OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

The Applicant's Response to Relevant Representations and Additional Submissions

August 2024

Document Ref: EN010122/D1/10.2

Version: Deadline 1

planning
transport
design
environment
infrastructure
land

The Applicant's Response to Relevant Representations and Additional Submissions

Oaklands Farm Solar Park Project

Oaklands Farm Solar Limited

Planning. Inspiring. Delivering.

Maidstone
01622 776226

Gatwick
01293 221320

London
020 3005 9725

www.dhaplanning.co.uk

CONTENTS

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

1.1.1 This Document has been prepared for submission at Deadline 1 of the Examination by the Planning Inspectorate into an application by Oaklands Farm Solar Limited ("the Applicant") (a wholly owned subsidiary of BayWa r.e UK Ltd - "BayWa") under the Planning Act 2008 for a Development Consent Order (a "DCO") for the construction, operation, maintenance and decommissioning of ground mounted solar photovoltaic arrays and a Battery Energy Storage System ("BESS") on land west of the village of Rosliston and east of Walton-on-Trent in South Derbyshire ("the Proposed Development").

1.1.2 This Document provides the response by the Applicant to the Relevant Representations ("RRs") received following the acceptance of the application for examination by the Planning Inspectorate. A total of 330 RRs were submitted to the Planning Inspectorate with a further four Additional Submissions ("AS") accepted following the deadline for Relevant Representations at the discretion of the Examining Authority.

1.1.3 The RRs and ASs comprise responses from 26 Statutory Bodies, three non-statutory bodies and 305 members of the public. The RRs and ASs from the Statutory and non-statutory bodies have been listed verbatim with the comments from the members of the public being summarised and grouped into themes.

1.1.4 The ASs were submitted to the Planning Inspectorate by the Environment Agency, Heather Wheeler MP and Historic England on the 20th May 2024 and by Natural England on the 26th June 2024. For the purposes of this document, no distinction has been made between the ASs and the wider RRs.

1.1.5 This document has been prepared as part of the DCO application ("the Application") and should be read in conjunction with the other documents submitted by the Applicant as part of the Application, prior to the examination commencing and at the examination Deadlines.

1.2 STRUCTURE OF THE REPORT

1.2.1 This Document provides a direct response to each of the RRs made by Local Authorities, then Statutory Bodies and Other Organisations, then Parish Councils and Elected Parties.

1.2.2 The Applicant's response to the comments made by all others have been grouped into themes as the comments raised similar matters. This aims to avoid unnecessary repetition and ensures the Applicant's response to those different matters is easily accessible and consistent.

2 APPLICANT'S RESPONSES TO LOCAL AUTHORITY REPRESENTATIONS

2.1 DERBYSHIRE COUNTY COUNCIL AND SOUTH DERBYSHIRE DISTRICT COUNCIL

2.1.1 The Applicant engaged in discussions with Derbyshire County Council (DCC) and South Derbyshire District Council (SDDC) during the preparation of the Application and is continuing to engage with both parties during the course of the Examination in order to agree a Statement of Common Ground. The Applicant will provide a full update on the position of the Statement of Common Ground at Deadline 3.

THEME	COMMENT	APPLICANT RESPONSE
Cumulative Impacts	A number of developments within 5km of the Oaklands Farm Solar Project require consideration in terms of cumulative impacts, including a large mixed-use development, an energy from waste facility and additional battery energy storage system proposals.	Schemes considered for the cumulative assessment have been identified within 5km of the Proposed Development, in consultation with SDDC and DCC. The list of all potential cumulative developments is presented in Table 2.2 of Chapter 2 of the Environmental Statement (ES) **[APP-082]**. The Applicant is engaging further with SDDC and DCC during the course of the Examination towards agreeing a Statement of Common Ground, and intends within that document to agree the approach to cumulative schemes, as well as updating its assessments as necessary should additional schemes be identified which need to be considered.
	The locality benefits from a 7.5 tonne Environmental Weight Limit that is already subject to repeated infringement which may be exacerbated by the presence of authorised goods vehicle access throughout the area.	The accompanying Outline Construction Traffic Management Plan (OCTMP) **[APP-148]** presents the proposed mitigation measures that will be secured as per Requirement 10 of the Draft Development Consent Order (dDCO) **[AS-005]** to limit the impact of cumulative construction vehicle traffic during the construction phase.
	The cumulative impacts of other developments particularly in relation to landscape and visual impacts, the effects of glint and glare, and traffic must be fully explored. Of particular importance is the potential for viewpoints where multiple solar sites are visible or where glint and glare from multiple sites may be apparent from operational sites.	Each chapter of the ES has undertaken a cumulative assessment where necessary using a listed of developments that has been agreed with the DCC and SDDC. As noted in this document, the Applicant will be continuing to discuss the position on Cumulative Developments with the LPAs as the Examination proceeds.

Transport and Access	Further assessments are required to establish the impacts of HGV movements associated with the construction and decommissioning of the proposal, particularly regarding the impacts of goods vehicle access through urban areas and along relatively quiet country roads benefiting from an environmental weight limit.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way Heavy Goods Vehicle (HGV) movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 – Walton Bypass, Main Street and Walton Road • Scenario 2A – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B – Back up – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the Walton Bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the Walton Bypass not be in place during the construction phase, and are detailed in the ES. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done HGVs. A Construction Traffic Management Plan would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the Application, and which would

		contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control. There will be up to two abnormal indivisible loads to be delivered to Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. It is appreciated that during the construction period levels of vehicle use on the roads leading to the Site will increase. That will be for a temporary period, with various routes available and with careful management of those movements proposed through the Construction Traffic Management Plan to minimise the impacts of those vehicles and to ensure that they do not have significant effects on the surrounding road network. Decommissioning vehicle routes will be confirmed within the final Decommissioning Environmental Management Plan **[APP-092]** which will include a Decommissioning Traffic Management Plan. This is secured through Requirement 22 of the dDCO **[AS-005].**
	The impact of goods vehicles accessing the site, including a number of large indivisible loads, on local residents and highway infrastructure.	The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal an impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make aspects of the local network unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). There will be a requirement for a maximum of two deliveries of prefabricated transformers. Following detailed assessment, the proposed Abnormal load route is 'Route 8' as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the Site via local, low trafficked, rural routes. ES Chapter 10: Transport and Access: Appendix 10.7 – Indicative Abnormal Load Swept Path Analysis **[APP-154]** determines that a reference vehicle, can navigate the proposed route. Abnormal load mitigation measures will be secured under Requirement 10 of dDCO **[AS-005]** and as a legal requirement under the Electronic Service Delivery for Abnormal Loads (ESDAL) system.

Heritage	While the proposed site does not host any listed buildings there are numerous historic environment related receptors within the surrounding area. The potential impacts of such a large-scale proposal must be fully considered, particularly the potential for impact on the setting of historic environmental assets both locally and when encountered in more distant views.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in ES Chapter 7 **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself but the assessment identified some potential for non-designated archaeological assets which are likely to be of no more than local importance. The dDCO **[AS-005]** includes a requirement which commits the Applicant to agreeing an archaeological Written Scheme of Investigation (WSI) prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
	The proposed development will impact on designated heritage assets, both directly and in terms of their setting.	The Zone of Theoretical Visibility (ZTV) has been used to establish study areas. A Core Study Area, encompassing land lying within 2.5km of the Site has been used identify designated and non-designated heritage assets which may be subject to effects related to setting change. A Wider Study Area, encompassing land lying 2.5km to 5km from the Site, has been used to identify any further designated heritage assets susceptible to effects related to setting change. The following residual effects are anticipated during the operational period: 1. Oaklands Farm Farmhouse – less than substantial harm to a non-designated asset of local importance; 2. Oaklands Farm Cottages – less than substantial harm to a non-designated asset of local importance; 3. Church of St Mary, Rosliston – Grade II* listed building – low level of less than substantial harm to a designated asset; 4. Church of St Mary, Coton in the Elms – Grade II listed building – very low level of less than substantial harm to a designated asset. No heritage-asset specific mitigation is required beyond the landscape and boundary measures already proposed as mitigation to address effects arising as a result of setting change since no significant effects were identified by the assessment.
Landscape and Visual Impact	The potential for impact upon the landscape, local and when considered in wider views, needs to be fully considered in terms of the introduction of man-made features, the introduction of additional hedges,	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and

	fences, opaque netting, and woodland planting contributing to a change in land use characteristics.	Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC.
	There must be an adequate number of viewpoints for the Landscape and Visual Impact Assessment (LVIA) in order to understand the impact of the development, along with appropriate landscape buffers, woodlands, tree planting, and increased heights of hedgerows.	The list of viewpoints is a representative selection of locations agreed with the relevant statutory consultees (DDC, SDDC, the Planning Inspectorate). It is not an exhaustive list of locations from which the Proposed Development will be visible. A total of 11 representative viewpoints were selected through desk study, field work and consultation with statutory consultees. The viewpoints were originally agreed with SDDC and DCC in July/ August 2021 for the Preliminary Environmental Information Report (PEIR). The list was then revised and agreed with DCC in March 2023, following changes to the extent of the Proposed Development.
Environmental Health and Noise	The impacts of noise arising from sub-stations and transformers, while accepted as being unlikely to be significant for local receptors and will be transitory for users of the rights of way, should be considered in relation to the users of existing and proposed Public Rights of Way and permissive paths.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. Solar developments are generally not significant noise generating developments once operational with the main noise generating activities associated with construction. The ES found that there would be a negligible effect when considering all sensitive receptors. No further mitigation is required beyond that already embedded within the design of the Proposed Development and the management plans secured through the dDCO. No significant adverse effects are predicted for users of the Public Rights of Way (PRoW) and permissive paths.
	Whilst noise from plant and equipment may be acceptable in principle, there are concerns in regard to whether the final design and plant proposed will be suitable in this rural location.	The BESS compound and any other noise emitting equipment are located away from any sensitive noise receptors where possible toward the centre of the Oaklands Farm Area with solar panels and plant a minimum of 100m from any residential property and the BESS located much further away from any residential properties. As demonstrated in the Design Statement **[APP-182]** this was a consideration during the evolution of the design of the Proposed Development during the preparation of the Application. Requirement 5 of the dDCO provides the LPAs with the opportunity to review and approve the final design details of those features.
Climate Change and Carbon Reduction	The proposal has the potential for significant energy generation which is welcomed. However, this must be considered in light of the potential for impacts on climate change resilience such as flood risk, overheating due to a reduction in shading, and cooling from vegetation.	Chapter 13 of the ES **[APP-165]** has undertaken an assessment of the potential effects of the Proposed Development on climate change, which are beneficial, with measures included to ensure the Proposed Development is resilient to change.
	Whilst the proposal would contribute to carbon emission reduction and support SDDC's route to carbon neutrality by 2050, this type of development can lead to soil compaction and resulting surface water run-off problems.	Chapter 8 of the ES **[APP-165]** has undertaken an assessment of the potential effects of the Proposed Development of flood risk including soil compaction. No adverse effects were identified with all impacts found to be either negligible or minor beneficial. Soil compaction will be managed through the Soil Management Plan appended to the OCEMP **[APP-091]** and secured through Requirement 9 of the dDCO **[AS-005]**.

Biodiversity, Ecology and Trees	The River Mease Special Area of Conservation (SAC) and SSSI are close to the site which also includes habitats used by protected species which are proposed to be protected by, among other measures, buffer zones. There are concerns that the development may result in significant effects associated with water quality and quantity, the spread of invasive non-native species, and disturbance to otter during construction, alone or in-combination, on the River Mease SAC.	No significant construction stage impacts are expected on the River Mease SAC and Sites of Special Scientific Interest (SSSI) due to their distance from the Site. There is potential for contamination as the Site is hydrologically linked, with the southern tip of the Site boundary falling within the River Mease Catchment area as shown in Figure 6.2.2 of Appendix 6.2 of the ES **[APP-122]**. However, embedded mitigation in the OEMP **[APP-090]** and ODEMP **[APP-092]** would minimise any potential contamination issues. The ES has confirmed that no adverse effects are predicted in relation to operational effects on International or National designated sites and no mitigation is therefore required.
	Whilst the use of the site as a solar farm may be considered a temporary use, the provision of appropriate biodiversity conservation and net gain must be fully considered.	The Applicant's Biodiversity Net Gain (BNG) Report **[APP-131]** found the Proposed Development would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units, with biodiversity conservation and net gain to be secured through the OLEMP **[APP-105]**.
	All ecological studies supporting the application must accord with the timings set out in best practice.	All surveys will be carried out in accordance with the best practice and guidance in place at the time of the survey, as detailed in the various outline management plans which accompany the Application which are secured through Requirements in the dDCO.
	In terms of cable routes, there are concerns regarding the ecological impacts arising from the fixed cable routes and the mitigation measures required to adhere to relevant statutory legislation and best practice guidelines, in respect of habitats and species.	The potential effects of the cable route on ecology have been assessed as part Chapter 6 (Ecology) of the ES **[APP-135]** and necessary mitigation has been proposed and secured through the CEMP **[APP-090]**, OLEMP **[APP-105]**, OOEMP **[APP-091]** and ODEMP **[APP-092]**.
	There are concerns that ponds, drains, and watercourses would be adversely affected by the proposals.	The potential effects of the Proposed Development on ponds, drains and watercourses have been assessed as part Chapter 8 (Water Resources and Flood Risk) of the ES **[APP-143]** and necessary mitigation, has been proposed and secured through the CEMP **[APP-090]**, OLEMP **[APP-105]**, OOEMP **[APP-091]** and ODEMP **[APP-092]**.
	There are concerns about the adverse impact of the development on veteran/ancient trees.	The potential effects of the veteran/ancient trees have been assessed as part of Chapter 6 of the ES **[APP-135]** and any mitigation, where necessary, has been proposed. Further detail is contained in the Arboricultural Survey Report **[APP-133].** This has identified three ancient trees, three veteran trees and an area of ancient woodland (Grove Wood) as being in proximity to the Site. However, the Arboricultural Impact Assessment confirms that all ancient trees, veteran trees and areas of ancient woodland outside of the areas of Proposed Development and their Root Protection Areas (RPAs) and buffers will be kept free from any development and construction activities.

	There are concerns about whether the biodiversity metric utilises the most up to date Natural England Calculator tool and is supported by appropriate plans.	Metric 3.1 has been used for the assessment rather than the most recent Metric 4.0 or Statutory Metric due to surveys and BNG condition assessments being conducted using the Metric 3.1, and being completed prior to the release of the Metric 4.0 and the Statutory Metric. This is in accordance with advice from Natural England at the time of the assessments, for the continuation of use of previous metrics for a project duration, prior to the adoption of mandatory BNG. The Applicant notes that the provision of BNG is not mandatory for NSIPs and the Applicant is following best practice.
	There are concerns about whether all habitats will be suitably protected during construction.	The Proposed Development will result in the temporary loss of grassland and localised sections of the unnamed watercourse, and the permanent loss of arable fields, small, localised sections of hedgerow and scrub. The installation of the solar arrays, cable trenching, construction access tracks and supporting infrastructure will primarily result in the loss of habitats of low ecological value, including improved grassland and arable land but will also result in the small loss of discrete sections of hedgerow, scrub, trees and watercourse. The proposed mitigation measures set out in the OLEMP **[APP-105]** seeks to mitigate the effects of habitat loss and on retained habitat. This includes minimising habitat loss, damage, disturbance and contamination, enhancements to existing habitats and the creation of new habitats through additional planting. Therefore, those management plans ensure that retained habitats will be suitably protected during construction. The OLEMP is secured by Requirement 8 of the dDCO.
	There are concerns about whether all habitats will be suitably managed to maximise ecological potential throughout the life of the development.	The OLEMP **[APP-105]** and OOEMP **[APP-091]** sets out the management and monitoring of all habitats throughout the life of the Proposed Development. The OLEMP is secured by Requirement 8 of the dDCO.
	There are concerns about the likely significant adverse impacts to ground nesting birds, particularly 'Priority Species', as well as the compensation measures which are to be delivered.	The Applicant's position is that the mitigation measures introduced through the embedded design of the Proposed Development and through the management plans to be secured through the dDCO will be appropriate and sufficient to ensure harm to ground nesting birds at the construction, operational and decommissioning stages is avoided.
	There are concerns about whether barn owls have been identified as nesting within site trees, and, if so, whether appropriate mitigation and compensation will be provided.	The Breeding Bird Survey Report **[APP-128]** identified one barn owl being present albeit that was not confirmed as nesting. Therefore, no mitigation or compensation is provided but an enhancement is proposed through the provision of a Wildcare outdoor barn owl box. This enhancement is set out in the OLEMP **[APP-105]** and secured through Requirement 8 of the dDCO **[AS-005]**.
	Additional compensation and mitigation measures may be required to suitably control the potential for killing and injuring Great Crested Newts (GCN) during the construction phase.	As set out in the Great Crested Newt (GCN) Report **[APP-129]** the findings of the GCN surveys indicate that GCN are likely absent from the Site and therefore, are considered highly unlikely to be affected by Proposed Development. Therefore, no mitigation is required for GCNs.

	Clarification is needed on the location and specification of badger access gaps within the perimeter fencing.	The indicative locations of the mammal gaps are detailed within Figure 6.3 of the ES **[APP-136]**, and will allow the movement of small mammals, including badger and hedgehog to disperse through the Site. The final detail of the mammal gaps will be set out in the detail LEMP secured by Requirement 8 and Requirement 16 (fencing and other means of enclosure) of the dDCO **[AS-005]**.
	There are concerns regarding the impact on TPO'd trees on "Conker Alley" and "Lime Avenue".	The Proposed Development will not impact any trees subject to a Tree Protection Orders (TPOs) other than those trees that are listed under TPO number 122 at Drakelow..
	Further details on biodiversity enhancements would be welcomed.	The details of biodiversity enhancements are set out in the OLEMP **[APP-105]** and secured through Requirement 8 of the dDCO **[AS-005]**.
	It Is not clear how "appropriateness" will be defined so as to ascertain where wildflower meadow planting will actually take place	The OLEMP **[APP-105]** sets out the proposed areas of species-rich grassland which are generally along field boundaries, open areas where solar arrays are not proposed and beneath the solar array panels. These areas will be seeded with EM2 Standard General Purpose Meadow Mix or a similar species mix. The final layout and design of the Proposed Development will be defined through the discharge of Requirement 5 of the dDCO, which provides for the approval of the LPA of those matters.
	The loss of significant lengths of hedgerows and woodland are significant concerns.	241m of hedgerow are due to be lost as part of the Proposed Development. The majority of hedgerows on Site will be retained with 2.86km of native species rich hedgerow then being created as part of the Proposed Development as set out in the BNG Assessment Report **[APP-131]**. The provision of this is set out in the OLEMP **[APP-105]**. The Works Plan has identified a 16m wide cable construction corridor using trenching, a 5m temporary track and a 3.5m permanent track located in the small, wooded area between Walton Road and the Drakelow substation albeit the tree cover is not continuous due to the overhead power lines and pylons which are already present. The 16m wide area allows for flexibility in the design and the find a route through the woodland where the impact can be minimised.
	South Derbyshire District Council declared an ecological emergency in September 2023 and this must be considered.	Paragraph 6.24 of Chapter 6 of the ES **[APP-135]** acknowledges that SDDC have declared an ecological emergency. It is widely acknowledged that solar farms are able to deliver biodiversity enhancements, and the Proposed Development can make a significant ecological and biodiversity improvement to address the Ecological Emergency declared by the LPA. The OLEMP **[APP-105]** provides detail of the proposed mitigation, avoidance and enhancement measures. The Applicant's BNG Report **[APP-131]** found the scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units, with biodiversity conservation and net gain to be secured through the OLEMP.

Flood Risk	There are concerns regarding water infiltration and run off, erosion due to increased run off rates from panel edges, as well as surface water drainage.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA) **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates.
Agricultural Land	Part of the site is comprised of land classified as Best and Most Versatile, and therefore being a high priority for protection for agricultural use.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 hectares (ha) (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Applicant and the LPAs will confirm their positions regarding agricultural land through the Statement of Common Ground.
	Inclusion of this best and most versatile land and its removal from agriculture for up to 40 years must be considered and balanced against the need for the generation of clean energy and climate action.	National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays. National Policy Statement EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon

		infrastructure including solar generation. It is also confirmed there is an urgent need for CNP Infrastructure which is key for the Government to achieve their energy objectives and Net Zero. It further adds that, it is likely that the need case for CNP Infrastructure will outweigh the residual effects in all but the most exceptional cases. In addition, as the Applicant reiterates in its response to the First Written Questions, it has been acknowledged by the Government and others that it is climate change which presents a significant challenge to agriculture and food production, something which the Proposed Development seeks to address. Given the Proposed Development represents 0.003% of the national BMV agricultural land, this will have an insignificant impact in the national context with an overwhelming benefit in favour of the provision of the CNP Infrastructure.
	There are concerns in regard to the loss of Best and Most Versatile agricultural land which should be protected from development, and the development should be directed to areas of lower soil quality.	The land would be used for the Proposed Development for a period of 40 years after which it would be returned to the landowner and available for agriculture. The landowners will continue to farm sheep during the operation of the solar farm and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site so that they can be replaced following decommissioning to return the land to an appropriate condition. The Applicant is obliged to decommission the Proposed Development under a legal agreement with the landowner. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP at **[APP-090]** and the ODEMP **[APP-092]**.
Public Rights of Way	The site is crossed by several existing Public Rights of Way which will in part be diverted or replaced, along with additional permissive routes. The impact of the proposal on the experience of the user of these routes justifies consideration in terms of the visual experience, noise and connectivity.	Chapter 12 of the ES **[APP-163]** has assessed the potential effects on the PRoW network. The Site has been chosen to avoid direct impacts on the PRoW network wherever possible. The only PRoW on the Site is the Cross Britain Way, which is also a Long Distance Path, and crosses a short section of the Proposed Development from east to west. The OCEMP **[APP-090]** sets out how the Cross Britain Way will be managed during the construction period. The enhancements to the footpath network include the creation of a new permissive path connecting the PRoW at the south of the Site to the wider PRoW to the east and to the Cross Britain Way. No routes will be diverted or replaced.

		Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development in which it found there to be no significant adverse effects are predicted for users of the PRoW and permissive paths. Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development including from PRoW. The OLEMP **[APP-105]** provides detail of the proposed mitigation, avoidance and enhancement measures for the Cross Britain Way and new permissive path.
Glint and Glare	There are concerns relating to the potential impacts of glint and glare associated with the proposed solar farm, in particular on local receptors, traffic and aircraft associated with East Midlands International Airport, and Derby Airfield.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 of the dDCO securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.
Major Accidents and Disasters and Telecommunications and Utilities	While it is accepted that solar farms do not pose an unacceptable risk of accidents, the potential for fire, prevention and firefighting, should be considered in appropriate emergency preparedness plans. Such plans should include consideration of the safety of local residents potentially impacted by emissions from battery storage system fires and the impacts upon the local catchment.	The design parameters for the BESS already include measures which reduce the risk of thermal runaway/fire from the batteries, by providing appropriate spacing between the battery units to ensure should a fire occur, it will be allowed to burn out in a controlled manner and not spread between battery units across the BESS, and through locating the BESS in the centre of the Site, away from residential properties. An alternative method of fire response has also been assessed in Chapter 16 of the ES **[APP-177]** to provide full flexibility, which employs the use of significant quantities of water to cool units surrounding a unit experiencing thermal runaway or fire, to prevent spread in the unlikely event that this occurs. The dDCO commits the Applicant to providing a full Battery Safety Management Plan (BSMP), which would need to accord with the principles set out in the Outline Battery Safety Management Plan (OBSMP) **[APP-093]** which accompanies the Application, and which would be approved by the LPA. The final BSMP would sit alongside an emergency response plan and provide details of in-built BESS safety features like internal fire suppression systems built into individual battery units, automatic detection and alert systems, remote shut-down, and procedures to alert local emergency services in line with agreed fire-fighting strategy.

Minerals Consultation Areas	The nature of a solar park development means it could be removed relatively easily (unlike built development with foundations etc), and it is unlikely therefore that it would lead to the permanent sterilisation of the sand and gravel resource.	Noted - other than a very short section of the cable route near to Drakelow Road the Proposed Development does not lie within any Mineral Safeguarding Areas or Mineral Consultation Areas and does not affect any safeguarded minerals related infrastructure.
Community Benefits	Development proposals of this scale have the potential to generate not insignificant community benefit, this potential should be explored fully.	In addition to the annual community benefit of £55k committed to by the Applicant, the local community would also benefit from: • Production of clean renewable electricity which would make a significant contribution to local and national Climate Emergency goals; • 125% biodiversity improvement in habitat units across the Site; • Hedgerow planting & improved management; • Improving grasslands and wildflowers; • Improving links between existing paths and PRoW; • Creation of new permissive path during the operation of the Proposed Development; • Creation of approximately 150 jobs created during the construction phase; • Local contracting opportunities - fencing, civil works, testing & commissioning; • Direct, indirect and induced effects for local businesses & payment of business rates; and • Continued agricultural use of the Site through grazing of sheep between the rows of solar panels.
Other	Large warehouses (especially new ones) should be utilised as a priority, instead of agricultural land.	The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation.
	Rosliston Forestry Centre ask the developer to engage with them in terms of solar power energy in their education sessions and that if biodiversity measures are exemplar, for that expertise to be shared.	The Applicant would be willing to engage with the Rosliston Forestry Centre regarding education sessions and provision of educational resources.

2.2 LEICESTERSHIRE COUNTY COUNCIL

DTHEME	COMMENT	APPLICANT RESPONSE
Transport	It is noted from the Environmental Statement (APP-155) that Abnormal Load movements are proposed to use the Leicestershire highway network (A444) between the M42 and Acresford. Whilst these movements are predicted to be limited in number, and are proposed to be escorted, the submission identifies that surface protection, culvert reinforcement and temporary removal of street furniture will be required at locations along the route. The supporting swept path analysis (APP-154) is labelled as indicative and includes a drawing note which states 'specific vehicle configuration to be checked by specialist haulage company'. We would therefore request that the Applicant engages with LCC at the earliest opportunity confirming the vehicle specification, the associated impacts, and the necessary mitigation measures.	The Applicant will be engaging with LCC during the course of the Examination regarding the detailed Construction Traffic Management Plan and Abnormal Indivisible Load Swept Path Analysis.
	It is worthy of note that the A444 is a Diversion Route for Unplanned Events (DRUE) on the strategic road network. The Applicant should be mindful of this when planning and programming abnormal load movements	The Applicant welcomes this comment and will ensure this is included in the detailed Construction Traffic Management Plan.
DCO	LCC will seek protection of its assets and recovery of any associated costs through provisions within the Development Consent Order. The draft as submitted (APP-016) does not appear to contain the necessary provisions. We look forward to further engagement by the Applicant through the examination process to address these concerns.	The Applicant continues to engage with LCC regarding the provisions within the dDCO.

