve the use of productive agricultural land and as yet we have not seen any significant solar installations on the roofs of the many enormous distribution and other buildings also under construction locally. A preponderance of solar proposals affecting agricultural land as opposed to brownfield or rooftop sites would seem inconsistent with planning guidelines.

In light of their close proximity and similar issues associated with the Lullington and Oakland applications, I request that I be added to the consultation list in respect of the above application. I should appreciate being kept informed of its progress.

My contact details are: Telephone: [REDACTED]  
Email: [REDACTED]@gmail.com

Mrs Helen Bailey  
Dag Lane  
Lullington, Swadlincote  
[REDACTED]

Many thanks

Yours Faithfully

[REDACTED]  
Helen Bailey - Lullington Parish Chair

**From:** [Holdsworth, Anne](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** EN010122-000013 SCOPING CONSULTATION AND NOTIFICATION FOR THE PROPOSED OAKLANDS FARM SOLAR PROJECT  
**Date:** 31 August 2021 10:45:15  
**Attachments:** [Oaklands Farm Solar Park NGET Plan.pdf](#)  
[National Grid Consultation Response Oaklands Farm Solar Park.pdf](#)

---

Good morning

Further to your letter dated 23 August 2021 in relation to the above proposed application and the Scoping Notification and Consultation, please find attached the response on behalf of National Grid.

If you require any further information please do not hesitate to contact me.

Kind regards

Anne

### **Anne Holdsworth**

DCO Liaison Officer  
Land and Acquisitions, Land and Property  
**nationalgrid**

@nationalgrid.com

 Warwick Technology Park, Gallows Hill, Warwick,  
CV34 6DA  
[nationalgrid.com](#) | [Twitter](#) | [LinkedIn](#)

*In order to deal with your query/request, we may need to collect your personal data. For more information on National Grid's privacy policy in respect of your personal data, please see the attached link: <https://www.nationalgridet.com/privacy-policy>*

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Advance notice of holiday: 10<sup>th</sup> – 13<sup>th</sup> September, 17<sup>th</sup> September, 11<sup>th</sup>– 22<sup>nd</sup> October

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## Land and Acquisitions

Anne Holdsworth  
DCO Liaison Officer  
Land & Property  
[REDACTED]@nationalgrid.com  
Direct tel: [REDACTED]

SUBMITTED ELECTRONICALLY:  
[oaklandsfarmsolar@planninginspectorate.gov.uk](mailto:oaklandsfarmsolar@planninginspectorate.gov.uk)

[www.nationalgrid.com](http://www.nationalgrid.com)

31 August 2021

Dear Sir/Madam

### **EN010122-000013 SCOPING CONSULTATION AND NOTIFICATION FOR THE PROPOSED OAKLANDS FARM SOLAR PROJECT (THE PROPOSED DEVELOPMENT)**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

I refer to your letter dated 23 August 2021 in relation to the above proposed application and the Scoping Notification and Consultation. I would like to make the following comments:

#### **National Grid infrastructure within / in close proximity to the order boundary**

##### **Electricity Transmission Infrastructure**

National Grid Electricity Transmission has high voltage electricity overhead transmission lines and high voltage substations within the scoping area. The overhead lines and substation form an essential part of the electricity transmission network in England and Wales.

##### Overhead Lines

- ZN 400kV Drakelow – Rugeley  
Bushbury - Rugeley
- ZE 400kV Cellarhead – Drakelow 1  
Cellarhead – Drakelow 2
- 4YP 400kV Bustleholm – Drakelow 1  
Bustleholm – Drakelow 2
- ZF 400 kV Drakelow – Hams Hall  
Drakelow – Oldbury
- ZS 400kV Drakelow – Willington East  
Drakelow – Ratcliffe on Soar
  
- Associated cable fibre

## Substations

- Drakelow1 132kV Substation
- Drakelow2 275kV Substation
- Drakelow4 400kV Substation

A plan showing the NGET Infrastructure is attached to this submission.

## **Gas Transmission Infrastructure:**

National Grid Gas has no gas transmission apparatus located within or in close proximity to the scoping area.

## **Specific Comments – Electricity Infrastructure:**

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are

to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

## **Further Advice**

**National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All further consultations should be sent to the following email address:**

**[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)**

**We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.**

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.**

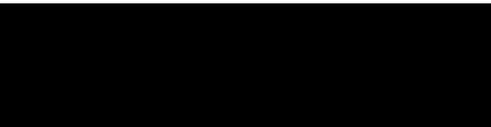
In order to respond at the earliest opportunity National Grid will require the following:

- Draft DCO including the Book of Reference and relevant Land Plans;
- Shape Files or CAD Files for the order limits.

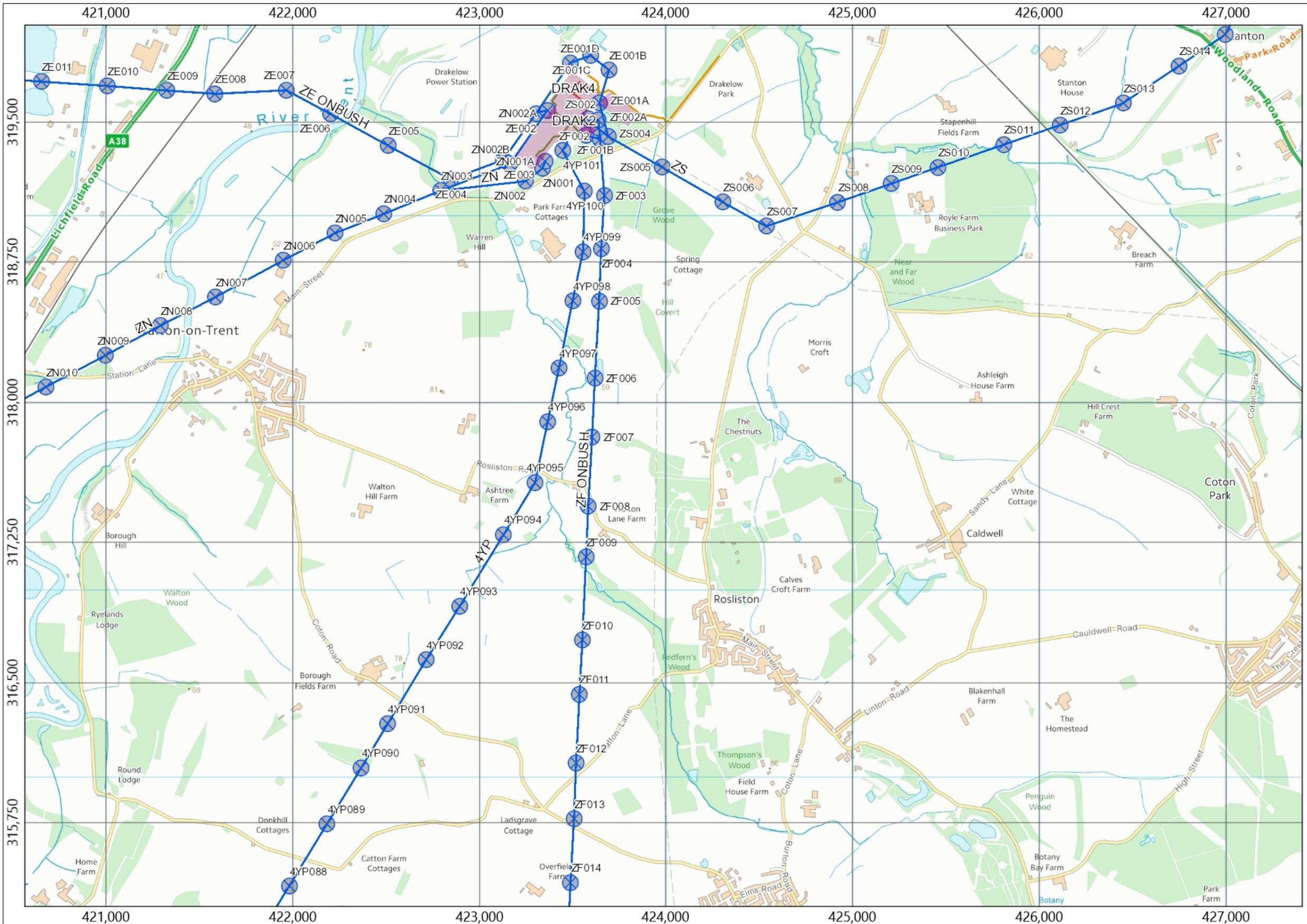
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity services.

Yours faithfully



**Anne Holdsworth**  
**DCO Liaison Officer, Land and Acquisitions**



**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
- Nitrogen Sleeve
- Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

**Notes:**  
 Oaklands Farm Solar Park NGET PLAN

0 0.51 1.0 Kilometers  
 OS Disclaimer Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid UK Ltd -0100059731

Date: 24/08/2021 Page size: A3 Landscape Scale: 1: 20,000  
 Time: 12:21:39 Print by: Holdsworth, Anne



NG Disclaimer National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.  
 Note Any sketches on the map are approximate and not captured to any particular level of precision.

Our Ref:  
Your Ref: EN010122-000013

The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Via email:  
[oaklandsfarmsolar@planninginspectorate.gov.uk](mailto:oaklandsfarmsolar@planninginspectorate.gov.uk)

Steve Freek  
National Highways (Area 7)  
Stirling House  
Lakeside Court  
Osier Drive  
Sherwood Business Park  
Nottingham  
NG15 0DS

Direct Line: 0300 470 4457

[www.highwaysengland.co.uk](http://www.highwaysengland.co.uk)

09 September 2021

Dear Sir / Madam,

**A38, Oaklands Farm Solar Project, Walton On Trent, Derbyshire – EIA Scoping Opinion**

Thank you for inviting National Highways to provide comments on the scope of an Environmental Statement (ES) relating to a forthcoming application for a Development Consent Order for a proposed solar park at the above location.

We note that the site is located approximately 2km to the east of the A38 / B5016 junction at Walton on Trent, which forms the closest point of access onto the Strategic Road Network (SRN).

