



# OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Environmental Statement

Appendix 6.2 – Report to Inform HRA

January 2024

Document Ref: EN010122/APP/6.1/Appx 6.2

Revision: -

Planning Act 2008

Infrastructure Planning (Application: Prescribed Forms and Procedure) Regulations 2009 - 5(2)(g)



**Oaklands Farm Solar Limited**

**Oaklands Farm Solar Park**  
**Report to Inform HRA**

Prepared by LUC  
January 2024



# Oaklands Farm Solar Limited

## Oaklands Farm Solar Park Report to Inform HRA

**Project Number**  
11477

Version	Status	Prepared	Checked	Approved	Date
1.	Final Report	D. Green	D.Green & J.Rea	D. Green & H. Kent	02.01.2024



# Contents

<b>Chapter 1</b>		<b>Appendix A</b>	
<b>Introduction</b>	<b>1</b>	<b>European Site Information</b>	<b>A-1</b>
The requirement to undertake Habitats Regulations Assessment of Development Plan/projects	2	<b>Appendix B</b>	
Stages of HRA	5	<b>Figures</b>	<b>B-1</b>
Requirements of the Habitats Regulations	5	Figure 6.2.1: European Sites within 15km of the Site	B-1
Recent Case Law Changes	8	Figure 6.2.2: River Mease SAC catchment boundary in relation to the Site	B-1
Consultation	10		
Structure of this report	10		
<b>Chapter 2</b>		<b>Appendix C</b>	
<b>The HRA Method</b>	<b>11</b>	<b>Review of Other Plans and Projects for In-Combination Effects</b>	<b>C-1</b>
Screening Assessment	11	Local Plans	C-1
Identification of European sites which may be affected by the Proposed Development	11	Significant Projects	C-15
Assessment of 'Likely Significant Effect'	12		
Mitigation provided by the Project	14		
In-combination Effects	14		
Appropriate Assessment	16		
<b>Chapter 3</b>			
<b>Information to support HRA Screening Assessment</b>	<b>19</b>		
European Sites which may be affected	19		
Assessment of Potential Impacts	19		
Screening Assumptions	20		
Non-physical Disturbance	21		
Shadow HRA Screening	21		
<b>Chapter 4</b>			
<b>Information to support Appropriate Assessment</b>	<b>26</b>		
Avoidance and Mitigation Measures	26		
In-combination effects	28		
Conclusion	31		
<b>Chapter 5</b>			
<b>Conclusions</b>	<b>32</b>		



# Chapter 1

## Introduction

**1.1** LUC was appointed in 2021 by BayWa r.e. UK Limited (BayWa) to provide ecological support as part of an application for the provision of a Solar Park and associated grid connection in the vicinity of Oaklands Farm, Coton Rd, Swadlincote, Derbyshire, DE12 8LP.

**1.2** The Proposed Development comprises a proposed solar farm with an associated Battery Energy Storage System. It will have a generating capacity of over 50MW and would be situated on 191 hectares of land at Oaklands Farm to the south-east of Walton-on-Trent and to the west of Rosliston in south Derbyshire. The solar farm itself, comprising photovoltaic panel arrays, a central electricity substation and Battery Energy Storage System together with access, landscaping and other works would be located on 135 hectares of agricultural land currently in use for arable production and grazing. A high voltage underground electricity cable would then run through land at Fairfield Farm and Park Farm to the north to connect the solar farm to the national grid via an electricity substation located at the former Drakelow Power Station which sits south of Burton-upon-Trent. Chapter 4 of the Environmental Statement contains further detail on the description of the Proposed Development.

**1.3** As part of EIA Scoping discussions with Derbyshire County Council and South Derbyshire District Council the requirement for the applicant to consider potential impacts on the River Mease Special Area of Conservation (SAC) (located c.4km to the south of the Site) (see **Figure 6.2.1**) was raised. This report was issued for consultation with Natural England, however no response was provided.

**1.4** This report to inform HRA has been completed following consultation with Kevin Exley and Jenny Blair at South Derbyshire District Council on 17.11.21, and follows their comments provided on an earlier Draft Shadow HRA Report.

**1.5** There is a requirement to provide the competent authority with sufficient information to enable them to determine whether or not an appropriate assessment is required, and to carry out an appropriate assessment if necessary.

**1.6** An application for Development Consent (a Development Consent Order (DCO)) will be submitted to the Planning Inspectorate. The Secretary of State is the competent authority for HRA in relation to applications for Nationally Significant Infrastructure Projects<sup>1</sup>.

**1.7** LUC has been appointed to produce a Report to Inform HRA of the Proposed Development.

## **The requirement to undertake Habitats Regulations Assessment of Development Plan/projects**

**1.8** The requirement to undertake HRA of development plans/projects is set out in The Conservation of Habitats and Species Regulations 2017 (SI 2017/1012) (the Habitats Regulations), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579)<sup>2</sup>. When considering plans/projects which may affect the integrity of European sites, the competent authority is therefore required by law to carry out an HRA.

**1.9** The intention of this document is to provide the competent authority with sufficient evidence to determine whether the project will result in likely significant effects (Screening) and if so, whether adverse effects on integrity will occur either alone or in-combination, or whether avoidance and mitigation measures can be secured with confidence which will ensure that such effects will be avoided or limited to acceptable levels (Appropriate Assessment).

**1.10** The competent authority will consider this information and may only grant the consent if it considers that the development will not adversely affect the integrity of any European site or have a significant effect on qualifying habitats or species for which the European sites are designated, unless there are no alternative solutions and there are Imperative Reasons of Overriding Public Interest (IROPI) for the development.

---

<sup>1</sup> The Planning Inspectorate (2017) Advice note ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (version 8).

<sup>2</sup> *The Conservation of Habitats and Species Regulations 2017 (2017) SI No. 2017/1012, TSO (The Stationery Office), London.*

**1.11** HRA involves the assessment of the potential effects of a development plan or project on one or more European sites, including Special Protection Areas (SPA) and Special Areas of Conservation (SACs):

- **SACs** are designated under the Habitats Regulations 2017, and defined under the European Habitats Directive<sup>3</sup> and target particular habitat types (Annex 1) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level.
- **SPAs** are **classified** in accordance with Article 4(1) of the European Union Birds Directive<sup>3</sup> for rare and vulnerable birds (as listed in Annex I of the Directive), and under Article 4(2) for regularly occurring migratory species not listed in Annex I.
- **Potential SPAs (pSPAs)**<sup>4</sup>, **candidate SACs (cSACs)**<sup>5</sup>, **Sites of Community Importance (SCIs)**<sup>6</sup> and Ramsar sites should also be included in the assessment.
- Ramsar sites support **internationally** important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).

**1.12** Although Ramsar sites do not form part of the new national site network, the Government Policy Paper<sup>7</sup> confirms that all Ramsar sites remain protected in the same way as SACs and SPAs. In LUC's view and unless the Government provides any guidance to the contrary, potential effects on Ramsar sites should continue to form part of the HRA of plans and projects since the requirement for HRA of plans and projects that might adversely affect Ramsar sites

---

<sup>3</sup> Council Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the codified version of Council Directive 79/409/EEC, as amended)

<sup>4</sup> Potential SPAs are sites that have been approved by the Minister for formal consultation but not yet proposed to the European Commission, as listed on <https://www.gov.uk/government/collections/marine-special-protection-area-consultations>.

<sup>5</sup> Candidate SACs are sites that have been submitted to the European Commission, but not yet formally adopted, as listed on the JNCC's SAC list at <http://jncc.defra.gov.uk/page-1458>.

<sup>6</sup> SCIs are sites that have been adopted by the European Commission but not yet formally designated as SACs by the UK Government.

<sup>7</sup> <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>

forms an essential part of the protection confirmed by the Government Policy Paper. Furthermore, the NPPF<sup>8</sup> and practice guidance<sup>9</sup> currently still state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs.

**1.13** The requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves; therefore, for clarity, this report uses the term 'European sites' rather than 'national site network'.

**1.14** The overall purpose of the HRA is to conclude whether or not a proposal would adversely affect the integrity of the European site in question either alone or in combination with other plans and projects. This is judged in terms of the implications of the plan for the 'qualifying features' for which the European site was designated taking into account its conservation or biological diversity objectives, i.e.:

- SACs – Annex I **habitat** types and Annex II species<sup>10</sup>;
- SPAs – Annex I **birds** and regularly occurring migratory species not listed in Annex I<sup>11</sup>;
- Ramsar sites – the reasons for listing the site under the Convention<sup>12</sup>.

---

<sup>8</sup> NPPF (2021) para 181, available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>9</sup> The HRA Handbook, Section A3. David Tyldesley & Associates, a subscription based online guidance document:

<sup>10</sup> As listed in the site's citation on the JNCC website (all features of European importance, both primary and non-primary, need to be considered).

<sup>11</sup> s identified in sections 3.1, 3.2 and 4.2 of the SPA's standard data form on the JNCC website; species for which the site assessment of population (abbreviated to 'Pop.' in table at section 3.1 and 3.2) is 'D' (non-significant population) are not qualifying features and are only relevant to the HRA if qualifying features are dependent on them. Information from SAC and SPA Standard Data Forms is also published by the JNCC in the 'Natura 2000 site details - spreadsheet' available at: <https://hub.jncc.gov.uk/assets/a3d9da1e-dedc-4539-a574-84287636c898>. At sites where there remain differences between species listed in the 2001 SPA Review (<http://jncc.defra.gov.uk/page-1412>) and the extant site citation in the standard data form, the relevant country agency (Natural England or Natural Resources Wales) should be contacted for further guidance.

<sup>12</sup> As set out in section 14 of the relevant 'Information Sheet on Ramsar Wetlands' available on the JNCC website.

**1.15** Significantly, HRA is based on the precautionary principle meaning that where uncertainty or doubt remains, a risk of adverse impacts should be assumed.

## **Stages of HRA**

**1.16** The HRA of development plan/projects is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question.

**1.17** The HRA should be undertaken by the 'competent authority', in this case the Secretary of State for Energy Security and Net Zero. HRA also requires close working with Natural England as the statutory nature conservation body<sup>13</sup> in order to obtain the necessary information, agree the process, outcomes and mitigation proposals. Under Regulation 63(3) the competent authority must consult NE in any Appropriate Assessment and have due regard to any representations made. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process as it is required to undertake HRA for its existing licences and future licensing of activities.

## **Requirements of the Habitats Regulations**

**1.18** In assessing the effects of a project in accordance with Regulation 63 of the Habitats Regulations, there are potentially four stages to be applied by the competent authority: a 'Significance Test', followed if necessary, by an Appropriate Assessment which would inform the 'Integrity Test'. If the Integrity test is not satisfied there is a need to consider alternatives. If alternative solutions cannot ensure the avoidance of adverse effects on integrity, the final stage is to consider whether the plan or project meets the requirements of the derogation tests. The relevant sequence of questions is as follows:

- Under Reg. 63(1)(b), consider whether the plan or project is directly connected with or necessary to the management of the sites. If not, as is the case for The Proposed Development, proceed to the next step.

---

<sup>13</sup> The Conservation of Habitats and Species Regulations 2017 (2017) SI No. 2017/1012, as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579) - Regulation 5.



- Under Reg. 63(1)(a) consider whether the plan/project is likely to have a significant effect on a European site, either alone or in combination with other plan/projects or projects (the ‘Significance Test’). If yes, proceed to the next step.
- Under Reg. 63(1), make an Appropriate Assessment of the implications for the European site in view of its current conservation objectives (the ‘Integrity Test’). In so doing, it is mandatory under Reg. 63(3) to consult Natural England, and optional under Reg. 63(4) to take the opinion of the general public.
- In **accordance** with Reg. 63(5), but subject to Reg. 64, give effect to the land use plan/project only after having ascertained that the plan/project would not adversely affect the integrity of a European site.
- Under Reg. 64, if adverse effects on the integrity of a European site cannot be ruled out and no alternative solutions exist then the competent authority may nevertheless agree to the plan/project or project if it must be carried out for ‘imperative reasons of overriding public interest’ (IROPI).

**1.19 Table 1.1** summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA of a development plan/project, based on various guidance documents<sup>14,15</sup>.

**Table 1.1: Stages of HRA**

Stage	Task	Outcome
<b>Stage 1:</b> HRA Screening	Description of the development plan/project. Identification of potentially affected European sites and	Where effects are unlikely, prepare a ‘finding of no significant effect report’. Where effects judged likely, or lack of information to prove

<sup>14</sup> UK Government Planning Practice Guidance, available from <https://www.gov.uk/guidance/appropriate-assessment>

<sup>15</sup> European Commission (2001) Assessment of plan/projects and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

Stage	Task	Outcome
	<p>factors contributing to their integrity.</p> <p>Review of other plans and projects.</p> <p>Assessment of likely significant effects of the development plan/project alone or in combination with other plans and projects.</p>	<p>otherwise, proceed to Stage 2.</p>
<p><b>Stage 2:</b> Appropriate Assessment (where Stage 1 does not rule out likely significant effects)</p>	<p>Information gathering (development plan/project and European Sites).</p> <p>Impact prediction.</p> <p>Evaluation of development plan/project impacts in view of conservation objectives.</p> <p>Where impacts are considered to affect qualifying features, identify how these effects will be avoided or reduced.</p>	<p>Appropriate assessment report describing the plan/project, European site baseline conditions, the adverse effects of the plan/project on the European site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.</p> <p>If effects remain after mitigation measures have been considered proceed to Stage 3.</p>
<p><b>Stage 3:</b> Assessment of Alternatives</p>	<p>Identify conditions/other restrictions that would enable it to be ascertained that the</p>	<p>Re-assess adverse effects on integrity in light of alternative solutions. If there are no</p>

Stage	Task	Outcome
	proposal would not adversely affect integrity	alternative solutions, proceed to Stage 4:IROPI.
<b>Stage 4:</b> Assessment of IROPI.	Identify ‘imperative reasons of overriding public interest’ (IROPI).  Demonstrate no alternatives exist.  Identify potential compensatory measures.	This stage is only pursued at the discretion of the Competent Authority, but exists to facilitate projects of over-riding public interest, which in the end is a political judgment balancing the need for and benefits of the project with the impact on the European site.

## Recent Case Law Changes

**1.20** This HRA has been prepared in accordance with recent case law findings, including most notably the recent *People over Wind*<sup>16</sup> and *Holohan*<sup>17</sup> rulings from the Court of Justice for the European Union (CJEU).

**1.21** The 2018 *People over Wind, Peter Sweetman v Coillte Teoranta* judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the screening stage.

**1.22** In light of the above, and in line with recent Government guidance<sup>18</sup>, the HRA screening stage for the Proposed Development has not relied upon avoidance or mitigation measures to draw conclusions as to whether the Proposed Development would result in likely significant

<sup>16</sup> CJEU: Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta.

<sup>17</sup> CJEU: Case C-461/17 Holohan v An Bord Pleanála

<sup>18</sup> Defra and Natural England (2021) Habitats regulations assessments: protecting a European site.

effects on European sites, with any such measures being considered at the Appropriate Assessment stage as appropriate. This is discussed in more detail in **Section 3** below.

**1.23** This HRA also fully considers the recent *Holohan v An Bord Pleanala* (9 Nov 2018) CJEU judgement which, in summary requires the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features. The implications of this ruling have also been fully considered in this HRA.