2.3 LICHFIELD DISTRICT COUNCIL

THEME	COMMENT	APPLICANT RESPONSE
Landscape and Visual Impact	It is noted that the southernmost edge of the proposed development will be located around 1.2km from the northernmost edge of Lichfield's district area. The southernmost edge of the development lies to the immediate north of a seemingly unnamed road that runs east/west through open countryside, past a property/premises identified (by Google in May 2024) as Donkhill Farm, Swadlincote, DE12 8LW. The northernmost edge of Lichfield's district area lies within a field to the north of a settlement called Edingale. Taking a single track road known as Pessall Lane north from within Edingale eventually reaches a Public Right of Way (named Edingale 2). This track runs past a substation (to the west) and two farmsteads containing a dwelling and a number of buildings. Beyond this, the path runs through two fields, the second of which contains a pond, and after around 450m reaches a field boundary where the footpath heads eastward and follows the district border. As stated, this vantage point is 1.2km from the closest part of the development site. The closest part of the development site is shown on the submitted drawings as containing a PV array. Due to the distance between the vantage point and the development site within South Derbyshire District Council's authority area, and the nature of the development (i.e., ground-based panels), the proposal will have no visual impact from the closest part of Lichfield's district to the development. Consideration has been given as to whether any distant, or very distant, views may be attained of the site from an elevated position within Lichfield's district.	Noted, no further comment required.
	It is noted that it may be possible for members of the public to visit Lichfield's cathedral and access the spire. Officers note from Street View images taken in June 2023	Noted, no further comment required.

	on the road immediately south of the site, that there may be a line of sight between the solar farm area and the cathedral. As the crow flows, the distance between the two comfortably exceeds 10km. This is not considered to represent a cause for concern, or harm. It is clear that views from the cathedral will not be sufficiently elevated or clear enough such that the development will appear as a prominent, dominating intrusion within the landscape. Again, this is due to the development constituting ground-based solar panels, rather than something much taller like a wind turbine.	
Glint and Glare	It might be argued that the panels may 'glare' in the sunshine and thus draw attention to the development. It is noted that modern panels tend to be made from low-reflective materials in an effort to address concerns mainly revolving around local amenity, rather than visual impact. This could easily be conditioned as part of any subsequent permission, should it be granted, and the Council robustly encourages this due to the quantity of panels proposed. Therefore, it is unlikely that glare will cause the PV array to become unduly prominent within the landscape.	Noted. The details of the solar panels will be provided following detailed design, secured by Requirement 5 of the dDCO **[AS-005]**.
Transport	Consideration has been given to traffic and disruption during construction phases. It is noted that the most likely routing plan for construction traffic will involve large vehicles leaving the A38 at the Alrewas/Arboretum exit and using the A513 to head east and then north-east to reach the southernmost portions of the site. This route does not take large vehicles through any settlements within Lichfield's district, and thus will not cause notable disruption or harm to the highway network in this locality or living conditions of Lichfield's residents. An alternative route which avoids Lichfield's district altogether is available; from the A38 at the Barton-under-Needwood/Walton-on-Trent exit. There is an easy connection to the site southwards along Catton Road, which runs to the east of the River Trent. However, this will require large vehicles to go through Walton-on-Trent, and is unlikely to be the preferred option, so it is expected	Noted. The preferred construction route (Scenario 1) is from the A38 via the Walton Bypass, Main Street and Walton Road. Assuming the new bridge and bypass is delivered by the end of 2025. If the Walton Bypass and bridge are not completed then the likely construction route (Scenario 2A) will be used with HGVs accessing the Site from the A38 via Stapenhill via A5189, Main Street and Rosliston Road. The back up construction route should Scenario 1 or 2A be unavailable, is Scenario 2B with HGVs accessing the Site from junction 11 M42 via Coton in the Elms. No HGVs will use the Alrewas exit from the A38. Further details can be found in Chapter 10 of the ES **[APP-155]**.

	that the Alrewas exit will be utilised, but this should not be problematic, and the Council raises no objections	
General	To conclude, Lichfield District Council raises no concerns or objections to the application as submitted to the Inspectorate. It is not considered to be likely to have any notable impact on the district in terms of infrastructure, visual or amenity harm, due to the distance the site is from the Council's boundary, and the provision of a safe route from the A38 to the site which avoids any settlements.	Noted, no further comment required.

3 STATUTORY BODIES AND OTHER ORGANISATIONS

3.1 BRITISH HEDGEHOG PRESERVATION SOCIETY

THEME	COMMENT	APPLICANT RESPONSE
Ecology	Hedgehogs numbers have declined by up to 75% in rural areas since the year 2000 and research shows that numbers are still falling. A major factor in this decline is fragmentation of their habitat. Hedgehogs need to be able to travel through areas which have an abundance of their natural nesting areas, mates and foods and tend to travel along boundaries. As their name suggests, they use hedges to nest in and travel along and the leaf litter at the base of hedges harbours their natural foods, so the planned reduction in hedgerows will affect them. Any measures that can be taken to lessen the effects could help to slow the decline of this local population of hedgehogs. While including gaps in new fencing is good practice, it is important to ensure that as few as possible existing hedgerows are disturbed or removed and that the presence of hedgehogs is checked for at the time where this does have to happen. Where hedges must be removed, the planting of new native hedges will help in the long term. A couple of useful documents containing best practice and guidance can be found here: [REDACTED]	In terms of fencing, steel palisade security fencing is limited to surrounding the BESS, substation and office and welfare building in the centre of the Site for security and safety reasons and would be up to 3m in height. This type of fencing is limited to this area of the Site and is screened by enhanced existing hedgerows. The remainder of the Site would be secured by deer fencing which comprises 2.1m stock wire mesh deer fencing with wooden posts piled into ground up to 2m including mammal gaps and may utilise a single line of barbed wire. Where additional security is required along Coton Road, wire mesh fencing with steel posts will be installed. Other fencing would be 1.5m post and wire agricultural stock fencing for contain grazing animals within the Site such as sheep. This ensures hedgehogs can move throughout the Site without restriction. The majority of hedgerows on Site will be retained with 2.86km of native species rich hedgerow being created as part of the Proposed Development as set out in the BNG Assessment Report **[APP-131]**. The provision of this is set out in the OLEMP **[APP-105]**.

3.2 CADENT GAS

FTHEME	COMMENT	APPLICANT RESPONSE
Protective Provisions	Cadent has medium pressure gas pipeline and associated apparatus located within the order limits which are affected by works proposed, the extent to which is still being assessed and which may require diversions subject to the impact. Proposed diversions have not yet reached detailed design stage and so the positioning, land rights and consents required for these gas diversions are not confirmed.	The Applicant is continuing to engage with Cadent Gas Limited ("Cadent") regarding the pressure gas pipeline and associated apparatus. The Applicant considers the works proposed around Cadent medium pressure gas pipe situated in Rosliston Road are not unusual or unduly unsafe, and can be managed safely subject to the Applicant following the strict safe working procedures and consultation requirements as set out in Cadent and UK Onshore Pipeline Operator's Association guidance.
	At this stage, Cadent is not satisfied that the DCO includes all land and rights required to accommodate such diversions as design studies will need to influence these requirements. Cadent will not decommission its existing apparatus and/or commission new apparatus until it has sufficient land and rights in land (to its satisfaction) to do so, whether pursuant to the DCO or otherwise. This is a fundamental matter of health and safety. At this stage, Cadent is not satisfied that the tests under section 127 of the PA 2008 can be met. Cadent has experience of promoters securing insufficient rights in land within DCOs for necessary diversions of its apparatus or securing rights for the benefit of incorrect entities. It is important that sufficient rights are granted to Cadent to allow Cadent to maintain its gas distribution network in accordance with its statutory obligations.	There is currently no intention to divert the gas pipeline and the Applicant is confident that the cable can be installed safely following the strict safe working procedures and consultation requirements as set out in Cadent and UK Onshore Pipeline Operator's Association guidance. The Applicant is continuing to engage with Cadent regarding the pressure gas pipeline and associated apparatus to ensure adequate Protective Provisions are in place in the dDCO **[AS-005]**.
	As a responsible statutory undertaker, Cadent's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. Adequate protective provisions for the protection of Cadent's statutory undertaking have not yet been agreed but are in discussion between parties. Cadent wishes to reserve the right to make further representations as part of the examination process but will seek to engage with the promoter to reach a satisfactory agreement.	The Applicant is continuing to engage with Cadent regarding the pressure gas pipeline and associated apparatus to ensure adequate Protective Provisions are in place which are expected to be concluded prior to close of Examination. This will ensure the procedures are established to notify and agree designs, methodologies and construction timing to ensure safe working around Cadent's medium pressure gas asset.

3.3 DERBYSHIRE ORNITHOLOGICAL SOCIETY

THEME	COMMENT	APPLICANT RESPONSE
Ecology	1. Has a suitable Ecology report been produced during the appropriate time(s) of year which documents the existing avifauna and the likely impact as a consequence of the proposed development?	ES Chapter 6 (Ecology) **[APP-135]** and accompanying appendices has assessed the potential ecological impacts of the Proposed Development and includes surveys undertaken at the appropriate times of the year.
	2. DOS would be concerned if any existing hedgerows were removed or damaged/degraded by the development with the consequent degradation of the habitats on site	The majority of hedgerows on Site will be retained with 2.86km of native species rich hedgerow being created as part of the Proposed Development as set out in the BNG Assessment Report **[APP-131]**. The provision of additional hedgerow planting is set out in the OLEMP **[APP-105]**.
	3. DOS would also like to be assured that any work required by the development would be performed at a time of year which would not impact on nesting birds Derbyshire Ornithological Society are the custodians of the most comprehensive database of bird records for Derbyshire which would include the area of the proposed development, and would expect to be consulted in the preparation of the Ecology Report. Few studies have been completed with regard to the impact of solar farm developments on birds, and therefore DOS would welcome information on the bird monitoring which is planned to take place both prior to and following the proposed development.	The OLEMP **[APP-105]** and the OCEMP **[APP-090]** ensures that no works would impact nesting birds subject to relevant mitigation. The Ecology Surveys and Reports in the ES have been prepared in accordance with the relevant guidance. Monitoring of the proposed enhancements and mitigation is secured in the OLEMP **[APP-105]**, secured by Requirement 8 in the dDCO.

3.4 ENVIRONMENT AGENCY

THEME	COMMENT	APPLICANT RESPONSE
Flood Risk	Issue The assessment has not demonstrated that the Sequential Test has been passed. Therefore, it is unclear whether the process to locate development in lower flood risk areas has been carried out. Impact The opportunity to determine whether the development can be located in a lower flood risk area has been missed. Solution The Applicant must fully assess the flood risk over the development's lifetime and use that information to demonstrate that the Sequential Test is passed. Comment Paragraph 5.8.10 of NPS EN-1 states that "it would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified." Please note the responsibility for the Sequential Test lies with the relevant local planning authority.	A revised FRA **[AS-014]** was submitted at part of the Section 51 submission which sets out how infrastructure within the Site has been steered to areas of lowest flood risk. The Applicant is continuing to engage with the Environment Agency (EA) and anticipates providing further submissions at subsequent deadlines to address their points, which is could include an updated FRA, if required.
	Issue The proposed development does not constitute 'less vulnerable' development as stated in the flood risk assessment (FRA). The assessment of flood risk and subsequent mitigation is not adequate, and the Applicant is unable to demonstrate that the Exception Test has been passed. Impact There is a risk that the project will not be kept safe for its lifetime and flood risk will increase elsewhere.	A revised FRA **[AS-014]** was submitted at part of the Section 51 submission which revised the status of the Proposed Development to 'essential infrastructure'. The Applicant's position is that the FRA demonstrates that the Proposed Development passes the 'Exception Test'. However, the Applicant is continuing to engage with the EA to confirm agreement with this as part of the preparation of the Statement of Common Ground.

	Solution The FRA must be revised to reflect the correct vulnerability classification and ensure that policy requirements are met. Comment Annex 3 of the National Planning Policy Framework (NPPF) states that 'solar farms' are 'essential infrastructure'. In line with Table 2 of the Planning Practice Guidance (PPG), the development is required to demonstrate that it passes the Exception Test. Paragraph 5.8.11 of National Policy Statement (NPS) EN-1 states that "both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that: • the project would provide wider sustainability benefits to the community that outweigh flood risk; and • the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall."	
	Issue Fluvial flood risk has not been properly assessed. There remains a risk of increased flood risk on or off site. Impact It is unclear whether the scheme will result in a displacement of flood water and an increase in flood risk elsewhere. Appropriate mitigation is unable to be secured. Solution It is the Applicant's responsibility to appropriately assess the flood risk associated with their proposed development. For a development of this scale with a vulnerability classification of 'essential infrastructure' we would expect any assessment of fluvial flood risk to be based on detailed flood modelling. Given that the source of fluvial flood risk within the red line boundary originates from Ordinary Watercourses, it is recommended that the Applicant should contact the Lead Local Flood Authority to determine whether any detailed flood modelling already exists. Comment	As noted, the Applicant is preparing a further revised FRA to include detailed modelling that will be submitted as soon as possible within the Examination.

The FRA only uses the Flood Map for Planning to assess fluvial flood risk. This map is only intended as a planning tool to prompt where a more detailed assessment of flood risk may be required. The Flood Map for Planning does not account for future flood risk, taking climate change into consideration, and is also not detailed enough to cover any catchments smaller than 3km2 (regardless of whether there is an associated fluvial flood risk or not). The Flood Map for Planning identifies areas of the site as being within Flood Zone 2 and 3, so further assessment of this fluvial flood risk is required.

The Environment Agency and the Lead Local Flood Authority may sometimes have detailed flood modelling available. However, where this is not the case, it is the Applicant's responsibility to ensure that sufficient flood risk data is available to inform their assessment of flood risk, which may involve undertaking any detailed flood risk modelling themselves. The lack of existing detailed flood modelling is not indicative of a lack of fluvial flood risk, For more information please refer to Using modelling for flood risk assessments – GOV.UK (www.gov.uk)Using modelling for flood risk assessments – GOV.UK (www.gov.uk)'.

Until the risk is properly understood, the Sequential and Exception Tests cannot be applied and passed. The notes to
Table 2 of the NPPF are also clear that in Flood Zone 3a, 'essential infrastructure' should be designed and constructed to remain operational and safe in times of flood, which means equipment necessary for its operational would need to remain dry. We would expect a 1 in 100 year, plus an allowance for climate change, including a 600mm freeboard to be used as the design flood level. The 600mm freeboard accounts for any uncertainty in modelled flood levels, as well as for the presence of any floating debris caught within flood flows, which could damage the solar panels.

It is also unclear whether any other above ground elements of the scheme could be at risk from fluvial flows.

	Issue We do not consider the 1 in 1,000-year fluvial flood event a suitable proxy for the future 1 in 100-year, plus an allowance for climate change, fluvial flood extent. Impact The risks over the development's lifetime are not understood and therefore adequate mitigation has not been provided. Solution Within Flood Zone 3a, 'essential infrastructure' should assess the higher central allowance (design flood event) and the upper end allowance (for sensitivity testing). Further information and guidance can be found in 'Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk) ''	As noted, the Applicant is preparing a further revised FRA to include detailed modelling that will be submitted as soon as possible within the Examination.
Water Environment	Issue Groundwater has not been appropriately addressed. The specific assessment of whether the works will affect the environmental objectives of WFD does not actually address the groundwater body in question. Impact The assessment carefully considers the current and future status of the three surface water bodies present locally. However, the same consideration for the groundwater body is absent which could lead to its impacts (where present) being ignored. Solution We request these same aspects and considerations as undertaken for the surface water bodies to be carried out and added to the WFD Assessment and Chapter 8 of the ES.	The Applicant is preparing a revised Water Framework Directive (WFD) which will be discussed with the EA and which will be submitted as soon as possible within the Examination.

	Issue Hydro-morphological impacts have been screened out from further assessment. Impact The proposed trackway crossings will lead to the culverting of watercourses. There is a risk that the physical characteristics and water content of waterbodies will be adversely affected. Solution Hydro-morphology should be scoped into the WFD Assessment to fully assess the impact of the proposed trackway crossings on river morphology Comment Ideally these trackways should be open span bridges to allow natural sediment movement and reduce the impact to the river morphology. However, if this is not possible then it is recommended that the invert of the culvert be set a minimum of 300mm below the existing bed so that there shall be no step or drop in the final level of the bed.	The Applicant is preparing a revised WFD which will be discussed with the EA and which will be submitted as soon as possible within the Examination.
	Issue It is proposed that daily monitoring by the Principal Contractor will be implemented to ensure compliance with the CEMP. However, the details of what this monitoring will involve are currently not secured. Impact If monitoring is not secured within an appropriate plan, there is a risk that it will not be effective in preventing or minimising environmental harm. Solution Monitoring requirements, review procedures and details of corrective action should be secured within appropriate plans, for instance an Environmental Monitoring Plan. This should be added to the list of plans to be included within the CEMP within Requirement 9 of the Draft DCO.	The OCEMP **[APP-090]** has been amended to reflect this comment and has been submitted as part of the Deadline 1 submission. The Applicant has updated the dDCO to include revised wording.

	Issue No mention is made within the oCEMP of seeking or adhering to an environmental permit. Impact Although these regulations are referenced within the Consents and Agreements Position Statement [APP-018], the CEMP should be a key tool used by a Principal Contractor to achieve compliance with any environmental permit held. We often encounter construction sites which do not comply with permit requirements or carry out unpermitted discharges as a result of holding an insufficient CEMP or not following the procedures within their CEMP. Solution The need for an environmental permit for discharges should be reflected within the oCEMP and detailed CEMP. Plans should be secured within the oCEMP which will provide confidence that the detailed CEMP will provide an adequate mechanism for achieving compliance with any necessary permit conditions.	The OCEMP **[APP-090]** has been amended to reflect this comment and has been submitted as part of the Deadline 1 submission.
	Issue Risks to the water environment are not understood. The proposed method adopted (the only examples relating to water quality involve changes to WFD status) risks the underestimation of water quality impacts. Impact Significant pollution or deterioration in water quality can occur without resulting in a change in WFD status. This can be because the effect is short term, it occurs in a non-designated water body, or it takes place in a location that is not actively monitored. Solution Changes to water quality that do not impact WFD status should still be considered as having the potential to cause medium or large magnitude effects, depending on the extent, severity, and duration of that change.	The Applicant is engaged in continuing discussions with the EA on this point and will update the Examining Authority (ExA) at Deadline 3 as to the status of those discussions.

Contamination	Issue The method of controlling firewater is unclear. There are risks of significant environmental pollution in the event of a fire. Impact If the firewater isn't adequately controlled this could result in significant pollution risks and cause detrimental impact to the environment. Solution The Applicant should confirm that the flow control valves will close automatically if a fire is detected by the detection system and include any relevant routine maintenance required, to ensure this system remains functional, within the Outline Drainage Strategy. Comment If the flow control valve requires manual closure, it is unlikely that the drainage system will retain firewater due to the likely length of time it would take for an operator to attend the site. This would negate the function of the firewater containment infrastructure and result in pollution in the event of a fire.	The Applicant is engaged in continuing discussions with the EA on this point and will update the ExA at Deadline 3 as to the status of those discussions.
	It is proposed that temporary water impoundment licences under Section 25 of the Water Resources Act 1991, in connection with the laying of cables, are to be disapplied under Article 6(1)(d) of the Draft DCO. We cannot agree to disapply the requirement for any impoundment licences required and the Applicant will need to apply for these separately through our National Permitting Service (NPS). More information on when a licence for an impoundment is required can be found here. This guidance also includes the circumstances where an impoundment licence is not required. We recommend early engagement with our NPS once detailed design details are known to evaluate whether an impoundment licence is required for the water crossings identified to the North and South of Rosliston Road. The reference to disapplication of Section 25 of the Water Resources Act 1991 should be deleted in the next version of the Draft DCO.	The Applicant is engaged in continuing discussions with the EA on this point and will update the ExA at Deadline 3 as to the status of those discussions.

DCO	Requirement 9 Issue Requirement 9(1) of the Draft DCO prevents the Applicant from commencing any phase of construction before the local planning authority has approved the CEMP for that phase. We would like to request to be consulted on the initial CEMP submission prior to the commencement of construction. Impact The CEMP provides essential mitigation to prevent impacts from sedimentation and pollution from construction sites. We often encounter construction sites that have caused pollution because their CEMP was either insufficient or was not adhered to. Solution We request to be consulted on the CEMP to be approved under Requirement 9 and ask that part 3 of this Requirement is re-worded as follows: "(3) Pre-commencement establishment of construction compounds, preparation of land for construction, construction area fencing and installation of site drainage must only take place in accordance with a specific plan for such works which must accord with the outline CEMP and which has been submitted to and approved by the local planning authority, in consultation with the Environment Agency."	The Applicant has updated the dDCO to include the revised wording.
	CL: AIRE DoW CoP guidance can be found via the following link: http://www.claire.co.uk/projects-and-initiatives/dow-cop/28-framework-andguidance/111-dow-cop-main-document The DoW CoP sets out the lines of evidence that are needed to demonstrate that the excavated materials are not or have ceased to be waste. These are based on four factors: • Protection of human health and the environment (acceptable risk assessment of pollution). • Suitability for use without further treatment (no further processing and/or treatment, as demonstrated by a specification and a site-specific risk assessment including chemical, geotechnical properties and biological aspects). • Certainty of Use (outlined in the Remediation Strategy and Material Management Plan).	The Supplementary Advice is welcomed and noted by the Applicant.

- Quantity of Material (outlined in the Remediation Strategy and Material Management Plan).

To demonstrate the factors a Materials Management Plan (MMP) needs to be produced to ensure all factors are considered and the correct determination is made. A Verification Plan needs to be set out in the MMP and must identify the recording method of materials being placed, as well as the quantity of materials to be used. It should also contain a statement on how the use of the materials relates to the remediation or design objectives.

In general, any material that has to be treated in order to render it suitable for its intended use is considered to be a waste and waste controls apply.

To demonstrate this to the Environment Agency's satisfaction, the processes and requirements detailed in the DoW CoP need to be followed in full. The requirements include:

- desktop study of the site
- conceptual modelling of the site(s) concerned
- site investigation details (if appropriate)
- and any details of contamination (if relevant)

Regardless of whether the site is contaminated or not there the following documents should be produced:

- Risk Assessments
- Options Appraisal Report
- Remediation Strategy (Contaminated soils) or Design Statement (Clean naturally occurring soils)
- Materials Management Plan
- Verification Report once the work is completed.

The decision to use the CL: AIRE DoW CoP is the responsibility of the holder of the materials. The project manager should collate all relevant documents; permissions, site reports, MMP etc. and consult with an independent Qualified Person (QP) to confirm that the site meets the requirements and tests for use of the DoW CoP. The Qualified Person must review the documentation and let the developer know that a Verification Report will be required before signing a Declaration. If the site meets the tests that materials are suitable for re-use, certain to be re-used, are not excessive in

	volume and pose no risk to the environment or harm to human health then the QP can make a formal Declaration to CL: AIRE. The formal Declaration must be submitted to CL: AIRE and the Environment Agency by a Qualified Person before any excavation activities or transfer of materials occurs. In these circumstances the QP is meeting the requirements of the Regulator to ensure appropriate environmental and human health protection is in place for the development to go ahead. Materials not used in accordance with the DoW CoP process in full may be deemed waste and will require a relevant permit for deposit. Materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defense against joint liability. For clarification, it is important to note that DoW CoP declarations cannot be made retrospectively. In addition to this if you wish to re-use material under the 'site of origin scenario' and this material has previously been imported to that site as waste without authorisation, for example a historical illegal deposit, then it does not originate at that site. It is not site derived material, and you cannot use DoW CoP site of origin scenario for this activity, you will require an appropriate waste authorisation such as an environmental permit	

3.5 FORESTRY COMMISSION

THEME	COMMENT	APPLICANT RESPONSE
Arboriculture	As a Non-Ministerial Government Department, the Forestry Commission provide no opinion supporting or objecting to an application. Rather we provide advice on the potential impact that the proposed development could have on trees and woodland,	Noted, no further comment required .

	including Ancient Woodland. Ancient Woodlands and Ancient and veteran trees are irreplaceable habitats.	
	Paragraph 186 (c) of the National Planning Policy Framework, states: "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists" While Nationally Significant Infrastructure Projects are not subject to the NPPF, it sets out the importance of these habitats. We note there is no Ancient woodland within the proposed site, the nearest being Grove Wood Ancient Semi Natural Woodland, approximately 50m from the boundary of the site.	Noted, no further comment required.
	Grove Wood is unlikely to be affected by the proposed development, as it is outside the minimum recommended buffer zone for Ancient Woodlands, recommendations for a fenced construction exclusion zone as mentioned in the plans should be followed. This would avoid any root compaction or storage of materials within the buffer zone, under the woodland canopy or on the ancient woodland soils. Dust prevention measures should also be utilized during construction to avoid any potential contamination of the ancient woodland. There are also several Ancient and veteran trees identified within the site. We note the planned fenced buffer zones and fenced construction exclusion zones for the ancient and veteran trees to avoid any potential loss or deterioration.	Noted, no further comment required.
	Without a detailed tree removal plan it is very difficult to assess the level of woodland and tree removal that the project will require despite estimations used in the Arboricultural report, BNG calculations and Outline Construction Environmental Management plan. However, we do note that a section of woodland (W9) will have to be removed to enable cabling and an access route.	A Tree Removal Plan was provided as part of the Arboricultural Survey Report **[APP-133]**. Confirmation of the extent of tree removal will be confirmed at the detailed design stage and Requirement 7 of the dDCO **[AS-005]** secures the provision of an Arboricultural method statement.

	The woodland bordering the former Drakelow Power Station site, listed on the Arboricultural Report as Woodlands 8, 9 & 10 are lowland mixed deciduous woodlands on the Priority Habitat Inventory (England). This recognises that under the UK Biodiversity Action Plan they were recognised as being the most threatened and requiring conservation action. The UK Biodiversity Action Plan has now been superseded by the UK Post-2010 Biodiversity Framework but this priority status remains under the Natural Environment & Rural Communities Act 2006. (NERC) Sect 41 – "List of habitats and species of principle importance in England". This status is not considered or reflected in the documentation, including the BNG baseline and calculation which may need to be amended to account for the priority habitat woodland being considered of high distinctiveness. A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce ecological value and natural heritage impacts due to habitat fragmentation, and have a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change.	The BNG Assessment has applied the habitat type of Other Woodland; Broadleaved rather than Lowland Mixed Deciduous Woodland due to the quality of the habitat present, which was not considered to meet the criteria for the Lowland Mixed Deciduous habitat type. To reflect the location of this woodland within the Rosliston National Forest, the assessment has set a strategic significance as high 'formally identified in local strategy' to recognise the strategic value of this habitat type. Key reasons for the woodland not currently meeting the criteria are as follows: • The woodland at Drakelow includes abundant sycamore, which is not considered a native species and as such does not fit under the definition of the Lowland Mixed Deciduous Woodland, which refers to a mix of native species. Whilst for Other Woodland; Broadleaved, one of the inclusions relates to stands of non-native broadleaved tree species and woodlands of non-native species or sycamore that have developed recently through recent succession. • In addition to this, the woodland supports a mixture of both broadleaved and coniferous species. One of the exclusions under the Lowland Mixed Deciduous Woodland is in relation to mixed woodland as in a mixture of broadleaved and coniferous species. Whilst the definition of Other Woodland; Broadleaved refers to the presence of both broadleaved and coniferous tree species. In the UKHab guidance, inclusions relate to habitats and other elements that fall within the habitat type and should be recorded as this habitat whilst exclusions relate to habitats and other elements that fall outside the habitat type and should not be recorded as this habitat.
	With the Government aspirations to plant 30,000 ha of woodland per year across the UK by 2025. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. We note the plans for an increase in woodland and tree cover across the site, however the exact amount is unclear except for the 5.51ha stated in the BNG calculations and the maps in the Outline Landscape and Ecological Management Plan.	The Applicant is confident that the woodland creation quoted in the BNG Assessment **[APP-131]** and shown in the OLEMP **[APP-105]** is correct. The final details will be secured at the detailed design stage.

	Considering the potential loss of an area of priority habitat woodland and that the new woodlands currently planned are for small blocks primarily for screening purposes, there may be further opportunities for some larger woodland blocks to increase habitat connectivity and benefit biodiversity across the site. The biosecurity of all planting stock needs to be considered to avoid the introduction of pests and diseases. Woodlands need to be climate and pest and disease resilient. Plans should also be in place for the long term management and maintenance of any new woodland, with access needing to be considered for future management.	The OLEMP **[APP-105]** sets out the long term management and maintenance of any new woodland.
	The proposal site is within the National Forest Area, for recommendations of opportunities to improve the level of tree cover and connectivity across the site, especially taking into consideration any loss of priority habitat woodland, the National Forest should also be consulted.	The Applicant has consulted the National Forest Company. For further details please see the Consultation Report **[AS-010]**.

3.6 HISTORIC ENGLAND

THEME	COMMENT	APPLICANT RESPONSE
Historic Environment	The proposed development covers a significant area of land, with the PV arrays situated to the south of the site, the extension to the north provides for access and connection to Drakelow for the National Grid. The proposal causes harm to the setting and visual interconnectivity of multiple heritage assets. This includes the Scheduled Monument Hillfort southwest of Old Hall Cottages, to the southwest of the development site, and several Grade II* listed buildings, the Church of St Laurence and Walton Hall at Walton-on-Trent, Church of St Giles and Cauldwell Hall, Caldwell, Church of St Mary at Rosliston, and Catton Hall at Coton in the Elms.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-139]**. This concluded the following residual effects are anticipated during the operational period: 1. Oaklands Farm Farmhouse – less than substantial harm to a non-designated asset of local importance; 2. Oaklands Farm Cottages – less than substantial harm to a non-designated asset of local importance; 3. Church of St Mary, Rosliston – Grade II* listed building – low level of less than substantial harm to a designated asset; 4. Church of St Mary, Coton in the Elms – Grade II listed building – very low level of less than substantial harm to a designated asset.