We have set out below both the general and specific areas of concern that National Highways would wish to see considered as part of an ES. These comments relate specifically to matters arising from National Highways responsibilities to manage and maintain the SRN in England. Comments relating to the local road network should be sought from the appropriate local highway authority.

General aspects to be addressed in all cases include:

- An assessment of transport related impacts of the proposal should be carried out and reported as described in the Department for Transport 'Guidance on Transport Assessment (GTA)' and in accordance with Circular 02/2013. It is noted that this guidance has been archived, however still provides a good practice guide in preparing a TA. In addition, the Ministry of Housing, Communities and Local Government also provide guidance on preparing TAs.
- Environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.

- Adverse change to noise and air quality should be particularly considered, including in relation to compliance with the European air quality limit values and/or in local authority designated Air Quality Management Areas (AQMAs).

National Highways recommends the following site-specific considerations should inform the final ES:

- From review of the Scoping Report, we note that no details have been provided to quantify the likely traffic impacts. However, the report does suggest that the greatest levels of traffic generation would be during the construction phase. We would advise that further details be provided through the submission of a Construction Traffic Management Plan (CTMP).
- Although the Walton on Trent junction is the closest point of access to the SRN from the site, the report states that access for construction vehicles shall be recommended via the A38 / A513 junction at Alrewas to the south, and from Burton on Trent to the north. Further details on the impacts at these locations and the approach to encouraging vehicles to take these routes should be detailed within the CTMP.
- Details regarding site operation and decommissioning from a traffic impact perspective should also be provided for review.
- We note that vehicle trips carrying abnormal loads shall access the site via M42 J11, and that the implications of such trips shall be considered within the CTMP.
- We note that the applicant states that National Highways shall be consulted via pre-application advice to support the development of the Transport Assessment. We encourage this early engagement to offer advice and agree traffic generation, distribution, impacts and any necessary assessment methodologies.
- Should traffic impact assessments be required on the SRN, we are content with the proposed collection of traffic survey data from September 2021 onwards. However, as a result of the on-going coronavirus pandemic, National Highways should be consulted on the proposed scope of the traffic survey to ensure this meets the current requirements.

Although we strongly recommend that further consultation should occur before any traffic modelling takes place, please note that any junction capacity assessments should be carried out as follows to comply with DfT Circular 02/2013:

- Opening year (the year in which the development is realistically expected to first become open to traffic) reference case scenario: This scenario should include all the committed developments in the vicinity of the site based on their likely build out by the opening year, as per the requirements of the DfT Circular 02/2013.
- Opening year with development scenario (opening year reference case scenario + proposed development). The comparison of network performance in this scenario with the reference case will determine whether any highway mitigation is required.
- The impact of the development should also be assessed for 10 years after the year the application is registered or the end of the Local Plan period (whichever is greater) to help inform Highways England's future works programme.

Committed developments and infrastructure should be included in all future year assessments. We recommend liaising with relevant planning authorities to determine the consented developments to be incorporated in the assessment.

These comments are only advisory, as the responsibility for determining the final scope of the Environmental Statement would rest with the Local Planning Authority.

These comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms. Should the applicant wish to discuss the merits of the proposal in terms of the likely impact on the SRN please contact me on [REDACTED] or [REDACTED] [@highwaysengland.co.uk](mailto:[REDACTED]@highwaysengland.co.uk)

Yours sincerely,

*S Freek*

Steve Freek  
Midlands Operations Directorate  
[REDACTED] [@highwaysengland.co.uk](mailto:[REDACTED]@highwaysengland.co.uk)

Date: 20 September 2021  
Our ref: 365213  
Your ref: EN010122-000013



Ben Jenkinson  
The Planning Inspectorate

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
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Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Ben Jenkinson

**Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the EIA Regulations 2017): Secretary of State EIA Scoping Opinion**  
**Location:** Oaklands Farm Solar Park site lies to the south east of Walton-on-Trent

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 23 August 2021 which we received on 23 August 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Caolan Gaffney  
Planning Lead Adviser  
East midlands Area Delivery Team

---

<sup>1</sup> Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

## **Annex A – Advice related to EIA Scoping Requirements**

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

#### **2.2 Internationally and Nationally Designated Sites**

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or

possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

### **2.3 Regionally and Locally Important Sites**

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

### **2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)**

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

### **2.5 Habitats and Species of Principal Importance**

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

## **2.6 Contacts for Local Records**

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

## **3. Designated Landscapes and Landscape Character**

### **Landscape and visual impacts**

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to

the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

### **Heritage Landscapes**

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm).

### **4. Access and Recreation**

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

### **5. Soil and Agricultural Land Quality**

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 of the NPPF. We also recommend that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource, as also highlighted in paragraph 170 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see [www.magic.gov.uk](http://www.magic.gov.uk). Natural England Technical Information Note 049 - [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.

3. The Environmental Statement should provide details of how any adverse impacts on soils can be minimised. Further guidance is contained in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#).

## **6. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 174), which should be demonstrated through the ES.

## **7. Cumulative and in-combination effects**

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

**From:** [ADAM MELLOR](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** Development Consent for the Oaklands Farm Solar Project (Your Ref: EN010122-000013)  
**Date:** 09 September 2021 17:49:39  
**Attachments:** [image001.png](#)  
[image002.jpg](#)

Dear Mr Jenkinson

I write in respect of your correspondence of the 23<sup>rd</sup> August 2021 in relation to the above matter.

It is noted that the proposed application relates to a solar farm at the above site and in this respect the main impact to the administrative area of North West Leicestershire District Council would be any potential visual impact. The submitted Scoping Report outlines that the 'Landscape and Visual' impacts of the development would be appropriately considered and in this respect the Zone of Theoretical Visibility (ZTV) suggests that there is only the potential for up to 25% of the development to be visible from certain areas within the District.

Subject to the 'Landscape and Visual' impacts being appropriately considered in any Environmental Impact Assessment (EIA) which accompanies the Development Consent submission the District Council would have no further comments to make at this time.

I trust that this information is of assistance to you.

Yours sincerely



Adam Mellor  
Principal Planning Officer | Planning and Development

[@nwleicestershire.gov.uk](#) | [www.nwleics.gov.uk](#)  
Twitter @NWLeics | Facebook This Is NWLeics

Any advice provided is offered without prejudice to future decisions made by the Authority.



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**From:** [Emma Brook](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** EN010122-000013. Oaklands Farm Solar Project  
**Date:** 27 August 2021 14:21:30

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Good afternoon,

Thank you for consulting the Planning Policy team on this scoping opinion. I can advise that at this time, Nottinghamshire County Council does not have any comments to make.

Please could you send all future correspondence to [planning.policy@nottscc.gov.uk](mailto:planning.policy@nottscc.gov.uk) only.

Many thanks,

Emma Brook

Planning Policy Team  
Place Department  
Nottinghamshire County Council  
County Hall  
Nottingham  
NG2 7QP

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Public Health  
England

Environmental Hazards and  
Emergencies Department  
Centre for Radiation, Chemical and  
Environmental Hazards (CRCE)  
Seaton House  
City Link  
London Road  
Nottingham  
NG2 4LA

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

[www.gov.uk/phe](http://www.gov.uk/phe)

Your Ref:  
Our Ref: CIRIS 57985

Mr Ben Jenkinson  
EIA Advisor  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol BS1 6P

17<sup>th</sup> September 2021

Dear Mr Jenkinson

**Nationally Significant Infrastructure Project  
Oaklands Farm Solar Park  
Scoping Consultation Stage**

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Advice offered by PHE is impartial and independent.

PHE exists to protect and improve the nation's health and wellbeing and reduce health inequalities; these two organisational aims are reflected in the way we review and respond to Nationally Significant Infrastructure Project (NSIP) applications.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

**Environmental Public Health**

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report on human health provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments,

proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. The attached appendix summarises PHE's requirements and recommendations regarding the content of and methodology used in preparing the ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposures of non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

### **Human Health and Wellbeing**

This section of PHE's scoping response, identifies the wider determinants of health and wellbeing we expect the Environmental Statement (ES) to address, to demonstrate whether they are likely to give rise to significant effects. PHE has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report PHE wish to make the following specific comments and recommendations:

### **Traffic and transport**

The scoping report makes reference to a traffic and transport assessment, but wishes to scope out driver and pedestrian delay. No detail is provided regarding the methodology for the traffic and transport assessment.

### **Recommendation**

The ES should include an assessment in accordance with the IEMA 'Guidelines for the Environmental Assessment of Road Traffic' (1993). The 'Guidelines for the Environmental Assessment of Road Traffic set out a number of potential environmental effects relating to highways and transport considerations which potentially require assessment.

Yours sincerely,

For and on behalf of Public Health England  
[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

## **Appendix: PHE recommendations regarding the scoping document**

### **Introduction**

The Planning Inspectorate's Advice Note 11: Working with Public Bodies covers many of the generic points of interaction relevant to the Planning Inspectorate and Public Health England (PHE). The purpose of this Annex is to help applicants understand the issues that PHE expect to see addressed by applicants preparing an Environmental Statement (ES) as part of their Nationally Significant Infrastructure Planning (NSIP) submission.

We have included a comprehensive outline of the type of issues we would expect to be considered as part of an NSIP which falls under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). PHE encourages applicants to contact us as early in the process as possible if they wish to discuss or clarify any matters relating to chemical, poison, radiation or wider public health.

### **General Information on Public Health England**

PHE was established on 1 April 2013 to bring together public health specialists from more than 70 organisations into a single public health service. We are an executive agency of the Department of Health and are a distinct delivery organisation with operational autonomy to advise and support government, local authorities and the National Health Service (NHS) in a professionally independent manner.

We operate across 4 regions in England and work closely with public health professionals in Wales, Scotland and Northern Ireland, and internationally.<sup>1</sup> We have specialist teams advising on specific issues such as the potential impacts of chemicals, air quality, ionising and non-ionising radiation and other factors which may have an impact on public health, as well as on broader issues such as the wider determinants of health, health improvement and health inequalities.