**1.24** In addition to this, the HRA will take into consideration the '*Dutch Nitrogen Case*'<sup>19</sup> judgement from the Court of Justice for the European Union.

**1.25** In light of this judgment, the HRA will therefore consider traffic growth based on the effects of development provided for by the plan/project in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

**1.26** The judgement states that according to previous case law "*...it is only when it is sufficiently certain that a measure will make an effective contribution to avoiding harm to the integrity of the site concerned, by guaranteeing beyond all reasonable doubt that the plan or project at issue will not adversely affect the integrity of that site, that such a measure may be taken into consideration in the 'appropriate assessment' within the meaning of Article 6(3) of the Habitats Directive*"

**1.27** The HRA will therefore only consider the existence of conservation and/or preventative measures if the expected benefits of those measures are certain at the time of the assessment. The HRA will also ensure that if a threshold approach is applied it will consider the risk of significant effects being produced even if below the threshold values to ensure that there is no adverse effect on integrity of the European sites.

---

<sup>19</sup> CJEU Case 293/17 Cooperation Mobilisation for the Environment v Verenigin Leefmilieu

## Consultation

**1.28** Natural England was contacted to discuss the HRA, however no response was provided. SDDC was consulted on a Draft Shadow HRA Report in November 2021 and this report has been prepared cognisant of their comments.

## Structure of this report

**1.29** This chapter (**Chapter 1**) has described the background of the Proposed Development and the requirement to undertake HRA. The remainder of the report is structured into the following sections:

- **Chapter 2: HRA Method** sets out the approach used, and the specific tasks undertaken during the screening and appropriate assessment stages of the HRA.
- **Chapter 3: Information to Support HRA Screening Assessment** describes the **findings** of the screening stage of the HRA.
- **Chapter 4: Information to Support Appropriate Assessment** describes the **findings** of the appropriate assessment stage of the HRA.
- **Chapter 5: Conclusions** summarises the information to enable the **Competent Authority** to undertake an HRA.



# Chapter 2

## The HRA Method

### Screening Assessment

**2.1** HRA Screening of the Proposed Development has been undertaken in line with the current available guidance and the requirements of the Habitats Regulations as detailed in **Chapter 1**. The tasks that have been undertaken during the screening stage of the HRA and the conclusions reached are described in detail below.

**2.2** The purpose of the screening stage is to:

- Identify whether the Proposed Development would have no effect on a European site alone, so that it can be eliminated from further consideration;
- Identify whether the Proposed Development would not be likely to have a significant effect on a European site (i.e. would have some effect, because of links/connectivity, but which are not significant), either alone or in combination with other plans or projects, which therefore do not require 'appropriate assessment'; and
- Identify where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects, and therefore whether appropriate assessment will be required.

### Identification of European sites which may be affected by the Proposed Development

**2.3** In order to identify European sites that could potentially be affected by the Proposed Development, it is established practice in HRAs to consider European sites within a buffer distance from the Site boundary (the application red line boundary).

**2.4** A distance of 15km was used to identify European sites likely to be affected by impacts relating to the Proposed Development. Beyond this distance the potential for likely significant effects either alone or in-combination is typically negligible. However, consideration was given to European sites further afield where functional ecological connectivity (e.g. hydrological) exists.

This included a review of the potential for impact types which can travel greater distances, such as via hydrological connectivity.

**2.5** The only European site identified for inclusion in the HRA is the River Mease SAC – located 4km to the South of the Site at the closest point (see **Figure 6.2.1** and **Figure 6.6.2**).

**2.6** The designated features and conservation objectives of this European site, together with current pressures and potential threats, were established, where applicable, using Data Forms for SACs and SPAs<sup>20</sup> and Information Sheets for Ramsar Wetlands published on the JNCC website<sup>21</sup>, as well as Natural England’s Site Improvement Plans<sup>22</sup>, Supplementary Advice Notes<sup>23</sup> and the most recent conservation objectives published on the Natural England website (most were published in 2014)<sup>24</sup>. This analysis enabled the European site interest features to be identified, along with the features of the European site which determine site integrity and the specific sensitivities and threats facing the site. This information was then used to inform an assessment of how the potential impacts of the Proposed Development may result in likely significant effects on the European site, either alone or in-combination.

## **Assessment of ‘Likely Significant Effect’**

**2.7** As required under Regulation 63 of the Habitats Regulations, an assessment has been undertaken of the ‘likely significant effects’ of the Proposed Development.

**2.8** The screening assessment has been conducted without taking mitigation into account, in accordance with the *People over Wind* judgment.

**2.9** Consideration has been given to the potential for the development proposed to result in significant effects associated with:

---

<sup>20</sup> These were obtained from the Joint Nature Conservation Committee and Natural England websites ([www.jncc.gov.uk](http://www.jncc.gov.uk) and [www.naturalengland.org.uk](http://www.naturalengland.org.uk))

<sup>21</sup> [www.jncc.defra.gov.uk](http://www.jncc.defra.gov.uk)

<sup>22</sup> Natural England is in the process of compiling Site Improvement Plans for all Natura 2000 sites in England as part of the Improvement programme for England’s Natura 2000 sites (IPENS).

<sup>23</sup> Supplementary Advice Notes, Natural England,

<http://publications.naturalengland.org.uk/category/6490068894089216>

<sup>24</sup> Natural England (no date) Conservation Objectives for European Sites. Available at :

<http://publications.naturalengland.org.uk/category/6490068894089216> [Accessed 02/01/24].

- Changes to hydrology including water quality and quantity.
- Spread of invasive non-native species

**2.10** The following effects have been screened out on the basis of distance, the nature of the proposals, and a lack of impact pathways by which such effects could occur:

- Physical loss of/damage to habitat;
- Non-physical disturbance (noise, vibration and light);
- Non-toxic contamination;
- Air pollution; and
- Recreation pressure.

**2.11** A risk-based approach involving the application of the precautionary principle is adopted in the assessment, such that a conclusion of ‘no significant effect’ has only been reached where it is considered very unlikely, based on current knowledge and the information available, that the Proposed Development would have a significant effect on the integrity of a European site. The screening assessment identifies assumptions that have been applied to enable specific impacts on European sites to either be scoped in or out.

### **Interpretation of ‘Likely Significant Effect’**

**2.12** Relevant case law helps to interpret when effects should be considered as a Likely Significant Effect, when carrying out HRA of a land use plan/project.

**2.13** In the *Waddenzee* case<sup>25</sup>, the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 63 in the Habitats Regulations), including that:

**2.14** An effect should be considered ‘likely’, *“if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site”* (para 44). An effect should be considered ‘significant’, *“if it undermines the conservation objectives”* (para 48). Where a plan/project or project has an effect on a site *“but is not likely to undermine its conservation*

---

<sup>25</sup> ECJ Case C-127/02 Waddenzee Jan 2004.

objectives, it cannot be considered likely to have a significant effect on the site concerned” (para 47).

**2.15** An opinion delivered to the Court of Justice of the European Union<sup>26</sup> commented that:

*“The requirement that an effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plan/projects or projects that have no appreciable effect on the site are thereby excluded. If all plan/projects or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill.”*

**2.16** This opinion (the *Sweetman* case) therefore allows for the authorisation of plan/projects and projects whose possible effects, alone or in combination, can be considered ‘trivial’ or de minimis; referring to such cases as those *“which have no appreciable effect on the site”*. In practice such effects could be screened out as having no Likely Significant Effect; they would be ‘insignificant’.

## Mitigation provided by the Project

**2.17** In accordance with the recent *People over Wind* judgement, avoidance and mitigation measures cannot be relied upon at the Screening Stage, and therefore, where such measures exist, they will be considered at the Appropriate Assessment stage for impacts where likely significant effects, either alone or in-combination, cannot be ruled out.

## In-combination Effects

**2.18** Regulation 63 of the Habitats Regulations 2017 requires an Appropriate Assessment where *“a land use plan/project is likely to have a significant effect on a European site (either alone or in combination with other plan/projects or projects) and is not directly connected with or necessary to the management of the site”*. Therefore, it will be necessary to consider whether any impacts identified from the Proposed Development may combine with other plans or projects to give rise to significant effects in combination.

---

<sup>26</sup> Advocate General’s Opinion to CJEU in Case C-258/11 *Sweetman and others v An Bord Pleanala* 22nd Nov 2012.

**2.19** If required, this exercise will be carried out as part of this shadow HRA. The potential for in-combination effects will only be considered for those components identified as unlikely to have a significant effect alone, but which could act in combination with other plans and projects to produce a significant effect. For example, where the Proposed Development is likely to have an effect on its own e.g. due to water pollution (due to impact pathways being present), but this effect is not likely to be significant, the in-combination assessment at Screening stage needs to determine whether there may also be the same types of effect from other plans or projects that could combine with the Proposed Development to produce a significant effect. If so, this likely significant effect (e.g. water pollution) arising from the Proposed Development in combination with other plans or projects, would then need to be considered through the Appropriate Assessment stage to determine if water pollution would have an adverse effect on integrity of the relevant European site. Where the screening assessment concludes that there is no impact pathway between the development proposed and the conditions necessary to maintain qualifying features of a European site, then there will be no in-combination effects to assess at the Screening or Appropriate Assessment stage. This approach accords with recent guidance on HRA<sup>27</sup>.

**2.20** Identifying 'in-combination' effects involves identifying which other plans and projects in addition to the Proposed Development may affect the European sites that will be the focus of this assessment. If required, this exercise will seek to identify those components of nearby plan/projects that could have the same type of impact on the European site considered as part of this HRA, e.g. areas or towns where additional housing or employment development is proposed near to the same European sites (as there could be effects from the transport, water use, infrastructure and recreation pressures associated with the new developments).

**2.21** The online HRA Handbook suggests the following plans and projects may be relevant to consider as part of the in-combination assessment:

- Applications lodged but not yet determined, including refusals subject to an outstanding appeal or legal challenge;

---

<sup>27</sup> The HRA Handbook. David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/European>



- Projects subject to periodic review e.g. annual licences, during the time that their renewal is under consideration;
- Projects authorised but not yet started;
- Projects started but not yet completed;
- Known projects that do not require external authorisation;
- Proposals in adopted plans;
- Proposals in draft plans formally published or submitted for final consultation, examination or adoption.

**2.22** The potential for in-combination impacts will, if required, be focussed on the River Mease Catchment Projects Trust<sup>28</sup> and the Government's National Infrastructure Plan/projecting website. The findings of any associated HRA work for those plan/projects will be reviewed at the shadow Screening and Appropriate Assessment stages if required.

## Appropriate Assessment

**2.23** Where it is not possible at the screening stage to conclude that there will be no significant effects on European sites as a result of the Proposed Development alone or in combination, an Appropriate Assessment is required.

**2.24** The Appropriate Assessment stage of the HRA focuses on those impacts judged likely at the screening stage to have a significant effect, and seeks to conclude whether they would result in an adverse effect on the on the integrity (AEoI) of the qualifying features of a European site(s), or where insufficient certainty regarding this remains. The integrity of a site depends on the site being able to sustain its 'qualifying features' across the whole of the site and ensure their continued viability.

**2.25** An Appropriate Assessment should be undertaken for each of those European sites where significant effects from a plan or project cannot not be ruled out. An Appropriate Assessment should consider each European site's qualifying features and conservation objectives, standards and factors which are needed to maintain the site's integrity, existing trends and

---

<sup>28</sup> <https://www.arcgis.com/apps/webappviewer/index.html?id=fa21a7c0ac55478ab4a6bef1ee489a3a&extent=-196928.0255%2C6915144.4394%2C-145524.124%2C6946483.621%2C102100>

pressures at the site including the use of areas of off-site functional land (where data are available), as well as the conservation objectives, and the site vulnerabilities identified during the screening stage. For each European site and likely significant effect identified we would aim to distinguish between direct and indirect effects, short- or long-term effects, construction, operational or decommissioning effects, isolated, interactive or cumulative effects and permanent, intermittent or temporary effects. The impacts will vary, depending on the habitat or species in question for each site.

**2.26** As stated in HRA Guidance<sup>29</sup>, assessing the effects on the site(s) integrity involves considering whether the predicted impacts of the Proposed Development (either alone or in combination) have the potential to:

- Cause delays to achieving the conservation objectives of the site.
- Interrupt progress towards achieving the conservation objectives of the site.
- Disrupt those factors that help to maintain favourable condition of the site.
- Interfere with the balance, distribution and density of key species that are the indicators of favourable condition of the site.
- Cause changes to the vital defining aspects (e.g. nutrient balance) that determine how the site functions as a habitat or ecosystem.
- Change the dynamics of relationships that define the structure or function of the site (e.g. Relationships between soil and water, or animals).
- Interfere with anticipated natural changes to the site.
- Reduce the extent of key habitats or the population of key species.
- Reduce the diversity of the site.
- Result in disturbance that could affect the population, density or balance between key species.

---

<sup>29</sup> Assessment of plan/projects and projects significantly affecting European sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission Environment DG, November 2001.

- Result in fragmentation.
- Result in the loss of key features.

**2.27** The latest available data sources will be drawn on to inform the Appropriate Assessment. The results of this analysis should enable a conclusion to be reached regarding whether the integrity of any European site would be affected. If this were the case, an assessment of alternative solutions or the provision of avoidance and mitigation measures which would avoid adverse effects on integrity would be undertaken. In the context of the Proposed Development, such measures may include avoidance and mitigation measures such as conditions or restrictions relating to the Proposed Development, or alternative solutions or locations for the Proposed Development where no alternatives exist.

# Chapter 3

## Information to support HRA Screening Assessment

### European Sites which may be affected

**3.1** Sites within 15km of the site boundary are shown in **Figure 6.2.1** in **Appendix B**.

**3.2** Sites with the potential to be affected, either alone or in-combination, by the Proposed Development include:

- River Mease SAC

**3.3** Other European Sites were ruled out on the basis of distance and an absence of potential source-pathway-receptor connectivity.

### Assessment of Potential Impacts

**3.4** Consideration was given to the potential for the development proposed to result in significant effects associated with changes to hydrology, including water quantity and quality, and from the spread of invasive species associated with hydrological connections.

**3.5** Other potential impacts on the River Mease SAC (i.e. physical damage or loss of habitat, air pollution, recreation pressure, non-physical disturbance (due to noise, vibration and light)) were judged unlikely to have any effect on the basis of distance between the Proposed Development site and the European site and/or an absence of potential source-pathway-receptor connectivity, as summarised below:

- **Physical damage or loss of habitat** – the Proposed Development footprint does not overlap with the SAC boundary and therefore, there will be no impact upon features likely to be of importance as functionally linked off-site habitat for mobile species such as otter.
- **Air pollution** – relates to construction traffic only and the primary access routes are sufficiently distant from the River Mease SAC to rule out potential effects associated with nitrogen deposition.

- **Recreation pressure** – the Proposed Development involves the installation of a solar farm, which will not result in any increased recreation to the SAC.

**3.6** As the Proposed Development is not likely to have any effect in terms of the above impacts, it is not necessary to determine if there will be a likely significant effect in combination with other plans or projects in relation to these types of impacts on the SAC.

## Screening Assumptions

**3.7** The following section describes assumptions regarding the Proposed Development to enable specific impacts relating to changes in hydrology on the River Mease SAC to be either scoped in or out of the subsequent HRA screening set out below.