		The Applicant is continuing to engage with HE through the preparation of a Statement of Common Ground and will provide an update on those discussions at Deadline 3.
	The development site also harms the setting of multiple Grade II listed buildings within the villages of Walton-on-Trent, also a conservation area, Caldwell, Rosliston, and Coton in the Elms. These buildings form the foundation of these settlements and a testament to the rural heritage of these communities. The buildings to the North also form part of the remains of the Drakelow Hall estate where the house has been lost and the land extremely altered. Buildings of note include, estate buildings related to the former Drakelow Hall, Walton Hall, and Catton Hall, as well as manor farms, priory farms, Barr Hall farm, and several cottages.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-139]**. This concluded the following residual effects are anticipated during the operational period: 1. Oaklands Farm Farmhouse – less than substantial harm to a non-designated asset of local importance; 2. Oaklands Farm Cottages – less than substantial harm to a non-designated asset of local importance; 3. Church of St Mary, Rosliston – Grade II* listed building – low level of less than substantial harm to a designated asset; 4. Church of St Mary, Coton in the Elms – Grade II listed building – very low level of less than substantial harm to a designated asset. The applicant is continuing to engage with HE through the preparation of a Statement of Common Ground and will provide an update at Deadline 3.
	The layout in its current form, as of October 2023, proposes the PV arrays to the south of the site where it will impact upon these heritage assets. The proposal will require suitable landscape mitigation, which has not been adequately demonstrated, to resolve the impact on the setting of these heritage assets and the interconnectivity between them and the site. The development to the north, depending on final details, will have less impact on the setting of the heritage assets. The concerns raised here regarding the location, views and the need for mitigation need further, close consideration in any revised documents and plans. As part of this reducing the proximity to the settlement of Walton-on-Trent and the Scheduled Monument along the west boundary should be considered to mitigate the harm mentioned above.	No heritage-asset specific mitigation is required beyond the landscape and boundary measures already proposed as mitigation to address effects arising as a result of setting change since no significant effects were identified by the assessment. The proposed landscaping mitigation in the OLEMP **[APP-105]** is secured through Requirement 8 of the dDCO **[AS-005]**. Written details of all proposed permanent and temporary fences, walls or other means of enclosure of the connection works for that phase is secured through Requirement 16 of the dDCO **[AS-005]**. The Applicant has sought to clarify this position with HE during its discussions regarding a Statement of Common Ground and will provide an update on those discussions at Deadline 3.

	Regarding buried archaeological remains, it is important that risk of avoidable/unmitigated damage to sensitive remains is well managed in proportion to their importance. This can be achieved through layout, deployment of green space, construction options and routes for cabling, and construction options for panel mounting etc. Archaeological risks can thus be well addressed, but only if there is a sound understanding of where archaeological sensitivity and importance lies across the site. Sufficiency of field evaluation is vital because some features (such as for instance early medieval burial grounds or Roman high-status buildings) would be both of high importance and high sensitivity to the insertion of panel mounting piles. In the context of sufficiency of evaluation work we refer you in the first instance to the expertise of local authority archaeological advisors. It is they who will (should DCO be granted with appropriate requirements) advise upon the acceptability of written schemes of investigation (WSI) and their accordance with a robust overall archaeological strategy secured through DCO submission.	Requirement 18 of the dDCO **[AS-005]** secures the provision of a WSI of areas of archaeological interest within each phase of the Proposed Development.

3.7 NATIONAL FOREST COMPANY

THEME	COMMENT	APPLICANT RESPONSE
Arboriculture	The National Forest Company (NFC) leads the creation of the National Forest, a publicly funded multipurpose forest for the nation across 200 square miles in central England. The NFC was established in 1995 and is a charity and Non-Profit Institution within the Public Sector sponsored by the Department for the Environment Food and Rural Affairs (Defra). The National Forest Strategy 2014-24 is endorsed by Government and sets out the approach for the creation and management of the Forest over the next phase of its development. In excess of 9 million trees have been planted to date creating around 8,000ha of new habitats, transforming one of the least wooded areas of England.	Noted, no further comment required.

	Around 25% of this has been delivered through Forest creation as part of new development. The site is located within the National Forest, where Policy INF8 (The National Forest) of the South Derbyshire Local Plan, in accordance with the National Planning Policy Framework (NPPF), expects developments to contribute towards the creation of the Forest. Accordingly, to comply with the NPPF, The National Forest Strategy and Policy INF8 of the Local Plan, the NFC considers the proposal must deliver significant woodland planting and not form a barrier to habitat connectivity.	The Proposed Development includes a large amount of tree and woodland planting helping to contribute to the objectives of the National Forest. The details of the tree and woodland planting is set out in the OLEMP **[APP-105]**.

3.8 NATIONAL GRID DISTRIBUTION (EAST MIDLANDS) PLC

THEME	COMMENT	APPLICANT RESPONSE
DCO	The application includes land in or upon which NGED has assets which consists of high voltage electricity cables, including overhead lines and underground cables. NGED is currently reviewing the draft Order setting out the Authorised Development to establish the extent to which their apparatus and interests are affected.	Noted, no further comment required.
DCO	While NGED will continue to seek to have positive engagement with the applicant in relation to the project, NGED needs to ensure that the wider powers being sought in the Order will not have a detrimental impact on NGED's electricity network and its duties under the EA1989, including ensuring that the terms of the proposed protective provisions are acceptable.	The Applicant is continuing to discuss Protective Provisions with NGED. Undertakings and assets will be protected under these provisions.
DCO	NGED is therefore making this representation as a holding objection to the application until asset protection arrangements have been agreed between the parties. No formal agreement has yet been concluded and accordingly we are lodging this representation to protect NGED's position pending conclusion of an appropriate agreement. Once NGED is satisfied that its network is protected, we will notify the Planning Inspectorate promptly and withdraw the objection.	The Applicant is continuing to discuss Protective Provisions with NGED. Undertakings and assets will be protected under these provisions.

3.9 NATIONAL GRID ELECTRICITY TRANSMISSION PLC

THEME	COMMENT	APPLICANT RESPONSE
DCO	NGET owns or operates the following infrastructure within or in close proximity to the proposed Order Limits for the Project. These assets form an essential part of the electricity transmission network in England and Wales. The details of the electricity assets are as follows: Substations • Drakelow1 132kV Substation • Drakelow2 275kV Substation • Drakelow4 400kV Substation Overhead Lines • ZN 400kV Drakelow – Rugeley/Bushbury - Rugeley • ZE 400kV Cellarhead – Drakelow 1/ Cellarhead – Drakelow 2 • 4YP 400kV Bustleholm – Drakelow 1/Bustleholm – Drakelow 2 • ZF 400 kV Drakelow – Hams Hall/Drakelow – Oldbury • ZS 400kV Drakelow – Willington East/Drakelow – Ratcliffe on Soar	Noted, no further comment required.
DCO	Protection of NGET Assets: As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits. As noted, NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew, repair and refurbish such apparatus located within or in close proximity to the Order Limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted. NGET will require its standard protective provisions to be included within the draft Development Consent Order (the "Order") for the Project to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards. NGET is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required. NGET requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those NGET assets which will remain in situ, along with	The Applicant is continuing to discuss Protective Provisions with NGET. Undertakings and assets will be protected under these provisions.

	facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations. NGET will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions.	
DCO	Compulsory Acquisition Powers in respect of the Project: The Applicant is seeking compulsory acquisition powers (acquisition of rights) over plots 01-001, 01-002, 01-003, 01-004, 01-007 , 01-009, 01-010 and 01-011 which form part of NGET's 275kV/400kV substation and access at Drakelow. NGET objects to the compulsory acquisition of its assets, land or rights over its land in the absence of an agreed form of protective provisions. It is essential that nothing contained within the Order prevents NGET from continuing to deliver future plans or from accommodating other electricity connection customers. Furthermore, the Applicant is seeking compulsory acquisition powers over a number of plots which include NGET overhead line assets and/or interests. As noted, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land, NGET will require further discussion with the Applicant and NGET will require its standard protective provisions to be included within the Order. NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with its assets but in the meantime NGET is engaged with and will continue to liaise with the Applicant with a view to reaching a satisfactory agreement.	The Applicant is continuing to negotiate the Option for Easement with NGET and through these negotiations, the parties will agree provisions to mitigate potential impacts on NGET undertakings.

3.10 NATIONAL HIGHWAYS

THEME	COMMENT	APPLICANT RESPONSE
Transport	In relation to the Oaklands Farm Solar Project, our principal interest is in safeguarding the A38 trunk road. Although the SRN is outside the Order Limits, it is understood that construction traffic will be routed via the A38. As such, we reserve the right to make written representations if an	This representation has been noted by the Applicant. However, as this is not an objection, no further comment required.

	impact of construction traffic on the SRN is identified, or if changes to the application are made which result in impacts to the SRN.	

3.11 NATURAL ENGLAND

THEME	COMMENT	APPLICANT RESPONSE
Ecology	Natural England is not yet satisfied that it can be ascertained beyond reasonable scientific doubt that the project would not have an adverse effect on the integrity of the following internationally designated sites. • River Mease Special Area of Conservation (SAC) Natural England note that the applicant has stated in Environmental Statement (Appendix 6.2) section 3.10 the operational phase of the development will result in an improvement in the water quality of the River Mease SAC. Natural England disagrees that impacts during the operational phase can be completely ruled out. The proposed development is partially within the River Mease SAC catchment. The River Mease SAC is already failing its conservation objectives for water quality. It is possible that solar panels can create channels where rain falls off from the lowest point, this could then convey sediment with nutrients via tributaries towards the River Mease SAC. Typically solar panels require regular cleaning to maintain efficiency. This introduces the potential for chemicals used in the cleaning of the panels to migrate to the SAC. It is feasible to mitigate this through the use of SUD's that would intercept surface water that will contain nutrient rich sediment and chemicals arising from the part of the site that is within the River Mease SAC catchment. The SUD's treatment trains can treat the surface water prior to it being discharged or infiltrated which would protect the designated features of the River Mease SAC.	The Applicant has noted this comment. However, the Applicant's position is that there will be an improvement in the soil quality as a result of the Proposed Development. This is because the current intensive agricultural farming practices deposit large amounts of Nitrogen and Phosphorus onto the soil as part of the fertiliser regime. As the land will be removed from agricultural use for around 40 years, there will be no net long term impact. It is acknowledged that there may be a short term during Construction the OCEMP **[APP-090]** to ensure any construction effects are minimised. The cleaning of the solar panels is unlikely to require the need to use harsh chemicals however, the Applicant will confirm the cleaning regime and any potential additional mitigation which will be detailed in the OOEMP **[APP-091]**. The Applicant and NE are continuing to discuss the matters above and it will form part of the Statement of Common Ground.

	• The River Mease SSSI The River Mease SSSI could also be impacted by nutrient rich sediment reaching it. Measures to protect the River Mease SAC would also protect the River Mease SSSI	The Applicant has noted this comment. However, the Applicant's position is that there will be an improvement in the soil quality as a result of the Proposed Development. This is because the current intensive agricultural farming practices deposit large amounts of Nitrogen and Phosphorus onto the soil as part of the fertiliser regime. As the land will be removed from agricultural use for around 40 years, there will be no net long term impact. It is acknowledged that there may be a short term during construction effects however mitigation in the OCEMP **[APP-090]** seeks to ensure any construction effects are minimised. The Applicant and NE are continuing to discuss this matter and it will form part of the Statement of Common Ground.
	Natural England is still awaiting of draft protected species licence applications for review. Without draft protected species licence applications we are unable to issue Letters of No Impediment. It is noted within ES Chapter 6 (Ecology) that licences will be required for works relating to Badgers (section 6.79). Natural England has not received submission of draft protected species licence applications for review. Without draft licence applications we are unable to issue Letters of No Impediment (LoNI). We would be happy to work with the applicant and the examining authority to ensure the required Protected Species Licences are sought. Aside from these comments, our advice at this stage is limited to our Standing Advice.	The Application secures the parameters in which the Proposed Development will be delivered, providing some flexibility in detailed design as set out in the Works Plans. At the detailed design stage, it may be possible to design the Proposed Development to avoid and / or minimise impacts on protected species. Where these impacts can be avoided, this will negate a need for a protected species licence. Notwithstanding this, a draft protected species licence application is being prepared to allow a Letter of No Impediment (LoNI) to be issued by NE.
	Natural England note that the applicant has submitted results from a BNG calculator in (ES Appendix 6.12). Natural England welcome the delivery of BNG as part of this project.	Noted, no further comment required.
	Natural England welcomes the inclusion of embedded mitigation during the construction phase as set out in the Construction Environmental Management Plan (ES appendix 4.3). Natural England also welcome the oLEMP (ES Appendix 5.6) for mitigation proposed during the operational phase of the development.	Noted, no further comment required.

	Natural England welcome the commitment to use native species as set out in paragraph 2.5 of the oLEMP (ES Appendix 5.6). The inclusion of native species in the Objectives and Design approach ensure that proposed planting will likely be better suited to the site and local environment, this will provide the greater benefits for nature recovery compared to non nature ornamental species. Natural England consider the measures as set out in the oLEMP to be satisfactory in protecting the elements of the natural environment which represent the key areas of our remit.	
Agricultural Land	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 - 15.36 Whilst this predictive mapping (plate 15.2) provides an indication of the ALC grade, and thus the potential impact on BMV agricultural land, it does not provide the soil details required to inform soil management which would feed into the Soil Management Plan. There is a risk of soil damage, ALC degradation and long term or permanent loss of BMV from cable installation. Soil will need to be handled according to best practice and reinstated to a high standard to reduce the impacts. The results from a detailed ALC survey would provide soils data to inform a soil management plan for the whole site regardless of whether the use is permanent or temporary in nature. We require that land quality and soil resources information is gathered for any land that is disturbed by the development, so the cabling route should be surveyed. Ideally a full detailed ALC survey would have been carried out across the whole site. With the Predictive mapping provided, it is recommended in this instance, that an ALC survey is undertaken within the cable route. A semi detailed survey is acceptable where the site is clearly expected to be non-BMV (1 auger per 2 ha plus representative pits), but where BMV has been identified, a detailed ALC survey would be expected (1 auger per ha plus representative pits). This type of survey requires an experienced ALC surveyor, in order to make the correct professional judgements, where to introduce flexibility. A semi detailed survey may not identify all of the BMV land.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	As a result, we request that the site is revisited to carry out a detailed ALC survey of the predicted BMV areas and a semi-detailed survey in the areas currently identified to be non-BMV to confirm its extent. The ALC survey will enable a soil management plan to be generated for any areas to be disturbed (temporary and permanent) to ensure correct handling and restoration of soils, and onsite reuse of any surplus soils stripped from areas of permanent development.	
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 Plate 15.3 This map identifies land outside of the DCO as mostly non BMV but with 2 and 3a BMV present. Natural England request clarification as to whether this land has undergone detailed survey.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 15.44 In the absence of detailed survey for most of the cable corridor it is impossible to provide an accurate baseline and demonstrate the likely potential impacts. So, whilst this may make the mitigation precautionary, it means that the project is unable to show how it avoids impacts to BMV soils nor the design of potential mitigation to safeguard the soil resources. Refer to advice (para 15.36) for further guidance.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 15.71 Natural England do not concur with the assumptions made in this paragraph. Stone and concrete pad bases have potential to increase compaction on soils within the solar array component. Typically, where infrastructure ie inverters/substations require bases the soil will be stripped during the construction phase, stored and then replaced at the time of decommissioning. The non-intrusive method for mounting solar arrays should be considered in the oSMP.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 15.77 Figure 4.5 Illustrative Drakelow Access Design indicates a temporary 5m track width, however there is no Indicative Access Track Cross Section (figure 4.11) for a 5m width.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of

	15.90 Refer to advice (para 15.36) for further guidance.	Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 15.91 Natural England does not concur with the assumption land quality is mostly 3b within the cable route corridor. Grading should be based on actual findings from an ALC survey.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.1 15.98 Refer to advice provided below on oSMP	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Environmental Statement Chapter 15 – Agriculture and Soils January 2024 Document Ref: EN010122/APP/6.115.126 NPPF Paragraph 181 states 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework 62 Footnote (62) Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered'.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.1.4 Natural England support the provision of an Outline Soil Management Plan (oSMP) and we advise under para 5.1 of the Defra Construction Code of Practice (Defra, 2009). A SMP informed by site-specific soil information to inform suitable soil handling. The SMP will also set out the target specification for the proposed end uses. The target specification for the restored soils should be based on pre-construction ALC grade. Natural England is satisfied that the Soils and Agricultural Land Classification Report (Appendix 15.1 of the Environmental Statement- Soils and Agriculture) constitutes a record of the pre-working ALC grading and physical characteristics of the land within the application site boundary.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	Appendix 1 Outline Soil Management plan 1.2.4 Natural England the correct professional judgements necessary under the role of site foreman represent those typically made by an experienced soils scientist. Natural England require clarification on the level of professional qualification and experience the site foreman will hold to ensure soil handling and storage of soils will adhere to Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites ensuring the sustainable use of the soil resource.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.3.3 MAFF 2000 guideline superseded by Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Working.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.4.2 Whilst the commitment to handle soils only when in a 'driest practicable conditions' is welcomed, soil handling should normally be avoided during October to March inclusive, irrespective of soil moisture conditions, because it will generally not be possible to establish green cover over winter to help dry out soils and protect them from erosion. Soils should only be handled in a dry and friable condition. A field suitable method for assessing whether soils are in a dry and friable condition based on plastic limits set out in Part One (Explanatory Note 4 – Table 4.2 provided below in Annex 1) of the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Working, and this approach together with the associated rainfall protocols should be adopted.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.5 As advised above (Explanatory Note 4 – Table 4.2 provided below in Annex 1) of the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Working, and this approach together with the associated rainfall protocols should be adopted.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.7.2 As above refer to advice for para 1.3.3 - for BMV Natural England advise sheets A-D ("for BMV A-D") of the loQ Guidance	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	Appendix 1 Outline Soil Management plan 1.7.7 Where topsoil is proposed to be stripped, typically for construction compounds; access tracks and laying cabling, the soil handling methodology (movement, storage & replacement) and soil protection proposals are reviewed to ensure that appropriate mitigation is in place to allow for the restoration of the land to the baseline ALC Grade.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.8.5 Natural England advise stockpiles should not exceed 3m for topsoils and 5m for subsoils. Natural England recognises that Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites notes these may be increased where limited space is available however with underlying Clay subsoils across most of the site, as indicated by the ALC report (January 2024) suggests heights of stockpiles should be kept to the maximum advised above and suggested in the para 1.8.5 . Should these heights be exceeded Natural England require further clarification on what methods will be used to determine whether increased stockpile heights will not result in compaction of soils.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.8.7 For stockpiles that are to be grass seeded (EN010122/APP/6.1/Appx 4.3 para 1.9.1), slope should not exceed 25°	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 1 Outline Soil Management plan 1.8.9 Refer to relevant IoQ sheet B.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 4.5: Outline Decommissioning Environmental Management Plan 3.1.2 To ensure successful restoration all infrastructure should be removed and the soil profile, as determined by the detailed ALC survey. In terms of subsoil, it is important to note that the full soil profile down to 120cm should be regarded as soil resource rather than mineral resource. In some cases a shallower profile may provide adequate soil material for the grade of the land. In this case the lower parts of the profile could be considered as potential mineral. Where	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	droughtiness is the main limitation then the full 120cm of soil resource is usually required to maximise the potential of the land. MAFF describe the soils resources to a depth of 120cm.	
	Appendix 4.5: Outline Decommissioning Environmental Management Plan 3.1.4 The minimum settled depth of subsoil/subsoil substitute and topsoil shall be 1.2 metres. Where it is intended to use imported soils or soil forming materials as agricultural soils in the restoration process these materials shall: a) Be separately stored in a designated area. b) Be identified to, and agreed as suitable with prior to placement. c) Be free of objects greater than 15 cm in any dimension which are likely to cause any obstruction to cultivations.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Appendix 4.5: Outline Decommissioning Environmental Management Plan Table 2 Natural England welcome the provision of a Soil Resource Management Plan.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	ES Appendix 15.1 – Agricultural Land Classification Survey for Oaklands Farm January 2024 Document Ref: EN010122/APP/6.1/Appx 15.1 1 Natural England request that all surveyors that took part in the survey are listed and advises there should be more detail provided of the qualified soil scientists (surveyors) professional credentials and experience in carrying out ALC.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	ES Appendix 15.1 – Agricultural Land Classification Survey for Oaklands Farm January 2024 Document Ref: EN010122/APP/6.1/Appx 15.1 3.1 The ALC reports does not identify the National soil Map soil associations that are relevant to the survey area	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	ES Appendix 15.1 – Agricultural Land Classification Survey for Oaklands Farm January 2024 Document Ref: EN010122/APP/6.1/Appx 15.1 3.2 Natural England note the differences in texture from those previously mapped, however there are no submitted laboratory analysis results. Where soil texture is critical to the grading, taking	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	soil samples for laboratory analysis of particle size and/or organic matter content should be considered.	
	ES Appendix 15.1 – Agricultural Land Classification Survey for Oaklands Farm January 2024 Document Ref: EN010122/APP/6.1/Appx 15.1 4.2 Text error, FCD is 137.5 days not 37.5	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	ES Appendix 15.1 – Agricultural Land Classification Survey for Oaklands Farm January 2024 Document Ref: EN010122/APP/6.1/Appx 15.1 Appendix A Soils Profile data Based on the data presented and the absence of whether there is a Slow Permeable Layer present and at what depth. Natural England is unable to confirm whether wetness class has been assessed correctly for each boring.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	General comments on ALC Pits 80 and 90 are clearly indicated on the Drawing No.: 1 however the presented soil profile data does not clearly identify numbered pits. The full set of soil profile data that presents droughtiness calculations with assigned droughtiness grades; assigned wetness class for each boring; dominant limitation and subsequent ALC grade for each boring and representative pits. There is no confirmation of stone assessment method, we would mainly expect to see this in soil pit descriptions	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Oaklands Farm Solar Park - Environmental Statement Volume 3 Appendix 15.2: Agricultural Land Classification (Park Farm area) (KCC) 2.1 Natural England notes the recognised qualification meet the standards required however this appears to be generic in nature and does not identify the surveyor. Natural England advises there should be more detail provided of the qualified soil scientists (surveyors) professional credentials and experience in carrying out ALC.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	Oaklands Farm Solar Park - Environmental Statement Volume 3 Appendix 15.2: Agricultural Land Classification (Park Farm area) (KCC) 2.4 Pit 1 is not visible on plan KCC3018/01A therefore, Natural England is unable to verify to location of pit 1 or confirm the observations made at that sample location	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Oaklands Farm Solar Park - Environmental Statement Volume 3 Appendix 15.2: Agricultural Land Classification (Park Farm area) (KCC) 3.13 The Published soil information has incorrectly been assessed. Looking at the red line boundary presented in insert 1 (para 1.2) the land surveyed according to data available is mostly in the Brockhurst 2 association and partially in both Wick 1 and Dunnington Heath. This part of the report needs updating.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Oaklands Farm Solar Park - Environmental Statement Volume 3 Appendix 15.2: Agricultural Land Classification (Park Farm area) (KCC) 3.16 Auger borings 34, 35, 36, 40 and 41 are not visually represented on plan KCC3018/01A or presented in soil profile log data.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	Oaklands Farm Solar Park - Environmental Statement Volume 3 Appendix 15.2: Agricultural Land Classification (Park Farm area) (KCC) 3.22 Where soil texture is critical to the grading, taking soil samples for laboratory analysis of particle size and/or organic matter content should be considered.	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.
	General comments on ALC When mapping ALC data Natural England advise the ALC grades are defined by a standard colour notation. It is important this is complied with to avoid confusing users. The RGB codes in ArcGIS systems used by Natural England are as follows: Grade 1 : Red = 0, Green = 129, Blue = 254 Grade 2 : Red = 194, Green = 251, Blue = 254 Grade 3a : Red = 1, Green = 129, Blue = 0 Grade 3b : Red = 165, Green = 254, Blue = 164 Grade 4 : Red = 254, Green = 251, Blue = 105 Grade 5 : Red = 178, Green = 136, Blue = 100 Non Agricultural : Red = 254, Green = 196, Blue = 85	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	Urban : Red = 255, Green = 99, Blue = 85	
	Annex 1 Closed season and definition of 'dry and friable' A 'closed season' for handling soil shall be applied between the months of October and March inclusive. At all other times soils shall only be stripped and handled when they are in a 'dry and friable' condition. Broadly speaking, a soil is 'dry and friable' when it breaks and shatters when disturbed rather than smears and deforms. The following tests describe methods to objectively differentiate between these two conditions. Soil Tests. Soil tests are to be undertaken in the field. Samples shall be taken from at least five locations in the soil handling area. The tests shall include visual examination of the soil and physical assessment of soil consistency. Examination Test: • If the soil is wet, films of water are visible on the surface of soil particles or aggregates (e.g. clods or peds) and/or when a clod or ped is squeezed in the hand it readily deforms into a cohesive 'ball' – NO HANDLING should take place • If the sample is moist (i.e. there is a slight dampness when squeezed in the hand) but it does not significantly change colour (darken) on further wetting, and clods break up/crumble readily when squeezed in the hand rather than forming into a ball – HANDLING OK. • If the sample is dry, it looks dry and changes colour (darkens) if water is added, and it is brittle – HANDLING OK. Consistency Test First Test – Attempt to mould soil sample into a ball by hand: • Impossible because soil is too dry and hard – HANDLING OK • Impossible because the soil is too loose and dry – HANDLING OK • Impossible because the soil is too loose and wet – NO HANDLING • Possible – GO TO NEXT TEST Second Test – Attempt to roll ball into a 3mm diameter thread by hand: • Impossible because soil crumbles or collapses – HANDLING OK • Possible – NO HANDLING	The Applicant is reviewing this comment and continues to engage with NE whilst preparing a response. The Applicant is also drafting a Statement of Common Ground with NE to ensure all comments are being addressed. The Applicant will update the ExA at Deadline 3 as to the status of those discussions.

	NB: It is impossible to roll most coarse loamy and sandy soils into a thread even when they are wet. For these soils, the result of the Examination test alone must be adhered to. Weather and ground conditions Soil handling shall cease during rain, sleet or snow. The following criteria shall be applied: • In light drizzle soil handling may continue for up to 4 hours unless the soils are already too moist • In light rain soil handling must cease after 15 minutes • In heavy rain and intense showers, handling shall cease immediately • After rain has ceased, soil tests shall be applied to determine when handling may restart, provided that the ground is free from puddles.	
	There is no Ancient Woodland or ancient/veteran trees within the order limits. However, there are blocks of ancient woodland near the site boundary on the northeast (Grove Wood). We note that the oCEMP contains a Dust and Air Quality management plan, we advise that where the CEMP is implemented as described, impacts to these woodlands are unlikely.	Noted, no further comment required.
	Natural England welcome the mitigation set out in the oCEMP to mitigate the disturbance to the Cross Britain Way.	Noted, no further comment required.

3.12 NETWORK RAIL INFRASTRUCTURE LIMITED

THEME	COMMENT	APPLICANT RESPONSE
DCO	Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain. Network Rail understands that when the application for the Scheme was submitted, the Planning Inspectorate identified a number of parties whom the Applicant should consider notifying about the application and that Network Rail was one of those parties. Network Rail has not been provided with any information about the	The Applicant confirms that Proposed Development does not engage with railway interests and therefore, no further comment required.

	impacts of the Scheme on the railway or railway property. Network Rail notes it is not included in the Book of Reference and the Scheme is not located in proximity to the operational railway. However, Network Rail will ask the Applicant to confirm whether or not the Scheme does engage with railway interests and, in the meantime, confirms that it objects to the Scheme to safeguard its interests and the safety and integrity of the operational railway.	

3.13 UK HEALTH SECURITY AGENCY

THEME	COMMENT	APPLICANT RESPONSE
Health	Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID. We can confirm that: With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 30th May 2022 have been addressed. In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health. UKHSA/OHID is satisfied with the methodology used to undertake the Environmental Statement. Potential impacts arising from historic ground contamination have been considered in the draft development consent order and there is a requirement that a scheme to assess and manage these impacts, be agreed with the relevant local authority in consultation with the Environment Agency, as the relevant regulatory authorities with regards to contaminated land. Following our review of the submitted documentation we are satisfied that the proposed development should not result in any significant adverse impact on public health. On that basis, we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.	The Applicant welcomes the comments from the UKSA and OHID with respect to public health and acknowledges that the Application documents have addressed any previous concerns. It is noted that the UKSA have no further comments and have not registered as an Interested Party.

3.14 WOODLAND TRUST

THEME	COMMENT	APPLICANT RESPONSE
Arboriculture	We are concerned about the potential impacts of the development on ancient and veteran trees. The applicant has provided an Arboricultural Survey Report (APP-133), which includes a tree survey detailing trees within proximity to the proposed works. The following trees have been identified as ancient or veteran - T56 (Ancient Oak), T57 (Ancient Oak), T59 (Ancient Willow), T30 (Veteran Lime), T32 (Veteran Oak) and T86 (Veteran Oak). We note that veteran tree buffers have been provided for these trees in line with Natural England and Forestry Commission's standing advice. However, it is not clear from the plans whether new infrastructure, including widened access tracks, and construction activity will be excluded from these buffer zones.	The submitted Arboricultural Survey Report **[APP-133]** confirms that all ancient trees, veteran trees and areas of Ancient Semi-Natural Woodland (ASNW) are remote from the built elements of the Proposed Development and their RPAs and buffers will be kept free from any development. • T56 (Ancient Oak) - is located outside Order Limits but adjacent the identified circa 50m wide cable corridor. The applied ancient tree buffer extends into the corridor but the corridor width provides sufficient space to locate the proposed cable outside of the buffer and for the tree to be adequately protected during construction. • T57 (Ancient Oak) - is located outside Order Limits and remote from any form of development. Tree can be adequately protected during construction. • T59 (Ancient Willow) - is located outside Order Limits and remote from any form of development (circa 100m from cable/track corridor). • T30 (Veteran Lime) - is located outside, but adjacent to, the Order Limits within existing farm complex/garden and adjacent existing farm access road. Tree is remote from any form of development and can be adequately protected during construction • T32 (Veteran Oak) - is located outside Order Limits and remote from any form of development (circa 200m from cable corridor). • T86 (Veteran Oak) - is located outside Order Limits and remote from any form of development (circa 40m from nearest Proposed Development; the perimeter security fence). A further veteran tree, T49, was identified in the tree survey. As with T56 this tree is located outside Order Limits but adjacent the identified circa 50m wide cable corridor. The applied veteran tree buffer extends into the corridor but the corridor width provides sufficient space to locate the proposed cable outside of the buffer and for the tree to be adequately protected during construction.