### **PHE's NSIP related roles and responsibilities and geographical extent**

PHE is a statutory consultee in the NSIP process for any applications likely to involve chemicals, poisons or radiation which could potentially cause harm to people and are likely to affect significantly public health.<sup>2</sup> PHE will consider the potential significant effects (direct and indirect) of a proposed development on population and human health and the impacts from chemicals, radiation and environmental hazards.

Under certain circumstances PHE may provide comments on ionising radiation to/on behalf of the Scottish Parliament. If a proposer is submitting a planning application in Scotland which may require advice on radiation you are recommended to contact the appropriate Scottish Planning Authority for advice on how to proceed.

In the case of applications in Wales, PHE remains a statutory consultee but the regime applies to a more limited range of development types. For NSIP applications likely to affect land in Wales, an applicant should still consult PHE but, additionally will be required to consult the Welsh Ministers.

### **Role of Public Health England and NSIP with respect to Environmental Impact Assessments**

PHE has a statutory role as a consultation body under the EIA Regulations. Where an applicant has requested a scoping opinion from the Planning Inspectorate<sup>3</sup> in relation to a proposed NSIP, PHE will be consulted by the Planning Inspectorate about the scope, and level of detail, of the information to be provided in the ES and will be under a duty to make information available to the applicant. PHE's standard recommendations in response to EIA scoping consultations are below.

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<sup>1</sup> <https://www.gov.uk/government/organisations/public-health-england/about#priorities>

<sup>2</sup> The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

<sup>3</sup> The scoping process is administered and undertaken by the Planning Inspectorate on behalf of the Secretary of State

PHE also encourages applicants to discuss with them the scope of the ES at an early stage to explore, for example, whether careful site selection or other design issues could minimise or eliminate public health impacts or to outline the requirement for, scope and methodology of any assessments related to public health.

## **PHE's recommendations to applicants regarding Environmental Impact Assessments**

### **General approach**

**Applicants are reminded that Section 5(2)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 specifically includes a requirement that the EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on population and human health.**

PHE is of the opinion that this requirement encompasses the wider determinants of public health, as well as chemicals, poisons and radiation. Further information on PHE's recommendations and requirements is included below.

It is the role of the applicant to prepare the ES. PHE provides advice relating to EIA within this document and during the NSIP consultation stages.

When preparing an ES the applicant should give consideration to best practice guidance such as the Government's Handbook for scoping projects: environmental impact assessment<sup>4</sup>, IEMA Guide to Delivering Quality Developments<sup>5</sup>, and Guidance: on Environmental Impact Assessment<sup>6</sup>

The Planning Inspectorate's Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements also provide guidance to applicants and other persons with interest in the EIA process as it relates to NSIPs. It is important that the submitted ES identifies and assesses the potential public health impacts of the activities at, and emissions from, the development.

PHE understands that there may be separate sections of the ES covering the assessment of impacts on air, land, water and so on, but expects an ES to include a specific section summarising potential impacts on population and health. This section should bring together and interpret the information from other assessments as necessary. The health and population impacts section should address the following steps.

1. Screening: Identify and significant effects.
  - a. Summarise the methodologies used to identify health impacts, assess significance and sources of information
  - b. Evaluate any reference standards used in carrying out the assessment and in evaluating health impacts (e.g., environmental quality standards)
  - c. Where the applicant proposes the 'scoping out' of any effects a clear rationale and justification should be provided along with any supporting evidence.
2. Baseline Survey :
  - a. Identify information needed and available, Evaluate quality and applicability of available information
  - b. Undertake assessment

<sup>4</sup> <https://www.gov.uk/government/publications/handbook-for-scoping-projects-environmental-impact-assessment>

<sup>5</sup> <https://www.iema.net/assets/newbuild/documents/Delivering%20Quality%20Development.pdf>

<sup>6</sup> <https://www.gov.uk/guidance/environmental-impact-assessment#the-purpose-of-environmental-impact-assessment>

3. Alternatives:
  - a. Identify and evaluate any realistic alternative locations, routes, technology etc.
4. Design and assess possible mitigation
  - a. Consider and propose suitable corrective actions should mitigation measures not perform as effectively predicted.
5. Impact Prediction: Quantify and Assess Impacts:
  - a. Evaluate and assess the extent of any positive and negative effects of the development. Effects should be assessed in terms of likely health outcomes, including those relating to the wider determinants of health such as socio-economic outcomes, in addition to health outcomes resulting from exposure to environmental hazards. Mental health effects should be included and given equivalent weighting to physical effects.
  - b. Clearly identify any omissions, uncertainties and dependencies (e.g., air quality assessments being dependant on the accuracy of traffic predictions)
  - c. Evaluate short-term impacts associated with the construction and development phase
  - d. Evaluate long-term impacts associated with the operation of the development
  - e. Evaluate any impacts associated with decommissioning
  - f. Evaluate any potential cumulative impacts as a result of the development, currently approved developments which have yet to be constructed, and proposed developments which do not currently have development consent
6. Monitoring and Audit (not a statutory requirement)
  - a. Identify key modelling predictions and mitigation impacts and consider implementing monitoring and audit to assess their accuracy / effectiveness.

Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made, the applicant should fully explain and justify their rationale in the submitted documentation.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, the EIA process should start at the stage of site selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES<sup>7</sup>.

### **Human and environmental receptors**

The applicant should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land.

Identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities, as well as other vulnerable population groups such as those who are young, older, with disabilities or long-term conditions, or on low incomes) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development.

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<sup>7</sup> DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

### **Impacts arising from construction and decommissioning**

Any assessment of impacts arising from emissions or activities due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the applicant to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential negative impact on health from emissions (point source, fugitive and traffic-related) and activities. An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The applicant should ensure that there are robust mechanisms in place to respond to any complaints made during construction, operation, and decommissioning of the facility.

### **Emissions to air and water**

Significant impacts are unlikely to arise from industrial installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding the assessment of emissions from any type of development in order that the ES provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these should:

- include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- encompass the combined impacts of all pollutants which may be emitted by the development with all pollutants arising from associated development and transport, considered in a single holistic assessment (ie, of overall impacts)
- include Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- consider the construction, operational, and decommissioning phases
- consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- fully account for fugitive emissions
- include appropriate estimates of background levels
  - when assessing the human health risk of a chemical emitted from a facility or operation, background exposure to the chemical from other sources should be taken into account
- identify cumulative and incremental impacts (ie, assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (ie, rail, sea, and air)
- include consideration of local authority, Environment Agency, Natural Resources Wales, Defra national network, and any other local site-specific sources of monitoring data
- compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium. Where available, the most recent UK standards for the appropriate media (ie, air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants
- where UK standards or guideline values are not available, use those recommended by the European Union or World Health Organization:

- If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (eg, a Tolerable Daily Intake or equivalent)
- This should consider all applicable routes of exposure (eg, include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion)
- when quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants, PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach<sup>1</sup> is used
- identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions. This should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (eg, for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the applicant should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure. Further to assessments of compliance with limit values, for non-threshold pollutants (ie, those that have no threshold below which health effects do not occur) the **benefits** of development options which reduce population exposure should be evaluated.

#### *Additional points specific to emissions to air*

When considering baseline conditions (of existing air quality) and the assessment and future monitoring of impacts, these should include:

- consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst-case conditions)
- modelling taking into account local topography, congestion and acceleration
- evaluation of the public health **benefits** of development options which reduce air pollution – even below limit values – as pollutants such as nitrogen dioxide and particulate matter show no threshold below which health effects do not occur

#### *Additional points specific to emissions to water*

When considering baseline conditions (of existing water quality) and the assessment and future monitoring of impacts, these should:

- include assessment of potential impacts on human health and not focus solely on ecological impacts
- identify and consider all routes by which emissions may lead to population exposure (e.g., surface watercourses, recreational waters, sewers, geological routes etc.)
- assess the potential off-site effects of emissions to groundwater (eg, on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- include consideration of potential impacts on recreational users (eg, from fishing, canoeing etc.) alongside assessment of potential exposure via drinking water

## Land quality

We would expect the applicant to provide details of any hazardous contamination present on site (including ground gas) as part of a site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed<sup>8</sup> and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

## Waste

The applicant should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the development the ES should assess:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

If the development includes wastes delivered to the installation:

- Consider issues associated with waste delivery and acceptance procedures (including delivery of prohibited wastes) and should assess potential off-site impacts and describe their mitigation

## Other aspects

Within the ES, PHE would expect to see information about how the applicant would respond to accidents with potential off-site emissions (e.g., flooding or fires, spills, leaks or releases off-site). Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

PHE would expect the applicant to consider the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations: both in terms of their applicability to the development itself, and the development's potential to impact on, or be impacted by, any nearby installations themselves subject to these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report<sup>9</sup>, jointly published by Liverpool John Moores University and the Health Protection Agency (HPA), examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "*Estimation of community anxiety and stress should be included as part of every risk or impact assessment of*

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<sup>8</sup> Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

<sup>9</sup> Available from: <http://www.cph.org.uk/wp-content/uploads/2012/08/health-risk-perception-and-environmental-problems--summary-report.pdf>

*proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible.*" PHE supports the inclusion of this information within ES' as good practice.

### **Electromagnetic fields (EMF)**

This advice relates to electrical installations such as substations and connecting underground cables or overhead lines. PHE advice on the health effects of power frequency electric and magnetic fields is available on the Gov.UK website.<sup>10</sup>

There is a potential health impact associated with the electric and magnetic fields around substations, overhead power lines and underground cables. The field strengths tend to reduce with distance from such equipment.

The following information provides a framework for considering the health impact associated with the electric and magnetic fields produced by the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

### **Policy Measures for the Electricity Industry**

A voluntary code of practice is published which sets out key principles for complying with the ICNIRP guidelines.<sup>11</sup>

Companion codes of practice dealing with optimum phasing of high voltage power lines and aspects of the guidelines that relate to indirect effects are also available.<sup>12, 13</sup>

### **Exposure Guidelines**

PHE recommends the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). Formal advice to this effect, based on an accompanying comprehensive review of the scientific evidence, was published in 2004 by the National Radiological Protection Board (NRPB), one of PHE's predecessor organisations<sup>14</sup>

Updates to the ICNIRP guidelines for static fields have been issued in 2009 and for low frequency fields in 2010. However, Government policy is that the ICNIRP guidelines are implemented as expressed in the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC):<sup>15</sup>

### **Static magnetic fields**

For static magnetic fields, the ICNIRP guidelines published in 2009 recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT.