### Water quantity

**3.8** The Proposed Development will not result in any water abstraction activities and there will be no anticipated changes of flow within the site which would affect the flow rates within the River Mease SAC during either construction or operation of the Proposed Development. Therefore, the potential for water quantity to affect the River Mease SAC in terms of water quantity is considered highly unlikely. Nevertheless, the scheme will include mitigation and enhancement measures to ensure that there are no notable changes to water quantity within offsite and functionally linked watercourses and field drains. The potential for water quantity to affect qualifying features of the SAC, including otter, are therefore included in the assessment.

**Therefore, the potential for likely significant effects relating to water quantity needs to be considered further in relation to the River Mease SAC during the construction and operational phases of the Proposed Development.**

### Water Quality

**3.9** Construction activities relating to the Proposed Development have the potential to result in contaminated surface water run-off reaching the River Mease SAC located 4km to the south of the site boundary via existing water courses, ditches and field drains.

**3.10** However, the operational phase of the Proposed Development is predicted to result in improvements to water quality due to the removal of the fertilizer and pesticide load associated



with existing agricultural operations at the site. The benefits will be described and assessed fully as part of the EIA but effects on water quality during the operational phase of the Proposed Development have been scoped out of further assessment within the HRA.

**Therefore, the potential for likely significant effects relating to water quality needs to be considered further in relation to the River Mease SAC during the construction phase of the Proposed Development.**

### **Non-physical Disturbance**

**3.11** Noise and vibration effects, e.g. during construction, are most likely to disturb species including otter. Artificial lighting at night (e.g. from construction lighting) is most likely to affect nocturnal species, including otter.

**3.12** It has been assumed (on a precautionary basis and based on our experience of previous HRAs and consultation with Natural England) that the effects of noise, vibration and light pollution are capable of causing an adverse effect if development takes place within 500 m of a European site (or functionally linked habitat) with qualifying features sensitive to these disturbances.

**3.13** The River Mease SAC is located over 500 m from the site at the closest point and therefore potential effects are limited to mobile qualifying species utilising functionally linked land within 500m of the application site.

**Therefore, the potential for likely significant effects relating to non-physical disturbance to otter needs to be considered further in relation to the River Mease SAC during the construction phase of the Proposed Development.**

### **Shadow HRA Screening**

#### **Water Quality and Quantity**

**3.14** A Shadow HRA Screening assessment was carried out by LUC to identify whether the Proposed Development would result in likely significant effects on the River Mease SAC as a

result of changes in water quantity and quality during the construction phase of the Proposed Development.

**3.15** Construction activities including vehicle movements, ground works, use of chemicals and construction materials and associated surface water run-off has the potential to contribute to contaminants reaching the SAC, or functionally linked offsite habitats upon which mobile SAC qualifying features (e.g. otter) may depend.

**3.16** Changes to the hydrology of the site, including drainage proposals during construction and operation have the potential to change water levels and flow within offsite functionally linked watercourses which may be utilised by otter.

**3.17** The southern Site boundary is located 3.5km to the northeast and 4km to the north of the River Mease SAC at the closest points.

**3.18** The part of the site located to the north of Coton Road (which comprises the majority of the Site) is located outside of the River Mease SAC catchment<sup>30</sup>. The potential for contaminated surface water or changes in flow rates, associated with the majority of construction works (i.e. north of Coton Road), to lead to changes in water quality or quantity is therefore negligible. As a result, there is negligible potential for Likely Significant Effects on the River Mease SAC, or functionally linked habitat, as a result of construction activities or during the operational phase north of Coton Road.

**3.19** The southernmost part of the site comprises an area of 2.6ha located within the northernmost part of the River Mease SAC catchment<sup>26</sup>. At this location there are no recognised waterbodies with direct hydrological connectivity between the site and the SAC. The potential for construction and operational activities within this area to result in, or contribute to, Likely Significant Effects as a result of changes in water quality and quantity, is considered low for the following reasons:

- The majority of the site is located outside the River Mease SAC catchment and a small area (2.6ha) of the site is located within the northernmost edge of the catchment.

---

<sup>30</sup> <https://publications.naturalengland.org.uk/publication/5254733043597312>

- The part of the development site within the River Mease SAC catchment is located over 3.5km from the River Mease SAC at its closest point.
- The nearest tributary of the Mease to the development site is Pessall Brook. This is 0.7 km from the development site at its closest point.
- 1:10,000 Ordnance Survey mapping indicates that there are field drains or ditches on the opposite side of Church Street to the development site, but none are shown within the development site itself. Church Street is slightly raised from the surrounding fields, minimising any potential surface-water link between the development site to the north and the land to the south.
- The small area of the development site that lies within the River Mease catchment is gently undulating with very slight topography. The potential for run-off to reach watercourses connected with the SAC is therefore limited.
- Due to the distance from the development site to the nearest tributary of the River Mease, the relatively flat topography and the lack of direct surface water connection, it is considered that there is extremely limited, if any, direct connectivity between the two by which water of poor quality may migrate.

**3.20** Nevertheless, in line with the precautionary principle which needs to be applied in HRAs, standard hydrological avoidance and mitigation construction measures are required to provide certainty that significant effects associated with changes in hydrology will be avoided altogether.

**In the absence of mitigation there is a small potential for polluted water or changes in flow to affect the SAC or supporting watercourses during the construction and operational phase of the Proposed Development and therefore likely significant effects cannot be ruled out from the project alone as a result of changes in water quality and quantity.**

**Construction activities including vehicle movements, ground works, use of chemicals and construction materials and associated surface water run-off has the potential to result in non-physical disturbance to otter, or to contribute to contaminants reaching offsite functionally linked habitats upon which otter may depend.**

**As set out in Government guidance and recent case law, avoidance and mitigation measures cannot be relied upon at the HRA Screening Stage. Therefore, the potential for the proposed scheme to result in adverse effects on the integrity of the River Mease SAC, either alone or in-combination with other plans and projects as a result of polluted water (quality) and changes in flow conditions, and in light of avoidance and mitigation measures, requires Appropriate Assessment.**

### **Invasive non-native species**

**3.21** In the absence of mitigation there is a small potential for non-native invasive species within the site to travel to the SAC via run-off, or to degrade offsite functionally linked watercourses through spread. The impact pathways are as described for water quality and quantity described above.

**In the absence of mitigation there is a small potential for spread of invasive species to the River Mease SAC or functionally linked habitats through hydrological pathways, during the construction phase of the Proposed Development and therefore likely significant effects cannot be ruled out from the project alone as a result of changes in water quality and quantity.**

**As set out in Government guidance and recent case law, avoidance and mitigation measures cannot be relied upon at the HRA Screening Stage. Therefore, the potential for the proposed scheme to result in adverse effects on the integrity of the River Mease SAC, either alone or in-combination with other plans and projects as a result of the spread of invasive non-native species, and in light of avoidance and mitigation measures, requires Appropriate Assessment.**

### **Non-physical disturbance to otter during construction**

**3.22** In the absence of mitigation there is potential for construction activities including vibration, noise and lighting, to disturb otter which may be utilising offsite water courses and field drains. Given the distance from the SAC, this is considered unlikely to effect the SAC population but could occur given the large territories occupied by individual otters.

**In the absence of mitigation there is potential for construction activities to disturb otter associated with the River Mease SAC utilising offsite watercourses and functionally linked habitat.**

**As set out in Government guidance and recent case law, avoidance and mitigation measures cannot be relied upon at the HRA Screening Stage. Therefore, the potential for the proposed scheme to result in adverse effects on the integrity of the River Mease SAC, either alone or in-combination with other plans and projects as a result of disturbance to otter, and in light of avoidance and mitigation measures, requires Appropriate Assessment.**

# Chapter 4

## Information to support Appropriate Assessment

**4.1** This chapter considers the likely significant effects identified as part of the screening stage and concludes whether adverse effects on the integrity of European sites (AEoI) can be ruled out in light of proposed avoidance and mitigation measures.

**4.2** The findings of the HRA Screening identified the potential for likely significant effects on the River Mease SAC as a result of changes in water quality and quantity through surface water run-off, non-physical disturbance to otter during the construction period, and spread of invasive non-native species via hydrological pathways.

**4.3** The potential for construction activities associated with the Proposed Development, to result in, or contribute to, Likely Significant Effects on the River Mease SAC is considered unlikely, but cannot be ruled out entirely in the absence of avoidance and mitigation measures. Such measures will be applied as best practice construction and operation protocol, and will provide certainty that adverse effects on the River Mease SAC will be avoided, either alone, or in-combination with other plans and projects.

### **Avoidance and Mitigation Measures**

**4.4** Best practice construction methods will be specified and delivered by means of a Construction and Environmental Management Plan (CEMP) to ensure that the construction and operation avoid contaminated run-off entering overland flow paths. The CEMP will include consideration of the following standard and reliable measures as appropriate:

- Pre-inspection checks for otter signs in the vicinity of works and appropriate working practices to avoid disturbance including no night-time working, sensitive construction lighting and appropriate working buffers.
- Construction mitigation measures to be implemented in accordance with best practice to prevent impacts from dust, noise, runoff or other potential pollutants.
- Production of a silt management plan referencing the protection of overland flow paths and all water courses within and adjacent to the development site.

- Soil stockpiles to be located away from overland flow paths and water bodies, and outside of the SAC catchment, and to be seeded as soon as possible, covered with geotextile mats and/or surrounded by a bund.
- Any temporary site drainage system to be developed to prevent silt-laden run-off being discharged into sewers or surface water courses.
- Mud to be controlled at entrance/exit to site using wheel washes and/or road sweepers.
- Avoidance of site run-off of water or mud. Construction method statement specifying best practices measures for silt/runoff, pollution prevention measures and groundwater/other hydrological maintenance during piling and other works in close proximity to water courses such as silt traps, bunds, interception features.
- Tools and plant to be washed and cleaned in designated areas within the site compound (including designated concrete wash-out areas) where runoff can be isolated for treatment before discharge to watercourse/ground or sewer under appropriate consent.
- Fuel and other potentially polluting chemicals to be stored in a secure impermeable and bunded storage area outside the River Mease SAC catchment.
- Refuelling and maintenance to be undertaken within the site compound away from all watercourses within or adjacent to the Site and outside the River Mease SAC catchment.
- Fixed plant to be self-bunded, mobile plant to be kept clean and in good working order, and fitted with drip trays, where appropriate.
- Spillage kits and oil absorbent material to be carried by mobile plant and located at vulnerable locations (e.g. crossings of land drains/ditches).
- Secure site to prevent vandalism events which could lead to pollution.
- An emergency response plan will be prepared as part of the CEMP and prior to construction. The emergency response plan will include (but not be limited to) chemical/fuel spillage, flood events, fire, explosions, structural collapse.
- All construction staff to be trained to respond to spillages, and how to use emergency response equipment.
- Discharges of water abstracted from excavations/ or dewatering of aquifers to be subject to quality attenuation measures as required.

- Toolbox talks or other training to be provided to site staff on relevant site environmental issues to ensure precautionary working methods are adhered to.
- Construction activities will take place with adherence to detailed mitigation measures (including timing of works and pollution prevention measures).
- Monitoring during the construction and operational phases to ensure an appropriate feedback loop is in place, allowing remedial measures and operational refinements to be identified and implemented if required.
- Pre-construction inspections for invasive non-native species and, if required, the provision of appropriate buffer zones and eradication programmes.
- Implementation of appropriate biosecurity measures in accordance with best practices construction measures.

**4.5** Detailed drainage design to ensure that operational phases do not contribute to polluted run-off, or increase surface flows entering watercourses will be secured through Requirement in the DCO.

**4.6** The mitigation and avoidance measures detailed above would ensure that adverse effects on integrity of the River Mease SAC will be avoided as a result of the Proposed Development alone. The potential for in-combination effects is considered below.

### **In-combination effects**

**4.7** The Proposed Development includes an embedded commitment, secured in the draft DCO, to provide a final detailed CEMP to be approved pre-commencement and adhered to by the appointed contractors. This will ensure best practice and standard avoidance and mitigation measures as described above, will be implemented. The Proposed Development will therefore avoid disturbance to otter, spread of non-native invasive species, and all water quality effects on the River Mease SAC. Therefore, there is no mechanism by which in-combination effects with other plans and projects could occur. This accords with Principle 8 in part C.8 of the DTA Handbook<sup>31</sup>, which refers to situations where the risk of a subject proposal contributing to a

---

<sup>31</sup> The HRA Handbook. David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/European>



significant adverse effect in combination with other plans or projects is hypothetical rather than realistic, and therefore it is not necessary to identify all other plans and projects that might give rise to a hypothetical in-combination effect or carry out the assessment unnecessarily due to the lack of any credible evidence for a real risk of cumulative effects.

**4.8** Nevertheless, for completeness, **Appendix C** presents the review of Local Plans and Projects which were identified as being of potential relevance to the in-combination assessment. The following Local Plans and projects were reviewed:

#### **Local Plans**

- South Derbyshire Local Plan 1 (adopted June 2016)
- South Derbyshire Local Plan 2 (adopted November 2017)
- East Staffordshire Borough Council Local Plan 2012-2031 (adopted October 2015)
- Lichfield District Local Plan Strategy 2008-2029 (adopted February 2015)
- North West Leicestershire Local Plan 2011 – 2031 (adopted November 2017)
- The North Warwickshire Borough Council Local Plan September 2021 (adopted September 2021)
- Hinckley and Bosworth Core Strategy (adopted December 2009)
- Hinckley and Bosworth Site Allocations and Development Management Policies DPD (adopted July 2016)
- Tamworth Local Plan 2006-2031 (adopted February 2016)

#### **Significant Projects**

- Land to the North West of Barn Farm and to the South of Walton Road and the Former Drakelow Power Station (DMPA/2023/0170).
- Land at Barr Hall Farm, Drakelow, South Derbyshire (DMOT/2023/0621)
- Breach Farm, Cadley Lane, Caldwell, Swadlincote, DE12 6RJ (DMPA/ 2020/0542)
- Land South Of Main Road, Haunton, Tamworth, Staffordshire (20/01245/FULM)
- Land to the north of the Royle Farm Business Park, Caldwell Road, Burton-on-Trent (DMPA/2021/1221)

- Drakelow C Power Station, Walton Road, Drakelow (CW9/0420/7)
- Banks House/Bretby View, Sabines Yard and Market Hall, Midland Road, Swadlincote, DE11 0AG (DMPA/2022/0844)
- 23 York Road, Church Gresley, DE11 9QG (DMPA/2021/0715)
- Land at SK1930 5342, Hawthorn Farm, Scropton Road, Scropton, DE65 5PR (DMOT/2022/1030)
- Land off Church Street, Church Gresley, Swadlincote (9/2013/0946)
- Land Off Horner Avenue Fradley Lichfield Staffordshire (22/00106/FULM)
- Model Farm Peggs Lane Elford Tamworth Staffordshire B79 9DR (22/01016/COUM)
- Land adjacent to Willshee's Waste And Recycling Limited, Keith Willshee Way, Swadlincote, DE11 9EN (CW9/1022/22)
- Land off Mount Road Castle Gresley, South Derbyshire (DMPA/ 2021/1698, DMOT/2022/1593 and DMOT/2022/1356)
- Curborough North Site Watery Lane Curborough Lichfield Staffordshire (23/00763/SCOPE)
- Curborough South Site Watery Lane Curborough Lichfield Staffordshire (23/00764/SCOPE)
- Land North Of Hay End Lane Fradley Burton Upon Trent Staffordshire (22/01518/OUFMEI)
- Land At Harrier Centre And North Off Wood End Lane Fradley Lichfield Staffordshire WS13 8NG (23/00684/FULM)
- The National Memorial Arboretum Croxall Road Alrewas Burton Upon Trent Staffordshire DE13 7AR (22/01612/FULM)
- Land Off Horner Avenue Fradley Lichfield Staffordshire (22/00106/FULM)
- Land Lying South Of Hay End Lane Fradley Lichfield Staffordshire (23/00154/OUTM)
- Land Off Wellington Crescent Fradley Park Lichfield Staffordshire (22/00532/OUTM)
- Midland Pig Producers Ltd Hay End Lane Fradley Lichfield Staffordshire WS13 8NW (20/01031/OUTM)
- The Drakelow Park Housing Development (DMPA/2020/1460)
- Lullington Solar Farm (DMPA/2021/1014)

- Swadlincote Resource Recovery Park (DMOT/2021/0959)
- Drakelow Recyclable Energy Facility (CW9/0420/7)

### Conclusion

**Taking into account the distance between the Proposed Development and the River Mease SAC, the low likelihood of impacts occurring at any scale, and the ability and certainty with which otter disturbance, spread of non-native invasive species, and potential water quality and quantity impacts can be avoided entirely, it can be concluded that adverse effects on integrity will be avoided either as a result of the Proposed Development alone or through in-combination effects with other plans and projects.**

# Chapter 5

## Conclusions

### Shadow Screening Assessment

**5.1** The Shadow HRA screening of the Proposed Development was unable to rule out the potential for likely significant effects associated with water quality and quantity, spread of invasive non-native species, and disturbance to otter using during construction, alone or in-combination on the River Mease SAC.