	Furthermore, the Tree Survey Methodology within the Arboricultural Survey Report does not specify the approach taken by the consultant to identify ancient and veteran status. In particular, trees T93, T97, T98 and T100 are described as having "Veteran characteristics but not yet of true veteran form". It is unclear what this assessment means and how it has been reached.	The submitted Arboricultural Survey Report **[APP-133]** references at footnote 3 the use of the relevant planning policy guidance. The process adopted for identifying ancient and veteran trees is set out below. With regards to relevant published literature, there exist two key texts on evaluating and managing veteran and ancient trees. These are Read (*Read, H., 2000, Veteran Trees: A guide to good management. London: English Nature*) and Lonsdale (*Lonsdale, D. (ed.), 2013, Ancient and other veteran trees: further guidance on management. London: The Tree Council*). The latter of these was written to update and expand on the former (according to its author Dr. Helen Read) and so the Lonsdale publication has become the primary source on ancient/veteran tree management and is endorsed by the Woodland Trust, Ancient Tree Forum and Arboricultural Association, amongst others. In assessing potential veteran trees, Barton Hyett Associates use a combination of stem girth (as per Fig 1.3 in Lonsdale, 2013) with the key attributes found on veteran trees (para. 2.1.1 in Lonsdale). Lonsdale (2013) provides Figure 1.3, a 'chart of girth in relation to age and developmental classification of trees'. This chart is used as the fundamental step in identifying veteran and ancient trees. However, attention is drawn to the schematic nature of the chart and the inherent difficulty in interpreting it precisely for an individual tree. For example, Lonsdale identifies a girth of 4.5m for oak trees as the broad size where an oak tree can start to be considered a veteran (equivalent of a diameter 1.4m) of course smaller trees could be considered veteran if they display an appropriate amount of veteran characteristics. However, when identifying veteran or ancient trees in the field an element of professional judgement must be applied. For instance, the presence of dead wood in a tree crown or wounds where branches have been lost may veteran features, however, the presence of such features alone does not result in veteran status. Features such as this are just typical of the character of mature, non-veteran, trees. This is the reason why in the submitted Arboricultural Survey Report **[APP-133]** some trees are noted as having some veteran features (i.e. those features that are typical for mature trees of that species) but have not yet attained veteran status. With specific regard to T93, T97, T98 and T100 these are all English oak which do not attain the stem size, or do not display

		veteran characteristics (that are not simply typical of mature oak trees) to classify them as veteran trees.
	Additionally, there are a number of trees in the Arboricultural Survey Report which are not specifically described as having 'veteran characteristics', but which we consider may be veteran based on the features and observations detailed. These are T14, T16, T22, T36, T110, T111, T127, T139 and T157. We would expect any methodology used to assess the status of trees as ancient or veteran to be in line with Government guidance, including Planning Practice Guidance (PPG) for Natural Environment, which states: "Ancient trees are trees in the ancient stage of their life. Veteran trees may not be very old but exhibit decay features such as branch death or hollowing. Trees become ancient or veteran because of their age, size or condition. Not all of these three characteristics are needed to make a tree ancient or veteran as the characteristics will vary from species to species."	As explained above, it is possible for some trees to have features that are associated with veteran trees without being of veteran status. Much of this assessment is also species specific. For instance, large stem size of a poplar tree does not necessarily convey great age and branch loss scar does not in itself make a veteran tree. The methodology used to assess the status of trees as ancient or veteran is appropriate and in line with Government guidance. • T14 (Horse chestnut) - Not considered a veteran. Tree has large stem girth and is in an established state of decline (tree is mostly moribund) but with no other real veteran features. Tree is within the Order Limits and adjacent an existing hard surfaced access road. Tree can be protected during construction. • T16 (Horse chestnut) - Not considered a veteran. Tree has large stem girth and in an established state of decline (tree is mostly moribund) but with no other real veteran features. Tree is within the Order Limits and adjacent an existing hard surfaced access road. Tree can be protected during construction. • T22 (Pear) - Not considered a veteran. Not particularly large/old for species and has no veteran features other than it has lost a branch in the past and has some decay present. Outside of Order Limits. Located beneath overhead power lines. Tree can be protected during construction. • T36 (Ash) - Tree is actually identified as veteran on the plans within the submitted Arboricultural report. Veteran tree buffer has been applied. Irrespective the tree is located outside of the Order Limits. Nearest proposed development is the access track corridor at circa 700m from tree. • T110 (poplar) - Not considered a veteran. Not particularly large or old for species and typical for mature poplar. Tree is within the Order Limits and can be protected during construction. • T111 (poplar) - Not considered a veteran. Not particularly large or old for species and typical for mature poplar. Tree is within the Order Limits and can be protected during construction. • T127 (ash) - Not considered a veteran. Tree has a particularly small stem size, with no veteran features other than limb loss and decay

		present at branch loss point and in stem. Habitat value but not of veteran status. Tree is within tree group on the edge of the Order Limits. Located near to proposed development (but well outside Root Protection Area - RPA) and can be protected during construction. • T139 (ash) - Not considered a veteran. Tree is in decline (most likely due to ash die back). Typical for mature ash. Tree is within the Order Limits. Proposed track within RPA but utilising the existing field gateway. Tree can be protected during construction but requires ground protection solution (as identified on the plan in the submitted Arboricultural report). Tree can be protected during construction. • T157 (crack willow) - Not considered a veteran. Not large for species. Typical for mature crack willow. Located on the edge of the Order Limits. Tree is 45m away from nearest proposed development (Site perimeter fence). Tree can be protected during construction.
	In summary we are concerned that trees within the development area have not been afforded the appropriate ancient and veteran status, and that the relevant protections for veteran trees have not been fully secured. On the basis of the information provided it appears that the proposals are likely to result in adverse impacts on ancient and veteran trees. We would appreciate the opportunity to address these concerns with the Examining Authority and the Applicant.	This general point has been addressed by the specific comments above.

4 PARISH COUNCILS AND ELECTED PARTIES

4.1 COUNTY COUNCILLOR STUART SWANN

THEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	Loss of good quality agricultural land and its medium to long term impact on the UK's food production security. There is support for renewable energy but not at the cost of key priorities like sustainable food production on quality farmland, which is more important than ever in an increasingly unsettled and conflicted international situation.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-

		food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
Landscape and Visual Impact / Ecology	The blighting of a pleasant rural area by a huge industrial development, which has been described as resembling a prison camp, along with the negative impact on local wildlife and biodiversity.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts.
Transport	The negative impact during the construction phase on local communities and the area's road network, including narrow country lanes leading to currently peaceful villages.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way

		movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. There will be minimal operational movements associated with the solar farm. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A Construction Traffic Management Plan would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.
Safety	The safety aspect, which many people are not convinced is fully proven.	The design parameters for the BESS already include measures which reduce the risk of thermal runaway/fire from the batteries, by providing appropriate spacing between the battery units to ensure should a fire occur it will be allowed to burn out in a controlled manner and not spread between battery units across the BESS, and through locating the BESS in the centre of the Site, away from residential properties. The dDCO commits the applicant to providing a full Battery Safety Management Plan, which would need to accord with the principles set out in the OBSMP **[APP-093]** which accompanies the application, and which would be approved by the LPA. The final BSMP would sit alongside an emergency response plan and provide details of in-built BESS safety features like internal fire suppression systems built into individual battery units, automatic detection and alert systems, remote shut-down, and procedures to alert local emergency services in line with agreed fire-fighting strategy.

4.2 DISTRICT COUNCILLOR AMY WHEELTON

THEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	No Solar on the Best and Most Versatile Land (BMV) and grade 3b - put solar on rooftops not on good agricultural land and food security needs prioritising.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
Glint and Glare	Glint and Glare issues from the vast solar arrays.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study

		[APP-166]. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.
Landscape and Visual Impact	Detrimental Landscape and Visual Impact on the rural character of the area from solar arrays, containers and 3m high fencing with security cameras – increasing urbanisation of a rural area with coalescence (merging) of small rural villages. The size and scale of the development would be out of scale with the landscape and dominate an attractive rural area. 40 years is a significant period in peoples lives and the development would detract from the landscape character and visual amenity.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including the Site. That context, and the mitigation measures proposed, means

		that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts. The Applicant notes the comment. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station.
Noise	The hum from the inverters would add to an industrial installation.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. Solar developments are generally not significant noise generating developments once operational with the main noise generating activities associated with construction. The ES found that there would be negligible effect when considering all sensitive receptors. No further mitigation is required beyond that already embedded within the design of the Proposed Development. The OOEMP **[APP-091]** includes provisions to ensure that plant is specified to manage noise, with the use of screening, mufflers and silencers to be employed where necessary. The dDCO **[AS-005]** includes a requirement (Requirement 15) which commits the applicant to undertaking an operational noise assessment prior to any works starting on site and submitting that to the LPA for review.
Transport	At consultation, the construction phase was 16 months adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Drakelow, Walton on Trent, Rosliston and Coton in the Elms and other surrounding villages.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVsmovements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and

		will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A Construction Traffic Management Plan would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.
	The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. The new Walton Bypass is not built and the Chetwynd bridge at the A513 now has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs to a creaking lack of traffic infrastructure with poorly maintained roads riddled with crater like potholes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the proposed development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES.
	Abnormal loads through rural roads and Coton in the Elms are unacceptable and contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development.	There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the Site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.

Historic Environment	The historic environment of local conservation areas and heritage assets including listed buildings will be affected by the alien industrial development.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself, with the study work undertaken by the applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a Requirement 18 which commits the Applicant to agreeing an archaeological WSI prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
Flood Risk and Drainage	Every existing agricultural land drain will be ripped up by the pile driving of each solar array, leading to a change in water flow and increased flooding and an inability for the land to ever return to agricultural use with nutrients washed out of the soil and drainage decimated.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA). The proposed construction method for the solar panel arrays uses driven steel tube or 'H' piles to form their foundations within the shallow soils/ superficial deposits/ weathered bedrock. These may disturb or break up land drains buried within the Site, however the number of land drains affected is expected to be minimal. Notwithstanding this, this would slow down the transport of water that has infiltrated into the soil and reduce peak run-off in local watercourses. Occasional periods of increased surface water ponding may occur having no effect on the operation of the Site and reduces peak run-off in local watercourses reducing the risk of flooding downstream. In the unlikely event that any significant drainage issue emerges due to construction activity, the Applicant will use a range of measures to rectify the situation (such as sustainable drainage systems, replacing or repairing land drains, etc.). The Proposed Development involves the temporary use of the land for solar for a period of 40 years after which the Site will be returned to the landowner and will be again available for agriculture. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site so that the land can be returned to an appropriate condition following decommissioning.

		The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.
Agricultural Land	As a neighbouring farmer to this application, I wish to state the below please: 60% Best and Most Versatile Land (BMV) but with 100 years of adding muck I bet its far higher if you tested the soil - put solar on rooftops not on good agricultural land and food security needs prioritising, the population is growing and you cannot make new land	Chapter 15 of the ES **[APP-169]** includes a detailed site-specific assessment of the agricultural land confirming that no more than 60% of the Oakland Farm Area comprises BMV agricultural land. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
Glint and Glare	Glint and Glare issues from the vast solar arrays.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of the Proposed Development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.

Transport	Not one mention of equestrian and farm traffic which the opaque netting which is going to destroy the character of the area, horses use every road as do high tractors, not a mention of the effect on them, this is the breadbasket of South Derbyshire for food production.	The effects of the Proposed Development on horses has been considered in Chapter 10: Transport and Access **[APP-155]** and Chapter 12: Socio-Economics, Tourism and Recreation **[APP-163]** of the ES. The assessment of transport and access effects is not required to distinguish between farming and non-farming traffic and has undertaken an assessment of the effects on the whole transport network. The conclusions of Chapter 10 of the ES found that with mitigation, the construction impacts on all routes would not be significant and range from negligible to minor adverse effects on all road users, including farm traffic.
Landscape and Visual Impact	Detrimental Landscape and Visual Impact on the rural character of the area from solar arrays, containers and high fencing with security cameras and opaque netting – increasing urbanisation of a rural area with coalescence (merging) of small rural villages. Further BESS applications around it now. The size and scale of the development would be out of scale with the landscape and dominate an attractive rural area. I live on a scheduled monument and am next door and have Derbyshire Wildlife sites on the farm adjacent to this, some documentation ignores this. 40 years is a significant period in people's lives and the development would detract from the landscape character and visual amenity.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the proposed solar farm includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including the Site. That context, and the mitigation measures proposed, means

		that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts. The Applicant notes the comment. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station.
Ecology	SDDC voted for an ecology crisis 09/23 not one mention of it in the 211 documents on PINS which stated: "This Council formally declares an ecological emergency in response to the ongoing threat to wildlife and ecosystems. The declaration recognises the essential role that nature plays and provides a statement of intent, to enhance and restore our natural landscape, local wildlife, rivers, streams, water resources, habitats and trees and resist the destruction of such habitats through a considered and sustainable local planning policy. This motion will see the council add ecological considerations, together with any implications, alongside those for climate, sustainability, and nature recovery in our new corporate plan as strategic priorities embedded within all areas of council engagement. The Council will continue to collaborate with our communities, businesses and other organisations, existing networks, and partnerships to improve ecological literacy, encourage greater biodiversity, increase local sustainable food production in order to protect food security, tree planting and management."	Paragraph 6.24 of Chapter 6 of the ES **[APP-135]** acknowledges that SDDC have declared an ecological emergency. It is widely acknowledged that solar farms are able to deliver biodiversity enhancements, and the Proposed Development can make a significant ecological and biodiversity improvement to address the Ecological Emergency declared by the LPA. An OLEMP **[APP-105]** details the mitigation, avoidance and enhancement measures proposed. The Applicant's BNG Report **[APP-131]** found the scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units.
Noise	The hum from the inverters would add to an industrial installation, this area is full of bats, deer, badgers you will displace them.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. Solar developments are generally not significant noise generating developments once operational with the main noise generating activities associated with construction. The ES found that there would be negligible effect when considering all sensitive receptors. No further mitigation is required beyond that already embedded within the design of the Proposed Development. The OOEMP **[APP-091]** includes provisions to ensure that plant is specified to manage noise, with the use of screening, mufflers and silencers to be employed where necessary. The dDCO **[AS-005]** includes a requirement which commits the Applicant to undertaking

		an operational noise assessment prior to any works starting on the Site and submitting that to the LPA for review. The Proposed development includes provision for significant levels of BNG which includes habitat creation and the fencing proposed includes mammal gaps to allow species to continue to move through and around the Site.
Socio-Economic	The loss of livelihoods and income from agricultural contractors, tenant farmers, farm workers and suppliers is not addressed from a large 191ha solar application nor its impact on local villages and amenity. All local landowners and farmers got from this firm and continue to receive letters offering £1000 plus rents per acre, I have a draw of them, it's a joke they looked at other sites!!!	It is proposed that the land within the Site could continue to operate an agricultural use during construction, operation and decommissioning of the Proposed Development. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. Landowners and occupiers (where appropriate) have been contacted with a view to entering into negotiations to acquire land or rights over the Order Land as necessary. An Option Agreement has been agreed with the landowner of Oaklands Farm (the solar array area) and one of the landowners for the route for the underground cable which connects the array site with the connection point at Drakelow Substation, and Heads of Terms have been agreed with the other two landowners for the cable route and Option Agreements are expected to be secured soon. Further details can be found in the Statement of Reasons **[APP-019]** and the Consultation Report **[AS-010]**. Chapter 3 **[APP-086]** of the ES provides details of the approach that has been taken to the site selection and design of the Proposed Development.
Contamination/ Ground Conditions	The PINS documents fail to look at Sub aquifers and boreholes I have both on my farm adjacent to the site with many local streams/brooks/ditches flowing to the nearby rivers Mease and Trent, the BESS installation and potential for lithium-ion pollution into water courses from fire risk is not properly addressed and I am lower than this site and that is dangerous, water flows downhill and down through soil.	Chapters 8 and 9 of the ES **[APP-143 and APP-146]** have assessed the potential effects on aquifers in which it has been determined that that Proposed Development would result in a minor beneficial effect. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates. The tanks would be fitted with automatic control valves which would close in the event of any incident with the BESS or substation and any water contained in order to allow the water to be tested for contaminants and if necessary pumped into a tanker to be taken away from the Site for proper disposal.

		The OBSMP provides further details on the procedure for dealing with potential contamination issues with the BESS and is secured by Requirement 12 in the dDCO **[AS-005]**.
	Diffuse pollution from the 16 month build and temporary (40 plus years!) track is not addressed, a tenant framer is currently being threatened by his landlords over another BESS and this permanent track this application needs, I know all this ground and its a nature area with a peat bog type area and they want to destroy it and the trees/brook next to it.	Diffuse pollution has been assessed at all stages of the Proposed Development. Pollution control and mitigation measures are set out in the OCEMP **[APP-090]**, OOEMP **[APP-091]** and DEMP **[APP-092].** Chapters 9 of the ES **[APP-146]** confirms that there is no peat within the Site.
Transport	The construction phase is 16 months adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Castle Gresley, Drakelow, Rosliston and Coton in the Elms and other surrounding villages, the new routes have not been consulted on and are unenforceable. Farm traffic will not be able to operate and has not even bee mentioned.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that HGVs can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A Construction Traffic Management Plan would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the Application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.

		The conclusions of Chapter 10 of the ES found that with mitigation, the construction impacts on all routes would not be significant and range from negligible to minor adverse effects on all road users, including farm traffic.
	The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. The new Walton Bypass is not built and the Chetwynd bridge at the A513 now has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs to a creaking lack of traffic infrastructure with poorly maintained roads riddled with crater like potholes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the proposed development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES.
	Abnormal loads through rural roads and Coton in the Elms are unacceptable and contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development, the culverts are crumbling now from the HGVs	There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the Site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.
Historic Environment	The historic environment of local conservation areas and heritage assets including listed buildings will be	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**.

	affected by the alien industrial development, they admit that in the documents.	There are no designated heritage assets within the Site itself, with the study work undertaken by the Applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a requirement which commits the Applicant to agreeing an archaeological WSI prior to commencing development, secured by Requirement 18 of the dDCO. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
Agricultural Land	Every existing agricultural land drain will be ripped up by the 2m pile driving of each solar array, leading to a change in water flow and increased flooding and an inability for the land to ever return to agricultural use with nutrients washed out of the soil and drainage decimated, the DEMP leaves cables 1m down stopping any future land drainage on a rare BMV land commodity. As a farmer of 50 years this land could never be returned to farming with the pile driving, nutrients washed out by the water off the panels and soil disturbance at the end to take out the cables. Its £30/m now to lay a hedge in 40 years who is going to lay 11000 m of hedge as you cannot cut a 3m hedge no machine is big enough. It is absolutely clear planners have no understanding of soil and farming and wish to destroy the countryside and starve future generations you do not concrete over and pile drive and put cables underground on BMV or any farmland or put containers on which could pollute the sub aquifers and water courses, the roads flood now and not one SuD or swale is being put in, it is simply about money, I have 2 Ground source heat pumps and two lots of solar on rooftops and it has generated virtually nothing for 9 months after the wettest overcast winter on record. Please note when this was 1st published, I did submit but wish to update that submission please having read	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a FRA. The proposed construction method for the solar panel arrays uses driven steel tube or 'H' piles to form their foundations within the shallow soils/ superficial deposits/ weathered bedrock. These may disturb or break up land drains buried within the Site, however the number of land drains affected is expected to be minimal. Notwithstanding this, this would slow down the transport of water that has infiltrated into the soil and reduce peak run-off in local watercourses. Occasional periods of increased surface water ponding may occur having no effect on the operation of the Site and reduces peak run-off in local watercourses reducing the risk of flooding downstream. In the unlikely event that any significant drainage issue emerges due to construction activity, the Applicant will use a range of measures to rectify the situation (such as sustainable drainage systems, replacing or repairing land drains, etc.). The Proposed Development involves the temporary use of the land for solar for a period of 40 years after which, the Site will be returned to the landowner and would be available for agricultural use. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle hm, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.

	all 211 documents. Many local and elderly residents have contacted me with their veiws, some not on email and who are unable to register their views online, not one resident has been in favour. Please see below my further views:	Chapters 8 and 9 of the ES **[APP-143 and APP-146]** has assessed the potential effects on aquifers in which it has been determined that the Proposed Development would result in a minor beneficial effect.
	60% Best and Most Versatile Land (BMV) but with 100 years of dairy farming adding manure to this ground soil testing would show a higher proportion of BMV land - solar should be on rooftops not on good agricultural land and food security needs prioritising, the population is growing, and you cannot make new land and BMV is a scarce resource. This area is the breadbasket of South Derbyshire for food production.	Chapter 15 of the ES **[APP-169]** includes a detailed site-specific assessment of the agricultural land. Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021.

Glint and Glare	Glint and Glare issues from the vast solar arrays.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.
Transport	Not one mention in the documentation of equestrian, HGVs and farm traffic, horses use every road as do high seated tractors/farm, machinery, the opaque netting, which is going to destroy the character of the area, will not be high enough to cover these high vehicles and should not be used, plastic netting is hardly complying with Climate change and is a major adverse impact on local landscape and character as is 11000m of fencing.	The effects of the Proposed Development on horses has been considered in Chapter 10: Transport and Access **[APP-155]** and Chapter 12: Socio-Economics, Tourism and Recreation **[APP-163]** of the ES. The assessment of transport and access effects is not required to distinguish between farming and non-farming traffic and has undertaken an assessment of the effects on the whole transport network. The conclusions of Chapter 10 of the ES found that with mitigation, the construction impacts on all routes would not be significant and range from negligible to minor adverse effects on all road users, including farm traffic. Temporary screening will be utilised where new planting is proposed to obscure the reflecting solar panels from view prior to the new planting reaching maturity. In terms of fencing, steel palisade security fencing is limited to surrounding the BESS, substation and office and welfare building in the centre of the Site for security and safety reasons and would be up to 3m in height. This type of fencing is limited to this area of the Site and is screened by enhanced existing hedgerows. The remainder of the Site would be secured by deer fencing which comprises 2.1m stock wire mesh deer fencing with wooden posts piled into ground up to 2m including mammal gaps and may utilise a single line of barbed wire. Where additional security is required along Coton Road, wire mesh fencing with steel posts will be installed. Other fencing would be 1.5m post and wire agricultural stock fencing for contain grazing animals within the Site such as sheep. This ensures wildlife can move throughout the Site without restriction.
Landscape and Visual Impact	Detrimental Landscape and Visual Impact on the rural character of the area from solar arrays, containers and high fencing with security cameras and opaque netting – increasing urbanisation of a rural area with coalescence (merging) of small rural villages.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual

	The size and scale of the development would be out of scale with the landscape and dominate an attractive rural area.	Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including within the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts.
Other	I live on a scheduled monument and have Derbyshire Wildlife sites on the farm adjacent to this.	Noted, Chapter 7 of the ES **[APP-139]** concludes there will be no impact on the scheduled monument Chapter 6 of the ES **[APP-135]** has assessed the impact of the Proposed Development on Local Wildlife Sites (LWS). This confirmed there would be no significant effects on any of the LWSs with the exception of Grove Wood LWS and Copperhill Spinney located within and adjacent to the Site where there would be a moderate beneficial effect on two LWSs during the operational phase.
Landscape and Visual Impact	40 years is a significant period in people's lives and the development would detract from the landscape character, historic environment and visual amenity.	The Applicant notes the comment. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station.

Ecology	SDDC voted for an ecology crisis 09/23 not one mention of it in the 211 documents on PINS which stated: "This Council formally declares an ecological emergency in response to the ongoing threat to wildlife and ecosystems. The declaration recognises the essential role that nature plays and provides a statement of intent, to enhance and restore our natural landscape, local wildlife, rivers, streams, water resources, habitats and trees and resist the destruction of such habitats through a considered and sustainable local planning policy. This motion will see the council add ecological considerations, together with any implications, alongside those for climate, sustainability, and nature recovery in our new corporate plan as strategic priorities embedded within all areas of council engagement. The Council will continue to collaborate with our communities, businesses and other organisations, existing networks, and partnerships to improve ecological literacy, encourage greater biodiversity, increase local sustainable food production in order to protect food security, tree planting and management." The hum from the inverters would add to an industrial installation, this area is full of bats, deer and badgers and you will displace them with the noise and fencing.	Paragraph 6.24 of Chapter 6 of the ES **[APP-135]** acknowledges that SDDC have declared an ecological emergency. It is widely acknowledged that solar farms are able to deliver biodiversity enhancements, and the Proposed Development can make a significant ecological and biodiversity improvement to address the Ecological Emergency declared by the LPA. An OLEMP **[APP-105]** details the mitigation, avoidance and enhancement measures proposed. The Applicant's BNG Report **[APP-131]** found the scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units, with biodiversity conservation and net gain to be secured through the OLEMP.
Socio-Economic	The loss of livelihoods and income from agricultural contractors, tenant farmers, farm workers and suppliers is not addressed from a large 191ha solar application nor its impact on local villages and amenity. All local landowners and farmers got from this firm and continue to receive letters offering £1000 plus rents per acre for solar and Bess applications.	It is proposed that existing farms will continue to operate as farms during construction, operation and decommissioning of the Proposed Development. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. This would not result in a loss of livelihood. Landowners and occupiers (where appropriate) have been contacted with a view to entering into negotiations to acquire land or rights over the Order Land as necessary. An Option Agreement has been agreed with the landowner of Oaklands Farm (the solar array area) and one of the landowners for the route for the underground cable which connects the array site with the connection point at Drakelow Substation, and Heads of Terms have been agreed with two other landowners for the cable route and Option Agreements are expected to be secured soon.. Further details can be found in the Statement of Reasons **[APP-019]** and the Consultation Report **[AS-010]**.

Ecology	Biodiversity - the land could be put into BNG, the National Forest or even the ELMS farming schemes to gain the same biodiversity if not more without the urbanisation of the countryside and loss of BMV land. Land is a precious commodity.	The Proposed Development provides an opportunity to deliver significant BNG in comparison to the existing intensive farming practices whilst also delivering infrastructure which has been identified as a Critical National Priority.
Contamination	The PINS documents fail to look at local Sub aquifers and boreholes the BESS installation and potential for lithium-ion pollution into water courses from fire risk is not properly addressed, fire engines struggle to access this area due to the width restrictions on the river Trent crossings.	Chapters 8 and 9 of the ES **[APP-143 and APP-146]** has assessed the potential effects on aquifers in which it has been determined that the Proposed Development would result in a minor beneficial effect. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates. The tanks would be fitted with automatic control valves which would close in the event of any incident with the BESS or substation and any water contained in order to allow the water to be tested for contaminants and if necessary pumped into a tanker to be taken away from the Site for proper disposal. The OBSSMP provides further details on the procedure for dealing with potential contamination issues with the BESS and is secured by Requirement 12 in the dDCO.
	Diffuse pollution from the 16 months build and temporary (40 plus years) track is not addressed, a tenant farmers land needed for the new access this application needs is currently under pressure by their out of area Landlord. A BESS has been consulted on next to this track and brook, the land adjacent is a nature area with a peat bog type area.	Diffuse pollution has been assessed at all stages of the Proposed Development. Pollution control and mitigation measures are set out in the OCEMP **[APP-090]**, OOEMP **[APP-091]** and ODEMP **[APP-092].** Chapters 9 of the ES **[APP-146]** confirms that there is no peat within the Site.
Transport	The construction phase is 16 months adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Castle Gresley, Drakelow, Rosliston and Coton in the Elms and other surrounding villages, the new routes have not been consulted on and are unenforceable. Farm traffic will not be able to operate and has not even been mentioned.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements.