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<sup>10</sup> <https://www.gov.uk/government/collections/electromagnetic-fields#low-frequency-electric-and-magnetic-fields>

<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf)

<sup>12</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf)

<sup>13</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/224766/powerlines\\_vcop\\_microshocks.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224766/powerlines_vcop_microshocks.pdf)

<sup>14</sup>

<http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

<sup>15</sup> [http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/Healthprotection/DH\\_4089500](http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/Healthprotection/DH_4089500)

## **Power frequency electric and magnetic fields**

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to electric fields. The ICNIRP guidelines published in 1998 give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively  $5 \text{ kV m}^{-1}$  (kilovolts per metre) and  $100 \text{ } \mu\text{T}$  (microtesla). The reference level for magnetic fields changes to  $200 \text{ } \mu\text{T}$  in the revised (ICNIRP 2010) guidelines because of new basic restrictions based on induced electric fields inside the body, rather than induced current density. If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with underlying basic restrictions and reducing the risk of indirect effects.

## **Long term effects**

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

## **The Stakeholder Advisory Group on ELF EMFs (SAGE)**

The Stakeholders Advisory Group on ELF EMFs (SAGE) was set up to explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government:<sup>16</sup>

Relevant here is SAGE's 2007 First Interim Assessment, which makes several recommendations concerning high voltage power lines. Government supported the implementation of low cost options such as optimal phasing to reduce exposure; however it did not support the option of creating corridors around power lines in which development would be restricted on health grounds, which was considered to be a disproportionate measure given the evidence base on the potential long term health risks arising from exposure. The Government response to SAGE's First Interim Assessment is available on the national archive website.<sup>17</sup>

The Government also supported calls for providing more information on power frequency electric and magnetic fields, which is available on the PHE web pages.

## **Ionising radiation**

Particular considerations apply when an application involves the possibility of exposure to ionising radiation. In such cases it is important that the basic principles of radiation protection recommended by the International Commission on Radiological Protection<sup>18</sup> (ICRP) are followed. PHE provides advice on the application of these recommendations in the UK. The ICRP recommendations are implemented in the Euratom Basic Safety Standards<sup>19</sup> (BSS) and these form the basis for UK legislation, including the Ionising Radiation Regulations 1999, the Radioactive Substances Act 1993, and the Environmental Permitting Regulations 2016.

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<sup>16</sup> <http://www.emfs.info/policy/sage/>

<sup>17</sup>

[http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_107124](http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124)

<sup>18</sup> These recommendations are given in publications of the ICRP notably publications 90 and 103 see the website at <http://www.icrp.org/>

<sup>19</sup> Council Directive 96/29/EURATOM laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

As part of the EIA process PHE expects applicants to carry out the necessary radiological impact assessments to demonstrate compliance with UK legislation and the principles of radiation protection. This should be set out clearly in a separate section or report and should not require any further analysis by PHE. In particular, the important principles of justification, optimisation and radiation dose limitation should be addressed. In addition compliance with the Euratom BSS and UK legislation should be clear.

When considering the radiological impact of routine discharges of radionuclides to the environment PHE would, as part of the EIA process, expect to see a full radiation dose assessment considering both individual and collective (population) doses for the public and, where necessary, workers. For individual doses, consideration should be given to those members of the public who are likely to receive the highest exposures (referred to as the representative person, which is equivalent to the previous term, critical group).

Different age groups should be considered as appropriate and should normally include adults, 1 year old and 10 year old children. In particular situations doses to the fetus should also be calculated<sup>20</sup>.

The estimated doses to the representative person should be compared to the appropriate radiation dose criteria (dose constraints and dose limits), taking account of other releases of radionuclides from nearby locations as appropriate. Collective doses should also be considered for the UK, European and world populations where appropriate.

The methods for assessing individual and collective radiation doses should follow the guidance given in 'Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012'<sup>21</sup>

It is important that the methods used in any radiological dose assessment are clear and that key parameter values and assumptions are given (for example, the location of the representative persons, habit data and models used in the assessment).

Any radiological impact assessment, undertaken as part of the EIA, should also consider the possibility of short-term planned releases and the potential for accidental releases of radionuclides to the environment. This can be done by referring to compliance with the Ionising Radiation Regulations and other relevant legislation and guidance.

The radiological impact of any solid waste storage and disposal should also be addressed in the assessment to ensure that this complies with UK practice and legislation; information should be provided on the category of waste involved (e.g. very low level waste, VLLW). It is also important that the radiological impact associated with the decommissioning of the site is addressed.

Of relevance here is PHE advice on radiological criteria and assessments for land-based solid waste disposal facilities<sup>22</sup>. PHE advises that assessments of radiological impact during the operational phase should be performed in the same way as for any site authorised to discharge radioactive waste. PHE also advises that assessments of radiological impact during the post operational phase of the facility should consider long timescales (possibly in excess of 10,000 years) that are appropriate to the long-lived nature of the radionuclides in the waste, some of which may have half-lives of millions of years.

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<sup>20</sup> HPA (2008) Guidance on the application of dose coefficients for the embryo, fetus and breastfed infant in dose assessments for members of the public. Doc HPA, RCE-5, 1-78, available at

<https://www.gov.uk/government/publications/embryo-fetus-and-breastfed-infant-application-of-dose-coefficients>

<sup>21</sup> The Environment Agency (EA), Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency, Health Protection Agency and the Food Standards Agency (FSA).

Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/296390/geho1202bklh-e-e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296390/geho1202bklh-e-e.pdf)

<sup>22</sup> HPA RCE-8, Radiological Protection Objectives for the Land-based Disposal of Solid Radioactive Wastes, February 2009

The radiological assessment should consider exposure of members of hypothetical representative groups for a number of scenarios including the expected migration of radionuclides from the facility, and inadvertent intrusion into the facility once institutional control has ceased.

For scenarios where the probability of occurrence can be estimated, both doses and health risks should be presented, where the health risk is the product of the probability that the scenario occurs, the dose if the scenario occurs and the health risk corresponding to unit dose.

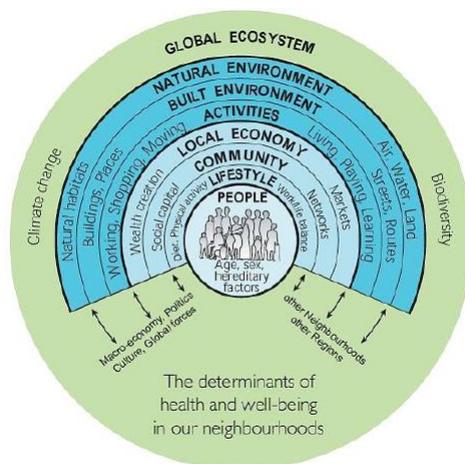
For inadvertent intrusion, the dose if the intrusion occurs should be presented. It is recommended that the post-closure phase be considered as a series of timescales, with the approach changing from more quantitative to more qualitative as times further in the future are considered.

The level of detail and sophistication in the modelling should also reflect the level of hazard presented by the waste. The uncertainty due to the long timescales means that the concept of collective dose has very limited use, although estimates of collective dose from the 'expected' migration scenario can be used to compare the relatively early impacts from some disposal options if required.

### Wider Determinants of Health

World Health Organization (WHO's) defines health as "a state of complete physical, mental and social well-being and not merely an absence of disease or infirmity" (WHO, 1948).

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people.



Barton and Grant<sup>23</sup>

PHE recognises that evaluating an NSIP's impacts on health through the wider determinants is more complex than assessing a project's direct impacts against clearly defined regulatory protections (e.g. protected species). However, this does not mean that their assessment should be side-lined; with the 2017 EIA Regulations clarifying that the likely significant effects of a development proposal on human health must be assessed.

We accept that the relevance of these topics and associated impacts will vary depending on the nature of the proposed development and in order to assist applicants PHE has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from

<sup>23</sup> Barton H, Grant M. A health map for the local human habitat. The Journal of the Royal Society for the Promotion of Health 2006; 126(6): 252-3.

an analysis of the wider determinants of health mentioned in the National Policy Statements. PHE has developed a list of 21 determinants of health and wellbeing under four broad themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements (NPS). If the applicant proposes to scope any areas out of the assessment, they should provide clear reasoning and justification.

The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

### **Methodology**

PHE will expect assessments to set out the methodology used to assess each determinant included in the scope of the assessment. In some instances, the methodologies described may be established and refer to existing standards and/or guidance. In other instances, there may be no pre-defined methodology, which can often be the case for the wider determinants of health; as such there should be an application of a logical impact assessment method that:

- identifies effected populations vulnerable to impacts from the relevant determinant
- establishes the current baseline situation
- identifies the NSIP's potential direct and indirect impacts on each population
- if impacts are identified, evaluates whether the potential impact is significant in relation to the affected population
- identifies appropriate mitigation to minimise impacts or the subsequent effects on health
- identifies opportunities to achieve benefits from the scheme
- identifies appropriate monitoring programmes

Currently there is no standard methodology for assessing the population and human health effects of infrastructure projects, but a number of guides exist, including:

- Institute of Environmental Management and Assessment, 2017: Health in Environmental Assessment, a primer for a proportionate approach;
- NHS London Healthy Urban Development Unit (HUDU), 2015. Healthy Urban Planning Checklist and Rapid Health Impact Assessment Tool;
- Wales Health Impact Assessment Unit, 2012: HIA a practical guide;
- National Mental Wellbeing Impact Assessment Development Unit 2011: Mental Wellbeing Impact Assessment Toolkit;

### **Determining significant effects**

Neither the EIA regulations nor the National Policy Statements provide a definition of what constitutes a 'significant' effect, and so PHE have derived a list of factors which it will take into consideration in the assessment of significance of effects, as outlined below. these list of factors should be read in conjunction with guidance from the above guides.