### Shadow Appropriate Assessment

**5.2** This Report to Inform HRA was completed to enable the Competent Authority to determine whether the above effects would result in adverse effects on the integrity of a European site, either alone or in combination with other plans or projects.

**5.3** This shadow assessment concluded that the avoidance and mitigation measures which will be secured in relation to the construction of the Proposed Development will provide certainty that harmful effects associated with contaminated run-off, changes in surface water flow, and disturbance to otter, will be avoided entirely, thereby eliminating any potential for adverse effects on the integrity of the River Mease SAC either alone or in-combination with other plans and projects.

**In conclusion the project will not result in an adverse effect on the integrity of any European site, either alone or in combination with other plans and projects because there is certainty in the reliability, deliverability and efficacy of the avoidance and mitigation measures which will be implemented.**

## Next Steps

**There is a statutory requirement for the Secretary of State, as the Competent Authority, to consult Natural England on the Appropriate Assessment. Natural England was contacted to consult them on this report however no response was received. This HRA report is included in the Application for Development Consent and will be available to Natural England for comment.**

# Appendix A

## European Site Information

**A.1** This appendix contains information about the European sites scoped into the HRA. Information about each site's area, the site descriptions, qualifying features and pressures and threats are drawn from Natural England's Site Improvement Plan/projects (SIPs)<sup>32</sup>, Standard Data Forms or Ramsar Information Sheets available from the JNCC website<sup>33</sup> and Supplementary Advice Notes<sup>34</sup>, which advise on the sites features and how to implement the conservation objectives. Site conservation objectives are drawn from Natural England's website and are only available for SACs and SPAs<sup>35</sup>.

---

<sup>32</sup> Site Improvement Plan/projects: East of England, Natural England, <http://publications.naturalengland.org.uk/category/4873023563759616>

<sup>33</sup> JNCC Data Forms <http://jncc.defra.gov.uk/default.aspx?page=4>

<sup>34</sup> Supplementary Advice Notes, Natural England, <http://publications.naturalengland.org.uk/category/6490068894089216>

<sup>35</sup> European Site Conservation Objectives, Natural England, <http://www.naturalengland.org.uk/ourwork/conservation/designations/sac/conservationobjectives.aspx>

European Site	Summary of reasons for designation	European site pressures and threats	Conservation objectives	Non-qualifying habitats and species on which the qualifying habitats and/or species depend
River Mease SAC	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <ul style="list-style-type: none"> <li>■ Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</li> </ul> <p>Annex II species that are a primary reason for selection of this site</p>	<p>Natural England's Site Improvement Plan for the SAC identifies the main threats facing the site to be:</p> <ul style="list-style-type: none"> <li>■ Water pollution</li> <li>■ Drainage discharges</li> <li>■ Inappropriate weirs, dams and other structures</li> </ul>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features'), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its</p>	<ul style="list-style-type: none"> <li>■ Watercourses, waterbodies, wet woodlands, wet ditches, floodplains and other wetlands.</li> <li>■ Wider fish populations throughout the catchment (otter)</li> </ul>

	<ul style="list-style-type: none"> <li>■ Spined loach <i>Cobitis taenia</i></li> </ul> <p>The River Mease is a good example of a riverine population of spined loach. It is a small tributary of the River Trent and has retained a reasonable degree of channel diversity compared to other similar rivers containing spined loach populations. It has extensive beds of submerged plants along much of its length which, together with its relatively sandy sediments (as opposed to cohesive mud) provides good habitat opportunities for the species.</p> <ul style="list-style-type: none"> <li>■ Bullhead <i>Cottus gobio</i></li> </ul>	<ul style="list-style-type: none"> <li>■ Invasive species</li> <li>■ Siltation</li> <li>■ Water abstraction</li> </ul>	<p>Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>■ The extent and distribution of the habitats of qualifying species</li> <li>■ The structure and function of the habitats of qualifying species</li> <li>■ The supporting processes on which the habitats of qualifying species rely</li> <li>■ The populations of qualifying species</li> <li>■ The distribution of qualifying species within the site</li> </ul>	
--	--	--	--	--



	<p>The Mease is an example of bullhead populations in the rivers of central England. Bed sediments are generally not as coarse as other sites selected for the species, reflecting the nature of many rivers in this geographical area, but are suitable in patches due to the river's retained sinuosity. The patchy cover from submerged macrophytes is also important for the species.</p> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"><li>■ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i></li></ul>			
--	--	--	--	--

Appendix A  
European Site  
Information

Oaklands Farm Solar  
Park  
January 2024

	■ Otter <i>Lutra lutra</i>			
--	----------------------------	--	--	--

# Appendix B

## Figures

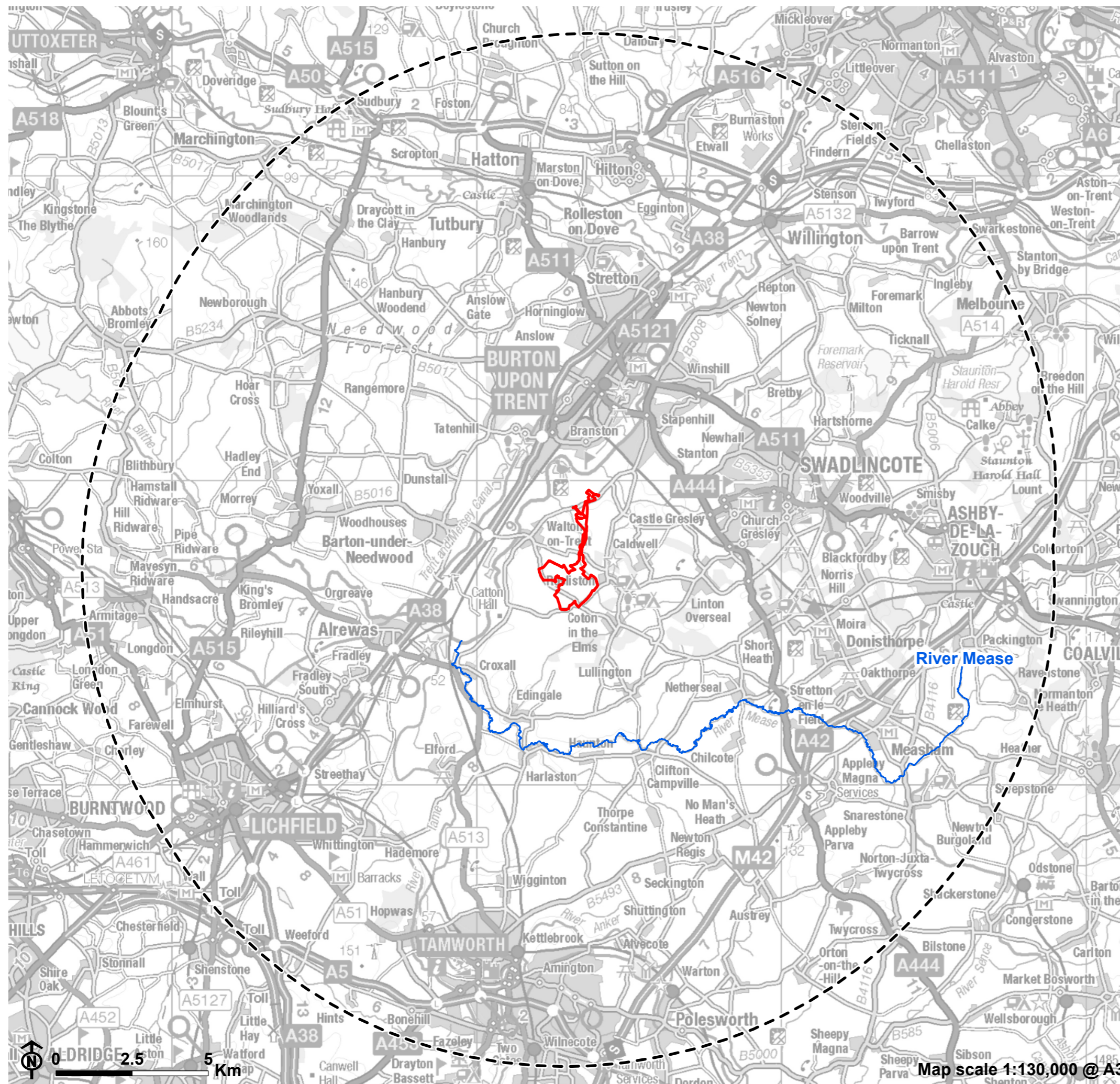
Figure 6.2.1: European Sites within 15km of the Site

Figure 6.2.2: River Mease SAC catchment boundary in relation to the Site





Figure 6.2.1: Site Location in Relation to European Sites



- Site boundary
- Site boundary 15km buffer
- River Mease SAC

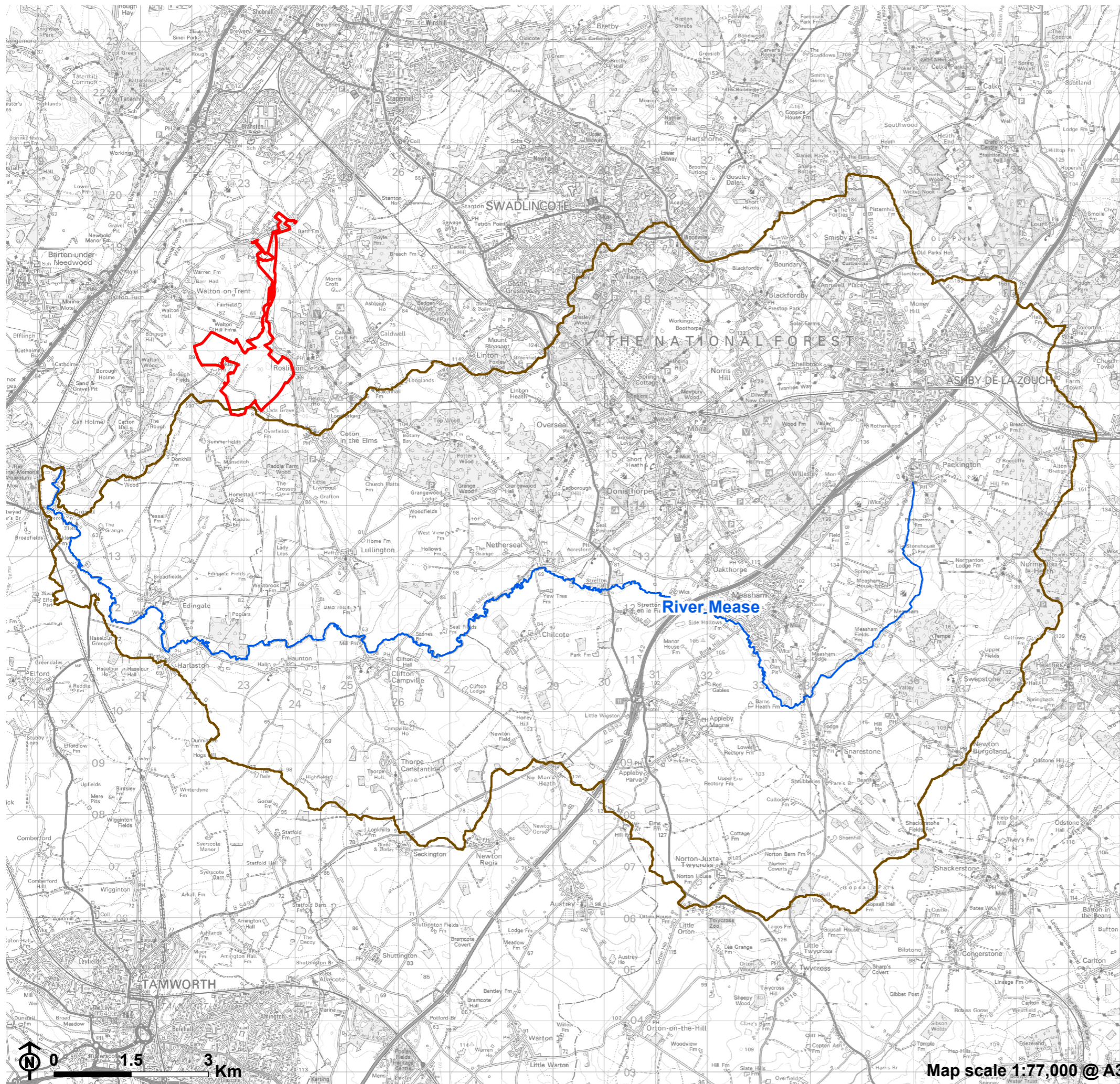
PINS reference: EN010122







Figure 6.2.2: River Mease Catchment



- Site boundary
- River Mease SAC
- River Mease catchment

PINS reference: EN010122



Map scale 1:77,000 @ A3



# Appendix C

## Review of Other Plans and Projects for In-Combination Effects

### Local Plans

South Derbyshire Local Plan 1 (adopted June 2016) <sup>36</sup>	
South Derbyshire Local Plan 2 (adopted November 2017) <sup>36</sup>	
Plan Owner/ Competent Authority	South Derbyshire District Council
Related work HRA/AA	Habitats Regulations Screening Report, Local Plan Part 1 <sup>37</sup> Habitats Regulations Screening Report, Draft Local Plan Part 2 <sup>38</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>The Local Plan Part 1 formerly known as the Core Strategy was adopted by the council on 13 June 2016. This document replaced 35 policies in the 1998 Local Plan with some policies remaining saved.</p> <p>The Local Plan Part 2 sets out the detail of smaller development sites, includes development management policies, proposes detailed amendments to settlement boundaries and proposes areas to be designated as local green space. It was adopted by the Council in November 2017.</p>

<sup>36</sup> <https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/local-plan/adopted-local-plan>

<sup>37</sup> <https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/local-plan/past-consultations-on-the-local-plan-part-1?chapter=6>

<sup>38</sup> <https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/local-plan/past-consultations-on-the-local-plan-part-2?chapter=3>

**South Derbyshire Local Plan 1 (adopted June 2016)<sup>36</sup>**

**South Derbyshire Local Plan 2 (adopted November 2017)<sup>36</sup>**

**Housing Provision**

Local Plan Part 1 sets out that at least an additional 12,618 homes will be required over the plan period (2011 to 2028). To meet this requirement Strategic Allocations have been made at the Swadlincote and Villages area and sites/broad locations at the Derby Urban Edge have been identified for development.