	The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control. As part of the traffic and transport assessments to assess potential impacts, the Applicant conducted traffic counts on routes relevant to the Proposed Development, which captured farm traffic and other road users, and the conclusions drawn from the assessment therefore considers all forms of traffic on the local road network. The conclusions of Chapter 10 of the ES found that with mitigation, the construction impacts on all routes would not be significant and range from negligible to minor adverse effects on all road users, including farm traffic.
The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. The new Walton Bypass is not built and the Chetwynd bridge at the A513 now has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs to a creaking lack of traffic infrastructure with poorly maintained roads riddled with crater like potholes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the proposed development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also

		exist should the bypass not be in place during the construction phase, and are detailed in the ES.
	Abnormal loads through rural roads and Coton in the Elms are unacceptable and contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development, the culverts are crumbling now from the HGVs	There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the Site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.
Flood Risk	The roads around this site have been under water for the last 8 months in particular Coton road, when the land drains are all smashed with the pile driving and the ditches are no longer cleaned as it is not farmed the flooding will become worse, the NSIP documents fail to address this issue in any way.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA) **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and Substation will be bunded and lined and all surface water will be drained to an underground attenuation tank with pollution control devices in the form of valves will be fitted to the tank outfall. Water would be released at a rate equivalent to the existing greenfield runoff rate of 13.7l/s and 6l/s at the BESS and substation respectively. The ES found there to be negligible or minor beneficial effects on flood risk once the Proposed Development is operational.
Historic Environment	The historic environment of local conservation areas and heritage assets including listed buildings will be affected by the alien industrial development.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself, with the study work undertaken by the applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent

		Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a Requirement (18) which commits the Applicant to agreeing an archaeological WSI prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
Agricultural Land	Every existing agricultural land drain will be ripped up by the 2m pile driving of each solar array, leading to a change in water flow and increased flooding and an inability for the land to ever return to agricultural use with nutrients washed out of the soil and drainage decimated, the DEMP leaves cables 1m down stopping any future land drainage on a rare BMV land commodity. It is £30/m now to lay a hedge in 40 years who is going to lay 11000 m of hedge as you cannot cut a 3m hedge no machine is big enough, by then it will be thin and need management to return to BMV land.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA). The proposed construction method for the solar panel arrays uses driven steel tube or 'H' piles to form their foundations within the shallow soils/ superficial deposits/ weathered bedrock. These may disturb or break up land drains buried within the Site, however the number of land drains affected is expected to be minimal. Notwithstanding this, this would slow down the transport of water that has infiltrated into the soil and reduce peak run-off in local watercourses. Occasional periods of increased surface water ponding may occur having no effect on the operation of the Site and reduces peak run-off in local watercourses reducing the risk of flooding downstream. In the unlikely event that any significant drainage issue emerges due to construction activity, the Applicant will use a range of measures to rectify the situation (such as sustainable drainage systems, replacing or repairing land drains, etc.). The Proposed Development involves the temporary use of the land for solar for a period of 40 years after which, the land will be returned to the landowners and it will be again available for agriculture. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.
Decommissioning	Decommissioning - if this proposal proceeds a bond should be set up now to reinstate the land to hedgelay the 11000m hedge, put new land drains in the entire area including the track and mains cable to Drakelow.	The ODEMP **[APP-092]** secured via Requirement 22 of the dDCO **[AS-005]** places a legal obligation on the operator to ensure that the Site is properly decommissioned and returned to an appropriate condition in accordance with a Decommissioning Environmental

	The current infrastructure crisis around sewage in rivers and investment firms putting profits/shareholder dividends before infrastructure could happen in 40 years with these vast solar firms – whose responsibility if the firm dissolved would it be to decommission?	Management Plan and Decommissioning Traffic Management Plan submitted to and approved by the LPA.

4.3 ROSLISTON PARISH COUNCIL

DTHEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	Concern over removal of agricultural and animal farm land.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. Animals, such as sheep, can graze under solar panels and this can lead to betterment compared to normal grazing conditions
Transport	Concern over the construction phase with narrow county lanes, not suitable for HGV.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way

movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements.

The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options.

- Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road
- Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes.
- Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others.

The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts.

Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES.

There will be minimal operational movements associated with the solar farm. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the Application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.

		There will be up to two abnormal indivisible loads to be delivered to Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. It is appreciated that during the construction period levels of vehicle use on the roads leading to the Site will increase. That will be for a temporary period, with various routes available and with careful management of those movements proposed through the CTMP to minimise the impacts of those vehicles and to ensure that they do not have significant effects on the surrounding road network. Decommissioning vehicle routes will be confirmed within the final Decommissioning Environmental Management Plan **[APP-092]** which will include a Decommissioning Traffic Management Plan. This is secured through Requirement 22 of the dDCO **[AS-005].**

4.4 COTON-IN-THE ELMS PARISH COUNCIL

FTHEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	Best and Most Versatile Land (BMV) - put solar on rooftops not on good agricultural land and food security needs prioritising.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context.

		The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
Glint and Glare	Glint and Glare issues from the vast solar arrays.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.

Landscape and Visual Impact	Detrimental Landscape and Visual Impact on the rural character of the area from solar arrays, containers and 3m high fencing with security cameras – increasing urbanisation of a rural area with coalescence (merging) of small rural villages. The size and scale of the development would be out of scale with the landscape and dominate an attractive rural area. 40 years is a significant period in peoples lives and the development would detract from the landscape character and visual amenity.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. Impacts on landscape and visual amenity have been minimised where possible with mitigation proposed as set out in the OLEMP **[APP-105].**
Noise	The hum from the inverters would add to an industrial installation.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. Solar developments are generally not significant noise generating developments once operational with the main noise generating activities associated with construction. The ES found that there would be negligible effects when considering all sensitive receptors. No further mitigation is required beyond that already embedded within the design of the Proposed Development. The OOEMP **[APP-091]** includes provisions to ensure that plant is specified to manage noise, with the use of screening, mufflers and silencers to be employed where necessary. The dDCO **[AS-005]** includes a requirement which commits the Applicant to undertaking an operational noise assessment prior to any works starting on the Site and submitting that to the LPA for review.
Transport	At consultation, the construction phase was 16 months adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Drakelow, Walton on Trent, Rosliston and Coton in the Elms and other surrounding villages	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 HGVs and 67 Light vehicle movements. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are

		routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.
	The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. The new Walton Bypass is not built and the Chetwynd bridge at the A513 now has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs to a creaking lack of traffic infrastructure with poorly maintained roads riddled with crater like potholes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the proposed development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase and are detailed in the ES.
	Abnormal loads through rural roads and Coton in the Elms are unacceptable and contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development.	There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel

		to the Site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.
Historic Environment	The historic environment of local conservation areas and heritage assets including listed buildings will be affected by the alien industrial development.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself, with the study work undertaken by the Applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a Requirement 18 which commits the Applicant to agreeing an archaeological WSI prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
Flood Risk	Every existing agricultural land drain will be ripped up by the pile driving of each solar array, leading to a change in water flow and increased flooding and an inability for the land to ever return to agricultural use with nutrients washed out of the soil and drainage decimated.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA). The proposed construction method for the solar panel arrays uses driven steel tube or 'H' piles to form their foundations within the shallow soils/ superficial deposits/ weathered bedrock. These may disturb or break up land drains buried within the Site, however the number of land drains affected is expected to be minimal. Notwithstanding this, this would slow down the transport of water that has infiltrated into the soil and reduce peak run-off in local watercourses. Occasional periods of increased surface water ponding may occur having no effect on the operation of the Site and reduces peak run-off in local watercourses reducing the risk of flooding downstream. In the unlikely event that any significant drainage issue emerges due to construction activity, the Applicant will use a range of measures to rectify the situation (such as sustainable drainage systems, replacing or repairing land drains, etc.). The proposed development involves the temporary use of the land for solar for a period of 40 years, after which, the land will be returned to the landowner and it will be again available for agriculture. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification.

		Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.

4.5 BARTON-UNDER-NEEDWOOD PARISH COUNICL

DTHEME	COMMENT	APPLICANT RESPONSE
Other	To the best of our knowledge this is the first time we have been consulted on this proposal.	As set out in the Consultation Report **[AA-010]** Barton-under-Needwood Parish Council is a consultee on the Key Stakeholder List **[APP-023]** and has been consulted at the various stages prior to the submission of the Application. Barton-under-Needwood Parish Council then provided a response to the additional informal targeted consultation period which commenced on 9 March 2023 and closed on 21st April 2023.
Agricultural Land	From what we have read about the national guidance for solar farms, we understand that it favors previously developed, brownfield sites, industrial land and low grade agricultural land. There appears to have been no consideration of such alternative previously developed locations and their reasons for rejection before focusing on this present site. We understand the convenience of the National Grid hub nearby at the former Drakelow coal fired power station. That site is brownfield as is the nearby former Willington power station site also with National Grid connection.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield site and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the

		use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation.
	We, therefore, do not know the justification for this particular site, and why greenfield land is the only option. We do not know the agricultural classification of this agricultural land. There appears to be no information about whether even with the solar farm any continued agricultural use might be viable, including any opportunity to improve biological diversity with suitable planting within the site;	The justification for the site selection is set out Chapter 3 of the ES **[APP-086]**. The total area of Best and Most Versatile Land extends to 115 ha of the Oaklands Farm Area (60%). The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. Animals, such as sheep, can graze under solar panels and this can lead to betterment compared to normal grazing conditions. Details of grazing is set out in the OLEMP **[APP-105]** as well as other landscape and biodiversity enhancements. The Applicant's BNG Report **[APP-131]** found the scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units, with biodiversity conservation and net gain to be secured through the OLEMP.
	As the country is currently experiencing a cost of living crisis with food inflation at a very high level, with imported food shortages much more an issue now that at this time in 2022, we would have thought that there was a priority to retain as much agricultural land as possible. We also support the move to be carbon neutral and, therefore, we feel that this proposal raises the question about how do you make a decision between two laudable objectives. The information we have received and read relates to the practicalities of the proposal and there is very little about its justification and, as a consequence, why solar power should be given precedence over an agricultural use;	The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 . National Policy Statement EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure including solar generation. It is also confirmed there is an urgent need for CNP Infrastructure which is key for the Government to achieve their energy objectives and Net Zero. It further adds that, it is likely that the need case for CNP Infrastructure will outweigh the residual effects in all but the most exceptional cases. In addition, as the Applicant reiterates in its response to the First Written Questions, it has been acknowledged by the Government and others that it is climate change which presents a significant challenge to agriculture and food production, something which the Proposed Development seeks to address.

	We understand that solar farms are intended to be temporary structures and can be removed when no longer in use or required. In the light of the nation's need for food we were wondering if conditions could be attached to Development Consent Orders so that there was some flexibility to revert all or part of the site to agriculture should it be required in the national interest;	The dDCO makes provision for the Proposed Development to be decommissioned after a forty year operational period. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site so that the land can be returned to an appropriate condition following decommissioning. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.
Glint and Glare	Whilst we assume that most panels will be south facing, can they be maneuvered so as to face the sun as a means of capturing the optimum energy at any point in time? If that is the case, then is the sun's reflection on the panels likely to cause health and safety problems or hazards? We are mindful of the village being located to the west of the site;	The position of the solar panels will be fixed and orientated for maximum efficiency. Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the Outline Landscape and Ecological Management Plan **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.
Security	Is there likely to be any issues regarding security fencing and any light pollution? We are aware of a solar farm at Tutbury, for example, which seems to use drones for surveillance purposes. Will that be the case in this location?	The Proposed Development will be secured with fencing and gates, and will employ minimal lighting for security and personnel safety at specific operational points only, such as site entrances, and the BESS and Project Substation located in the centre of the Proposed Development. No light pollution issues are anticipated. The BESS and Project Substation would be surrounded by steel palisade security fencing of up to 3m high for added security and protection from high voltage electrical infrastructure. All access points will be secured with appropriate metal gates and security measures to prevent unauthorised access. In addition, CCTV would be installed at appropriate locations around the Proposed Development with the CCTV to be mounted on 3.51m poles. Security lighting will be downward facing with minimal The remainder of the Site is secured by deer fencing which comprises 2.1m stock wire mesh deer fencing with wooden posts piled into ground up to 2m including mammal gaps and may utilise a single line of barbed wire. Where additional security is required along Coton Road, wire mesh fencing with steel posts will be installed. Drones are not intended to be used for surveillance purposes.

Community Benefits	Recently Government politicians supporting fracking, for example, have suggested that there may be some local cost benefits in terms of reduced energy bills for those communities supporting such proposals. Whilst we note the community benefits fund to support local projects, could the wider benefits of the proposal to the particular local area be more clearly delineated?	In addition to the annual community benefit of £55k committed to by the Applicant, the local community would also benefit from: • Production of clean renewable electricity which would make a significant contribution to local and national Climate Emergency goals; • 125% biodiversity improvement in habitat units across the Site; • Hedgerow planting & improved management; • Improving grasslands and wildflowers; • Improving links between existing paths and PRoW; • New permissive path during the operational phase; • Creation of approximately 150 jobs created during the construction phase; • Local contracting opportunities - fencing, civil works, testing & commissioning; • Direct, indirect and induced effects for local businesses & payment of business rates; and • Continued agricultural use of the Site through grazing of sheep between the rows of solar panels.
Public Rights of Way	We understand the footpaths in the area of the site are popular with walkers from Barton. We see on your landscaping strategy plan that the public rights of way are marked. We presume therefore that they will be retained and would like reassurance on this.	Chapter 11 of the ES **[APP-163]** has assessed the potential effects on the PRoW network. The Site has been chosen to avoid direct impacts on the PRoW network where possible. The only PRoW on the Site is the Cross Britain Way, which is also a Long Distance Path, and crosses a short section of the Site from east to west. The OCEMP **[APP-090]** sets out how the Cross Britain Way will be managed during the construction period. A new permissive path will connect the PRoW at the south of the Site to the wider PRoW Network to the east and to the Cross Britain Way. No routes will be diverted, stopped-up or replaced. The OLEMP **[APP-105]** provides detail of the proposed mitigation, avoidance and enhancement measures for the Cross Britain Way and new permissive path.

Transport	We assume that the proposal for the solar farm was partly predicated on the construction of the Walton bypass as a means of mitigating the impact of both Construction operational traffic. As a local Parish Council, we are particularly concerned at a noticeable increase in through traffic in the village in recent years. Please can you provide any assurances the construction or operational traffic will not use our village? The necessary delay to the construction of the Walton Bypass and associated river crossing and the restrictions on the A513 Chetwynd Bridge at Alrewas will require heavy construction traffic to approach the site through already largely unsuitable rural roads within South Derbyshire.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the Application, and which would contain measures to minimise impacts from vehicle

		movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control. No construction traffic will route via Barton-under-Needwood. Once operational, the Proposed Development will be largely self-operational given the automated nature of the infrastructure. On that basis, the traffic associated within the operational phase of the Proposed Development will be far less than the construction phase and will only be associated with a small number of scheduled maintenance trips, such as grass cutting and infrastructure check-ups, and emergency trips (as required). These trips will be undertaken by light vehicles such as cars and vans and will not result in intense activity. Therefore, whilst unlikely, operational traffic through or from Barton-under-Needwood cannot be entirely avoided.

4.6 DRAKELOW PARISH COUNCIL

THEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	Solar installation should be on brownfield/contaminated land which is extand locally.	The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore, does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation.
	Best and Most Versatile Land (BMV) - loss of good agricultural land is not welcome while use for food security is paramount	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land

		in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
Landscape and Visual Impact	Detrimental Visual Impact on the rural character of the area from solar arrays, containers and 3m high fencing with security cameras – increasing urbanisation of a rural area with coalescence (merging) of small rural villages. The size and scale of the development would be out of scale with the landscape and dominate an attractive rural area. 40 year life for project unacceptable	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting.

		The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts. The Applicant notes the comment. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station..
Transport	At consultation, the construction phase was 16 months adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Drakelow, Walton on Trent, Rosliston and Coton in the Elms and other surrounding villages.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts.

		There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.
	The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. The new Walton Bypass is not built and the Chetwynd bridge at the A513 now has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs to a creaking lack of traffic infrastructure with poorly maintained roads riddled with crater like potholes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES.
	Abnormal loads through rural roads and Coton in the Elms are unacceptable and contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development.	There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the Site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.

Historic Environment	The historic environment of local conservation areas and heritage assets including listed buildings will be affected by the alien industrial development.	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself, with the study work undertaken by the Applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a Requirement 18 which commits the Applicant to agreeing an archaeological WSI prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction.
Flood Risk	Real expectation of further increase in local flooding from run-off	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a FRA **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates.

4.7 LULLINGTON PARISH COUNCIL

DTHEME	COMMENT	APPLICANT RESPONSE
	The significant loss of best & most versatile agricultural land (BMV) – A status applicable to some 60% of the land affected by the proposal and hugely concerning in the context of the need for increased food security and the expansion of more environmentally sustainable farming methods.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .

	Inadequate proposed decommissioning activity to enable affected land to be returned to BMV at the end of the stated project life making the loss referred to at 1 effectively permanent.	The Site is required to be returned to an appropriate condition once the Proposed Development reaches the end of its operational life. This will be controlled by the Decommissioning Environmental Management Plan (DEMP) **[APP-092]** which is secured through Requirement 22 of the dDCO **[AS-005]**.
	The risk of an overseas investor extracting profits from the UK throughout the operational life of the project and failing to fund the extensive decommissioning costs at the end of the project.	The Applicant has provided a Funding Statement **[APP-020]** which confirms the Applicant is the wholly owned subsidiary of BayWa r.e. UK Limited ("BayWa"), a company incorporated in England and Wales with company number 07538870. Requirement 22 of the dDCO legally commits the operator of the Proposed Development to decommission it at the end of the operational lifetime.
	The significant landscape and visual impact of the development (exacerbated by the enormous scale and 40 year duration of the proposal). The increased urbanisation of the countryside.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through

		the area, including the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts. The Applicant notes the comment. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station.
	The increased risk of local flooding in an already vulnerable area	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a FRA **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates.
	The risk of groundwater contamination from lithium battery storage	During operation, there would be a low risk of contamination. No hazardous materials would be stored on-site and the only risk of contamination would be from the BESS should a fire break out. The BESS is set within a bunded slab which drains to a pollution-controlled attenuation tank to contain any contaminated water in the event of a fire. The OBSMP **[APP-093]** provides further details on the procedure for dealing with potential contamination issues with the BESS and is secured by Requirement 12 in the dDCO **[AS-005]**.
	The glint and glare impact of the project and unacceptable impact of proposed mitigation	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.

	The absence of suitable and safe transport links to enable the project.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle

		movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control. There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. It is appreciated that during the construction period levels of vehicle use on the roads leading to the Site will increase. That will be for a temporary period, with various routes available and with careful management of those movements proposed through the CTMP to minimise the impacts of those vehicles and to ensure that they do not have significant effects on the surrounding road network. Decommissioning vehicle routes will be confirmed within the final Decommissioning Environmental Management Plan **[APP-092]** which will include a Decommissioning Traffic Management Plan. This is secured through Requirement 22 of the dDCO **[AS-005].**
	Widespread concerns regarding the environmental and geo-political impacts of large scale solar installations associated with the mining of lithium for the associated battery storage and the questionable human rights and environmental standards of overseas panel producers.	The Applicant strongly condemns the use of forced labour, and all unethical working practices, and is fully committed to the ethical sourcing of all its products and services, and strongly believes that industry-wide effort and political engagement is needed to improve the situation. The Applicant is engaged in multiple workstreams with the objective of gaining more transparency regarding upstream supply chains. This includes close collaboration with trade associations, including SolarPower Europe and others. The Applicant firmly supports their efforts to establish genuine transparency in the supply chain and to take meaningful and sector-wide steps, through access to supply regions and by performing audits to ensure the current lack of transparency is replaced by confidence that forced labour does not exist anywhere in global solar supply chains.
	A further, more general, concern is an apparent lack of a clear national strategic and planning framework regarding the tradeoff between the mutually exclusive priorities of green energy and green food production.	The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021.

		National Policy Statement EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure including solar generation. It is also confirmed there is an urgent need for CNP Infrastructure which is key for the Government to achieve their energy objectives and Net Zero. It further adds that, it is likely that the need case for CNP Infrastructure will outweigh the residual effects in all but the most exceptional cases. In addition, as the Applicant reiterates in its response to the First Written Questions, it has been acknowledged by the Government and others that it is climate change which presents a significant challenge to agriculture and food production, something which the Proposed Development seeks to address.

4.8 NETHERSEAL PARISH COUNCIL

DTHEME	COMMENT	APPLICANT RESPONSE
Other	We would like to register to be able to be involved as the application progresses. I would like to formally register an objection from Netherseal Parish Council.	The Applicant notes this Relevant Representation but that no detail has been provided for the objection. The Applicant therefore refers Netherseal Parish Council to its responses within this document that may address its concerns.

4.9 OVERSEAL PARISH COUNCIL

THEME	COMMENT	APPLICANT RESPONSE
Agricultural Land	A large proportion of the proposed site is Best and Most Versatile Land and use of agricultural land of this quality should be wholly retained for food production.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area).

		An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
	It is highly unlikely that the land could return to agricultural use in 40 years time.	The Site is required to be returned to an appropriate condition once it reaches the end of its operational life. This will be controlled by the Decommissioning Environmental Management Plan (DEMP) **[APP-092]** which is secured through Requirement 22 of the dDCO **[AS-005]**. Once decommissioning has been completed, the landowner will decide how to use the land. Via signed land agreements, the Applicant is committed to returning the land to a similar condition (including sub-soil) as prior to development, and therefore, the landowner has the ability (should they choose) to return the land to agricultural use.
	Solar panels should be placed on rooftops and/or brownfield sites.	The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation.
Transport	Without a new bridge across the Trent, it is inevitable that construction traffic will use the A444 which dissects villages, such as Overseal. A number of other industrial developments has meant that the A444 has recently seen a significant increase in HGV traffic such	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road

	that it is now at capacity and it is believed the road surface itself is substandard for this type of traffic.	• Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES. Both the Preferred route and Likely routes avoid the A444 with the Likely route using the southern arm of the St Peters Roundabout at Stapenhill. The back up route includes a short section of the A444 between the M42 and Gorsey Lane avoiding Overseal. The back up route would only be used while the preferred and likely routes are not available with construction vehicle routing reverting at the earliest opportunity. The back up route will also be used for abnormal indivisible loads. However, there will be up to two abnormal indivisible loads to be delivered to site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. The OCTMP **[APP-148]** contains an abnormal load assessment which identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). The proposed Abnormal load route is Route 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the site via local, low trafficked, rural routes. The Indicative Abnormal Load Swept Path Analysis **[APP-154]** confirms that a reference vehicle, can navigate the proposed route safely.

4.10 STAPENHILL PARISH COUNCIL

DTHEME	COMMENT	APPLICANT RESPONSE
	The strain caused by vehicles traversing the roads through Stapenhill is exacerbated by the heavy presence of HGVs and LGVs, which already overwhelm the area.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.
	Despite its designated 7.5-tonne limit, the road serves as the sole access route to the area, albeit with exceptions for essential access. Additionally, it is subject to speed restrictions, featuring speed bumps, three pedestrian crossings, and is surrounded by vital institutions such as schools, nurseries, care homes, and predominantly residential areas along its path.	The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts.
	We strongly advocate for delaying the implementation of this project until the proposed new bridge link from the A38 through Drakelow is fully realized.	Use of the Walton Bypass and new bridge is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered before the end of 2025, so would available during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES. These are summarised as • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road

		• Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others.

4.11 HEATHER WHEELER MP

4.11.1 The Applicant notes that following the July 2024 General Election the MP for the South Derbyshire Constituency is now Samantha Niblett (Labour) but has responded to the Representation submitted.

THEME	COMMENT	APPLICANT RESPONSE
	This application would turn a rural site into an industrial one.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site, secured via the OLEMP. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time

		to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts.
	This application is inappropriate in the countryside	NPS EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure such as solar development. National policy therefore establishes a presumption in favour of granting consent for that infrastructure and that is the starting point from which this Application has to be assessed.. It is inevitable that development in the countryside is required to deliver up to 70GW of solar energy by 2035. Therefore, the Proposed Development is not considered to be inappropriate by definition in the countryside.
	This application loses valuable farming land and with the need for National food security this is not the appropriate site for a solar development	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission

		and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 - https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 .
	The site should be moved to the industrial zoned land on the Drakelow village site, immediately nest to power substation for safety purposes.	The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation.

5 APPLICANT'S RESPONSE TO THE MEMBERS OF THE PUBLIC RELEVANT REPRESENTATIONS

5.1 AGRICULTURAL LAND

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-01	RR-001, RR-006, RR-008, RR-009, RR-010, RR-018, RR-019, RR-020, RR-022, RR-023, RR-025, RR-028, RR-029, RR-030, RR-031, RR-032, RR-034, RR-043, RR-047, RR-065, RR-067, RR-078, RR-082, RR-088, RR-095, RR-101, RR-104, RR-105, RR-106, RR-107, RR-108, RR-110, RR-112, RR-116, RR-119, RR-121, RR-127, RR-135, RR-138, RR-141, RR-144, RR-146, RR-148, RR-151, RR-153, RR-158, RR-161, RR-169, RR-170, RR-177, RR-178, RR-179, RR-182, RR-184, RR-187, RR-189, RR-195, RR-203, RR-204, RR-209, RR-213, RR-215, RR-217, RR-218, RR-228, RR-231, RR-235, RR-238, RR-239, RR-241, RR-243, RR-245, RR-253, RR-256, RR-258, RR-268, RR-273, RR-280, RR-281, RR-286, RR-290, RR-298, RR-302, RR-309, RR-313, RR-315, RR-317, RR-319, RR-324, RR-325, RR-326, RR-327, RR-328, RR-330	Loss of good/excellent quality farmland, loss of Best and Most Versatile (BMV) agricultural land.	Agricultural land is graded depending on the quality of the soil. Grades 1, 2 and 3a are defined as 'Best and Most Versatile' (BMV) agricultural land. The total area of BMV land within the Oaklands Farm Area (which contains the proposed solar PV panel array, BESS, substation and other ancillary elements) extends to 115 ha (60% of the Oaklands Farm Area). An estimated 3.7 million ha (42%) of agricultural land in England comprises of BMV land. The 115 ha of BMV land within the Oaklands Farm Area represents 0.003% of the BMV land in England (1/33,300th of the total). Therefore, the temporary loss of 115ha is insignificant in the national context. The Proposed Development also represents a negligible amount of BMV agricultural land within Derbyshire, of some 0.066%, and some 0.5% of the BMV land available within South Derbyshire. After 40 years the site will be returned to similar condition enabling the Site to be used for agricultural use. An Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** to ensure the quality of the soil is maintained.