#### **1. Sensitivity:**

Is the population exposed to the NSIP at particular risk from effects on this determinant due to pre-existing vulnerabilities or inequalities (for example, are there high numbers in the local population of people who are young, older, with disabilities or long-term conditions, or on a low income)? Will the NSIP widen existing inequalities or introduce new inequalities in relation to this determinant?

#### **2. Magnitude:**

How likely is the impact on this determinant to occur? If likely, will the impact affect a large number of people / Will the impact affect a large geographic extent? Will the effects be frequent or continuous? Will the effects be temporary or permanent and irreversible?

#### **3. Cumulative effects:**

Will the NSIP's impacts on this determinant combine with effects from other existing or proposed NSIPs or large-scale developments in the area, resulting in an overall cumulative effect different to that of the project alone?

What are the cumulative effects of the impacts of the scheme on communities or populations. Individual impacts individually may not be significant but in combination may produce an overall significant effect.

**4. Importance:**

Is there evidence for the NSIP's effect on this determinant on health? Is the impact on this determinant important in the context of national, regional or local policy?

**5. Acceptability:**

What is the local community's level of acceptance of the NSIP in relation to this determinant? Do the local community have confidence that the applicants will promote positive health impacts and mitigate against negative health effects?

**6. Opportunity for mitigation:**

If this determinant is included in the scope for the EIA is there an opportunity to enhance any positive health impacts and/or mitigate any negative health impacts?

## **Scoping**

The scoping report may determine that some of the wider determinants considered under human and population health can be scoped out of the EIA. If that, should be the case, detailed rationale and supporting evidence for any such exclusions must be provided. PHE will expect an assessment to have considered all of the determinants listed in Table1 of Appendix 1 as a minimum.

## **Vulnerable groups**

Certain parts of the population may experience disproportionate negative health effects as a result of a development. Vulnerable populations can be identified through research literature, local population health data or from the identification of pre-existing health conditions that increase vulnerability.

The on health and wellbeing and health inequalities of the scheme will have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics. Some protected groups are more likely to have elevated vulnerability associated with social and economic disadvantages. Consideration should be given to language or lifestyles that influence how certain populations are affected by impacts of the proposal, for example non-English speakers may face barriers to accessing information about the works or expressing their concerns.

Equality Impact Assessments (EqIA) are used to identify disproportionate effects on Protected Groups (defined by the Equality Act, 2010), including health effects. The assessments and findings of the Environmental Statement and the EqIA should be cross reference between the two documents, particularly to ensure the assessment of potential impacts for health and inequalities and that resulting mitigation measures are mutually supportive.

*The Wales Health Impact Assessment Support Unit (WHIASU), provides a suggested list of vulnerable groups*

### *Age related groups*

- Children and young people
- Older people

### *Income related groups*

- People on low income
- Economically inactive
- Unemployed/workless
- People who are unable to work due to ill health

### *Groups who suffer discrimination or other social disadvantage*

- People with physical or learning disabilities/difficulties
- Refugee groups
- People seeking asylum
- Travellers
- Single parent families
- Lesbian and gay and transgender people
- Black and minority ethnic groups
- Religious groups

### *Geographical groups*

- People living in areas known to exhibit poor economic and/or health indicators
- People living in isolated/over-populated areas
- People unable to access services and facilities

## **Mental health**

PHE supports the use of the broad definition of health proposed by the World Health Organisation (WHO). Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life. NSIP schemes can be of such scale and nature that will impact on the over-arching protective factors, which are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion.

There should be parity between mental and physical health, and any assessment of health impact should include the appreciation of both. A systematic approach to the assessment of the impacts on mental health, including suicide, is required. The **Mental Well-being Impact Assessment (MWIA)** could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets

Perceptions about the proposed scheme may increase the risk of anxiety or health effects by perceived effects. "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard.

## **Evidence base and baseline data**

An assessment should be evidence based, using published literature to identify determinants and likely health effects. The strength of evidence identifying health effects can vary, but where the evidence for an association is weak it should not automatically be discounted.

There will be a range of publicly available health data including:

- National datasets such as those from the Office of National Statistics,
- Public Health England (PHE), including the fingertips data sets,
- Non-governmental organisations,
- Local public health reports, such as the Joint Strategic Needs Assessment, Health and Wellbeing Strategies;
- Consultation with local authorities, including local authority public health teams;
- Information received through public consultations

## **Mitigation**

If the assessment has identified that significant negative effects are likely to occur with respect to the wider determinants of health, the assessment should include a description of planned mitigation measures the applicant will implement to avoid or prevent effects on the population.

Mitigation and/or monitoring proposals should be logical, feasible and have a clear governance and accountability framework indicating who will be responsible for implementation and how this will be secured during the construction and/or operation of the NSIP.

## **Positive benefits from the scheme**

The scale of many NSIP developments will generate the potential for positive impacts on health and wellbeing; however, delivering such positive health outcomes often requires specific enabling or enhancement measures. For example, the construction of a new road network to access an NSIP site may provide an opportunity to improve the active transport infrastructure for the local community. PHE expects developments to consider and report on the opportunity and feasibility of positive impacts. These may be stand alone or be considered as part of the mitigation measures.

## **Monitoring**

PHE expects an assessment to include consideration of the need for monitoring. It may be appropriate to undertake monitoring where:

- Critical assumptions have been made
- There is uncertainty about whether negative impacts are likely to occur as it may be appropriate to include planned monitoring measures to track whether impacts do occur.
- There is uncertainty about the potential success of mitigation measures
- It is necessary to track the nature of the impact and provide useful and timely feedback that would allow action to be taken should negative impacts occur.

## **How to contact PHE**

If you wish to contact us regarding an existing or potential NSIP application please email: [nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

## Appendix 1

Table 1 – Wider determinants of health and wellbeing

<b>Health and wellbeing themes</b>			
Access	Traffic and Transport	Socioeconomic	Land Use
<b>Wider determinants of health and wellbeing</b>			
<p>Access to :</p> <ul style="list-style-type: none"> <li>• local public and key services and facilities.</li> <li>• Good quality affordable housing.</li> <li>• Healthy affordable food.</li> <li>• The natural environment.</li> <li>• The natural environment within the urban environment.</li> <li>• Leisure, recreation and physical activities within the urban and natural environments.</li> </ul>	<ul style="list-style-type: none"> <li>• Accessibility.</li> <li>• Access to/by public transport.</li> <li>• Opportunities for access by cycling and walking.</li> <li>• Links between communities.</li> <li>• Community severance.</li> <li>• Connections to jobs.</li> <li>• Connections to services, facilities and leisure opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>• Employment opportunities, including training opportunities.</li> <li>• Local business activity.</li> <li>• Regeneration.</li> <li>• Tourism and leisure industries.</li> <li>• Community/social cohesions and access to social networks.</li> <li>• Community engagement.</li> </ul>	<ul style="list-style-type: none"> <li>• Land use in urban and/or /rural settings.</li> <li>• Quality of Urban and natural environments</li> </ul>

### 1) Access

#### a. Access to local, public and key services and facilities

Access to local facilities can increase mobility and social participation. Body mass index is significantly associated with access to facilities, including factors such as the mix and density of facilities in the area. The distance to facilities has no or only a small effect on walking and other physical activities. Access to recreational facilities can increase physical activity, especially walking for recreation, reduce body weight, reduce the risk of high blood pressure, and reduce the number of vehicle trips, the distances travelled and greenhouse gas emissions.

Local services include health and social care, education, employment, and leisure and recreation. Local facilities include community centres, shops, banks/credit unions and Post Offices. Services and facilities can be operated by the public, private and/or voluntary sectors. Access to services and facilities is important to both physical and mental health and wellbeing. Access is affected by factors such as availability,

proximity to people's place of residence, existence of transport services or active travel infrastructure to the location of services and facilities, and the quality of services and facilities.

The construction or operation of an NSIP can affect access adversely: it may increase demand and therefore reduce availability for the existing community; during construction, physical accessibility may be reduced due to increased traffic and/or the blockage of or changes to certain travel routes. It is also possible that some local services and facilities are lost due to the land-take needed for the NSIP.

Conversely if new routes are built or new services or facilities provided the NSIP may increase access. NSIPs relating to utilities such as energy and water can maintain, secure or increase access to those utilities, and thereby support health and wellbeing.

b. Access to good-quality affordable housing

Housing refurbishment can lead to an improvement in general health and reduce health inequalities. Housing improvements may also benefit mental health. The provision of diverse forms and types of housing is associated with increased physical activity. The provision of affordable housing is strongly associated with improved safety perceptions in the neighbourhood, particularly among people from low-income groups. For vulnerable groups, the provision of affordable housing can lead to improvements in social, behavioural and health related outcomes. For some people with long term conditions, the provision of secure and affordable housing can increase engagement with healthcare services, which can lead to improved health-related outcomes. The provision of secure and affordable housing can also reduce engagement in risky health-related behaviours. For people who are homeless, the provision of affordable housing increases engagement with healthcare services, improves quality of life and increases employment, and contributes to improving mental health.

Access to housing meets a basic human need, although housing of itself is not necessarily sufficient to support health and wellbeing: it is also important that the housing is of good quality and affordable. Factors affecting the quality of housing include energy efficiency (eg effective heating, insulation), sanitation and hygiene (eg toilet and bathroom), indoor air quality including ventilation and the presence of damp and/or mould, resilience to climate change, and overcrowding. The affordability of housing is important because for many people, especially people on a low income, housing will be the largest monthly expense; if the cost of housing is high, people may not be able to meet other needs such as the need for heating in winter or food. Some proposals for NSIPs include the provision of housing, which could be beneficial for the health and wellbeing of the local population. It is also possible that some housing will be subject to a compulsory purchase order due to the land-take needed for an NSIP.

c. Access to affordable healthy food

Access to healthy food is related to the provision of public and active transport infrastructure and the location and proximity of outlets selling healthier food such as fruit and vegetables. For the general population, increased access to healthy, affordable food through a variety of outlets (shops, supermarkets, farmers' markets and community gardens) is associated with improved dietary behaviours, including attitudes towards healthy eating and food purchasing behaviour, and improved adult weight. Increased access to unhealthier food retail outlets is associated with increased weight in the general population and increased obesity and unhealthy eating behaviours among children living in low-income areas. Urban agriculture can improve attitudes towards healthier food and increase fruit and vegetable consumption.