Non-Strategic Housing Allocations are set out in Local Plan Part 2 with the largest provision to be made at Montracon Site, Woodville for up to 95 new dwellings.

**Employment Land Provision**

The Local Plan Part 1 identifies that a minimum 53ha net additional land for industrial and business development is required over the plan period. Of this requirement 10.73ha has already been delivered. The remaining requirement is to be provided at new land (Swadlincote, Hilton and Woodville Regeneration Area) or at committed land (Tetron Point, Dove Valley business Park, Former Drakelow Power Station and Swadlincote)

There are no further employment allocations made in the Local Plan Part 2. This document however supports the redevelopment of Swadlincote Town Centre locations at Civic Centre, Civic Way; Land between Midland Road / Belmont Street; The Delph Block; Sharpes Estate; and Land between West Street / Market Street.

**Conclusions on potential effects of relevance to River Mease SAC**

The March 2014 HRA Screening Report of the Local Plan Part 1 concluded that the plan will not combine with other plans and projects to give rise to cumulative impacts on any of the identified European sites.

<b>South Derbyshire Local Plan 1 (adopted June 2016)<sup>36</sup></b>
<b>South Derbyshire Local Plan 2 (adopted November 2017)<sup>36</sup></b>
<p>The June 2016 HRA Screening Report of the Local Plan Part 2 considered only sites within the catchment of the River Mease given that sites located outside of the District have previously been considered in the Part 1 HRA and given the Plan as a whole would have no effect on these sites. The assessment concluded that these sites will not lead to likely significant effects either alone or in combination with proposals in other emerging plans or programmes. Similarly the policies included in the Local Plan Part 2 would not make provision for significant growth within the District.</p> <p><b>Therefore, there are no likely in-combination effects of the South Derbyshire Local Plan 1 or Part 2 with Oaklands Solar Farm.</b></p>

<b>East Staffordshire Borough Council Local Plan 2012-2031 (adopted October 2015)<sup>39</sup></b>	
Plan Owner/ Competent Authority	East Staffordshire Borough Council
Related work HRA/AA	Local Plan Pre-Submission Habitat Regulations Assessment Screening Report <sup>40</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>East Staffordshire Borough Council adopted the Local Plan which has a plan period of 2012 to 2031 in October 2015.</p> <p>The Local Plan was reviewed at an Extraordinary Council meeting on 19th October 2020. This review was undertaken in line with</p>

<sup>39</sup> <https://www.eaststaffsbc.gov.uk/planning/planning-policy/local-plan-2012-2031>

<sup>40</sup> <https://www.eaststaffsbc.gov.uk/planning/planning-policy/local-plan-2012-2031/habitat-regulations-assessment>



**East Staffordshire Borough Council Local Plan 2012-2031 (adopted October 2015)<sup>39</sup>**

police SP6 of the Local Plan and Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2017 as amended.

The recommendation that the update to the Local Plan, be delayed for a maximum of 5 years, was agreed. As such the adopted Local Plan remains in use, and forms part of the Development Plan for East Staffordshire.

**Housing Provision**

Strategic Policy 4 seeks to accommodate 10,384 houses across the Borough.

Strategic allocations have been identified in Burton upon Trent, Uttoxeter, Barton under Needwood Rolleston on Dove, Rocester and Tutbur.

**Employment Land Provision**

Strategic Policy 5 identifies the location of 40ha of new employment allocations in Burton and Uttoxeter.

**Conclusions on potential effects of relevance to River Mease SAC**

It has been concluded that the Local Plan Pre-Submission would not result in any significant effects to the qualifying ecological features of interest of the Natura 2000 or Ramsar sites referred to.

**Therefore, there are no likely in-combination effects of the East Staffordshire Borough Council Local Plan with Oaklands Solar Farm.**

Lichfield District Local Plan Strategy 2008-2029 (adopted February 2015) <sup>41</sup>	
Plan Owner/ Competent Authority	Lichfield District Council
Related work HRA/AA	Habitat Regulations Assessment: Lichfield District & Tamworth Borough <sup>42</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>The Lichfield District Local Plan Strategy for 2008 to 2029 was adopted in February 2015. The Local Plan Allocations document is the second part of the Local Plan for Lichfield District and it was adopted on July 16<sup>th</sup>, 2019.</p> <p>The Council began reviewing its Local Plan in April 2018 and the Preferred Options document was consulted on between November 2019 and January 2020. As there is still some uncertainty regarding the contents of the new Local Plan, the text below focuses on the adopted plan.</p> <p><b>Housing Provision</b></p> <p>The Local Plan Strategy plans for 478 new homes each year in the District. Overall a minimum of 10,030 dwellings between 2008 and 2029 is to be delivered.</p> <p>Housing development is to be focused within the key urban and rural settlements of Lichfield City, Burntwood, Alrewas, Armitage with Handsacre, Fazeley, Fradley, Shenstone and Whittington and adjacent to neighbouring towns of Rugeley and Tamworth.</p>

<sup>41</sup> <https://www.lichfielddc.gov.uk/local-plan/adopted-local-plan>

<sup>42</sup> <https://www.lichfielddc.gov.uk/downloads/file/241/local-plan-strategy-habitat-regulations-assessment>

**Lichfield District Local Plan Strategy 2008-2029 (adopted February 2015)<sup>41</sup>**

Strategic Development Allocations (SDAs) have been identified in South of Lichfield, South Lichfield (Deans Slade Farm), South Lichfield (Cricket Lane), East of Lichfield (North of Streethay), Fradley, Land East of the Burntwood Bypass, East of Rugeley and North of Tamworth.

Furthermore the Local Plan identified that 440 properties are to be delivered between the Key Rural Settlements of Alrewas, Armitage with Handsacre, Fazeley, Shenstone and Whittington. The Local Plan Allocations document is to set out how this level of growth is to be divided between the settlements in question.

**Employment Land Provision**

The Local Plan Strategy plans for employment growth to create between 7,310 and 9,000 additional jobs by 2029. 79.1ha of land will be allocated for employment uses, including approximately 12ha within the Cricket Lane SDA. Around 10 additional hectares of land are defined by the Local Plan Allocations document.

**Conclusions on potential effects of relevance to River Mease SAC**

In May 2012 an HRA of the Lichfield District and Tamworth Borough's Local Plans was undertaken. No specific projects under the Lichfield District Council Local Plan have been identified through the HRA as likely to have a likely significant effect on any European sites. The document stated that further work would be needed to establish any specific mitigation required when allocations are made through the Lichfield District Local Plan Allocations document.

Following main modifications and minor modifications submitted following the beginning of the examination process the Addendum to Habitat Regulations Assessment (January 2014) concluded that there are no likely significant effects that would result.

In January 2017 the HRA for the Local Plan Allocations document concluded that this document does not propose any additional growth on top of what is already proposed

Lichfield District Local Plan Strategy 2008-2029 (adopted February 2015) <sup>41</sup>
<p>through the adopted Local Plan Strategy. Furthermore it was considered that suitable mitigation is provided through strategic policies in Local Plan Strategy and development management policies in Local Plan Allocations document and mitigation options available at the project level to ensure that there will be no significant in combination effects on European sites.</p> <p><b>Therefore, there are no likely in-combination effects of the Lichfield District Council Local Plan with Oaklands Solar Farm.</b></p>

North West Leicestershire Local Plan 2011 – 2031 (adopted November 2017) <sup>43</sup>	
Plan Owner/ Competent Authority	North West Leicestershire District Council
Related work HRA/AA	Shadow Habitats Regulations Assessment to Inform the Habitats Regulations Assessment of the Local Development Plan by North West Leicestershire District Council <sup>44</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>The North West Leicestershire Local Plan was adopted on 21st November 2017. A Partial Review of the Local Plan, looking to amend Policy S1, was submitted to the Planning Inspectorate on 18th February 2020. The examination hearings were held in September 2020.</p> <p>Policy S1 of the Local Plan required a review to start within three months of adoption. The first part of this is a Partial Review, which</p>

<sup>43</sup> [https://www.nwleics.gov.uk/pages/local\\_plan](https://www.nwleics.gov.uk/pages/local_plan)

<sup>44</sup> [https://www.nwleics.gov.uk/pages/adopted\\_local\\_plan\\_evidence\\_documents](https://www.nwleics.gov.uk/pages/adopted_local_plan_evidence_documents)

**North West Leicestershire Local Plan 2011 – 2031 (adopted November 2017)<sup>43</sup>**

seeks solely to amend Policy S1 and supporting text. This was submitted to the Planning Inspectorate in February 2020.

A Substantive Review of the plan is also in process, which is a wider ranging review seeking to consider changes that have occurred since adoption, including the publication of a new NPPF.

Consultation on Emerging Options took place between November and January in 2019.

**Housing Provision**

Over the plan period to 2031 provision is made for a minimum of 9,620 dwellings (481 dwellings each year). Ashby de la Zouch, Castle Donington, Coalville Urban Area, Ibstock, Kegworth and Measham are central part of the settlement hierarchy within the District and will accommodate the vast majority of new development. New sites allocated for housing development are North of Ashby de la Zouch; Land off Waterworks Road Coalville; and Land of Ashby Road/Leicester Road, Measham; Land south of Ashby Road, Kegworth. The plan requires 30% affordable housing contributions on greenfield sites.

**Employment Land Provision**

The Local Plan 66ha of land for employment purposes and 7,300 sq metres for shopping purposes. The allocations set out for employment development in the District are Former Lounge disposal point, Ashby de la Zouch; Rear of Charnwood Arms, Bardon; Off Beveridge Lane/South Lane, Bardon; Off Beveridge Lane, Ellistown; Land at Sawley crossroads, Sawley; and Land north of Ashby de la Zouch (Money Hill).

**Conclusions on potential effects of relevance to River Mease SAC**

North West Leicestershire Local Plan 2011 – 2031 (adopted November 2017) <sup>43</sup>
<p>The June 2016 Shadow HRA for the Proposed Publication North West Leicestershire Local Plan determined that it would not lead to likely significant effects, either alone or in combination with other plans and projects, upon any European sites. As such, Appropriate Assessment was not undertaken.</p> <p>An addendum to the Shadow HRA was produced to take account of the submitted partial review, in 2019. This concluded that the changes to the Local Plan proposed through the partial review will have no likely significant effects on any European sites.</p> <p><b>Therefore, there are no likely in-combination effects of the North West Leicestershire Local Plan with Oaklands Solar Farm.</b></p>

The North Warwickshire Borough Council Local Plan September 2021 (adopted September 2021) <sup>45</sup>	
Plan Owner/ Competent Authority	North Warwickshire Borough Council
Related work HRA/AA	North Warwickshire Local Plan (Incorporating Main Modifications), Habitats Regulations Assessment Report <sup>46</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>The North Warwickshire Borough Council Local Plan September 2021 is the current adopted Local Plan and sets out the vision and spatial planning strategy for North Warwickshire and allocates sites for new homes and employment land to meet local community and business needs up to 2033.</p> <p><b>Housing Provision</b></p>

<sup>45</sup> [https://www.northwarks.gov.uk/info/20002/planning/1082/what\\_is\\_the\\_local\\_plan\\_for\\_north\\_warwickshire](https://www.northwarks.gov.uk/info/20002/planning/1082/what_is_the_local_plan_for_north_warwickshire)

<sup>46</sup> [https://www.northwarks.gov.uk/download/downloads/id/8600/main\\_modifications\\_habitat\\_regulations\\_assessment\\_february\\_2021.pdf](https://www.northwarks.gov.uk/download/downloads/id/8600/main_modifications_habitat_regulations_assessment_february_2021.pdf)

**The North Warwickshire Borough Council Local Plan September 2021 (adopted September 2021)<sup>45</sup>**

The Plan as proposed to be modified provides for 9,598 new dwellings for the period 2011 to 2033. The total number of new homes delivered over the plan period has been identified with consideration for the needs of those neighbouring authority areas within the Coventry and Warwickshire Housing Market Area (HMA) and the Greater Birmingham and Black Country HMA (including Tamworth Borough Council).

**Employment Land Provision**

For employment land, Policy LP6 of the Plan sets an employment land target of 100 hectares to be provided over the plan period from 2011-2033. Policy LP6a supports the provision of additional employment land, particularly where evidence demonstrates an immediate need for employment land, or a certain type of employment land, within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or successor study) which cannot be met via forecast supply or allocations.

**Conclusions on potential effects of relevance to River Mease SAC**

The screening assessment concluded that the Plan would have no likely significant effects upon the majority of European sites identified during the assessment, including the River Mease SAC, Ensor's Pool SAC, and Cannock Chase SAC.

Likely significant effects of air pollution on the Cannock Extension Canal SAC could not be excluded on the basis of the available information; therefore these effects were subject to an Appropriate Assessment.

The Appropriate Assessment of those likely significant effects has concluded that the Plan as proposed to be modified would not have an adverse effect on the integrity of the

**The North Warwickshire Borough Council Local Plan September 2021 (adopted September 2021)<sup>45</sup>**

Cannock Extension Canal SAC as a result of increasing air pollution either alone or in combination with other plans and projects.

It is therefore concluded that the Plan as proposed to be modified would not have an adverse effect on the integrity of any European sites either alone or in combination with other plans and projects.

**Therefore, there are no likely in-combination effects of The North Warwickshire Borough Council Local Plan with Oaklands Solar Farm.**

**Hinckley and Bosworth Core Strategy (adopted December 2009)<sup>47</sup>**

**Hinckley and Bosworth Site Allocations and Development Management Policies DPD (adopted July 2016)**

Plan Owner/ Competent Authority	Hinckley and Bosworth Borough Council
Related work HRA/AA	None available for this plan.
Notes on Plan documents	<p><b>Status</b></p> <p>Hinckley and Bosworth Core Strategy was adopted in December 2009 and sets out different land use policies for meeting the Borough's economic, environmental and social needs for the future. The Site Allocations and Development Management Policies DPD was adopted in July 2016 allocates land to deliver the development</p>

<sup>47</sup> <https://www.hinckley->

[bosworth.gov.uk/info/1004/planning\\_policy\\_and\\_the\\_local\\_plan/101/local\\_plan\\_2006\\_to\\_2026](https://www.bosworth.gov.uk/info/1004/planning_policy_and_the_local_plan/101/local_plan_2006_to_2026)



**Hinckley and Bosworth Core Strategy (adopted December 2009)<sup>47</sup>**

**Hinckley and Bosworth Site Allocations and Development Management Policies  
DPD (adopted July 2016)**

requirements outlined in the Core Strategy and also provides policies to be used when determining planning applications.