P-02	RR-001, RR-006, RR-008, RR-009, RR-010, RR-019, RR-020, RR-022, RR-023, RR-025, RR-028, RR-029, RR-030, RR-031, RR-032, RR-034, RR-043, RR-047, RR-065, RR-067, RR-078, RR-082, RR-088, RR-095, RR-101, RR-104, RR-105, RR-106, RR-107, RR-108, RR-110, RR-112, RR-119, RR-121, RR-127, RR-135, RR-138, RR-141, RR-144, RR-146, RR-148, RR-151, RR-153, RR-158, RR-161, RR-169, RR-170, RR-177, RR-178, RR-179, RR-182, RR-184, RR-187, RR-189, RR-195, RR-203, RR-204, RR-209, RR-213, RR-215, RR-217, RR-218, RR-228, RR-231, RR-235, RR-238, RR-239, RR-241, RR-243, RR-245, RR-253, RR-256, RR-258, RR-268, RR-273, RR-280, RR-281, RR-286, RR-290, RR-298, RR-302, RR-309, RR-313, RR-315, RR-317, RR-319, RR-324, RR-325, RR-326, RR-328, RR-330	Solar panels should be provided on brownfield land. Solar panels should be fitted on existing rooftops, such as the warehouses and industrial buildings along the A38 to the north and south of Burton. Solar should also be installed on motorway verges, car park covers, factory rooves, and railway embankments rather than agricultural land. Solar should be installed on housing. This should be mandatory.	The Government's strategy includes delivering solar energy on brownfield sites and rooftops but this only forms part of the strategy. National Policy Statement EN-3 recognises that the use of some agricultural land to deliver projects of a nationally significant scale is inevitable and therefore does not prohibit the use of BMV agricultural land for the development of ground mounted solar arrays in its aim to deliver up 70GW of solar generation. The Applicant agrees that a range of options, including both ground and building mounted panels, will be needed as the UK moves towards its net zero targets. Large scale ground mounted solar will play a key role in delivering the growth in solar energy being sought in the UK.
P-03	RR-006, RR-008, RR-009, RR-010, RR-019, RR-022, RR-025, RR-028, RR-031, RR-065, RR-067, RR-078, RR-088, RR-095, RR-101, RR-105, RR-106, RR-107, RR-108, RR-110, RR-116, RR-119, RR-121, RR-127, RR-135, RR-141, RR-146, RR-148, RR-151, RR-153, RR-170, RR-182, RR-213, RR-215, RR-217, RR-238, RR-239, RR-241, RR-243, RR-253, RR-256, RR-258, RR-273, RR-281, RR-298, RR-	The loss of agricultural land will compromise UK food security. Food security needs to be prioritised and locally produced food is critical to feeding the country.	The Applicant's position is that the UK does not have an identified food security concern. There is no mandate to farmers which requires land to be used for food production. Climate change is one of the biggest threats to food security, something which solar schemes are directly seeking to tackle. This was made clear by the Secretary of State for Energy Security and Net Zero on 18 July 2024 - https://hansard.parliament.uk/commons/2024-07-18/debates/1B2ABCB9-1455-4C86-8E2F-5E763B38E888/CleanEnergySuperpowerMission and set out in the UK Food Security Index 2024 (May 2024) - https://www.gov.uk/government/publications/uk-food-security-index-2024, Government Food Strategy (June 2022) - https://www.gov.uk/government/publications/government-food-strategy and UK Food Security Report 2021 -

	309, RR-313, RR-315, RR-319, RR-324, RR-326, RR-330		https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021 . National Policy Statement EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure including solar generation. It is also confirmed there is an urgent need for CNP Infrastructure which is key for the Government to achieve their energy objectives and Net Zero. It further adds that, it is likely that the need case for CNP Infrastructure will outweigh the residual effects in all but the most exceptional cases. In addition, as the Applicant reiterates in its response to the First Written Questions, it has been acknowledged by the Government and others that it is climate change which presents a significant challenge to agriculture and food production, something which the Proposed Development seeks to address. Given the Proposed Development represents 0.003% of the national BMV agricultural land this will have an insignificant impact in the national context with an overwhelming benefit in favour of the provision of the CNP Infrastructure.
P-04	RR-008, RR-025, RR-029, RR-058, RR-078, RR-088, RR-093, RR-096, RR-110, RR-116, RR-133, RR-136, RR-146, RR-153, RR-164, RR-189, RR-190, RR-195, RR-216, RR-217, RR-222, RR-223, RR-233, RR-243, RR-245, RR-253, RR-289, RR-303, RR-308, RR-313, RR-315, RR-316, RR-319	An inability/unlikeliness for the land to ever return to agricultural use with nutrients washed out of the soil and drainage damaged. Development will result in soil degradation	The Proposed Development involves the temporary use of the land for solar for a period of 40 years after which, the Site will be returned to the landowner and it will be again available for agriculture. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted OCEMP **[APP-090]** and the ODEMP **[APP-092]**.
P-05	RR-054	Whilst many will object due to it utilising agricultural land, the affected landowners must feel that this use for	Noted. The Proposed Development forms part of a wider diversification plan for the farms to ensure the long term viability of the farms.

		the land makes better sense to them than it remaining fulfilling its current use	
P-06	RR-068	The land, while valuable, may not be as critical to food production as perceived. Moreover, solar farms have been shown to coexist with agricultural practices, including grazing and pollinator habitats, suggesting that land use can be multifaceted and beneficial in more ways than one.	Noted. The 115 ha of BMV land within the Site represents 0.003% of the national resource of 3.7 million ha in active agricultural use. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification.
P-07	RR-110, RR-158, RR-181, RR-243	The land will not be used to graze sheep, cattle and others Experts have dismissed any notion that animals can happily graze underneath solar panels as completely false.	The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. Animals, such as sheep, can graze under solar panels and can lead to betterments to normal grazing conditions.
P-08	RR-122	What is the impact of the loss of the wheat / animal feed currently cultivated on this land what is the impact on animal welfare if the dairy herd is still kept there will they be kept indoors 24/7	The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. The dairy herd is mostly housed and only a proportion of the animals graze the land. These are usually the low-yielding cows, which graze grassland adjacent to the farmyard
P-09	RR-129	Rely on farming for food/agriculture/wildlife/environment	The Proposed Development comprises 115 ha of BMV land within the Site which represents 0.003% of the national resource of 3.7 million ha in active agricultural use. The Proposed Development would have a negligible impact on food security and agriculture and will result in a BNG of some 125.07% in habitat units, 20.35% of hedgerow units and 19.82% in river units as set out in the BNG Assessment Report at Appendix 6.12 of the ES **[APP-131]**.

5.2 AMENITY

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-10	RR-001, RR-019, RR-029, RR-042, RR-047, RR-056, RR-058, RR-067, RR-095, RR-100, RR-101, RR-112, RR-114, RR-117, RR-122, RR-123, RR-135, RR-136, RR-164, RR-166, RR-170, RR-186, RR-195, RR-197, RR-237, RR-243, RR-248, RR-261, RR-287, RR-300, RR-309	Loss of amenity and adverse impact on quality of life. Loss of peace, quiet and tranquillity.	Once operational, the Proposed Development will not adversely impact the quality of life or result in the loss of amenity, peace or tranquillity. Any adverse impacts during the construction and decommissioning periods are temporary and short-term and would be carefully managed. The Proposed Development does not generate a significant level of activity once operational. Impacts relating to glint and glare, landscape and visual amenity and noise are discussed in later sections but there are no residual adverse impacts for these matters.
P-11	RR-117, RR-151, RR-165, RR-181	Loss of privacy. CCTV is highly intrusive. Too close to houses.	CCTV would be installed at appropriate locations around the Site, with the CCTV to be mounted on 3.51m poles. This is vital to ensure security and safety of the Proposed Development. None of the CCTV will overlook private residential land and will not be located close to any houses. The final details and location of CCTV will be approved by the LPA via Requirement 5 of the dDCO **[AS-005].**

5.3 ALTERNATIVES

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE

P-12	RR-082	Failure to adequately justify the site selection. It claims that the site will have no overriding environmental constraints (eg: land use, impact on communities and safe access points) but these reasons have not been sufficiently proven.	Chapter 3 of the ES **[APP-086]** explains the site selection and design process which have sought to use the land available in the most efficient and effective way to generate electricity, whilst minimising the loss of agricultural land. The ES has assessed the impact of the Proposed Development on a wide range of factors.
P-13	RR-082	The stated survey area for other suitable sites of only 10km is unrealistically limiting, especially coming from for a global company with offices throughout the UK.	The Proposed Development is located on a single site, close to an existing grid connection, which is capable of making an important but proportionate contribution to solar generation needed in the UK. Solar generation can only be delivered where there is capacity at existing grid connection points, such as at Drakelow Substation. The 10km search radius was implemented once the substation at Drakelow was identified as an available Grid Connection Point. While the Applicant identified that a grid connection of more than 4km would be uneconomical, a search radius of 10km was selected as being sufficient to ensure a range of potential options could be considered. Chapter 3 of the ES **[APP-086]** explains the site selection in detail.
P-14	RR-082, RR-195, RR-213	The reason for selecting this site is the applicant found landowners near to Drakelow substation that were willing to commence the project.	A number of factors led to the Site being selected, including willing landowners; Chapter 3 (Site Selection and Design Strategy) of the ES **[APP-086]** explains the site search process undertaken.
P-15	RR-082	The developer could have investigated sites in proximity to other sub-stations.	This formed part of the site selection process as set out in Chapter 3 of the ES **[APP-086]**.
P-16	RR-082, RR-107, RR-136, RR-322	There are alternative solutions for renewable energy in close proximity to this development. The fact that these sites were not available for BayWa to develop is not good enough justification to use BMV land.	The National Policy Statements does not require solar projects to entirely avoid the use of BMV land. The availability of a site is a key part of the site selection process, as discussed in Chapter 3 of the ES **[APP-086]** which explains the site selection in detail.
P-17	RR-282	The development should be located on some of the flood plain areas, which are already inaccessible to the public.	The site for the Proposed Development has been extensively assessed against all environmental and technical constraints, as presented in the application documents. Electrically sensitive equipment such as the BESS and onsite substation cannot be located within flood plain areas without extensive engineering to raise and protect this heavy equipment with substantial foundations and drainage systems.
P-18	RR-319	Would wind turbines be more appropriate on this location?	The Applicant cannot comment on the suitability of the site for wind farms, as the site has been under evaluation as a solar development since

			2020 - a wind development would have other environmental considerations and constraints. Until the new government came in in July 2024, onshore wind was not supported in National Planning Policy Framework (NPPF).

5.4 AIR QUALITY

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-19	RR-029, RR-108, RR-117, RR-319, RR-195, RR-319	The development will result in dust pollution.	The OCEMP **[APP-090]** and ODEMP **[APP-092]** include measures which prevent airborne dust from being created and both include a Dust Mitigation Plan. The normal operation of the Proposed Development would not include any activities which would have the potential to cause air quality impacts.
P-20	RR-055, RR-130, RR-140, RR-153, RR-172, RR-205, RR-299, RR-205, RR-299	The development will result in adverse impacts on air quality and will affect the health of the local residents. Pollution from construction vehicles. What mitigation is proposed	The levels of construction and decommissioning vehicles needed would not be sufficient to cause any significant impacts in air quality terms. The normal operation of the Proposed Development would not include any activities which would have the potential to cause air quality impacts. Further detail on Air Quality impacts is provided in Chapter 16 – Other Issues of the ES **[APP-177]** and Appendix 16.1 **[APP-175]**.

5.5 ARBORICULTURE

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-21	RR-004, RR-005, RR-007, RR-044, RR-049, RR-088, RR-098, RR-101, RR-104, RR-105, RR-120, RR-123, RR-144, RR-152, RR-153, RR-164, RR-169, RR-178 RR-188, RR-233, RR-245, RR-253, RR-260, RR-261, RR-307, RR-309, RR-317, RR-324, RR-325	The proposed development is contrary to the central premise of the National Forest. The development will impede the National Forest and the work the National Forest Company are undertaking.	The National Forest Company has been consulted as part of the preparation of the Application. In their Relevant Representation, the National Forest Company have not objected to the Proposed Development but have requested that the proposal must deliver significant woodland planting and not form a barrier to habitat connectivity. The National Forest Comapny designation does not prohibit development but establishes relevant policy and guidelines which development must address. Consequently, the Proposed Development will result in approximately 5.5ha of additional woodland planting as set out in the BNG Report **[APP-131]** which contributes to the objectives of the National Forest. The additional planting is set out in the OLEMP **[APP-105]**.
P-22	RR-029, RR-038, RR-058, RR-059, RR-060, RR-088, RR-089, RR-101, RR-102, RR-108, RR-115, RR-117, RR-138, RR-153, RR-159, RR-161, RR-167, RR-213, RR-228, RR-233, RR-237, RR-238, RR-258, RR-261, RR-289, RR-309, RR-324	The proposed development will result in harm/loss to trees and/or woodland. Concern this loss is not justified given the project has a 40 year life span.	The Arboricultural Survey Report **[APP-133]** confirms that a small number of trees will need to be removed to facilitate the Proposed Development. However, an extensive scheme of tree planting including around 5.5 ha of woodland will be provided as mitigation . The provision of this is set out in the OLEMP **[APP-105]**. Confirmation of the extent of tree removal will be confirmed at the detailed design stage and Requirement 7 of the dDCO **[AS-005]** secures the provision of an Arboricultural method statement.
P-23	RR-038, RR-058, RR-059, RR-088, RR-089, RR-101, RR-102, RR-105, RR-108, RR-115, RR-117, RR-138, RR-153, RR-155, RR-159, RR-161, RR-164, RR-167, RR-180, RR-188, RR-195, RR-233, RR-237, RR-238, RR-258, RR-261, RR-262, RR-289, RR-309, RR-315,	The proposed development will result in harm/loss to hedgerows. Concern this loss is not justified given the project has a 40 year life span.	The majority of hedgerows on Site will be retained with 2.86km of native species rich hedgerow being created as part of the Proposed Development as set out in the BNG Assessment Report **[APP-131]**. The provision of this is set out in the OLEMP **[APP-105]**.

	RR-317, RR-318, RR-324, RR-325		
P-24	RR-138, RR-153, RR-159, RR-161, RR-317, RR-324, RR-325	16m swathe of trees will be removed and 238 linear meters of hedge will be removed. Hundreds of trees will be removed.	241m of hedgerow are due to be lost as part of the Proposed Development. The majority of hedgerows on Site will be retained with 2.86km of native species rich hedgerow being created as part of the proposed development as set out in the BNG Assessment Report **[APP-131]**. The provision of this is set out in the OLEMP **[APP-105]**. The Works Plan has identified a 16m wide cable construction corridor using trenching, a 5m temporary track and a 3.5m permanent track located in the small, wooded area between Walton Road and the Drakelow Substation albeit the tree cover is not continuous due to the overhead power lines and pylons which are already present. The 16m wide area allows for flexibility in the design and the find a route through the woodland where the impact can be minimised.

5.6 BATTERY ENERGY STORAGE SYSTEMS (BESS), FIRE RISK AND SAFETY

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-25	RR-001, RR-048, RR-049 RR-050, RR-065, RR-082, RR-088, RR-092, RR-101, RR-112, RR-116, RR-117, RR-129, RR-152, RR-160, RR-162, RR-167, RR-181, RR-189, RR-195, RR-213, RR-228, RR-248, RR-249, RR-253, RR-254, RR-261, RR-273, RR-062, RR-088, RR-092, RR-112, RR-117, RR-129, RR-133, RR-160, RR-167, RR-181, RR-189,	Risk of fire/danger to life and risk of fire and explosion from battery energy storage systems (BESS) resulting in release or toxic substances. What are the mitigation plans in case of a fire? Very real fire risks with Li-ion batteries, that can overheat on a cellular level and start a cascade through a battery that is difficult to control. Are there any safeguards in place? Instances of battery fires with much smaller batteries on electric vehicles etc - this site	The design parameters for the BESS include measures which reduce the risk of thermal runaway/fire from the batteries, by providing appropriate spacing between the battery units to ensure should a fire occur it will be allowed to burn out in a controlled manner and not spread between battery units across the BESS, and through locating the BESS in the centre of the Site, away from residential properties. The dDCO commits the Applicant to providing a full Battery Safety Management Plan, which would need to accord with the principles set out in the OBSMP **[APP-093]** which accompanies the Application, and which would be approved by the LPA. The final Battery Safety Management Plan would sit alongside an emergency response plan and provide details of in-built BESS safety features like internal fire

	RR-195, RR-213, RR-228, RR-248, RR-249, RR-253, RR-261, RR-273	proposes 70+ containers of those batteries - presenting a danger to the locals and environment	suppression systems built into individual battery units, automatic detection and alert systems, remote shut-down, and procedures to alert local emergency services in line with agreed fire-fighting strategy.
P-26	RR-082, RR-195	The potential fire risks of the battery storage facility were not made clear at the time of the statutory consultation.	The potential risks of the BESS were made clear as part of the consultation process specifically within the Preliminary Environmental Information Report (PEIR) which was consulted on under Section 42 from 21 April 2022 and 6 June 2022 (a period of 46 days). For example, see Paragraph 1.146 of the PEIR Non-Technical Summary (NTS) which is available on the Applicant's project website: https://www.baywa-re.co.uk/en/solar/oaklands-solar-farm#about-solar-energy
P-27	RR-082, RR-101, RR-189, RR-195	The proposed development will likely result in theft and vandalism placing further demands of on already stretched emergency services. This is exacerbated by the rural location.	The Proposed Development will be secured with fencing and gates, and will employ minimal lighting for security and personnel safety at specific operational points only, such as site entrances, and the BESS and Substation located in the centre of the Proposed Development. The BESS and Substation would be surrounded by steel palisade security fencing of up to 3m high for added security and protection from high voltage electrical infrastructure. All access points will be secured with appropriate metal gates and security measures to prevent unauthorised access. In addition, CCTV would be installed at appropriate locations around the Proposed Development, with the CCTV to be mounted on 3.51m poles.
P-28	RR-088	Battery storage far bigger than needed.	The BESS is of an appropriate size and capacity in relation to the size of the solar element of the Proposed Development.
P-29	RR-100	Risk of terror attacks	Chapter 16 of the ES **[APP-177]** has assessed the potential for accidents and disasters in which the risk of criminal activity is considered low. To prevent unauthorised access, during all stages of the Proposed Development, the Site will be suitably secure to protect from criminal damage. This includes secure fencing and gated entrances, CCTV and remote monitoring, and lighting of critical areas. The OCEMP **[APP-090]**, OOEMP **[APP-091]** and ODEMP**[APP-092]** ensures the Site will be secure.
P-30	RR-261	How and where will the storage be for the power produced	The BESS is broadly located in the centre of the solar array as shown as Work no. 2 on the Works Plan **[AS-003]**. It will comprise a maximum of 78 battery containers and 13 Power Conversion System (PCS) & transformer containers. Further details are set out in the OBSMP **[APP-093].** Energy generated by the solar panels is stored in the batteries and

			released during times of peak demand as well as the battery storage being capable of wider balancing of the energy network, helping that to operate efficiently and to be resilient.
P-31	RR-319	Amenities gas are in this area Corner Farm so how does this keep us all safe when underground cables are proposed in this area.	Chapter 16 of the ES **[APP-177]** has assessed the impact on utilities include gas pipelines. A gas pipeline passes though the site along the alignment of Rosliston Road. A Crossing Method Statement **[AS-018]** has been prepared to address how the underground cable will cross obstructions. The Applicant has engaged directly with the owner of the gas pipeline, Cadent Gas Limited, to discuss crossing methodology and to ensure their asset and the public are protected during construction and operation of the Proposed Development, The crossing and the method for construction will not commence without Cadent being notified and the construction plans agreed prior to commencement.

5.7 CLIMATE CHANGE AND SUSTAINABILITY

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-32	RR-019	The solar panels have components that cannot be recycled.	Solar panels typically consist of glass, silicon, aluminium and a small percentage of copper, tin and lead. The glass and metals are readily recycled. Recycling of silicon is an emerging market but there are already specialist companies who offer this service. In terms of the BESS, there are currently no large-scale recycling facilities for recycling batteries on this scale in the UK at this time but there are facilities in Europe. As the UK battery market expands and matures, it is expected that UK opportunities for recycling will appear. All other components of the Proposed Development are generally recyclable and general recycling rates for electrical equipment are in excess of 90%. The OOEMP **[APP-091]** and the ODEMP **[APP-092]** ensures that will be removed and, recycled and disposed of following best practice following

			the waste hierarchy. All waste will be disposed of following the legislation at the time of replacing panels and decommissioning.
P-33	RR-052, RR-088, RR-116, RR-131	Manufacturing solar panels is unsustainable with many components source from mines around the world.	The Applicant strongly condemns the use of forced labour, and all unethical working practices, and is fully committed to the ethical sourcing of all its products and services, and strongly believes that industry-wide effort and political engagement is needed to improve the situation. The Applicant is engaged in multiple workstreams with the objective of gaining more transparency regarding upstream supply chains. This includes close collaboration with trade associations, including SolarPower Europe and others. The Applicant firmly supports their efforts to establish genuine transparency in the supply chain and to take meaningful and sector-wide steps, through access to supply regions and by performing audits to ensure the current lack of transparency is replaced by confidence that forced labour does not exist anywhere in global solar supply chains.
P-34	RR-068	Renewable energy projects like solar farms contribute significantly to reducing carbon emissions, combating climate change, and promoting environmental sustainability.	Noted and agreed with no further comment required.
P-35	RR-091	Carbon emissions during the Construction operation.	Chapter 13 of the ES **[APP-165]** has undertaken a Green House Gas (GHG) Emissions Assessment. The annual GHG emissions over the approximate 16-month construction programme represents 78,163 tCO2e per annum. When comparing the annualised GHG emissions, the construction phase would represent 0.02% of the UKs 4th Carbon Budget (2023 to 2027) which the ES assessed as having a negligible to minor adverse effect on the climate.
P-36	RR-173, RR-182, RR-199, RR-256, RR-320, RR-326, RR-327	Growing food in the UK is more sustainable than using the land for solar panels as the UK would be less reliant on imports	The Proposed Development comprises 115 ha of BMV land within the Oaklands Farm Area which represents 0.003% of the national resource of 3.7 million ha of BMV land. The temporary loss of land for food production would have a negligible impact on the amount of food the UK imports.

5.8 COMMUNITY BENEFITS

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-37	RR-021, RR-084, RR-101, RR-110, RR-135, RR-150, RR-170, RR-197, RR-213, RR-243	No benefit to the community.	In addition to the annual community benefit of £55k committed to by the Applicant, the local community would also benefit from: • Production of clean renewable electricity which would make a significant contribution to local and national Climate Emergency goals; • 125% biodiversity improvement in habitat units across the Site; • Hedgerow planting & improved management; • Improving grasslands and wildflowers; • Improving links between existing paths and PRoW; • Creation of a new permissive path for use during operation; • Creation of approximately 150 jobs created during the construction phase; • Local contracting opportunities - fencing, civil works, testing & commissioning; • Direct, indirect and induced effects for local businesses & payment of business rates; and • Continued agricultural use of site through grazing of sheep between the rows of solar panels.
P-38	RR-047, RR-067, RR-110, RR-123, RR-243	Annual community benefit of £55k is not enough and will be devalued over time due to inflation.	The Applicant considers the proposed community benefit fund of £55,000 per annum for the life of the Proposed Development to be appropriate and sufficient. The community benefit fund will be linked to inflation.
P-39	RR-070, RR-094, RR-150, RR-153, RR-246	How will the £55,000 community benefit fund be managed, guaranteed and used for the benefit of the local community.	The intention is for this money to be distributed to local causes via a local community fund. The Applicant would be interested to understand any local causes that might benefit, or to understand the thoughts of the local community on how to distribute and manage the community benefit fund. The community benefit fund will be implemented once the Proposed Development becomes operational.
P-40	RR-068, RR-118, RR-123, RR-167	Will local residents get free/discounted electricity.	No, the Applicant is not a licensed electricity supplier and therefore cannot supply electricity directly to residents or consumers. The Proposed Development will export electricity generated to the National

			Grid. However, the community benefit fund of £55,000 per annum is intended to provide benefits to the local community.

5.9 CONSTRUCTION

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-41	RR-010, RR-020, RR-024, RR-051, RR-108, RR-112, RR-117, RR-121, RR-132, RR-140, RR-170, RR-179, RR-184, RR-188, RR-195, RR-210, RR-219, RR-315, RR-319	Construction disturbance/ disruption such as mud on roads, noise, air quality, vibration.	Measures to control and minimise the impacts of construction are set out in the OCEMP **[APP-090]** and the OCTMP **[APP-148]** . Both documents seek to ensure that the construction process will avoid, reduce or mitigate any potential impacts through construction on the environment and local community. Detailed versions of these documents would then be prepared following the granting of any DCO for the Proposed Development to control the construction activities. The requirement for those final versions of the CEMP and CTMP is secured by Requirements 9 and 10 of the dDCO **[AS-005]**.
P-42	RR-179	The construction compound is too close to properties.	There are two construction compounds proposed. One is broadly located in the centre of the solar array and the other is located in the southern part of the Site to the south of Coton Road as shown as Work no. 6 on the Works Plan **[AS-003]**. The nearest dwelling to either construction compound is approximately 450m. Therefore, neither compound is located in close proximity to any residential properties and the potential impacts (e.g. visual, noise, hydrology) have been assessed throughout the ES.
P-43	RR-195	Working hours (6am – 8pm) exceed the standard construction working hours.	Requirement 20 of the dDCO **[AS-005]** confirms the core construction hours as being 07:00 to 19:00 Monday to Friday; and 07:00 to 13:30 on Saturday.

5.10 CONTAMINATION

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-44	RR-016, RR-078, RR-133, RR-147	Risk of groundwater contamination	Chapter 8 of the ES **[APP-143]** assesses the potential impact of the Proposed Development on the water environment including surface water bodies (e.g. rivers, streams, ditches, canals, lakes and ponds) water quality and the potential effects on hydrogeology. The OCEMP **[APP-090]** ensures the risk to groundwater during the construction phase will be minimised and sets out the procedures in the event of spills. The OOEMP **[APP-091]** includes an Outline Water Management Plan which will monitor, manage and control water quality and pollution throughout the lifetime of the Proposed Development. The ODEMP **[APP-092]** ensures the risk to groundwater during the decommissioning phase will be minimised and sets out the procedures in the event of spills.
P-45	RR-057, RR-096, RR-164, RR-181	Risk of contamination. Some solar thermal systems can leak hazardous fluids into the environment i.e. soil	Contamination is assessed in Chapter 9 **[APP-146]** of the ES along with Appendix 9.1: Land Quality Desk Study and Preliminary Coal Mining Risk Assessment **[APP-145]**. Once operational, there would be a low risk of contamination from the Proposed Development. The change in land use from intensive arable faming would result in a beneficial effect through the reduced use of pesticides and fertilisers. No hazardous materials would be stored onsite and the only risk of contamination would be from the BESS should a fire break out. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the

			existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates. The tanks would be fitted with automatic control valves which would close in the event of any incident with the BESS or substation and any water contained in order to allow the water to be tested for contaminants and if necessary pumped into a tanker to be taken away from the Site for proper disposal. The OBSMP **[APP-093]** provides further details on the procedure for dealing with potential contamination issues with the BESS and is secured by Requirement 12 in the dDCO.
P-46	RR-029, RR-041, RR-089, RR-124	Pollution	The Proposed Development aims to minimise pollution related to the scheme wherever possible as set out in the ES. Furthermore, the OCEMP **[APP-090]**, OOEMP **[APP-091]** and the ODEMP **[APP-092]** ensures that any pollution is prevented, minimised and/or mitigated throughout the construction, operation and decommissioning of the Proposed Development.
P-47	RR-256	If approved, there should be further investigation of soil and ground water sampling with wide ranging chemical analysis to create a soil and ground water condition report both before any development takes place and afterwards repeated at the end of the 40 year operating period. Any adverse deterioration of the soil condition would need to be remedied.	Environmental monitoring is included within the OCEMP **[APP-090]**, OOEMP **[APP-091]** and the ODEMP **[APP-092].** These plans are secured in the dDCO **[AS-005]**.

5.11 DECOMMISSIONING

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-48	RR-010, RR-195, RR-245, RR-316, RR-319	The lack of certainty for the land use after decommissioning adds a legacy of worry and lasting environmental degradation.	The Proposed Development will commence decommissioning no later than 40 years following the date of final commissioning of the first phase of Work No. 1 (installation of the solar plant).

			Upon decommissioning, the above and below ground level physical infrastructure at the Site will be removed, where necessary and the Site returned to the landowner. This will include the areas of agricultural land where the agricultural resource has been maintained (and potentially improved) during operation, and the established habitats. Post-decommissioning, the landowner would decide how they intend to use the land. The ODEMP **[APP-092]** ensures the land is restored to an appropriate condition and this is secured through Requirement 22 of the dDCO **[AS-005]**.
P-49	RR-093, RR-110, RR-110, RR-115, RR-153, RR-187, RR-208, RR-243, RR-245	What happens to the solar panels once they have reached their end of life as currently they are not recyclable. No mention of disposal. Panels will end up in landfill.	The OCEMP **[APP-090]** and ODEMP **[APP-092]** sets out the method of disposal for each component. Currently, 80% of silicon solar modules are recyclable. Recycling of silicon is an emerging market and it is expected that nearly all, if not all, of the solar panels will be recyclable once decommissioning commences.
P-50	RR-133, RR-195, RR-243	The risk of an entirely overseas investor failing to fund the extensive decommissioning costs at the end of the project	Decommissioning of the Site is secured through Requirement 22 of the dDCO **[AS-005]** which is legally enforceable and meets the appropriate tests for Requirements. Requirement 22 places a legal obligation on the party with the benefit of the DCO to decommission the proposed development and to return the land to an appropriate condition.