Factors affecting access to healthy affordable food include whether it is readily available from local shops, supermarkets, markets or delivery schemes and/or there are opportunities to grow food in local allotments or community gardens. People in environments where there is a high proportion of fast food outlets may not have easy access to healthy affordable food.

d. Access to the natural environment

Availability of and access to safe open green space is associated with increased physical activity across a variety of behaviours, social connectedness, childhood development, reduced risk of overweight and obesity and improved physical and mental health outcomes. While the quantity of green space in a neighbourhood helps to promote physical activity and is beneficial to physical health, eg lower rates of mortality from cardiovascular disease and respiratory disease in men, the availability of green environments is likely to contribute more to mental health than to physical health: the prevalence of some disease clusters, particularly anxiety and depression, is lower in living environments which have more green space within a 1-km radius.

The proximity, size, type, quality, distribution, density and context of green space are also important factors. Quality of green space may be a better predictor of health than quantity, and any type of green space in a neighbourhood does not necessarily act as a venue for, or will encourage, physical activity. 'Walkable' green environments are important for better health, and streetscape greenery is as strongly related to self-reported health as green areas. Residents in deprived areas are more likely to perceive access to green space as difficult, to report poorer safety, to visit the green space less frequently and to have lower levels of physical activity. The benefits to health and wellbeing of blue space include lower psychological distress.

The natural environment includes the landscape, waterscape and seascape. Factors affecting access include the proximity of the natural environment to people's place of residence, the existence of public transport services or active travel infrastructure to the natural environment, the quality of the natural environment and feelings of safety in the natural environment. The construction of an NSIP may be an opportunity to provide green and/or blue infrastructure in the local area. It is also possible that green or blue infrastructure will be lost due to the land-take needed for the NSIP.

e. Access to the natural environment within the urban environment

Public open spaces are key elements of the built environment. Ecosystem services through the provision of green infrastructure are as important as other types of urban infrastructure, supporting physical, psychological and social health, although the quality and accessibility of green space affects its use, C19, ethnicity and perceptions of safety. Safe parks may be particularly important for promoting physical activity among urban adolescents. Proximity to urban green space and an increased proportion of green space are associated with decreased treatment of anxiety/mood disorders, the benefits deriving from both participation in usable green space near to home and observable green space in the neighbourhood. Urban agriculture may increase opportunities for physical activity and social connections.

A view of 'greenery' or of the sea moderates the annoyance response to noise. Water is associated with positive perceptive experiences in urban environments, with benefits for health such as enhanced contemplation, emotional bonding, participation and physical activity. Increasing biodiversity in urban environments, however, may promote the introduction of vector or host organisms for infectious pathogens, eg green connectivity may potentiate the role of rats and ticks in the spread of disease, and bodies of water may provide habitats for mosquitoes. Owing to economic growth,

population size and urban and industrial expansion in the EU, to maintain ecosystem services at 2010 levels, for every additional percentage increase in the proportion of 'artificial' land, there needs to be a 2.2% increase in green infrastructure.

The natural environment within the urban environment includes the provision of green space and blue space in towns and cities. Factors involved in access include the proximity of the green and/or blue space to people's place of residence, the existence of transport services or active travel infrastructure to the green and/or blue space, the quality of the green and/or blue space and feelings of safety when using the green and/or blue space. The construction of an NSIP may be an opportunity to provide green and/or blue infrastructure in the local urban environment. It is also possible that green or blue infrastructure in the urban environment will be lost due to the land-take needed for the NSIP.

- f. Access to leisure, recreation and physical activity opportunities within the urban and natural environments.

Access to recreational opportunities, facilities and services is associated with risk factors for long-term disease; it can increase physical activity, especially walking for recreation, reduce body mass index and overweight and obesity, reduce the risk of high blood pressure, and reduce the number of vehicle trips, the distances travelled and greenhouse gas emissions. It can also enhance social connectedness. Children tend to play on light-traffic streets, whereas outdoor activities are less common on high-traffic streets. A perception of air pollution can be a barrier to participating in outdoor physical activity. There is a positive association between urban agriculture and increased opportunities for physical activity and social connectivity. Gardening in an allotment setting can result in many positive physical and mental health-related outcomes. Exercising in the natural environment can have a positive effect on mental wellbeing when compared with exercising indoors.

Leisure and recreation opportunities include opportunities that are both formal, such as belonging to a sports club, and informal, such as walking in the local park or wood. Physical activity opportunities include routine activity as part of daily life, such as walking or cycling to work, and activity as part of leisure or recreation, such as playing football. The construction of an NSIP may enhance the opportunities available for leisure and recreation and physical activity through the provision of new or improved travel routes, community infrastructure and/or green or blue space. Conversely, construction may reduce access through the disruption of travel routes to leisure, recreation and physical activity opportunities.

## 2) **Traffic and Transport**

- a. Accessibility

Walkability, regional accessibility, pavements and bike facilities are positively associated with physical activity and negatively related to body weight and high blood pressure, and reduce the number of vehicle trips, the distances travelled and greenhouse gas emissions. Body mass index is associated with street network accessibility and slope variability.

Accessibility in relation to transport and travel has several aspects including whether potential users can gain physical access to the infrastructure and access to the services the infrastructure provides. The design and operation of transport infrastructure and the associated services should take account of the travel needs of all potential users including people with limited mobility. People whose specific needs should be considered include pregnant women, older people, children and young

people and people with a disability. Other aspects of transport infrastructure affecting accessibility include safety and affordability, both of which will affect people's ability to travel to places of employment and/or key local services and facilities and/or access their social networks.

b. Access to / by public transport

Provision of high-quality public transport is associated with higher levels of active travel among children and among people commuting to work, with a decrease in the use of private cars. Combining public transport with other forms of active travel can improve cardiovascular fitness. Innovative or new public transport interventions may need to be marketed and promoted differently to different groups of transport users, eg by emphasising novelty to car users while ensuring that the new system is seen by existing users as coherently integrated with existing services.

Transport facilitates access to other services, facilities and amenities important to health and wellbeing. Public transport is any transport open to members of the public including bus, rail and taxi services operated by the public, private or community sectors. For people who do not have access to private transport, access to public transport is important as the main agency of travel especially for journeys >1 mile. Access to public transport is not sufficient, however, and access by public transport needs to be taken into account: public transport services should link places where people live with the destinations they need or want to visit such as places of employment, education and healthcare, shops, banks and leisure facilities. Other aspects of access to public transport include affordability, safety, frequency and reliability of services.

c. Opportunities for / access by cycling & walking

Walking and cycling infrastructure can enhance street connectivity, helping to reduce perceptions of long-distance trips and providing alternative routes for active travel. Prioritising pedestrians and cyclists through changes in physical infrastructure can have positive behavioural and health outcomes, such as physical activity, mobility and cardiovascular outcomes. The provision and proximity of active transport infrastructure is also related to other long-term disease risk factors, such as access to healthy food, social connectedness and air quality. The perception of air pollution, however, appears to be a barrier to participating in active travel.

Perceived or objective danger may also have an adverse effect on cycling and walking, both of which activities decrease with increasing traffic volume and speed, and cycling for leisure decreases as local traffic density increases. Health gains from active travel policies outweigh the adverse effects of road traffic incidents. New infrastructure to promote cycling, walking and the use of public transport can increase the time spent cycling on the commute to work, and the overall time spent commuting among the least-active people. Active travel to work or school can be associated with body mass index and weight, and may reduce cardiovascular risk factors and improve cardiovascular outcomes. The distance of services from cycle paths can have an adverse effect on cycling behaviour, whereas mixed land use, higher densities and reduced distances to non-residential destinations promote transportation walking.

d. Links between communities

Social connectedness can be enhanced by the provision of public and active transport infrastructure and the location of employment, amenities, facilities and services.

e. Community severance

In neighbourhoods with high volumes of traffic, the likelihood of people knowing and trusting neighbours is reduced.

f. Connections to jobs

The location of employment opportunities and the provision of public and active transportation infrastructure are associated with risk factors for long-term disease such as physical activity. Good pedestrian and cycling infrastructure can promote commuting physical activity. Improved transport infrastructure has the potential to shift the population distribution of physical activity in relation to commuting, although a prerequisite may be a supportive social environment. Mixed land use, higher densities and reduced distances to non-residential destinations promote transportation walking.

The ease of access to employment, shops and services including the provision of public and active transport are important considerations and schemes should take any opportunity to improve infrastructure to promote cycling, walking and the use of public transport

g. Connections to services, facilities and leisure opportunities

Mixed land use, higher densities and reduced distances to non-residential destinations promote transportation walking. Access to recreational opportunities and the location of shops and services are associated with risk factors for long-term disease such as physical activity, access to healthy food and social connectedness. Increased distance of services from cycle paths can have an adverse effect on cycling behaviour.

### 3) **Socio Economic**

a. Employment opportunities including training opportunities

Employment is generally good for physical and mental health and well-being, and worklessness is associated with poorer physical and mental health and well-being. Work can be therapeutic and can reverse the adverse health effects of unemployment for healthy people of working age, many disabled people, most people with common health problems and social security beneficiaries. Account must be taken of the nature and quality of work and its social context and jobs should be safe and accommodating. Overall, the beneficial effects of work outweigh the risks of work and are greater than the harmful effects of long-term unemployment or prolonged sickness absence. Employment has a protective effect on depression and general mental health.

Transitions from unemployment to paid employment can reduce the risk of distress and improve mental health, whereas transitions into unemployment are psychologically distressing and detrimental to mental health. The mental health benefits of becoming employed are also dependent on the psychosocial quality of the job, including level of control, demands, complexity, job insecurity and level of pay: transition from unemployment to a high-quality job is good for mental health, whereas transition from unemployment to a low-quality job is worse for mental health than being unemployed. For people receiving social benefits, entry into paid employment can improve quality of life and self-rated health (physical, mental, social) within a short time-frame. For people receiving disability benefits, transition into employment can improve mental and physical health. For people with mental health needs, entry into employment reduces the use of mental health services.