The Council are currently preparing a new Local Plan, and consultation of the draft version of the plan is scheduled to take place in Spring 2021. The new Local Plan will cover the period 2020 to 2039.

**Housing Provision**

It is identified in the Core Strategy that the number of houses to be provided between 2006 and 2026 is to total 9,000. The existing supply is identified as 3,954 homes with land for an additional 5,046 homes still to be found. In Hinckley land is to be allocated for 1,120 new residential dwellings. A Sustainable Urban Extension to the south of Earl Shilton is to include an additional 2000 homes. The Sustainable Urban Extension set out in the Core Strategy to the west of Barwell would include 2500 homes. The Core Strategy also identified that the Council will allocate land for 42 residential pitches for Gypsies, Travellers and Travelling Showpeople over the plan period with a Gypsy & Traveller Accommodation Needs Assessment needed to confirm requirements beyond 2017.

The Site Allocations and Development Management Policies DPD allocates land for a minimum of 1120 houses at Hinckley. Further smaller allocations are made at Burbage, Earl Shilton and Barwell and the key rural centres.

**Employment Land Provision**

The Core Strategy supports the delivery of 6ha for new office development (to provide 34,000sqm of office space) in or adjoining

**Hinckley and Bosworth Core Strategy (adopted December 2009)<sup>47</sup>**

**Hinckley and Bosworth Site Allocations and Development Management Policies  
DPD (adopted July 2016)**

the Hinckley Town Centre Area Action Plan boundary. At Hinckley the development of approximately 21,100sqm (net) of new comparison sector sales floorspace and the development of an additional 5,300sqm (net) of convenience floorspace is also supported through the Core Strategy.

The Site Allocations and Development Management Policies DPD allocates land for a minimum provision of 6ha of new office development in Hinckley.

**Conclusions on potential effects of relevance to River Mease SAC**

The Scoping the Need for an Appropriate Assessment of Hinckley and Bosworth Core Strategy produced by the Council identified that there are no European sites within the Borough boundary or within 10 km of it. Part of the River Mease (not classified as part of the River Mease SAC) passes through the Borough. There is no development proposed in this area and therefore no adverse effects are predicted to occur on the River Mease. The document concludes that there is no need to undertake an Appropriate Assessment of the Core Strategy.

The Sustainability Appraisal accompanying the Site Allocations and Development Management Policies DPD states “that a Habitats Regulations Assessment for this policy [DPD] has been undertaken at the Core Strategy stage and does not require repeating here”.

Therefore, at this stage with the Local Plan review at an early stage, there are no likely in-combination effects of the Hinckley and Bosworth Core Strategy and Site Allocations and Development Management Policies DPD with the North Warwickshire Local Plan.

**Therefore, there are no likely in-combination effects of the Hinckley and Bosworth Core Strategy or Site Allocations and Development Management Policies DPD with Oaklands Solar Farm.**

Tamworth Local Plan 2006-2031 (adopted February 2016) <sup>48</sup>	
Plan Owner/ Competent Authority	Tamworth Borough Council
Related work HRA/AA	Tamworth Borough Council Pre-submission Local Plan 2006-2031 Habitat Regulations Assessment <sup>49</sup>
Notes on Plan documents	<p><b>Status</b></p> <p>The Tamworth Local Plan 2006-2031 was Adopted by Council in February 2016 after the conclusion of its independent examination. The Local Plan outlines the spatial vision for sustainable development in the Borough up to 2031 and how it will be achieved against a set of objectives. The document also sets out the planning policies and identifies site specific allocations for development.</p> <p><b>Housing Provision</b></p> <p>The Local Plan sets out a required net increase of at least 4,425 dwellings to be delivered within the plan period at an average of 177 units per annum. At least 2,358 dwellings will be provided for within sustainable urban extensions at Anker Valley, Tamworth Golf Course and Dunstall Lane. The remainder required is to be provided within or adjacent to the existing urban area.</p> <p>The Local Plan sets out a requirement for one residential pitch to meet Gypsy, Traveller and Travelling Show people requirements in accordance with the sub regional Gypsy and Traveller Accommodation Needs Assessment.</p>

<sup>48</sup> <https://www.tamworth.gov.uk/local-plan>

<sup>49</sup> <https://www.tamworth.gov.uk/core-documents-local-plan>

Tamworth Local Plan 2006-2031 (adopted February 2016) <sup>48</sup>	
	<p><b>Employment Land Provision</b></p> <p>The Local Plan allocates 18ha of new employment land to meet the expected level of economic growth over the plan period.</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>The October 2014 HRA for the Tamworth Local Plan identified that the Borough lies within the zone of influence for the River Mease SAC, however it concluded that it is very unlikely that development in Tamworth would lead to significant effects on the character of the SAC. It was also concluded that development would be outside the zone of influence for the Cannock Chase SAC and that it is unlikely that development would lead to significant effects on the interest features of that SAC</p> <p><b>Therefore, there are no likely in-combination effects of the Tamworth Local Plan with Oaklands Solar Farm</b></p>	

### Significant Projects

Land to the North West of Barn Farm and to the South of Walton Road and the Former Drakelow Power Station (DMPA/2023/0170).	
Applicant	Drakelow Battery Ltd
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	The installation of battery energy storage, substation, transformer stations, site access, internal access track, security measures, access gates, and biodiversity enhancements on Land to the North West of Barn Farm and to the South of Walton Road and the Former Drakelow Power Station

**Land to the North West of Barn Farm and to the South of Walton Road and the Former Drakelow Power Station (DMPA/2023/0170).**

**Current Status**

Consented

**Conclusions on potential effects of relevance to River Mease SAC**

There are no HRA/AA available for this project.

A review of other planning documents<sup>5051</sup> found the following conclusion in relation to European Sites:

***Ecological Impact Assessment, Naturally Wild Consultants Ltd.***

*Statutory Designated Sites: There are no statutory designated sites within 1km of the area of proposed works. The closest statutory designated site is River Mease Site of Special Scientific Interest (SSSI) which represents a lowland clay river supporting significant populations of spined loach (Cobitis taenia) and bullhead (Cottus gobio), two internationally notable species of native freshwater fish with a restricted distribution in England.*

*Due to the localised, small-scale nature of the works it is proposed that any indirect effects on the SSSI will be negligible.*

**Given the overlap of the River Mease SAC with the River Mease SSSI, it was concluded that there were no likely in-combination effects with Oaklands Solar Farm.**

<sup>50</sup> Currie, H (2022). Ecological Impact Assessment, Barn Farm Battery Storage Walton-on-Trent. Naturally Wild Consultants Ltd.

<sup>51</sup> Huston, K (2023) Consultee comments. Derbyshire Wildlife Trust.

<b>Land at Barr Hall Farm, Drakelow, South Derbyshire (DMOT/2023/0621)</b>	
Applicant	Novus Renewable Services Ltd
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Screening Opinion request under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to proposed development of an Energy Storage System (ESS) and substation development</p> <p><b>Current Status</b></p> <p>Screening Opinion Issued – not EIA</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>52</sup> found the following conclusion in relation to European Sites:</p> <p><b><u>Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017</u></b></p> <p><b><u>Environmental Designations</u></b></p>	

---

<sup>52</sup> Slinger, S (2023).Request for Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to proposed development of an Energy Storage System (ESS) and substation development on land at Barr Hall Farm, Drakelow, South Derbyshire. Wardell Armstrong LLP

Oaklands Farm Solar Park  
January 2024

**Land at Barr Hall Farm, Drakelow, South Derbyshire (DMOT/2023/0621)**

*The Site is located within 5km of several nationally statutory designated ecological sites, Badgers Hollow/ Coton Park LNR (3.6km east), Branston Water Park LNR (2.55km northwest), River Mease SAC and SSSI (4.9km south west), Scalp Cliffe Hill (4.8km north), and Grove Wood Ancient Woodland 830m north east. Further surveys and assessments will be undertaken to assess the effects upon these however it is assumed that the implementation of standard construction measures and good practice will avoid the likelihood of effects occurring.*

**Due to the nature and scale of the proposed development, no likely in-combination effects were considered in relation to Land at Barr Hall Farm and Oaklands Solar Farm.**

**Breach Farm, Cadley Lane, Caldwell, Swadlincote, DE12 6RJ (DMPA/ 2020/0542)**

Applicant	Mathew Hicks
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>The variation of condition 5 of permission ref. 9/2018/0223 (relating to the construction of a 40MW energy storage scheme with 1 no. building (sui-generis use) to provide back up electricity services to the grid for a period of 25 years</p> <p><b>Current Status</b></p> <p>Consented</p>

**Conclusions on potential effects of relevance to River Mease SAC**

Oaklands Farm Solar Park  
January 2024

**Breach Farm, Cadley Lane, Caldwell, Swadlincote, DE12 6RJ (DMPA/ 2020/0542)**

There are no HRA/AA available for this project. Due to the scale and nature of the proposed development, no likely in-combination effects were considered in relation to Oaklands Solar Farm.

**Land South Of Main Road, Haunton, Tamworth, Staffordshire (20/01245/FULM)**

Applicant	Haunton Farmers Solar Ltd
Competent Authority	Lichfield District Council
Related work HRA/AA	<p><i>Cannock Chase SAC Partnership. Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement. Application Reference: 20/01245/FULM</i></p> <p><i>Tyler Grange (2021). Planning Application 20/01245/FULM – Land South of Main Road Haunton, Tamworth. 13249_R03 – Response to Ecology Team Comments dated 08/04/2021</i></p>
Notes on Application documents	<p>Installation of a solar farm comprising ground mounted solar PV panels (143,000) with a generating capacity of up to 49.9MW, including mounting system, battery storage units, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years and a permanent grid connection hub. Land South of Main Road, Haunton, Tamworth, Staffordshire</p> <p><b>Current Status</b></p> <p>Under construction</p>

**Conclusions on potential effects of relevance to River Mease SAC**



**Land South Of Main Road, Haunton, Tamworth, Staffordshire (20/01245/FULM)**

***Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement<sup>53</sup>***

*It is the conclusion of the Local Planning Authority that once operational there would be no impacts from the development on the River Mease SAC over and above the existing situation. However during the construction period, mitigation is required to ensure that any drainage and potential run off of pollutants is controlled in order to avoid any adverse effects on site integrity/ adverse effects on the integrity of the River Mease SAC. Details of the decommissioning of the Solar Farm would be controlled by condition, where Natural England would be consulted on the details.*

*In conclusion, it is considered subject to the mitigation set out in the CEMP, which would be controlled by an appropriately worded condition, the development would not lead to significant effects on the River Mease SAC.*

***13249\_R03 – Response to Ecology Team Comments dated 08/04/2021<sup>54</sup>***

***Conclusions***

*2.11. As described above, through the adoption of the measures within the Outline CEMP there are no potential pathways in which the proposals could cause a Likely Significant Effect on the River Mease SAC based on the identified risks set out within the Natura 2000 Data Form. Furthermore, with the protection measures included for protecting the watercourse for otter and water vole (refer to above section) there would be no likely impact on any Annex II species. The watercourse which is present within the site boundary is not also considered functional habitat for maintaining the population of otters which are linked to the River Mease SAC. No other impacts, including cumulative impacts, either alone or in combination with any other plan or project are considered likely to occur.*

<sup>53</sup> Cannock Chase SAC Partnership. Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement. Application Reference: 20/01245/FULM

<sup>54</sup> Tyler Grange (2021). Planning Application 20/01245/FULM – Land South of Main Road Haunton, Tamworth. 13249\_R03 – Response to Ecology Team Comments dated 08/04/2021

**Land South Of Main Road, Haunton, Tamworth, Staffordshire (20/01245/FULM)**

**Therefore, there are no likely in-combination effects of Land South of Main Road, Haunton with Oaklands Solar Farm.**

<b>Land to the north of the Royle Farm Business Park, Caldwell Road, Burton-on-Trent, DMPA/2021/1221</b>	
Applicant	Aura Power BESS Ltd
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>The installation of a Battery Storage Facility with associated infrastructure and access, grid connection consisting of the erection of a substations, control buildings, communications cabinets, battery transformers, proposed boundary treatment and installation of CCTV with associated works.</p> <p><b>Current Status</b></p> <p>Consented</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>55</sup> found the following conclusion in relation to European Sites:</p> <p><b><i>Ecological Assessment Report</i></b></p>	

<sup>55</sup> Pimlott, L (2021) Royle Farm Business Park Battery Storage Facility on behalf of Axis PED. Ecological Assessment Report. Avian Ecology Ltd.

**Land to the north of the Royle Farm Business Park, Caldwell Road, Burton-on-Trent, DMPA/2021/1221**

4.2.1. ...The Site lies within the IRZ for River Mease SAC and SSSI, 7.7km to the south; however, battery storage schemes are not listed on the qualifying criteria whereby the Local Planning Authority (LPA) would be required to consult with Natural England.

4.2.2 Given the small construction footprint of the proposed development and the distance between these designations and the Site there will be no potential for direct impacts, and any indirect impacts are considered highly unlikely to occur due to the separation distance, and absence of pathways for effect.

4.2.3 Standard measures to ensure runoff control and pollution prevention will be implemented during the construction of the proposed development; these measures will further minimise the likelihood of any pollution effects on these statutory designated sites.

**Therefore, there are no likely in-combination effects of Land to the north of the Royale Farm Business Park with Oaklands Solar Farm.**

**Drakelow C Power Station, Walton Road, Drakelow, CW9/0420/7**

Applicant	Vital Energi Ltd
Competent Authority	Derbyshire County Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Permission for the construction and operation of an 18MW Renewable Energy Centre and associated infrastructure on land at the former Drakelow C Power Station, Walton Road, Drakelow</p> <p><b>Current Status</b></p> <p>Under Construction</p>

## Drakelow C Power Station, Walton Road, Drakelow, CW9/0420/7

### **Conclusions on potential effects of relevance to River Mease SAC**

There are no HRA/AA available for this project.

A review of other planning documents<sup>5657</sup> found the following conclusion in relation to European Sites:

#### ***2020 Environmental Statement - Air Quality Summary***

*For sensitive habitat sites, which include the River Mease SAC, the impact of airborne NOx, NH3, SO2 and HF have been assessed as well as acidification and nutrient nitrogen deposition. Predicted concentrations and deposition rates have been compared to background information and relevant critical levels and critical loads for the sensitive habitats identified.*

*...based on the quantitative assessment carried out, it is concluded that the impact of the Proposed Development on human health and sensitive habitat sites would continue to be not significant.*

#### ***Preliminary Ecological Appraisal***

*There are no statutory designated nature conservation sites (i.e. SSSI) within the study area and the closest non-statutory designated nature conservation site (i.e. Drakelow Wildlife Reserve LWS) is approximately 430m from the survey area and will not be affected by the proposed works. Therefore, no mitigation or further survey work is required with regards to designated sites.*

**Given the nature of the proposed development and distance of the proposed Oaklands Solar Farm, no likely in-combination effects are considered in relation to Drakelow C Power Station and Oaklands Solar Farm.**

---

<sup>56</sup> Vital Energi Ltd and TNEI Services Ltd (2020) Drakelow Renewable Energy Centre. 2020 Environmental Statement. Vital

<sup>57</sup> EMEC Ecology (2015). Proposed 15MW Renewable Energy Centre at the former Drakelow Power Station Site near Burton-on-Trent. Preliminary Ecological Appraisal (PEA).