5.12 ECOLOGY

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-51	RR-001, RR-002, RR-003, RR-004, RR-008, RR-010, RR-017, RR-018, RR-021, RR-023, RR-029, RR-034, RR-038, RR-043, RR-044, RR-046, RR-048, FF-049,	Harm to, damage and loss of wildlife, biodiversity, ecosystems and habitats, biological corridors. Impacts of noise.	A full ecological appraisal within, and in the vicinity of, the Site has been undertaken by suitable qualified ecologists and in accordance with published guidance. Measures to minimise and mitigate the impacts of the Proposed Development on those ecological receptors are incorporated into the

	RR-050, RR-058, RR-060, RR-062, RR-067, RR-071, RR-074, RR-076, RR-078, RR-079, RR-088, RR-089, RR-090, RR-091, RR-092, RR-096, RR-100, RR-101, RR-102, RR-108, RR-110, RR-111, RR-113, RR-115, RR-117, RR-118, RR-120, RR-123, RR-125, RR-128, RR-129, RR-132, RR-135, RR-136, RR-139, RR-140, RR-142, RR-146, RR-148, RR-150, RR-153, RR-159, RR-161, RR-162, RR-164, RR-165, RR-169, RR-170, RR-184, RR-186, RR-187, RR-188, RR-189, RR-192, RR-195, RR-197, RR-199, RR-200, RR-206, RR-207, RR-208, RR-210, RR-213, RR-214, RR-217, RR-220, RR-228, RR-233, RR-234, RR-235, RR-237, RR-238, RR-243, RR-244, RR-246, RR-248, RR-253, RR-255, RR-258, RR-261, RR-264, RR-265, RR-266, RR-267, RR-268, RR-269, RR-270, RR-271, RR-273, RR-275, RR-283, RR-284, RR-285, RR-288, RR-289, RR-300, RR-301, RR-310, RR-311, RR-312, RR-315, RR-317, RR-318, RR-319, RR-323, RR-325, RR-328		design parameters on which the ecological impact assessment is based. Further mitigation measures are incorporated into the OCEMP **[APP-090]** and ODEMP **[APP-092]**, which would then form the framework of the full versions of those plans which would be submitted to the LPAs prior to commencement of development. It is widely acknowledged that solar farms are able to deliver biodiversity enhancements, and the Proposed Development can make a significant ecological and biodiversity improvement to address the Ecological Emergency declared by the LPA. An OLEMP **[APP-105]** details the mitigation, avoidance and enhancement measures proposed. The Applicant's BNG Report **[APP-131]** found the scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units, with biodiversity conservation and net gain to be secured through the OLEMP.
P-52	RR-020	Biodiversity gains would be lost if sheep are allowed to graze on site.	The grazing regime is set out in the OLEMP **[APP-105]**. Areas beneath panels will be seeded with EM2 Standard General Purpose Meadow Mix or a similar species mix, and will be managed in perpetuity through low density sheep grazing. Fencing will be installed to accommodate a

			rotational grazing regime, which will reduce poaching and overgrazing. Therefore, sheep will only graze in the specified areas and will not result in a loss of biodiversity gain.
P-53	RR-108, RR-117, RR-195, RR-206, RR-328	Disruption to wild animals: newts (the stream will be destroyed in places to make way for access), deer and rare birds of prey. The fencing around the site will stop any aspect of wildlife re-habiting the area once it is complete	Chapter 6 of the ES **[APP-135]** assesses the impact of the Proposed Development on wildlife and specifically protected species. Roe deer were observed on Site however, these are not a protected species and there remains suitable habitat in the surrounding area. As set out in the Great Crested Newt (GCN) Report **[APP-129]** the findings of the GCN surveys indicate that GCN are likely absent from the Site and therefore, are considered highly unlikely to be affected by Proposed Development. Therefore, no requirement for mitigation in relation to this species. Notwithstanding this, the Crossing Method Statement **[AS-018]** sets out the details of crossing the stream. As set out in the Breeding Bird Survey Reports **[APP-124 and APP-128]** a small number of birds of prey were identified. Consequently, it then sets out the avoidance, mitigation and enhancement measures to minimise the impacts on breeding birds. In terms of fencing, steel palisade security fencing is limited to surrounding the BESS, substation and office and welfare building in the centre of the Site for security and safety reasons and would be up to 3m in height. This type of fencing is limited to this area of the Site and is screened by enhanced existing hedgerows. The remainder of the Site would be secured by deer fencing which comprises 2.1m stock wire mesh deer fencing with wooden posts piled into ground up to 2m including mammal gaps and may utilise a single line of barbed wire. Where additional security is required along Coton Road, wire mesh fencing with steel posts will be installed. Other fencing would be 1.5m post and wire agricultural stock fencing for contain grazing animals within the Site such as sheep. This ensures wildlife can move throughout the site without restriction.
P-54	RR-153	SDDC have declared an ecological emergency in response to the ongoing threat to wildlife and ecosystems.	It is widely acknowledged that solar farms are able to deliver biodiversity enhancements, and the Proposed Development can make a significant ecological and biodiversity improvement to address the Ecological Emergency declared by the LPA. An OLEMP **[APP-105]** details the mitigation, avoidance and enhancement measures proposed. The

			Applicant's assessment is that this scheme would result in a BNG of 125% for habitat units, 20% in hedgerow units and 19.8% for river units.
P-55	RR-004, RR-180, RR-181, RR-233, RR-307, RR-319	Loss of bird life/impact on birds Water birds will get confused by the panels thinking it is water. Swallows and Martins, who are on the Red List (endangered) will also be at risk The solar panels would generate an unnatural amount of heat, coupled with the reflection of sunlight, will have a negative impact on the flight path of birds. Disrupt flight paths for geese.	Chapter 6 of the ES **[APP-135]** assesses the impact of the Proposed Development on birds/breeding birds. The Breeding Bird Survey Reports **[APP-124 and APP-128]** a small number of birds of prey were identified. Consequently, it then sets out the avoidance, mitigation and enhancement measures to minimise the impacts on breeding birds. Solar panels are designed to absorb light and energy. Any excess heat is returned to the immediate environment but is not excessive. It is not expected that the solar panels will disrupt flight paths for birds or that birds will mistake the solar panels for water.
P-56	RR-181, RR-238, RR-258, RR-312, RR-318	It will be more difficult for predators to hunt their natural prey. Glint and glare will disrupt ability to hunt for birds of prey.	Chapter 6 of the ES **[APP-135]** has not identified any adverse impacts on predatory behaviour..
P-57	RR-195	The headline claim of a biodiversity net gain for the project does not appear credible when looking at the detail of the report. The metrics on which this is based appear extremely subjective, and the value of new planting over old is unrealistic.	The BNG Report **[APP-131]** has been prepared in accordance with the relevant guidance and has used the metric provided by NE.
P-58	RR-291	The commitment to biodiversity net gain is welcomed.	Noted, no further comment required.

5.13 ECONOMY/TOURISM

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-59	RR-008, RR-012, RR-013, RR-130, RR-315	The loss of livelihoods and income from agricultural contractors, tenant farmers, farm workers and suppliers is not addressed	It is proposed that existing farms will continue to operate as farms during construction, operation and decommissioning of the Proposed Development. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. This would not result in a loss of livelihood.
P-60	RR-016, RR-110, RR-147, RR-153	No benefit to the UK as all profits will go to foreign investors	As set out in the Funding Statement **[APP-020]**, the Applicant is the wholly owned subsidiary of BayWa r.e. UK Limited ("BayWa"), a company incorporated in England and Wales with company number 07538870. The major benefit of the Proposed Development is delivering low carbon energy infrastructure to help the UK Government meet its net zero targets and to tackle climate change.
P-61	RR-019, RR-021, RR-044, RR-049, RR-076, RR-101, RR-144, RR-164, RR-195, RR-233, RR-253, RR-257, RR-319	The proposal will impact tourist and leisure businesses such as National Forest at Rosliston and National Arboretum Alrewas Badger's Rest centre at Rosliston and result in loss of tourism.	Chapter 12 of the ES **[APP-163]** has assessed the potential impact on tourism and recreation as a result of the Proposed Development. The operation of the Proposed Development would not result in any adverse impacts on these tourist attractions however there may be a short term impact during construction and decommissioning phases between construction traffic and event traffic and through decreasing the available tourist accommodation in the area. However, these impacts are short term. As set out in the OCTMP **[APP-148],** the Applicant will ensure that large numbers of deliveries and in particular abnormal loads would not coincide with local events where this may adversely affect the safe operation of the road network. This includes regular communications with the relevant operators of the tourist sites and local events. Requirement 10 of the dDCO **[AS-005]** secures the provision of a detailed CTMP.
P-62	RR-019, RR-076, RR-164, RR-195	Loss of earnings to the small businesses of this village is already occurring due to the continued development around us.	Chapter 12 of the ES **[APP-163]** has assessed the potential impact on the local economy. This has found that during the Proposed Development, alone and in combination with other developments, will result in indirect employment and induced beneficial effects on the wider economy that will support small local businesses.

			The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. This is not considered to result in disruption or loss of earnings to small businesses.
P-63	RR-049, RR-110, RR-135, RR-170, RR-195, RR-243, RR-284	Creation of no permanent jobs. Will local businesses be used? Few local employment opportunities in the long term, compared to farming	Local sourcing of equipment and contractors will be pursued where possible, however it is noted that this procurement is subject to tendering and may be constrained by the specialist nature of some of the equipment. Local contractors will be encouraged to tender for construction, operation and maintenance work, wherever possible, to ensure maximum benefit to local communities. Local trade organisations such as the Chamber of Commerce will be asked to provide information to local contractors to ensure they are aware of the opportunities and qualifications required to tender. Once operational, the Proposed Development would employ up to three permanent staff with additional maintenance, monitoring and servicing staff that would be located offsite. However, it is proposed that existing farms will continue to operate as farms during construction, operation and decommissioning of the Proposed Development. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle.
P-64	RR-068	Development will create jobs and tangible community benefits.	The Applicant welcomes this comment.

5.14 FLOOD RISK AND DRAINAGE

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-65	RR-001, RR-016, RR-029, RR-036, RR-037, RR-043, RR-046, RR-047, RR-048, RR-050, RR-070, RR-072,	Risk of flooding/increased flooding. Increase run off.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a FRA **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate

	RR-075, RR-078, RR-087, RR-088, RR-089, RR-091, RR-092, RR-094, RR-095, RR-098, RR-100, RR-101, RR-102, RR-115, RR-116, RR-117, RR-125, RR-135, RR-145, RR-147, RR-150, RR-151, RR-152, RR-153, RR-156, RR-159, RR-161, RR-164, RR-168, RR-169, RR-170, RR-171, RR-173, RR-185, RR-187, RR-188, RR-189, RR-190, RR-193, RR-197, RR-198, RR-202, RR-205, RR-219, RR-222, RR-223, RR-228, RR-238, RR-239, RR-248, RR-249, RR-253, RR-258, RR-265, RR-270, RR-272, RR-273, RR-275, RR-276, RR-289, RR-292, RR-293, RR-299, RR-300, RR-312, RR-316, RR-317, RR-318, RR-319, RR-324, RR-325		directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates.
P-66	RR-008, RR-136, RR-190, RR-197, RR-205, RR-206, RR-208, RR-215, RR-216, RR-217, RR-222, RR-223, RR-279, RR-303, RR-308	Every existing agricultural land drain will be ripped up by the pile driving of each solar array, leading to a change in water flow and increased flooding	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a Flood Risk Assessment (FRA). The proposed construction method for the solar panel arrays uses driven steel tube or 'H' piles to form their foundations within the shallow soils/ superficial deposits/ weathered bedrock. These may disturb or break up land drains buried within the Site, however the number of land drains affected is expected to be minimal. Notwithstanding this, this would slow down the transport of water that has infiltrated into the soil and reduce peak run-off in local watercourses. Occasional periods of increased surface water ponding may occur having no effect on the operation of the Site and reduces peak run-off in local watercourses reducing the risk of flooding downstream. In the unlikely event that any significant drainage issue emerges due to construction activity, the Applicant will use a range of measures to rectify the situation (such as sustainable drainage systems, replacing or repairing land drains, etc.).

			The Proposed Development involves the temporary use of the land for solar for a period of 40 years after which it will be again available for agriculture. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle, something which will be directly supported by income from the Proposed Development as part of farm diversification. Mitigation measures are then proposed to minimise any remaining impacts of the Proposed Development on agricultural land, such as managing impacts on the soils present on the Site. The mitigation measures and management details are set out in the Outline Soil Management Plan (OSMP) has been prepared and submitted as part of the OCEMP **[APP-090]** and the ODEMP **[APP-092]**.
P-67	RR-014, RR0-19, RR-043, RR-058, RR-062, RR-072, RR-089, RR-100, RR-150, RR-151, RR-153, RR-164, RR-169, RR-173, RR-189, RR-193, RR-195, RR-216, RR-238, RR-253, RR-258, RR-261, RR-265, RR-270, RR-275, RR-292, RR-293, RR-299, RR-312, RR-317, RR-318, RR-319, RR-324, RR-325	Flooding of local roads - there is regular flooding around local roads when it rains. Villages (Coton/Rosliston/Walton/Drakelow) struggle with flooding following open cast gravel extraction of floodland along the Trent. Villages can be cut off during flooding. Numerous floods during 23/24 in a normal winter. Increased floods in the last few years. Potential erosion of roads.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and includes a FRA **[AS-014]**. The FRA confirms there is no formal drainage infrastructure for the solar panels given surface water would percolate directly to the ground. This would be intercepted by vegetation beneath the panels and the infiltration reflects that of the greenfield situation. There is likely to be an improvement as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. The BESS and part of the substation would include impermeable surfacing, with bunds around any impermeable areas. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates. The assessment concludes that flood risk off Site will not be increased by the Proposed Development.
P-68	RR-195, RR-318	The potential impacts on rainwater run-off have not been properly assessed.	Chapter 8 of the ES **[APP-143]** addresses the Water Environment and Flood Risk and has been carried in accordance with the relevant guidance. Therefore, a robust assessment has been completed.

5.15 GLINT AND GLARE

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-69	RR-010, RR-011, RR-016, RR-025, RR-029, RR-058, RR-085, RR-092, RR-108, RR-117, RR-129, RR-133, RR-135, RR-147, RR-148, RR-150, RR-153, RR-159, RR-164, RR-169, RR-170 RR-171, RR-189, RR-190, RR-192, RR-197, RR-201, RR-206, RR-210, RR-213, RR-222, RR-223, RR-228, RR-238, RR-248, RR-250, RR-253, RR-256, RR-261, RR-264, RR-265, RR-268, RR-272, RR-273, RR-277, RR-279, RR-297, RR-307, RR-308, RR-312, RR-313, RR-315, RR-319	Issues of glint and glare will be a dangerous hazard for all drivers, road users and affect residents.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. Potential adverse effects were identified at the assessment stage on two areas along Coton Road and one unnamed road north west of Coton in the Elms. These sections of road would be planted with new hedgerows and have temporary screening installed whilst that vegetation establishes. The proposed screening of these sections of road is detailed in the OLEMP **[APP-105]** with Requirement 8 securing the delivery of a full LEMP prior to commencement of development. The Applicant is not aware of any potential for glint and glare to occur which would give rise to issues in terms of residential amenity, aviation or road safety.
P-70	RR-029, RR-088, RR-101, RR-161, RR-195, RR-206	Plastic screening to mitigate glint and glare is an eyesore	The OLEMP **[APP-105]** confirms that the glint and glare screening will be provided until new hedgerow has matured within 10 years. This is to be applied along short sections of the boundary along the roadside where necessary. The final details of the screening will be confirmed as part of Requirement 5 of the dDCO **[AS-005]** and approved by the LPA.
P-71	RR-078, RR-169	Risk of glint and glare to low flying aircraft/aircraft. Site is close to East Midlands Airport.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. This study confirmed that there would not be adverse effects for low flying aircraft/aircraft. Given the separation distance, the study excludes East Midlands Airport as it is not close enough to the Proposed Development to be affected.

P-72	RR-153, RR-161, RR-164, RR-303	It is argued that the panels are hidden behind trees, however this does not work for those panels on the hills which will face the village of Rosliston. Netting is proposed to cover the panels but this will only last for a mere 1/4 of the lifetime of the proposed farm. What will happen for the other 30 years? Opaque net for 10 plus years on the fencing to stop Glint & Glare on Coton Road and 85-90 properties affected by glint and glare Glint and glare effects on houses at the end of the Chase and Coppice as the solar arrays will be on the hill opposite these properties.	Chapter 14 of the ES **[APP-167]** has assessed the potential effects of glint and glare arising from the Proposed Development. This includes a Solar Photovoltaic Glint and Glare Study **[APP-166]**. The results of the modelling indicate that solar reflections are geometrically possible towards 85 of the 89 assessed dwelling receptors. Views of the reflecting panels are predicted to be significantly obstructed at 44 of these dwellings due to screening in the form of existing vegetation, surrounding buildings, surrounding dwellings and/or intervening terrain. For the final 41 dwellings, solar reflections are predicted to be experienced for more than three months per year but less than 60 minutes on any given day. A low impact is predicted upon these dwellings following expert assessment of the glare scenario. No significant impacts upon residential amenity are predicted.
P-73	RR-195	Assessment of glint and glare is inadequate The metrics on which the report is based appear arbitrary, selective and downplay what could be considerably more significant effects. The study is based on the height of the mid-points of the solar panels: This ignores the top ~1m of the panels, which is the most visible surface area. The study excludes visibility from the upstairs windows of dwellings, and also limits receptor points to 1km of the site, and does not consider impact on road users.	Chapter 14 of the ES **[APP-167]** and the Solar Photovoltaic Glint and Glare Study **[APP-166]** have been prepared in accordance with the relevant guidance and industry best practice providing a robust assessment of the potential effects.

5.16 HEALTH

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-74	RR-004, RR-074, RR-085, RR-088, RR-120, RR-130, RR-197, RR-269, RR-282	Adverse impact on general health and well-being. What mitigation is being proposed?	Chapter 16 of the ES **[APP-177]** has assessed the risk to human health and well-being both to construction workers, users of the PRoW network and local residents, is low and not significant during the construction, operational and decommissioning phase of the Proposed Development. To ensure impacts on health and well-being are minimised, mitigation is proposed in the OCEMP **[APP-090]**, OCTMP **[APP-148]**, OOEMP **[APP-091]** and DEMP **[APP-092].**
P-75	RR-029, RR-074, RR-287	Create anxiety, fear and unhappiness – impact on mental health.	Chapter 16 of the ES **[APP-177]** has assessed the risk to human health and well-being both to construction workers, users of the PRoW network and local residents is low and not significant during the construction, operational and decommissioning phase of the Proposed Development.
P-76	RR-036, RR-213, RR-233, RR-236, RR-319	Detrimental to health and for those who must stay away from electric power station, pylons, etc. for health reasons Health impacts from electromagnet waves. Unknown effects on health.	Chapter 16 of the ES **[APP-177]** has assessed the risk to human health and well-being both to construction workers, users of the PRoW network and local residents is low and not significant during the construction, operational and decommissioning phase of the Proposed Development. The guidelines for Electromagnetic Frequency (EMFs) confirm that no assessment is required for infrastructure or cables which are 132kV or below and therefore the EMF effects were scoped out of the ES assessment.

5.17 HISTORIC ENVIRONMENT

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-77	RR-008, RR-017, RR-145, RR-185, RR-190, RR-215, RR-222, RR-223, RR-289, RR-303, RR-308	The historic environment of local conservation areas and heritage assets including listed buildings will be affected by the alien industrial development	A full assessment of the likely significant effects of the Proposed Development on the historic environment and its component heritage assets has been completed and presented in Chapter 7 of the ES **[APP-137 to APP-140]**. There are no designated heritage assets within the Site itself, with the study work undertaken by the Applicant identifying some potential for non-designated archaeological assets which are likely to be of no more than local importance. The Applicant's assessment considers that the Proposed Development would have at most a low level of less than substantial harm on the setting of wider heritage assets, such as the Walton-on-Trent Conservation Area and listed buildings which lie outside the Site but within the wider study area. The dDCO **[AS-005]** includes a Requirement (18) which commits the Applicant to agreeing an archaeological WSI prior to commencing development. That WSI will detail how a qualified archaeology team will ensure that impacts on any archaeological assets are identified and avoided during construction of the Proposed Development.
P-78	RR-046, RR-313, RR-315	Loss of historic farming way of life	It is proposed that existing farms will continue to operate as farms during construction, operation and decommissioning of the proposed development. The landowners will be able to farm sheep and the dairy farm will be able to continue farming dairy cattle. The Proposed Development will not have an effect on the historic farming way of life. Following decommissioning of the Proposed Development, the landowner can return to agricultural land use should they choose.

5.18 LAND RIGHTS AND OWNERSHIP

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-79	RR-221	On the project newsletter- March 2024, the map included has shown both Corner farm and new corner farm are inside the red boundary mark., this needs correcting We not received any information We have discovered on our road a new notice pinned up in the lane regarding new plans on 24th March, it appears that our two properties will be effected , I am concerned I have not been informed on something involving our environment	The Applicant has written to the Interested Parties (IP) via email along with a figure showing the Order Limits / red line boundary. This is the same red line boundary plan shown on the Project Newsletter dated March 2024. This confirms that the Proposed Development does not encroach on land under the IPs ownership. The IP has confirmed receipt of this correspondence and no further action is required.
P-80	R-282	Compulsory purchase orders of residents property, some of whom are elderly (in their 90's) is appalling.	As set out in the Book of Reference **[AS-009]**, the Applicant is not seeking to compulsory purchase any residential properties.

5.19 LANDSCAPE AND VISUAL IMPACT

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-81	RR-001, RR-008, RR-011, RR-012, RR-016, RR-019, RR-020, RR-021, RR-025, RR-029, RR-042, RR-049, RR-050, RR-055, RR-058, RR-060, RR-072, RR-077, RR-078, RR-079, RR-083,	Detrimental impact on landscape. Urbanising/industrialising effect in rural area. 40 years is a significant period - permanent change to landscape. Destruction of beautiful, tranquil, local landscape	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. This assessment is carried out in accordance with the principles contained within the following documents from the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA Methodology **[APP-100]** was developed in consultation with SDDC and DCC.

	RR-089, RR-094, RR-098, RR-101, RR-103, RR-106, RR-110, RR-112, RR-113, RR-115, RR-116, RR-117, RR-120, RR-133, RR-135, RR-136, RR-139, RR-148, RR-150, RR-153, RR-155, RR-156, RR-162, RR-164, RR-165, RR-168, RR-170, RR-178, RR-185, RR-187, RR-189, RR-190, RR-192, RR-195, RR-197, RR-207, RR-211, RR-212, RR-213, RR-214, RR-215, RR-216, RR-222, RR-223, RR-237, RR-238, RR-239, RR-243, RR-248, RR-252, RR-258, RR-264, RR-268, RR-269, RR-271, RR-273, RR-277, RR-279, RR-280, RR-287, RR-288, RR-292, RR-300, RR-303, RR-307, RR-308, RR-312, RR-313, RR-318, RR-319, RR-320, RR-322, RR-324		The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the development. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including through the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts. The operational lifespan of 40 years is typical of solar developments of this scale and is compliant with the typical lifespan set out in National Policy Statement EN-3 for a solar generating station.
P-82	RR-001, RR-003, RR-009, RR-011, RR-021, RR-025, RR-029, RR-31, RR-041, RR-049, RR-052, RR-062, RR-073, RR-078, RR-094, RR-098, RR-100, RR-101, RR-110, RR-112, RR-123, RR-116, RR-126, RR-129, RR-133, RR-135, RR-136, RR-145, RR-147, RR-152, RR-153, RR-156, RR-159, RR-164, RR-169, RR-170, RR-179, RR-185, RR-190, RR-191, RR-195, RR-197, RR-216, RR-223, RR-233,	Adverse effect on visual amenity. Loss of views; visual blight, unsightly, eyesore. Industrial appearance.	The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes. There are no residential properties where the assessment has identified that the Residential Visual Amenity Threshold, the accepted methodology for measuring impacts on residential properties, has been breached.

	RR-234, RR-238, RR-239, RR-243, RR-248, RR-251, , RR-252, RR-258, RR-268, RR-270, RR-277, RR-279, RR-293, RR-300, RR-303, RR-307, RR-313, RR-314, RR-318, RR-323, RR-324		
P-83	RR-019, RR-149, RR-153, RR-161, RR-164, RR-190, RR-215, RR-223, RR-252, RR-258, RR-273, RR-277, RR-279, RR-303, RR-308, RR-312, RR-318	Directly visible from the village Solar panels will visible above hedgerow and fencing. Extensive (11km) 3m fencing and numerous (250) CCTVs on 3.5m poles on boundaries. 78 shipping containers. It will resemble a prison.	Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development. The design of the Proposed Development includes measures to minimise landscape and visual impacts. Those include setting all panels back from field edges and locating panels at least 100m from residential properties. Existing field boundaries and patterns have been preserved, as well as retaining the vast majority of existing hedgerow and trees. New planting is then proposed throughout the Site. The BESS and substation elements of the Proposed Development have been located in the centre of the Site and the design of those would include further measures to minimise landscape and visual impact, such as using dark and recessive colours and limiting operational lighting. The Proposed Development will be secured with fencing and gates, and will employ minimal lighting for security and personnel safety at specific operational points only, such as site entrances, and the BESS and Project Substation located in the centre of the Proposed Development. No light pollution issues are anticipated. The BESS and Substation would be surrounded by steel palisade security fencing of up to 3m high for added security and protection from high voltage electrical infrastructure. All access points will be secured with appropriate metal gates and security measures to prevent unauthorised access. In addition, CCTV would be installed at appropriate locations around the Proposed Development with the CCTV to be mounted on 3.51m poles. The remainder of the Site is secured by deer fencing which comprises 2.1m stock wire mesh deer fencing with wooden posts piled into ground up to 2m including mammal gaps and may utilise a single line of barbed wire. Where additional security is required along Coton Road, wire mesh fencing with steel posts will be installed. Other fencing would be 1.5m post

			and wire agricultural stock fencing for contain grazing animals within the Site such as sheep. The OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes.
P-84	RR-043, RR-078, RR-112, RR-116, RR-195, RR-256	Mitigation of landscape and visual impact effects is not sufficient, partly due to the topography. Tree and hedgerow planting will take years to establish.	The OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes.
P-85	RR-153, RR-185, RR-215, RR-223, RR-252, RR-303, RR-308	Coalescence of small rural villages	The Proposed Development would not result in the Coalescence of small rural villages.
P-86	RR-152, RR-292, RR-313, RR-314	Outstanding beauty of the area/area of natural beauty should not be lost/at risk. Walton-on-Trent is protected by as an Area of Outstanding Natural Beauty.	The Site is not within an area which is subject to any landscape designations. It is well contained visually by existing topography and vegetation, and is seen in the context of the former Drakelow Power station and existing overhead electricity lines which run through the area, including through the Site. That context, and the mitigation measures proposed, means that the Applicant's submission is that this is a Site which can appropriately deliver a solar farm, which is a Critical National Priority, without unacceptable landscape or visual impacts.
P-87	RR-195	The open, rolling topography of the site means that visual screening of solar panels in many areas would be difficult or impossible.	Appropriate and sufficient mitigation is possible as set out in the OLEMP **[APP-105]** and ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes.
P-88	RR-195	There have been a few visual mock-ups provided to illustrate the impact, but they have only been shared recently, been poorly selected, appear badly calibrated, avoid showing some proposed structures and consequentially are inadequate to convey the significance of the negative impact, to the point of being incorrect and misleading. Visuals depict unrealistic growth of mitigation planting within example timescales, giving a false impression of the screening.	The visualisations have been prepared in accordance with the relevant guidance and show the Proposed Development at various stages of maturity.

P-89	RR-239	If approved the development should provide a reasonable margin of undeveloped land between the solar arrays and local lanes / footpaths.	There is a reasonable margin of undeveloped land as part of the Proposed Development as shown in the OLEMP **[APP-105]**.
P-90	RR-239	If approved the development should the early development of substantial hedgerows to screen the solar arrays along lanes bordering the proposed site where these do not already exist, notably along Catton Lane where current hedgerows are minimal or none-existent.	The OLEMP **[APP-105]** sets out the scheme of implementation of hedgerow planting which will be confirmed in the detailed LEMP.

5.20 LIGHT

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-91	RR-041, RR-149, RR-181, RR-202	Concerns of lighting and light pollution	It is proposed that lighting will be kept to a minimum during construction with the construction compound only lit 1 hour before sunrise and after sunset. Overnight security will be downward facing and designed to limit light spill. Once operational, no lighting of the solar panels is required other than alarm lights on all transformer stations which are only activated in case of theft. If the lights become activated, blue or yellow (depending on selected model) flashes will illuminate. Other security lighting associated with the operational compound would also be activated in case of intruders. Other operational lighting would only be in use if there are employees onsite which would generally be during standard office hours unless there is an emergency. The impacts of lighting during decommissioning are considered to be similar to that of construction phase which would be localised and short term

			Lighting details are secured in OCEMP **[APP-090]**, OEEMP **[APP-091]** and DEMP **[APP-092]** as well as being part of the detailed design approval secured by Requirement 5 of the dDCO **[AS-005].**

5.21 NOISE

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-92	RR-001, RR-010, RR-018, RR-029, RR-035, RR-042, RR-043, RR-047, RR-050, RR-062, RR-072, RR-088, RR-092, RR-096, RR-110, RR-112, RR-116, RR-117, RR-125, RR-126, RR-129, RR-130, RR-135, RR-146, RR-149, RR-164, RR-170, RR-181, RR-187, RR-188, RR-197, RR-201, RR-205, RR-208, RR-210, RR-217, RR-220, RR-237, RR-238, RR-243, RR-244, RR-250, RR-253, RR-255, RR-258, RR-258, RR-269, RR-273, RR-287, RR-297, RR-299, RR-300, RR-312, RR-318, RR-319	Risk of noise and disturbance.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. Solar developments are generally not significant noise generating developments once operational with the main noise generating activities associated with construction. The ES found that there would be negligible effects when considering all sensitive receptors. No further mitigation is required beyond that already embedded within the design of the Proposed Development.
P-93	RR-057, RR-075, RR-085, RR-108, RR-110, RR-111, RR-112, RR-115, RR-153, RR-161, RR-165, RR-167, RR-168, RR-170, RR-189, RR-195, RR-197, RR-215,	Constant noise/hum/buzzing from transformers/generators/other equipment high pitched electric hum low level hum	The BESS compound and any other noise emitting equipment are located away from any sensitive noise receptors where possible toward the centre of the Site, which as demonstrated through the Design Statement **[APP-182]** was a consideration during the evolution of the design of the Proposed Development during the preparation of the Application.