For vocational rehabilitation of people with severe mental illness (SMI), Supported Employment is more effective than Pre-vocational Training in helping clients obtain

competitive employment; moreover, clients in Supported Employment earn more and work more hours per month than those in Pre-vocational Training.

b. Local Business Activity

It is important to demonstrate how a proposed development will contribute to ensuring the vitality of town centres. Schemes should consider the impact on local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work

In rural areas the applicant should assess the impact of the proposals on a prosperous rural economy, demonstrate how they will support the sustainable growth and expansion of all types of business and enterprise in rural areas, promoting the development and diversification of agricultural and other land based rural businesses.

c. Regeneration

Following rebuilding and housing improvements in deprived neighbourhoods, better housing conditions are associated with better health behaviours; allowing people to remain in their neighbourhood during demolition and rebuilding is more likely to stimulate life-changing improvements in health behaviour than in people who are relocated. The partial demolition of neighbourhoods does not appear to affect residents' physical or mental health. Mega-events, such as the Olympic Games, often promoted on the basis of their potential legacy for regeneration, appear to have only a short-term impact on mental health.

d. Tourism and Leisure Industries

The applicant should assess the impact of the proposed development on retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. In rural locations assessment and evaluation of potential impacts on sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors should be undertaken.

e. Community / social cohesion and access to social networks

The location of employment, shops and services, provision of public and active transport infrastructure and access to open space and recreational opportunities are associated with social connectedness. Access to local amenities can increase social participation. Neighbourhoods that are more walkable can increase social capital. Urban agriculture can increase opportunities for social connectivity. Infrastructure developments, however, can affect the quality of life of communities living in the vicinity, mediated by substantial community change, including feelings of threat and anxiety, which can lead to psychosocial stress and intra-community conflict.

f. Community engagement

Public participation can improve environmental impact assessments, thereby increasing the total welfare of different interest groups in the community. Infrastructure development may be more acceptable to communities if it involves substantial public participation.

4) **Land Use**

a. Land use in urban and / or rural settings

Land-use mix including infrastructure:

Land use affects health not only by shaping the built environment, but also through the balance of various types of infrastructure including transport. Vulnerable groups in the population are disproportionately affected by decisions about land use, transport and the built environment. Land use and transport policies can result in negative health impacts due to low physical activity levels, sedentary behaviours, road traffic incidents, social isolation, air pollution, noise and heat. Mixed land use can increase both active travel and physical activity. Transportation walking is related to land-use mix, density and distance to non-residential destinations; recreational walking is related to density and mixed use. Using modelling, if land-use density and diversity are increased, there is a shift from motorised transport to cycling, walking and the use of public transport with consequent health gain from a reduction in long-term conditions including diabetes, cardiovascular disease and respiratory disease.

Proximity to infrastructure:

Energy resource activities relating to oil, gas and coal production and nuclear power can have a range of negative effects on children and young people. Residing in proximity to motorway infrastructure can reduce physical activity. For residents in proximity to rail infrastructure, annoyance is mediated by concern about damage to their property and future levels of vibration. Rural communities have concerns about competing with unconventional gas mining for land and water for both the local population and their livestock."

b. Quality of urban and natural environments

Long-term conditions such as cardiovascular disease, diabetes, obesity, asthma and depression can be moderated by the built environment. People in neighbourhoods characterised by high 'walkability' walk more than people in neighbourhoods with low 'walkability' irrespective of the land-use mix. In neighbourhoods associated with high 'walkability' there is an increase in physical activity and social capital, a reduction in overweight and blood pressure, and fewer reports of depression and of alcohol abuse. The presence of walkable land uses, rather than their equal mixture, relates to a healthy weight. Transportation walking is at its highest levels in neighbourhoods where the land-use mix includes residential, retail, office, health, welfare and community, and entertainment, culture and recreation land uses; recreational walking is at its highest levels when the land-use mix includes public open space, sporting infrastructure and primary and rural land uses. Reduced levels of pollution and street connectivity increase participation in physical activity.

Good-quality street lighting and traffic calming can increase pedestrian activity, while traffic calming reduces the risk of pedestrian injury. 20-mph zones and limits are effective at reducing the incidence of road traffic incidents and injuries, while good-quality street lighting may prevent them. Public open spaces within neighbourhoods encourage physical activity, although the physical activity is dependent on different aspects of open space, such as proximity, size and quality. Improving the quality of urban green spaces and parks can increase visitation and physical activity levels.

Living in a neighbourhood overlooking public areas can improve mental health, and residential greenness can reduce the risk of cardiovascular mortality. Crime and safety issues in a neighbourhood affect both health status and mental health. Despite the complexity of the relationship, the presence of green space has a positive effect on crime, and general environmental improvements may reduce the fear of crime. Trees can have a cooling effect on the environment – an urban park is cooler than a non-green site. Linking road infrastructure planning and green infrastructure planning can produce improved outcomes for both, including meeting local communities' landscape sustainability objectives.

# ROSLISTON PARISH COUNCIL

South Derbyshire District in the County of Derby

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17 September 2021

The Planning Inspectorate Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

## **Oaklands Farm Solar Project - EN010122-000013**

Dear Sir/Madam

### **Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11**

#### **Application by Oaklands Farm Solar Ltd (the Applicant) for an Order granting Development Consent for the Oaklands Farm Solar Project (the Proposed Development)**

#### **Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Due to the size and location of the proposed Solar Farm and the way in which it will impact on our community, Rosliston Council have reviewed the Scoping Opinion Report (SOR) and we would like to make the following comments.

As the purpose of a Scoping Opinion is to enable the applicant to effectively remove some of the normal parameters within an Environmental Statement (ES), we would suggest that due to the scale of the project and its large environmental impact **none** of the parameters should be ignored or omitted. Should parameters be removed from the ES there must be a very good and clear reason which should be fully explained. To put the scale of this 500-acre development within the National Forest into context, the Solar Farm will be larger than the villages of Walton on Trent, Rosliston and Coton in the Elms plus the new Drakelow housing development combined. This is therefore a major development for these small communities and the impact on those and the surrounding environments needs to be properly considered.

Table 1.1. of the SOR provides numerous items that the applicant proposes to be scoped out with minimal justification. Rosliston Parish Council would like to raise the following points:

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- Effects of night lighting should be considered during construction, operation and decommissioning on residents. Night working should not be permitted as part of the development.

- Driver and pedestrian delay during construction should not be scoped out – this is a major development in an area where transport links are already constrained and infrastructure poor. The impact on drivers, cyclists and pedestrians during construction and operation should be included in the scope of the review.
- Given the poor state of the local rural roads, and the applicants comment in relation to vibration from vehicle movements on public roads that this is “generally only noticeable where roads are poorly maintained” this needs to be retained in scope.
- In addition to noise assessment from construction the ES should adequately investigate the noise impact of covering 500 acres of ground with soil; or foliage which are generally noise “absorbers” with 500 of acres of what are hard reflective surfaces which will reflect noise and make the ambient background noise very different.
- The land on which the Solar Farm is proposed is, like most of the area surrounding Rosliston, Grade 2 or Grade 3 farmland. Therefore, the applicant’s proposal to scope out land use and effects on best and most versatile agricultural land is completely unacceptable. The assertion that grazing can continue around the solar panels does not eliminate the fact that use of such grade land for solar farms is not within current government guidelines. The SOR refers to sheep grazing (rather than cattle) – which can be done on poorer hill farms efficiently while good low-lying farmland can be used for arable crops (as in part the land currently is used for). As noted in Greenpeace UK’s policy document in 2019 (<https://www.greenpeace.org.uk/wp-content/uploads/2019/08/Filling-the-gap-reportFeb-2019.pdf>), “many places are inappropriate for large scale solar development given protection of the environment is a priority. Rooftop solar should therefore be significantly explained”. There are significant developments of industrial and warehousing space within the locality of the proposed site, most notably along the A38 corridor, which could be used for rooftop solar.
- Given the size of the development and its closeness to surrounding villages, the impact of glint and glare to residents and transport users needs to be within scope of the review by the Planning Inspectorate.
- Similarly, major accidents and disasters, human health, telecommunication, television reception and utilities, waste and air quality need to be within the scope of the review given the scale of the site/construction. This will be one of the UK’s largest solar farm and therefore it seems appropriate that due consideration of all health, safety, environmental, economic and technological impacts of the construction, operation and decommission of the proposals is made before any decision is made by the Secretary of State. In response to questions posed in the SOR, Rosliston Parish Council would like to add the following:

## **Chapter 2 The EIA Process and Assessment Methodology**

### **2.1 Are there any further consultees that should be engaged with?**

Consultees listed are the local authorities, Natural England, EA and the Local Community. We assume that the Parish Council falls under Local Community. Given that nature reserves owned by Staffordshire and Derbyshire Wildlife Trusts are within 5km of the site, we consider they should be added to the consultees. The National Forest Company should also be consulted as Rosliston Forestry Centre is within close proximity to the development.

### **2.2 Are there other solar farms proposals or other developments that should be considered in the cumulative assessment?**

The report lists the solar farms at Lullington and Haunton plus the Drakelow Park Housing Development. The development of the power station on the Drakelow Power Station site by Vital Energi, the Swadlincote Resource Recovery Park at Cadley, and two battery farms at Breech and Royal farm Cauldwell should also be included. The combined impact of all the developments is an increasing urbanisation of the character of the South Derbyshire area in the Trent Valley.

### **2.3 Do the consultees agree the approach to consideration of various standard good practice measures (often referred to as “embedded mitigation”) as “pre-mitigation” is appropriate?**

No. As this will be one of the UK largest solar farms and given the scale of the site in the context of the surrounding communities, full consideration should be given to all aspects of the construction, operation and decommissioning of the development without any embedded mitigation. This is a major infrastructure project as such complete due diligence should be undertaken prior to any decision. It is inappropriate to consider that “good practice” and “guidelines” are sufficient to allow applicants for major planning developments to mitigate the impact on the surrounding residents and the environment. Decisions on major planning developments should include specific enforceable

conditions to ensure that developers/applicants undertake projects in a manner that does not adversely impact the community or environment.