Banks House/Bretby View, Sabines, DMPA/2022/0844	
Applicant	South Derbyshire District Council
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Demolition of buildings, and redevelopment of site to provide additional car parking spaces and urban park. Alterations to Market Hall, including removal of existing roof; erection of painted metal canopy, brickwork, fencing and solar panels; installation of lighting; and associated landscaping; to create a multi-functional space for 42 car parking spaces and events space for specialist markets and cultural events.</p> <p><b>Current Status</b></p> <p>Permitted</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>58596061</sup> found the following conclusion in relation to European Sites:</p> <p><b><i>Derbyshire Wildlife Trust Consultation</i></b></p>	

<sup>58</sup> Harris, P (2021). Bat Report Bank House, Midland Road, Swadlincote, DE11 0AG. Elton Ecology Ltd

<sup>59</sup> Ground Investigation Specialists Ltd. (2021). Desk Study Report. Carried out for Engineer: ABA consulting Ltd. Report 2305.

<sup>60</sup> Harker, J (2022). Tree Survey and Arboricultural Impact Assessment. For Marting Reid, South Derbyshire District Council. ProHort Ltd.

<sup>61</sup> Huston, K (2022). Consultee comments. Derbyshire Wildlife Trust Consultation.

Oaklands Farm Solar Park  
January 2024

<b>Banks House/Bretby View, Sabines, DMPA/2022/0844</b>
<p><i>There are no known features of nature conservation value including designated sites (statutory or non-statutory) directly associated with the site or immediately adjacent.</i></p> <p><b>Therefore, there are no likely in-combination effects of Banks House/Bretby View with Oaklands Solar Farm.</b></p>

<b>23 York Road, Church Gresley, DE11 9QG</b>	
Applicant	Premier Property Central
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Approval of reserved matters (layout, scale, appearance and landscaping) pursuant to outline permission ref.9/2017/0244 for the erection of 10 dwellings with access, parking and associated works</p> <p><b>Current Status</b></p> <p>Pending</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project. Given the nature and location of the proposed development, no likely in-combination effects were considered in relation to 23 York Road development and Oaklands Solar Farm.</p> <p><b>There are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

Oaklands Farm Solar Park  
January 2024

Land at SK1930 5342, Hawthorn Farm, Scropton Road, Scropton, DE65 5PR, DMOT/2022/1030	
Applicant	GSI Hawthorn Ltd
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>The approval of detail reserved by condition nos. 8 (HGV route survey), 10 (temporary access track details), 11 (root protection area no-dig methodology), and 12 (public rights of way management during construction), 14 (solar panels, module frames, fencing; gates, CCTV poles, CCTV equipment, customer cabin, transformers, inverters and substation DNO details), 15 (equipment details), 17 (levels), 19 (lighting), 20 (CCTV active monitoring), 21 (archaeology), 22 (archaeology compliance), 23 (archaeology results analysis, publication and dissemination), 24 (tree protection), 26 (landscaping plan), 27 (Landscaping Management Plan), 28 (surface water drainage), 29 (surface water hierarchy), and 30 (construction surface water management) of permission ref. DMPA/2021/0315 (for the installation of up to 10MWp of solar photovoltaic panels and associated works, including substations, inverters, access tracks, security fencing and cameras)</p> <p><b>Current Status</b></p> <p>Permitted</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project. Given the scale, location and nature of the proposed development, no likely in-combination effects were considered in relation to development at Hawthorn Farm and Oaklands Solar Farm.</p>	

<b>Land off Church Street, Church Gresley, Swadlincote, 9/2013/0946</b>	
<b>Applicant</b>	Beepart Ltd and St Modwen Developments Ltd
<b>Competent Authority</b>	South Derbyshire District Council
<b>Related work HRA/AA</b>	None available for this project
<b>Notes on Application documents</b>	<p>Outline application (all matters except for principle means of vehicular access to be reserved) for the residential development up to 306 dwellings, access, parking, public open space, landscaping and associated infrastructure.</p> <p><b>Current Status</b></p> <p>Outline Permission Granted</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>6263</sup> found the following conclusion in relation to European Sites:</p> <p><b><i>Preliminary Ecological Appraisal</i></b></p> <p><i>Statutory Sites</i></p> <p><i>The study found that there were no Statutory sites with a 2.0 km radius of the application site.</i></p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

<sup>62</sup> Cotswold Wildlife Surveys (2012). Extended Phase 1 Habitat Survey of land off Church Street, Church Gresley, Swadlincote, Derbyshire. Cotswold Wildlife Surveys

<sup>63</sup> Cotswold Wildlife Surveys (2012). Great Crested Newt Triturus cristatus. Survey Report for land off Church Street, Church Gresley, Swadlincote, Derbyshire. Cotswold Wildlife Surveys



<b>Land Off Horner Avenue Fradley Lichfield Staffordshire (22/00106/FULM)</b>	
<b>Applicant</b>	Vistry Homes Ltd / Greenlight Developments Ltd
<b>Competent Authority</b>	Lichfield District Council
<b>Related work HRA/AA</b>	Tests at Regulation 63 of The Habitats and Species Regulations 2017 (as amended) are engaged
<b>Notes on Application documents</b>	<p>Full planning application for a residential development (109 units) with associated works and public open space, and access from Horner Avenue and Ward Close</p> <p><b>Current Status</b></p> <p>Pending</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>HRA included tests at Regulation 63 of The Habitats and Species Regulations 2017 (as amended) were engaged. Matters concerning the River Mease SAC were considered<sup>64</sup>. The assessment concluded that the proposed development would not result in a likely significant effect on the River Mease SAC and was therefore screened out from further assessment at the Screening stage.</p> <p>A review of other planning documents<sup>6566</sup> in relation to European Sites was considered.:</p> <p><b><i>Natural England Consultation Response</i></b></p>	

<sup>64</sup> Ecology Solutions (2021) Ecological Assessment. Land off Horner Avenue, Fradley, Lichfield.

<sup>65</sup> Wintle, R (2022). Natural England Consultation Response. Land Off Horner Avenue, Fradley, Lichfield, Staffordshire. Natural England.

<sup>66</sup> Georisk Management Limited (2019). Geoenvironmental Assessment. . Land off Horner Avenue, Fradley, Lichfield.

Oaklands Farm Solar Park  
January 2024

<b>Land Off Horner Avenue Fradley Lichfield Staffordshire (22/00106/FULM)</b>	
<i>NO OBJECTION - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection. Natural England's advice on other natural environment issues is set out below.</i>	
<b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b>	

<b>Model Farm Peggs Lane Elford Tamworth Staffordshire B79 9DR (22/01016/COUM)</b>	
Applicant	George Hodgetts Farms
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	Change of use from agriculture to holiday lodge including no25 holiday lodges and glamping pods and erection of reception / cafe / shop and storage with parking, EV charging/ cycle, equine provision, external play areas and associated landscaping, drainage and ecological enhancements   Model Farm Peggs Lane Elford Tamworth Staffordshire B79 9DR  <b>Current Status</b>  Pending
<b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b>	
There are no HRA/AA available for this project.	

**Model Farm Peggs Lane Elford Tamworth Staffordshire B79 9DR (22/01016/COUM)**

A review of other planning documents<sup>6768</sup> found the following conclusion in relation to European Sites:

***Preliminary Ecological Appraisal***

***3.1.1 Designated sites***

*The survey area is not subject to any statutory or non-statutory nature conservation designations. There is one statutory designated site within the 2km study area; River Mease SAC, 1.8km north....Direct impacts on designated sites are unlikely to arise as the works would be a sufficient distance to avoid dust, noise and visual effects on the reasons for designation.*

**Therefore, there are no likely in-combination effects with Oaklands Solar Farm.**

**Land adjacent to Willshee's Waste And Recycling Limited, Keith Willshee Way, Swadlincote, DE11 9EN (CW9/1022/22)**

Applicant	R&P Clean Power Limited
Competent Authority	Derbyshire County Council
Related work HRA/AA	Designated Site Assessment has been prepared by FPCR Environment and Design Ltd (2022)
Notes on Application documents	The proposed construction and operation of the Swadlincote Resource Recovery Park (SRRP) comprising an Energy Recovery Facility (ERF) and Aggregate Recovery Facility (ARF) together with

<sup>67</sup> Midland Ecology (2020). Preliminary Ecological Appraisal. Model Farm, Elford, Tamworth, B79 9DR.

<sup>68</sup> Charlesworth, K (2023). Ecology Team Comments. Lichfield District Council, Development Services, Frog Lane Lichfield, Staffordshire WS13 6YZ. Lichfield District Council

**Land adjacent to Willshee's Waste And Recycling Limited, Keith Willshee Way, Swadlincote, DE11 9EN (CW9/1022/22)**

ancillary infrastructure including grid connection cable and works, private electrical wire provision, substation, CHP off-take provision, internal vehicular circulation and yard areas, weighbridges, car parking, new access road, temporary construction compound and laydown area, security fencing and gates, drainage, landscaping and off-site habitat compensation.

**Current Status**

Application

**Conclusions on potential effects of relevance to River Mease SAC**

A Designated Site Assessment has been prepared by FPCR Environment and Design Ltd for this project<sup>69</sup>. Key findings are provided below.

***Designated Site Assessment***

*2.2 The desk study has identified a single site within 10km (considered to be the potential Zone of Influence for sites at this level of the designation hierarchy) of the Site; the River Mease SAC which at its closest point, is c.6.4km south to the south.*

*2.3 Because this is an 'international' site, assessment of potential effects from the Proposed SRRP Development have been considered via a Shadow Habitats Regulations Assessment (Technical Appendix 8.2A). Therefore, this site is not considered further in this assessment other than to note that the Shadow HRA concluded that alone, or in combination with other plans or projects, the Proposed SRRP Development is not likely to have a significant effect on the qualifying features of the River Mease.*

**Therefore, there are no likely in-combination effects with Oaklands Solar Farm.**

<sup>69</sup> FPCR Environment and Design (2022). Designated Site Assessment. Swadlincote Resource Recovery Park Environmental Statement: Technical Appendix 8.2

Land off Mount Road Castle Gresley, South Derbyshire (DMPA/ 2021/1698, DMOT/2022/1593 and DMOT/2022/1356	
Applicant	Flexion Energy UK Storage Ltd
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>An energy storage facility, together with associated equipment, infrastructure and ancillary works.</p> <p>Approval of details required by condition 10 attached to ref. DMPA/2021/1698 (An energy storage facility, together with associated equipment, infrastructure and ancillary works)</p> <p>Approval of details required by condition 3 attached to ref. DMPA/2021/1698 (An energy storage facility, together with associated equipment, infrastructure and ancillary works)</p> <p><b>Current Status</b></p> <p>Permitted</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project. No impacts were identified in relation to the River Mease SAC as a result of the proposed development.</p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

<b>Curborough North Site Watery Lane Curborough Lichfield Staffordshire (23/00763/SCOPE)</b>	
Applicant	Unknown
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Proposed development to create up to 2,350 residential units, either an all through school or a separate 2 form-entry primary school and an 8 form-entry secondary school, green infrastructure, sustainable urban drainage, a spine road and associated access.</p> <p><b>Current Status</b></p> <p>Pending Consideration</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>7071</sup> found the following conclusion in relation to European Sites:</p> <p><b><u>Consultee Comments for Planning Application 23/00763/SCOPE. Ecology Team Comments</u></b></p> <p><i>- The River Mease, Special Area of Conservation (SAC)</i></p> <p><i>Though this development does not lie within the catchment area of the River Mease, impacts from major applications within 5km should be considered through HRA, which this development site also lies just beyond. It is worth noting that when the qualifying</i></p>	

<sup>70</sup> Charlseworth, K (2023) Consultee Comments for Planning Application 23/00763/SCOPE. Ecology Team Comments Lichfield District Council.

<sup>71</sup> Brown, N (2023). Scoping opinion: proposed development to create up to 2,350 residential units...Environment Agency West Midlands Area.

Oaklands Farm Solar Park  
January 2024

Curborough North Site Watery Lane Curborough Lichfield Staffordshire (23/00763/SCOPE)	
<p><i>features of a European Site is a specie(s), there is a lot of consideration well beyond the boundary. This is especially the case for fluvial European Sites. The River Mease SAC is both, an important lowland watercourse noted for freshwater crayfish, spined loach, bullhead, otter with diverse and emergent vegetation including Glyceria fluitans and Ranunculus fluitans.</i></p> <p><i>A shadow Habitat Regulations Assessment (HRA) should be carried out that provides information on each European Site listed in paragraph 8.1.5, to enable the Local Planning Authority to complete HRA as the Competent Authority.</i></p> <p><b>Further HRA assessments have been recommended to establish indirect impacts on the River Mease SAC.</b></p>	

Curborough South Site Watery Lane Curborough Lichfield Staffordshire (23/00764/SCOPE)	
Applicant	Unknown
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Proposed development to create up to 1,150 residential units, a 3 form-entry primary school, a local centre, a care village and healthcare hub, green infrastructure, sustainable urban drainage, spine roads and associated access.</p> <p><b>Current Status</b></p> <p>Pending Consideration</p>



**Curborough South Site Watery Lane Curborough Lichfield Staffordshire  
(23/00764/SCOPE)**

**Conclusions on potential effects of relevance to River Mease SAC**

There are no HRA/AA available for this project.

A review of other planning documents<sup>72</sup> found the following conclusion in relation to European Sites:

**Consultee Comments for Planning Application 23/00763/SCOPE. Ecology Team Comments**

- *The River Mease, Special Area of Conservation (SAC).*

*Though this development does not lie within the catchment area of the River Mease, impacts from major applications within 5km should be considered through HRA, which this development site also lies just beyond. It is worth noting that when the qualifying features of a European Site is a specie(s), there is a lot of consideration well beyond the boundary. This is especially the case for fluvial European Sites. The River Mease SAC is both, an important lowland watercourse noted for freshwater crayfish, spined loach, bullhead, otter with diverse and emergent vegetation including *Glyceria fluitans* and *Ranunculus fluitans*.*

*A shadow Habitat Regulations Assessment (HRA) should be carried out that provides information on each European Site listed in paragraph 8.1.5, to enable the Local Planning Authority to complete HRA as the Competent Authority.*

**Further HRA assessments have been recommended to establish indirect impacts on the River Mease SAC.**

---

<sup>72</sup> Charlseworth, K (2023) Consultee Comments for Planning Application 23/00764/SCOPE. Ecology Team Comments Lichfield District Council.

Oaklands Farm Solar Park  
January 2024

Land North Of Hay End Lane Fradley Burton Upon Trent Staffordshire (22/01518/OUFMEI)	
Applicant	Barratt West Midlands/Wilson Bowden Developments Ltd
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Hybrid Planning Application comprising full application for the development of 500 dwellings, new accesses onto Hay End Lane and internal access, new sports provision consisting of playing fields, sports pavilion and associated parking, new open space, sustainable drainage, new ecology areas and woodland, landscaping and associated works; and an outline application for the development of a new primary school and associated works</p> <p><b>Current Status</b></p> <p>Pending Consideration</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>A shadow HRA has been prepared, which considered the impacts of the proposed development in relation to the River Mease SAC located 3km to the east of the development site. The shadow HRA considered the impacts of the development in relation to water quality and concluded that no likely significant effect would arise given the proposed development site was located outside of the catchment area of the SAC.</p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

Land At Harrier Centre And North Off Wood End Lane Fradley Lichfield Staffordshire WS13 8NG (23/00684/FULM)	
Applicant	Fradley 5 Ltd
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Erection of an industrial building, split into two units with employment uses E(g), B2 &amp; B8, together with ancillary offices, associated car parking, service areas and soft landscaping, the building having the provision to be built for single occupation without the ancillary offices to the second unit</p> <p><b>Current Status</b></p> <p>Pending Consideration</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>73</sup> found the following conclusion in relation to European Sites:</p> <p><i>Preliminary Ecological Appraisal</i></p> <p><i>Statutory Designated Sites</i></p> <p><i>3.2 A western half of the River Mease SAC falls within the 10km search radius for internationally designated sites being situated 5km east northeast of the Site at its closest point.</i></p>	

<sup>73</sup> FPCR Environment and Design (2023) Preliminary Ecological Appraisal. Wood End Lane, Fradley

Land At Harrier Centre And North Off Wood End Lane Fradley Lichfield Staffordshire WS13 8NG (23/00684/FULM)
<p>3.4 No nationally or regionally designated sites were identified within 2km of the site boundary.</p> <p><i>Statutory Sites</i></p> <p>4.2 ... The standard data form for the SAC designation lists the potential threats from outside the SAC as pollution of groundwater, human induced changes in hydraulic conditions and the introduction of invasive non-native species. The proposed development is highly unlikely to have any bearing on any of these factors and thus is not expected to adversely affect the SAC.</p> <p>4.3 The Site lies outside the River Mease SAC water catchment and the proposed development is not considered reasonably likely to significantly affect the water quality of the River Mease SAC.</p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>

The National Memorial Arboretum Croxall Road Alrewas Burton Upon Trent Staffordshire DE13 7AR (22/01612/FULM)	
Applicant	National Memorial Arboretum
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Creation of Memorial Woodland to include reworking ground levels, reshaping of the existing pond, food/drinks outlet, a multi-use building, multi-user pathways, water features with associated landscaping and utilities.</p> <p><b>Current Status</b></p>

Oaklands Farm Solar Park  
January 2024

<b>The National Memorial Arboretum Croxall Road Alrewas Burton Upon Trent Staffordshire DE13 7AR (22/01612/FULM)</b>	
	Pending Consideration
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project. Given the proximity of the development site to the River Mease SAC at 490m and the nature of the proposed development, there is potential for likely significant effects to arise. However, provided the mitigation measures outlined in this HRA are adhered to, no impacts are considered in-combination with the proposed development at the National Memorial Arboretum.</p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

<b>Land Lying South Of Hay End Lane Fradley Lichfield Staffordshire (23/00154/OUTM)</b>	
Applicant	Walton Homes Ltd
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Outline application with all matters reserved, except for access, for residential development of up to 43 dwellings.</p> <p><b>Current Status</b></p> <p>Pending Consideration</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p><i>There are no HRA/AA available for this project.</i></p>	

Land Lying South Of Hay End Lane Fradley Lichfield Staffordshire (23/00154/OUTM)
<p>A review of other planning documents<sup>74</sup> found the following conclusion in relation to European Sites:</p> <p><b>Ecological Assessment</b></p> <p><b>PROTECTED SITES</b></p> <p>4.11 No statutory protected sites lie within the site or immediately adjacent to the site boundary. Three statutory protected sites lie within 5km of the site boundary. The closest site is the River Mease SSSI and SAC which flows east of the site, 3.9km at the closest point. At these distances, and with barrier habitats between the surrounding sites and the site, there is expected to be no deleterious impact on the statutory protected sites from the development.</p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>

Land Off Wellington Crescent Fradley Park Lichfield Staffordshire (22/00532/OUTM)	
Applicant	Mr Bottomley
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	Outline application with all matters reserved for industrial units with B2, B8 and ancillary offices  <b>Current Status</b>

<sup>74</sup> Hacking, R (2021). Ecological Assessment of Land at Hay end lane, Fradley, Lichfield. Rachel Hacking Ecology Ltd.

<b>Land Off Wellington Crescent Fradley Park Lichfield Staffordshire (22/00532/OUTM)</b>	
	Pending Consideration
<b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b>	
<i>There are no HRA/AA available for this project.</i>	
<i>A review of other planning documents<sup>75</sup> found the following conclusion in relation to European Sites:</i>	
<b><i>Ecological Appraisal</i></b>	
<i>5.1.3 There are non-statutory protected sites within 2km.</i>	
No further reference to the River Mease is noted within available online documents.	
<b>Therefore, given the nature and scale of the proposed development there are no likely in-combination effects with Oaklands Solar Farm.</b>	

<b>Midland Pig Producers Ltd Hay End Lane Fradley Lichfield Staffordshire WS13 8NW (20/01031/OUTM)</b>	
Applicant	JT Leavesley Limited
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project
Notes on Application documents	Outline application with all matters reserved except for access for a Residential-led Mixed Use Development comprising, C2 Care and Assisted Living, C3 residential including self-build and bespoke.

<sup>75</sup> Gardner, A (2022). Ecological Appraisal. Fradley Park. Envirotech NW Ltd



Midland Pig Producers Ltd Hay End Lane Fradley Lichfield Staffordshire WS13 8NW (20/01031/OUTM)	
	Neighbourhood Centre including Community Facilities, Open Space and Landscaping (Resubmission of application 18/00078/OUTMEI)
	<p><b>Current Status</b></p> <p>Appeal Lodged</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p><i>There are no HRA/AA available for this project.</i></p> <p><i>A review of other planning documents<sup>76</sup> found the following conclusion in relation to European Sites:</i></p> <p><b><i>Preliminary Ecological Appraisal</i></b></p> <p><i>4.2.1 The Proposed development is not within the catchment of the River Mease SAC and therefore no likely significant effects upon this designated site are anticipated as a result of the proposed development.</i></p> <p><b>Therefore, there are no likely in-combination effects with Oaklands Solar Farm.</b></p>	

Haunton Solar Park (20/01245/FULM)	
Applicant	Haunton Farmers Solar Ltd
Competent Authority	Lichfield District Council
Related work HRA/AA	None available for this project

<sup>76</sup> Morley, K and Macfarlan, E (2020). Preliminary Ecological Appraisal. Canalside, Hay end land, Fradley. Wardell-Armstrong.

Haunton Solar Park (20/01245/FULM)	
Notes on Application documents	<p>The proposals comprises the installation of a solar farm comprising ground mounted solar PV panels (143,000) with a generating capacity of up to 49.9MW, including mounting system, battery storage units, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years and a permanent grid connection hub.</p> <p><b>Current Status</b></p> <p>Pending consideration</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project and it is understood that, at the time of writing, NE has objected to the lack of an HRA. Therefore, the conclusions relating to this project cannot be relied upon at this stage.</p>	

The Drakelow Park Housing Development (DMPA/2020/1460)	
Applicant	Countryside Properties
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>A 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</p>

The Drakelow Park Housing Development (DMPA/2020/1460)	
	<p>and cottages (with full details- comprising change of use and repair of the building)) on Land at SK2420 2230, Drakelow Park, Walton Road, Drakelow, Swadlincote</p> <p><b>Current Status</b></p> <p>Consented (8<sup>th</sup> January 2021), under construction with some houses occupied</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>77</sup> found the following conclusion in relation to European Sites:</p> <p><b><i>There are no statutorily protected sites that are likely to be affected by the proposed Development. The nearest is Scalpcliffe Hill LNR, which, at 3.5km north east of the Site is well outside the likely Zol of the proposals.</i></b></p> <p><b>Therefore, there are no likely in-combination effects of The Drakelow Park Housing Development with Oaklands Solar Farm.</b></p>	

Royle Farm Business Park Battery Storage Facility (DMPA/2021/1221)	
Applicant	Axis PED
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project

<sup>77</sup> Environmental Statement Vol 1 Ch 10 Ecology (EN6484.R.4.4.1.SR)

Royle Farm Business Park Battery Storage Facility (DMPA/2021/1221)	
Notes on Application documents	<p>The installation of a Battery Storage Facility with associated infrastructure and access, grid connection consisting of the erection of a substations, control buildings, communications cabinets, battery transformers, proposed boundary treatment and installation of CCTV with associated works at Land to the north of the Royle Farm Business Park, Caldwell Road , Burton-on-Trent</p> <p><b>Current Status</b></p> <p>Consented</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>78</sup> found the following conclusion in relation to European Sites:</p> <p><b><i>Statutory Designated Sites</i></b></p> <p><i>The Site does not form part of any statutory designated site for nature conservation. Four statutory designated sites have been identified within 5km (national value) and 10km (international value); the closest of these the Badgers Hollow, Coton Park LNR, 1.8km to the south east. All of these sites are designated for their habitat and/or aquatic species assemblages. The Site lies within the IRZ for River Mease SAC and SSSI, 7.7km to the south; however, battery storage schemes are not listed on the qualifying criteria whereby the Local Planning Authority (LPA) would be required to consult with Natural England.</i></p> <p><b><i>Given the small construction footprint of the proposed development and the distance between these designations and the Site there will be no potential for direct impacts, and any indirect impacts are considered highly unlikely to occur due to the separation distance, and absence of pathways for effect.</i></b></p>	

<sup>78</sup> Avian Ecology (2021). Royle Farm Business Park Battery Storage Facility, Ecological Assessment Report

<b>Royle Farm Business Park Battery Storage Facility (DMPA/2021/1221)</b>
<b>Therefore, there are no likely in-combination effects of the Royle Farm Business Park Battery Storage Facility with Oaklands Solar Farm.</b>

<b>Lullington Solar Farm (DMPA/2021/1014)</b>	
Applicant	Island Green Power UK Limited
Competent Authority	South Derbyshire District Council
Related work HRA/AA	Not available online. Completed by WYG in 2021.
Notes on Application documents	<p>The installation of ground mounted solar photovoltaic panels with associated infrastructure and works, including substations, converters, inverters, access tracks, security fencing, boundary treatment and CCTV at Land north of Lullington, Swadlincote</p> <p><b>Current Status</b></p> <p>This application has been rejected at appeal.</p>

<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>A HRA was completed in 2021 by WYG but this was not available online.</p> <p>A review of other planning documents<sup>79</sup> found the following conclusion in relation to European Sites:</p> <p><i>The River Mease SAC is located 1.78 km south of site. The installation of a ground mounted solar farm will not result in the direct loss or degradation of habitats which support qualifying features of the SAC. However, a tributary flows from the south-western corner of site (West Brook) to the River Mease, and the site is within the IRZ for</i></p>
--

<sup>79</sup> WYG (2021). *Lullington Solar Farm, Ecological Appraisal*

Lullington Solar Farm (DMPA/2021/1014)	
<p><i>the River Mease SSSI. It is therefore considered likely that there are potential pathways to Likely Significant Effects (LSE).</i></p> <p><i>A Report to Inform a Habitats Regulations Assessment was therefore completed (WYG, 2021). <b>The results from the Stage 2 Appropriate Assessment found that with mitigation, no impact on integrity (alone or in-combination) of the River Mease SAC is predicted</b></i></p> <p><b>Discussions with South Derbyshire indicate that there were residual concerns with the conclusions of the HRA associated with this development proposal. The conclusions have therefore not been relied upon in this HRA.</b></p>	

Swadlincote Resource Recovery Park (DMOT/2021/0959)	
Applicant	Derbyshire County Council
Competent Authority	South Derbyshire District Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Scoping opinion construction and operation of the Swadlincote Resource Recovery Park comprising an Energy Recovery Facility and Aggregate Recovery Facility together with ancillary infrastructure including grid connection works, substation, CHP off-take provision, internal vehicular circulation and yard areas, weighbridges, car parking, temporary construction compound and laydown area, security fencing and gates, drainage, landscaping and off-site habitat compensation on Land adjacent to Depot 3, Keith Willshee Way, Cadley Hill, Swadlincote, DE11 9EN</p> <p><b>Current Status</b></p>

## Swadlincote Resource Recovery Park (DMOT/2021/0959)

Decided, no objection.

### **Conclusions on potential effects of relevance to River Mease SAC**

There are no HRA/AA available for this project.

A review of other planning documents<sup>80</sup> found the following conclusion in relation to European Sites:

#### ***Habitat Regulations Assessment***

*The site does not appear to be within the impact Zones for the River Mease SSSI/SAC. It is not in the catchment area for a watercourse that drains to the River Mease SAC (it is located close to the Darklands Brook) which discharges westwards towards its confluence with the River Trent. **As stated in pre-application comments, having briefly reviewed this scheme it looks as if it is unlikely to require a stage 2 Habitat Regulations Assessment (HRA) (Appropriate Assessment) to consider the likely effects of this scheme on the River Mease Special Area of Conservation (SAC).** The site is around 6.3km from the nearest part of the SAC and having undertaken a brief review of the interest features and the Conservation Objectives of the SAC, it seems unlikely that the proposed development would harm the integrity of the River Mease SAC. **However, I would recommend that the applicant undertake a proportionate shadow stage 1 HRA Screening Assessment to inform any biodiversity assessment to be included in the ES and to allow the County Council, as competent authority to rule out any likely significant effects on the integrity of the SAC either alone or in-combination with other development.***

**Therefore, there are no likely in-combination effects of the Swadlincote Resource Recovery Park with Oaklands Solar Farm.**

<sup>80</sup> Officer Report 10/06/2021



Drakelow Recyclable Energy Facility (CW9/0420/7)	
Applicant	Vital Energi
Competent Authority	South Derbyshire District Council / Derbyshire County Council
Related work HRA/AA	None available for this project
Notes on Application documents	<p>Construction and operation of an 18MW Renewable Energy Centre and associated infrastructure</p> <p><b>Current Status</b></p> <p>Approved</p>
<p><b><u>Conclusions on potential effects of relevance to River Mease SAC</u></b></p> <p>There are no HRA/AA available for this project.</p> <p>A review of other planning documents<sup>81,82</sup> found the following conclusion in relation to European Sites:</p> <p><b>Environmental Statement</b></p> <p><b>Chapter 5: Air Quality</b></p> <p><b>Conclusions</b></p> <p><i>Due to the relatively remote location of the Site and lack of sensitive receptors, both human and habitat receptors, the effects of construction activities would be not significant.</i></p>	

<sup>81</sup> Vital Energi Ltd (2020). *Drakelow Renewable Energy Centre, 2020 Environmental Statement: Chapter 5 Air Quality.*

<sup>82</sup> EMEC Ecology (2015). *Proposed 15MW Renewable Energy Centre at the Former Drakelow Power Station Site near Burton-on-Trent, Preliminary Ecological Appraisal (PEA)*

### Drakelow Recyclable Energy Facility (CW9/0420/7)

*The key findings of the assessment of operational impacts concluded that there will be no significant effects from process emissions on sensitive human receptors or habitat sites for the Proposed Development.*

#### **Preliminary Ecological Appraisal**

*There are no statutory designated nature conservation sites (i.e. SSSI) within the study area and the closest non-statutory designated nature conservation site (i.e. Drakelow Wildlife Reserve LWS) is approximately 430m from the survey area and will not be affected by the proposed works. Therefore, no mitigation or further survey work is required with regards to designated sites.*

**Therefore, there are no likely in-combination effects of the Drakelow Recyclable Energy Facility with Oaklands Solar Farm.**