#### **Chapter 4 Landscape and visual**

##### **4.1 Do the consultees consider the size of the 5km radius study area to be appropriate?**

No comment

##### **4.2 Are there any other relevant parties (in addition to SDCC, DCC, the National Forest and Natural England) who should be included within the post-scoping consultation process for the LVIA (Landscape and Visual Impact Assessment)?**

Derbyshire and Staffordshire Wildlife Trusts

##### **4.3 Is the proposed approach and scope for the assessment of effects on landscape character considered to be appropriate?**

No – the applicant seeks to scope out effects of decommissioning, the effects on private residential dwellings and the effects of night-time lighting. As noted above, given the scale of the proposals in relation to the surrounding residential communities these are not considered appropriate exclusions.

##### **4.4 Do consultees consider that the proposed viewpoints are appropriate to inform the visual assessments and that the suggested presentation of visualisations is proportionate?**

No – there are no viewpoints within or around Rosliston and therefore the impact of the solar farm on views from the village would not be within the scope of the review if the applicant's proposal was followed.

##### **4.5 Do consultees consider the effects proposed to be scoped out appropriate?**

No – see comments above in relation to Table 1.1

##### **4.6 Do consultees consider the proposed approach to mitigation appropriate?**

The applicant proposes an iterative approach to mitigation. How will this be enforced if issues arise (eg. With siting of the PV panels or overhead line grid connection) after planning has been granted. What will be the measures for ensuring that local authorities (eg. SDDC) can raise concerns and issues be resolved?

#### **Chapter 5 – Ecology**

##### **5.1 Do the consultees agree with the survey scope and methods that are being deployed to inform this project?**

No comment

##### **5.2 Do the consultees support the proposed applications of the CIEEM EclA best practice methods detailed above?**

No comment – not qualified to comment

##### **5.3 Do the consultees hold any further relevant data sets that may inform the assessments?**

No

#### **Chapter 6 – Historic Environment**

##### **6.1 Do the consultees consider the study area appropriate?**

The study area for landscape and visual is 5km but the study area for historic environment is limited to 2.5km. The study area for historic environment should be aligned with that for landscape and visual.

##### **6.2 Are there any other relevant consultees who should be consulted about this topic?**

No (consultees include Historic England)

##### **6.3 Are consultees aware of any other supplementary guidance of relevant to the assessment of effects to heritage assets?**

No

##### **6.4 Is the approach to the assessment of effects appropriate?**

Not qualified to comment

##### **6.5 Is the approach to field survey considered appropriate?**

Not qualified to comment

#### **Chapter 7 - Transport and Access**

##### **7.1 Are there any specific conditions or requirements being sought for Drakelow Park allocation regarding operational hours, vehicle routing or similar which we can align to?**

No heavy goods vehicles for construction, operation or decommission should be routed through Rosliston or Walton on Trent (even if at the point of construction/decommissioning the Walton Bypass has been built). Limitation on working hours – no night working. Normal construction hours to be

limited during weekdays and at weekends. There should be a phone number for local residents that is published to report traffic issues arising from the Solar Farm.

#### **Chapter 8 – Noise**

##### **8.1 Are there any other noise sensitive receptors that should be included in the assessment, for example amenity spaces?**

Should local parks including Walton on Trent park and Rosliston Forestry Centre be included as noise sensitive receptors? Why is Fairfield not a noise sensitive receptor given its proximity to both the panels and the overhead cables (over Rosliston Road) [See map on page 59]

##### **8.2 Should noise from off-site vehicle movements during construction on public roads be assessed? If this is a yes, we would propose to carry out a commentary level of assessment by reviewing significant increases in traffic movements.**

Yes - during construction and decommission

##### **8.3 Can vibration from vehicle movements on roads and tracks be excluded from the scope?**

No – see comments above in relation to Table 1.1.

##### **8.4 Should construction vibration be included in the scope?**

Yes – together with decommission vibration

##### **8.5 Can assessment of overhead cable noise for cables below 350kV be excluded from the scope? No comment**

##### **8.6 Are there any other stakeholders that should be consulted with respect to the assessment of noise and vibration (other than SDDC)?**

No comment

#### **Chapter 9 Socio- Economics**

##### **9.1 Is the scope of proposed significant effects deemed acceptable?**

No – as noted in the SOR all land to be included in the solar farm falls within grades 2 and 3. The loss of very good, good and moderate farming land from utilisation for mixed farming such as food production is worrying given the need to feed the UK population sustainably. Accordingly, land use should not be scoped out of the ES.

##### **9.2 Are there any other tourism receptors other than the Rosliston Forestry Centre that should be scoped into the assessment?**

No

##### **9.3 If no significant effects are identified during assessment Socio-Economic topics will be scoped out and details of Socio-Economic benefits will be included in the Planning Statement which will be submitted alongside the DCO application. Do you agree with this approach?**

No - for the reasons outlined above for such a significant development complete due diligence should be undertaken including outlining the socio-economic impacts both adverse (such as loss of farming skills/jobs) and beneficial (eg. Employment opportunities during the temporary constructions phase).

#### **Chapter 10 – other issues**

##### **10.1 Are consultees in agreement with the scoping out of the following topics, as explained in the text above: Glint and glare; Major accidents and disasters; human health; ground conditions; hydrology; telecommunications, television reception and utilities; waste and air quality?**

No - see comments above in particular those in relation to Table 1.1.

##### **10.2 Are consultees in agreement with scoping in Climate Change?**

Yes. Rosliston Parish Council would wish to be consulted as the planning application proceeds.

Yours faithfully

*Steph Lloyd*

**Steph Lloyd  
Clerk & RFO**

**From:** [Chadwick, James \(E,I&S\)](#)  
**To:** [Oaklands Farm Solar](#)  
**Subject:** EIA scoping response  
**Date:** 20 September 2021 09:36:53  
**Attachments:** [image001.png](#)

---

Dear Sir/Madam

Thank you for consulting Staffordshire County Council on the proposed Oaklands Solar Farm EIA scope.

In relation to the transport and access chapter of the ES paragraphs 7.17-7.18 identify Derbyshire County Council and Highways England as consultees in preparing the ES Transport and Access Chapter. Staffordshire County Council should also be included as a consultee as access to the site from the strategic road network also runs through Staffordshire. Figure 7.1 set out proposed vehicle routes to site and potential receptors. The route through Stapenhill is within Staffordshire and is particularly sensitive to HCV usage and will need careful consideration. It is noted that Figure 7.1 identifies a road hazard at Walton-on-Trent due to the narrow bridge. The scope does not pick up that there is a consented scheme to replace the bridge along with a bypass of Walton-on-Trent as part of the Drakelow Park housing development. Detailed designs are presently being reviewed by Derbyshire County Council (DCC) with a commencement date in early 2022. It is therefore likely the new bridge and bypass will be in situ before a decision is issued on the DCO. The applicant should liaise closely with DCC on timeframes for the bridge works and factor this into any transport work as this potentially offers a preferred route to site.

Thanks



**James Chadwick**

**Principal Planning Policy Officer**

Economy, Infrastructure & Skills

Staffordshire County Council

Third Floor, Staffordshire Place 1

Tipping Street, Stafford, ST16 2DH



[Redacted phone number]

[Redacted email address] [@staffordshire.gov.uk](mailto:[Redacted]@staffordshire.gov.uk)

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**STOCKPORT**  
METROPOLITAN BOROUGH COUNCIL

**Planning Services**

Place Directorate, Stopford House,  
Piccadilly, Stockport SK1 3XE

Mr Richard Kent  
Environmental Services

Contact: Chris Smyton  
Telephone: [REDACTED]  
Email: [REDACTED]@Stockport.gov.uk  
Website: [www.stockport.gov.uk/planning](http://www.stockport.gov.uk/planning)

Date: 9th September 2021

Dear Mr Richard Kent,

**Reference:** DC/082438

**Proposal:** EIA Regulation 10 Consultation, Oaklands Farm Solar Park project.

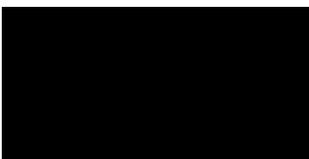
**Location:** Oaklands Farm Solar Park,, South Debyshire

Further to your consultation on the above project, this authority has no comments to make.

Please note:

If you have an "Anonymous Call Rejection" service on your telephone, which stops callers who withhold their phone number contacting you, you will be unable to receive any calls made from the Town Hall switchboard, including any return calls. Please mention this when leaving messages in order that alternative arrangements can be made or, alternatively leave a mobile number.

Yours sincerely,



Emma Curle - BSc (Hons) MRTPI  
Chief Planning Officer

# Walton on Trent Parish Council

(Chair – Andrea Barnes)

PO Box 8524  
Burton on Trent  
Staffordshire  
DE14 9PF

16 September 2021

The Planning Inspectorate Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol

BS1 6PN

## **Oaklands Farm Solar Project - EN010122-000013**

Dear Sir/Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11**

**Application by Oaklands Farm Solar Ltd (the Applicant) for an Order granting Development Consent for the Oaklands Farm Solar Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Due to the size and location of the proposed Solar Farm and the way in which it will impact on our community, Walton on Trent Parish Council have reviewed the Scoping Opinion Report (SOR) and we would like to make the following comments.

As the purpose of a Scoping Opinion is to enable the applicant to effectively remove some of the normal parameters within an Environmental Statement (ES), we would suggest that due to the scale of the project and its large environmental impact none of the parameters should be ignored or omitted.

Should parameters be removed from the ES there must be a very good and clear reason which should be fully explained.

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### **4.1 Do the consultees consider the size of the 5km radius study area to be appropriate?**

No comment

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**5.1 Do the consultees agree with the survey scope and methods that are being deployed to inform this project?**

No comment

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No comment – not qualified to comment

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Yours faithfully

*Ian Bentley*

Parish Clerk