	RR-222, RR-261, RR-268, RR-269, RR-279, RR-287, RR-303, RR-308		Therefore, the final design and plant proposed are suitable in the wider rural location. The OOEMP **[APP-091]** includes provisions to ensure that plant is specified to manage noise, with the use of screening, mufflers and silencers to be employed where necessary. The dDCO **[AS-005]** includes a requirement which commits the Applicant to undertaking an operational noise assessment prior to any works starting on site and submitting that to the LPA for review.
P-94	RR-153	The wind will whistle through the vast solar panels creating a constant whistling noise both day and night.	Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development. This is not a potential impact of the Proposed Development and therefore, it has not been included within the assessment.
P-95	RR-195, RR-319	The baseline thresholds are highly contentious and an inappropriate standard has been used to assess noise pollution. The report does not accurately reflect the reality of the current varying noise nor how this would change and the potential nuisance this may cause. An independent report should be prepared to ensure that noise impacts are properly and impartially assessed using standards consistent with appropriate planning requirements	Chapter 11 of the ES **[APP-160]** provides a robust assessment of the potential noise issues arising from the Proposed Development. This is subject to review from the relevant statutory consultees with specialist expertise as part of the Examination process.
P-96	RR-195, RR-319	Mitigation should be required. There should also be provisions to check emitted noise levels once the site is running and to ensure that the claimed thresholds are met and enforced.	The OOEMP **[APP-091]** includes provisions to ensure that plant is specified to manage noise, with the use of screening, mufflers and silencers to be employed where necessary. The dDCO **[AS-005]** includes a Requirement 15 which commits the applicant to undertaking an operational noise assessment prior to any works starting on site and submitting that to the LPA for review.

5.22 PRINCIPLE

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-97	RR-005, RR-007, RR-053, RR-058, RR-071, RR-083, RR-090, RR-093, RR-095, RR-104, RR-114, RR-118, RR-119, RR-120, RR-128, RR-143, RR-156, RR-163, RR-164, RR-186, RR-197, RR-199, RR-209, RR-213, RR-247, RR-261, RR-282, RR-285, RR-288, RR-298, RR-301, RR-314	Detrimental effect to countryside. Rural area and unsuitable. Wrong/inappropriate location	NPS EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure such as solar development. National policy therefore establishes a presumption in favour of granting consent for that infrastructure and that is the starting point from which this Application has to be assessed. It is inevitable that development in the countryside is required to deliver up to 70GW of solar energy by 2035. Therefore, the Proposed Development is not inappropriate in the countryside.
P-98	RR-006, RR-256, RR-319	Some fields are unsuitably sited for solar panels due to them sloping in the wrong direction.	The Applicant confirms that all solar panels will be positioned to ensure maximise efficiency. Further details can be found in Chapter 3 of the ES **[APP-86]**.
P-99	RR-007, RR-008, RR-020, RR-067, RR-073, RR-110, RR-133, RR-145, RR-148, RR-162, RR-197, RR-213, RR-222, RR-223, RR-231, RR-243, RR-245, RR-277, RR-279, RR-284, RR-308, RR-323	Size and scale of project is unacceptable and out of context.	The size and scale of the Proposed Development is acceptable in the context of a Nationally Strategic Infrastructure Project.
P-100	RR-008, RR-078, RR-110, RR-133, RR-145, RR-153, RR-185, RR-190, RR-195, RR-215, RR-222, RR-223, RR-243, RR-245, RR-303, RR-308, RR-319	40 years is a significant period in people's lives and not temporary. What is the lifespan of a PV Panel?	National Policy Statement EN-3 confirms a time limited consent, where granted, is described as temporary as there is a finite period for which it exists, after which the Proposed Development would cease to have consent and therefore, must seek to extend the period of consent or be decommissioned and removed. It states that an upper limit of 40 years is typical for solar developments. Aside from operations and maintenance, it is not anticipated that the panels will need mass replacement during the operational lifetime of the Proposed Development. Therefore, it is

			anticipated the panels will last the operational period of the Proposed Development, save for any maintenance.
P-101	RR-042, RR-160, RR-165, RR-205, RR-213, RR-233, RR-299, RR-310, RR-322	Proposed development is too close to new homes, house, schools, village. Should be sited further away from inhabited areas.	The site selection process for the Proposed Development includes the consideration of a number of factors. Embedded design measures, such as locating noisier equipment away from sensitive receptors ensures the location, design and layout of the Proposed Development is acceptable. Appropriate separation distances have been applied from infrastructure and sensitive receptors. Chapter 3 of the ES **[APP-86]** provides further details on the site selection process.
P-102	RR-054	Renewable energy sources Solar is one of the better inland options available. With the move towards EV transportation gaining pace the need for power generation places great stress on a legacy network architecture. Large scale farms such as this proposal are vital to the future of this community and ultimately the country. It benefits from a location close by to an existing entry portal to the transmission grid being close to the old Drakelow power station site. This avoids the need for extensive cabling projects to be able to realise the sites potential.	The Applicant welcomes this comment.
P-103	RR-068, RR-232, RR-291	Urgent need for renewable energy sources. Solar farms represent a clean, sustainable solution that can contribute significantly to energy independence. By reducing reliance on imported fuels, the community can shield itself from volatile energy prices and supply disruptions. The proposed solar farm in Rosliston is not just a local asset but a strategic step towards securing a more sustainable and autonomous energy future for the region.	The Applicant welcomes this comment.
P-104	RR-070	Locating the scheme close to the grid connection point is a positive.	The Applicant welcomes this comment.
P-105	RR-077, RR-127, RR-169, RR-234, RR-315	The project is taking away the greenbelt which farmers use for food production locally.	The Site is not located within the Green Belt. The Applicant's position on food security has been set out previously.

P-106	RR-078, RR-088, RR-095, RR-107, RR-135, RR-136, RR-172, RR-175, RR-195, RR-241, RR-245, RR-256, RR-290, RR-322	Supportive of renewable energy but not at this location.	National Policy Statement EN-3 confirms that that availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal. Therefore, the Site represents a suitable location for a solar park where it is in close proximity to a grid connection point with available network capacity.
P-107	RR-084, RR-115, RR-142, RR-319	A lot of disruption for 6 months of consistent electricity production per year. Solar energy is only being generated when the sun is out which is not when the most energy is required. Not enough sunshine for solar farm.	Solar panels are able to produce energy all year round even when it is not sunny. Chapter 3 of the ES **[APP-86]** provides further details on the site selection process and why the Site is suitable for solar generation.

5.23 PUBLIC RIGHTS OF WAY & FOOTWAYS

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-108	RR-005, RR-101, RR-123, RR-152, RR-201, RR-238, RR-253, RR-258, RR-282, RR-312, RR-317, RR-318, RR-325	Footpaths in the area linking Walton, Rosliston and Colton in the elms that would be blocked off and walkers would be barred from the centre of the national forest. Concern of impact of walking in the local area. Unlikely new footways will be provided	The only PRoW on the Site is the Cross Britain Way, which is also a Long Distance Path, and crosses a short section of the Site from east to west. The OCEMP **[APP-090]** sets out how the Cross Britain Way will be managed during the construction period. The footpath will not be diverted or temporarily stopped up during the course of construction or decommissioning. The footpath will be monitored by a banksman and if walkers need to cross the Site during construction, they will be accompanied to ensure safe passage. There would be minimal disruption once the Proposed Development is operational. The new permissive path will connect the PRoW at the south of the Site to the wider PRoW Network to the east and to the Cross Britain Way. This forms part of the Works no. 10 of the dDCo **[AS-005]** in which the Applicant will be legally requiredt to provide.

P-109	RR-025, RR-195, RR-313	The map does not seem to show the route of the "new permissive path" which is supposed to "improve connectivity through the site for pedestrians between Rosliston and Walton. Limited benefit.	The permissive path is shown on various plans including the Works Plan **[APP-007]** and the Landscaping Plans in the OLEMP **[APP-105]**.
P-110	RR-070, RR-094	Being at the heart of the national forest there are a number of permissive footpaths and bridleways through local land I would hope this would extend throughout the 400acre site.	A new permissive path will connect the PRoW at the south of the Site to the wider PRoW Network to the east and to the Cross Britain Way.
P-111	RR-195, RR-219, RR-319	Adverse impact on National Forest Way footpath	Chapter 11 of the ES **[APP-163]** has assessed the potential effects on the PRoW network. The Site has been chosen to avoid direct impacts on the PRoW network where possible. The only PRoW on the Site is the Cross Britain Way (National Forest Way), which is also a Long Distance Path, and crosses a short section of the Site from east to west. The OCEMP **[APP-090]** sets out how the Cross Britain Way will be managed during the construction period. The enhancements include, the creation of a new permissive path connecting the PRoW at the south of the Site to the wider PRoW Network to the east and to the Cross Britain Way. No routes will be diverted or replaced. Chapter 11 of the ES **[APP-160]** has assessed the potential noise issues arising from the Proposed Development in which it found there to be no significant adverse effects are predicted for users of the PRoWs and permissive paths. Chapter 5 of the ES **[APP-106]** provides an assessment of the potential landscape and visual impacts of the Proposed Development including from PRoWs.
P-112	RR-195	Better gains made through provision of pedestrian routes along roads	The Proposed Development does not increase the number of pedestrians in the area. Provision of pedestrian routes along roads is not provided as part of the Proposed Development.
P-113	RR-257	Footpaths are already impassible for most of the year due to poor maintenance. The proposed development would render these unusable.	Whilst the Applicant is able to enhance the footpaths within the site boundaries (very small section of the Cross Britain Way), the status and upkeep of the footpaths outside of the boundaries is the responsibility of the relevant LPA.

P-114	RR-291	The new links between existing paths and rights of way is welcomed.	The Applicant welcomes this comment.

5.24 TRANSPORT

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-115	RR-001, RR-002, RR-004, RR-005, RR-010, RR-034, RR-035, RR-037, RR-041, RR-042, RR-047, RR-050, RR-051, RR-058, RR-061, RR-062, RR-073, RR-079, RR-084, RR-085, RR-093, RR-095, RR-098, RR-099, RR-101, RR-102, RR-113, RR-119, RR-123, RR-126, RR-128, RR-129, RR-130, RR-134, RR-135, RR-141, RR-144, RR-148, RR-150, RR-155, RR-158, RR-161, RR-163, RR-168, RR-169, RR-172, RR-178, RR-180, RR-186, RR-193, RR-194, RR-198, RR-199, RR-201, RR-205, RR-206, RR-207, RR-210, RR-216, RR-220, RR-235, RR-238, RR-250, RR-255, RR-271, RR-273, RR-276, RR-278, RR-292, RR-293, RR-297, RR-299, RR-300, RR-306, RR-312, RR-317, RR-318, RR-319, RR-324, RR-325	Travel disruption during operation; increase in traffic/congestion in rural areas with narrow lanes.	The Proposed Development will be largely self-operational given the automated nature of the infrastructure. On that basis, the traffic associated within the operational phase of the Proposed Development will be far less than the construction phase and will only be associated with a small number of scheduled maintenance trips, such as grass cutting and infrastructure check-ups, and emergency trips (as required). There will be approximately 2 – 3 full time members of staff on-site during operation. These trips will be undertaken by light vehicles such as cars and vans and will not result in intense activity.

P-116	RR-003, RR-006, RR-011, RR-016, RR-017, RR-018, RR-021, RR-025, RR-029, RR-035, RR-038, RR-043, RR-044, RR-046, RR-047, RR-053, RR-055, RR-057, RR-062, RR-067, RR-070, RR-073, RR-074, RR-077, RR-078, RR-079, RR-088, RR-089, RR-092, RR-094, RR-095, RR-098, RR-100, RR-101, RR-102, RR-105, RR-106, RR-108, RR-110, RR-111, RR-112, RR-113, RR-115, RR-117, RR-119, RR-121, RR-131, RR-137, RR-145, RR-147, RR-149, RR-150, RR-152, RR-153, RR-155, RR-156, RR-158, RR-159, RR-160, RR-163, RR-164, RR-165, RR-170 RR-171, RR-172, RR-181, RR-185, RR-188, RR-189, RR-190, RR-192, RR-195, RR-197, RR-199, RR-201, RR-206, RR-207, RR-210, RR-211, RR-214, RR-215, RR-222, RR-228, RR-239, RR-242, RR-243, RR-246, RR-250, RR-253, RR-256, RR-257, RR-258, RR-261, RR-264, RR-265, RR-268, RR-269, RR-270, RR-272, RR-273, RR-284, RR-287, RR-290, RR-293, RR-294, RR-296, RR-306, RR-307, RR-308, RR-311, RR-312, RR-313, RR-315, RR-316, RR-318, RR-319, RR-324	Additional HGV traffic during construction. The country/rural/narrow lanes are unsuitable for HGVs. HGV's travelling through the villages will increase the risks to the road users and members of the public. Construction traffic will cause congestion, noise, vibration, disruption to existing traffic and pollution from vehicle fumes.	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. Construction of the Proposed Development is expected to take 16 months. The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 – Walton Bypass, Main Street and Walton Road • Scenario 2A – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B – Back up – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. The Applicant has secured rights across private land to host a new construction haul road to connect the Site to the public highway at Walton Road, to limit impacts to the local traffic network and so that heavy construction vehicles can avoid the villages of Rosliston and Walton-on-Trent. The Applicant has worked to understand local constraints such as the narrow Walton Bridge and revised weight limit on the Chetwynd Bridge, and this has been factored into outline transport plans to ensure heavy and light construction vehicles are routed appropriately to reduce the construction period as much as possible, while limiting traffic impacts. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the Walton Bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However,

			alternative solutions also exist should the Walton Bypass not be in place during the construction phase, and are detailed in the ES. There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control. There will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. It is appreciated that during the construction period levels of vehicle use on the roads leading to the Site will increase. That will be for a temporary period, with various routes available and with careful management of those movements proposed through the OCTMP to minimise the impacts of those vehicles and to ensure that they do not have significant effects on the surrounding road network. Decommissioning vehicle routes will be confirmed within the final Decommissioning Environmental Management Plan **[APP-092]** which will include a Decommissioning Traffic Management Plan. This is secured through Requirement 22 of the dDCO **[AS-005].**
P-117	RR-004, RR-019, RR-025, RR-041, RR-042, RR-046, RR-058, RR-062, RR-073, RR-088, RR-093, RR-100, RR-101, RR-106, RR-108, RR-110, RR-119, RR-130, RR-131, RR-135, RR-145, RR-152, RR-153, RR-158,	Further damage to already poorly maintained roads. Roads already suffer from potholes and in a poor condition.	A Highway condition surveys will be undertaken both before and after construction and will be subject to agreement with both SCC and DCC. This will ensure that any potential damage to the roads as a result of the Proposed Development can be remedied. Further details are set out in the OCTMP **[APP-148].**

	RR-164, RR-186, RR-189, RR-199, RR-210, RR-214, RR-216, RR-222, RR-223, RR-235, RR-238, RR-239, RR-242, RR-243, RR-253, RR-255, RR-256, RR-258, RR-261, RR-268, RR-273, RR-287, RR-290, RR-296, RR-297, RR-299, RR-312, RR-313, RR-315, RR-316, RR-317, RR-318, RR-325		
P-118	RR-008, RR-017, RR-022, RR-145, RR-185, RR-215, RR-222, RR-223, RR-277, RR-279, RR-303, RR-308	At consultation, the construction phase was 16 months, adding an unacceptable impact on rural local road networks including the A444, Stapenhill, Drakelow, Walton on Trent, Rosliston and Coton in the Elms and other surrounding villages. The build compounds are on small rural winding rural roads unacceptable for large HGVs and large traffic numbers. Increase of traffic on the A444, this road is already over capacity and it not fit for purpose being less than 6.7m in many place	There will be minimal operational movements associated with the Proposed Development. The levels of movements during the temporary 16 month construction period will vary and will include both heavy and light goods vehicles accessing the Site. On average during the construction period 17% of movements would be done by HGVs. Both the Preferred and Likely construction routes **[AS-015]** avoid the A444 with the Likely route using the southern arm of the St Peters Roundabout at Stapenhill. The back up route **[AS-015]** includes a short section of the A444 between the M42 and Gorsey Lane avoiding Overseal. The back up route would only be used while the preferred and likely routes are not available with construction vehicle routing reverting at the earliest opportunity. The back up route will also be used for abnormal indivisible loads. However, there will be up to two abnormal indivisible loads to be delivered to the Site; those will be in off peak hours, under police escort and preceded by works to reinforce verges, footways and culverts along the intended route where necessary. A CTMP would be prepared, to reflect the principles set out in the OCTMP **[APP-148]** which accompanies the application, and which would contain measures to minimise impacts from vehicle movements, including defining the routes to be used, restricting deliveries during peak periods, staggering in and outbound movements, appropriate signage and traffic control.

P-119	RR-008, RR-014, RR-041, RR-047, RR-058, RR-062, RR-067, RR-074, RR-085, RR-087, RR-088, RR-095, RR-101, RR-110, RR-134, RR-140, RR-141, RR-145, RR-153, RR-170, RR-185, RR-190, RR-193, RR-197, RR-210, RR-222, RR-223, RR-238, RR-239, RR-243, RR-266, RR-275, RR-278, RR-292, RR-303, RR-308, RR-312	The new Walton Bypass and bridge is not built. This is unlikely to be built. Will not provide adequate mitigation. Lack of infrastructure	The Walton Bypass is required to be delivered as part of the cumulative planning application for up to 2,239 dwellings (ref. 9/2009/0341). This required the Walton Bypass to be implemented prior to the occupation of 400 dwellings. A current application (ref. DMOT/2023/1024) is seeking to amend this to prior to the occupation of 785 dwellings. The application was presented to the Planning Committee on the 23rd January 2024 but was deferred to the next Planning Committee on 6th February 2024. The updated Committee Report relating to that application (DMOT/2023/1024) requires the bridge to be completed and open to vehicles by the occupation of the 785th dwelling or by 31st December 2025, whichever is sooner. The minutes of the Planning Committee on 6th February 2024 confirmed a the Planning Obligation would be amended to require the commencement of the Walton Bypass works prior to the occupation of 635th dwelling and submission of a valid application with details of the bypass and bridge by 30th April 2024. Whilst the application is still to be determined, there is a commitment and requirement for the bypass and bridge to be delivered. Consequently, two applications have now been submitted for the construction of the new bridge and bypass, both of which were validated on the 21st March 2024. Application DMPA/2024/0440 is seeking permission for *the development of new road layout to facilitate proposed amendments to bridge over the river Trent and Walton-on-Trent bypass* and application DMPA/2024/0431 is seeking permission for a v*ariation of condition 4 of planning permission 9/2006/0973 relating to the alignment and height of the bridge over the river Trent and Walton-on-Trent bypass*. These applications accord with the requirements of the Committee Report for application DMOT/2023/1024 for an application to be submitted and valid prior to 30th April 2024. This demonstrates that the Bridge and bypass are to be delivered in accordance with the relevant planning permissions. The Applicant has assessed alternative access arrangements should the Walton bypass and bridge not be operational before the commencement of construction.

P-120	RR-008, RR-014, RR-074, RR-089, RR-095, RR-106, RR-110, RR-112, RR-115, RR-116, RR-121, RR-153, RR-156, RR-172, RR-185, RR-190, RR-215, RR-222, RR-223, RR-239, RR-243, RR-303, RR-307, RR-308, RR-317, RR-319, RR-324, RR-325	The Bailey Bridge has weight restrictions and the Chetwynd bridge at the A513 has a weight restriction sending all farm and existing traffic through the villages which are already bottlenecks and rat runs. Weight limits through Coton in the Elms	Chapter 10 of the ES **[APP-155]** has assessed the potential impact of the construction phase of the Proposed Development. The assessment of construction routes determined that the following three construction routes for the Proposed Development provided the best options. • Scenario 1 (preferred) – Walton Bypass, Main Street and Walton Road • Scenario 2A (likely) – Heavy vehicles via Stapenhill via A5189, Main Street and Rosliston Road. Light vehicles, up to 7.5t, dispersed across different routes. • Scenario 2B (Back up) – Heavy vehicles via Coton in the Elms, and light vehicles along that same route and three others. Use of the Walton Bypass is the preferred option, should that be built prior to the construction phase commencing. It is understood that the bypass will be delivered by Countryside Properties before the end of 2025, so would in that scenario be present during the construction phase of the Proposed Development. However, alternative solutions also exist should the bypass not be in place during the construction phase, and are detailed in the ES.
P-121	RR-008, RR-100, RR-108, RR-112, RR-135, RR-145, RR-153, RR-170, RR-185, RR-189, RR-215, RR-222, RR-223, RR-239, RR-278, RR-279, RR-297, RR-303, RR-308, RR-313, RR-317, RR-319, RR-325	Abnormal loads through rural roads and Coton in the Elms are unacceptable and unfeasible. Contraventions of the 7.5t weight limit are a large issue now before the additional associated traffic is introduced from the development. Coal Pit Lane and Lullington Road are single track in places.	The OCTMP **[APP-148]** contains an abnormal load assessment of all possible routes from the strategic road network (A38 and M42), seeking to avoid local highway network constraints, and where it will cause as minimal impact to local sensitive receptors as possible. The route assessment identified local highway network constraints that would make it unsuitable for Abnormal load access, such as bridge heights, weight limits, and Air Quality Management Areas (AQMAs). There is the need for a maximum of two deliveries of prefabricated transformers. Following detailed assessment, the proposed Abnormal load route is 'Route' 8 as defined within the OCTMP. The route will commence from M42 Junction 11 and will travel to the site via local, low trafficked, rural routes. ES Chapter 10: Transport and Access: Appendix 10.7 – Indicative Abnormal Load Swept Path Analysis **[APP-154]** determines that a reference vehicle, can navigate the proposed route.

			Abnormal load mitigation measures will be secured under Requirement 10 of dDCO **[AS- 005]** and as a legal requirement under the Electronic Service Delivery for Abnormal Loads (ESDAL) system.
P-122	RR-008, RR-153, RR-195, RR-222	The new construction routes have not been consulted on and are unenforceable.	The Applicant undertook an informal targeted consultation of changes to the application including the revised construction routes from 9th March – 21st April 2023. All previous stakeholders consulted under Section 47 and all prescribed consultees under Section 42 (including all landowners under Section 44) were consulted on the changes made. A Consultation Plan and Timeline for the additional informal targeted consultation period was agreed with DCC and SDDC. Further details of the targeted consultation can be found in the Consultation Report **[AS-010]**. The construction routes are enforceable as the Proposed Development must accord with Requirement 10 of the dDCO **[APP 016]** – which requires the submission of a detailed CTMP which will confirm the preferred, likely and back up construction routes.
P-123	RR-016, RR-106	Poor signage, lack of reasonable speed limits and subsidence are a big problem	The OCTMP **[APP-148]** will ensure appropriate signage is provided along with specific details, requirements and routing for all construction traffic. These will be secured under Requirement 10 of dDCO **[APP 016]**. Measures will include: • Temporary construction route signage along the proposed construction vehicle routes from the initial loading point from the Strategic Road Network. • Information packs provided to the approved contractor detailing the proposed construction vehicle route. • Delivery Management System to manage the timings of vehicle movements and allow for enough time for a delivery to be made. The CTMP will act as a contractual agreement between the Applicant, and the contractor, and allows for enforcement to be employed if the commitments of the CTMP are breached. Enforcement procedures are outlined in Section 6 of the OCTMP **[APP-148]** and will be finalised with DCC and SCC prior to the construction phase commencing.
	RR-020, RR-025, RR-029, RR-061, RR-078, RR-100, RR-101, RR-102, RR-133,	Local roads will become unsafe due to proposed fences and hedges reducing sight lines. Local	ES Chapter 10 **[APP-155]** contains a detailed assessment of road user and pedestrian safety effects, in accordance with the recognised guidelines.

	RR-155, RR-156, RR-162, RR-178, RR-180, RR-188, RR-192, RR-202, RR-205, RR-207, RR-228, RR-233, RR-250, RR-257, RR-270, RR-299, RR-313, RR-319	roads are already dangerous. No pavements and difficult to walk along and dangerous for cyclists.	The assessment found that no road within construction vehicle routing Scenarios 1, 2A and 2B has a residual significance of effect greater than Minor (negative) for the road user and pedestrian safety. This is due to the very small increase in baseline flows, and the embedded measures that will be secured under Requirement 10 (CTMP) of dDCO **[AS-005]** to ensure road safety outcomes, including: • Restrictions on heavy vehicle movements outside of peak periods on the local highway network, including commuter peaks and local school pick-up / drop-off periods. • Vehicle delivery management system to manage the timings of heavy vehicle movements, ensuring heavy vehicles do not meet on the local highway network, especially on more rural links. • Core working hours to commence before and finish after the local peak periods on the local highway network.
P-124	RR-035, RR-189	Additional traffic and congestion will restrict the response times of emergency services. Affected by rural location.	The peak daily construction vehicle movements across the construction phase will be during month four with 104 two-way movements per day (52 deliveries), broken down as 28 two-way HGVs movements and 76 two-way Light vehicle movements. The average daily vehicle movements across the construction phase will be 81 two-way movements per day, broken down as 14 Heavy vehicle movements and 67 Light vehicle movements. This will not impede response times of the Emergency Services.
P-125	RR-239	If approved the development should ensure prompt repair and restoration of damage to roadways, verges and hedgerows etc which will inevitably occur during the construction phase given the unsuitability of the local road network to accommodate construction traffic.	A Highway condition surveys will be undertaken both before and after construction will be subject to agreement with both SCC and DCC. This will ensure that any potential damage to the roads as a result of the Proposed Development can be remedied. Further details are set out in the OCTMP **[APP-148]**. This is secured via Requirement 10 of the dDCO **[AS-005]**.
P-126	RR-257	Coton Road is in a bad condition sinking at the sides and current farm land continues to slip in to the road, making it very narrow in places. Construction vehicles will worsen this. Encourages more residents to use cars rather than more sustainable transport methods.	The condition of the existing roads is the responsibility of the Local Highway Authority. The Applicant has committed to undertaking Highway condition surveys will be undertaken both before and after Construction will be subject to agreement with both SCC and DCC. This will ensure that any potential damage to the roads as a result of the Proposed Development can be remedied.

	Further details are set out in the OCTMP **[APP-148]**. This is secured via Requirement 10 of the dDCO **[AS-005]**.

5.25 OTHER

APPLICANT'S REF	RELEVANT REPRESENTATION(S) REFERENCE	SUMMARY OF COMMENTS	APPLICANT RESPONSE
P-127	RR-013, RR-027, RR-196, RR-217, RR-259, RR-274, RR-283, RR-305	Concerns for the environment and community. This can not go ahead it will ruin the land and cause damage to the environment. General objection to the proposal.	The Application is supported by an ES which has robustly assessed the potential effects of the Proposed Development with a suite of mitigation measures provided where necessary to minimise adverse effects and secure the beneficial impacts of the Proposed Development.
P-128	RR-061	I have not been fully informed of this project since its inception. We are very close to the site and we got the initial information but I notice there have been changes since this and so I would expect full and honest consultation which has not happened.	The Applicant has undertaken adequate consultation and informed relevant persons and publicised the Proposed Development at the appropriate stages. Further details of the public consultation can be found in the Consultation Report **[AS-010]**.
P-129	RR-028, RR-315	For me, the main issue is about covering vast areas of agricultural land with solar plant just because the company proposing the plan can see they can make a lot of money. What should be happening is that the government decide how they want solar generated and then put out offers to tender not waiting for people to put in a plan that profits them but ruins rural environments	The current UK Government's strategy to deliver up to 70GW of solar energy by 2035 relies on private businesses and the market to meet the demand. The Applicant has submitted the Application in accordance with national policy as set out in the National Policy Statements.
P-130	RR-047, RR-072, RR-124, RR-125, RR-165, RR-167, RR-202, RR-233, RR-261, RR-287, RR-297, RR-304	Property prices will decrease/devalue.	The price of property is not a material consideration when determining the Application.

P-131	RR-050	This is a London based company who are in debt and are running at a loss and have only existed since 2020 and have never made a profit. We have seen companies like this before who run at a "loss", take government subsidies for clean energy projects, do a shoddy job, and then dissolve the company, freeing them from any accountability and responsibility and taking any profits with them	The Applicant has provided a Funding Statement **[APP-020]** which confirms the Applicant is the wholly owned subsidiary of BayWa r.e. UK Limited ("BayWa"), a company incorporated in England and Wales with company number 07538870. BayWa is a global developer of large-scale renewable energy projects. BayWa has delivered 625 solar projects worldwide totalling approximately 1900MW, including at least 32 solar projects in the UK totalling approximately 578MW. The Applicant has previously developed ground mounted solar schemes at Bracks Farm, in Cambridge, as well as Bann Road in Northern Ireland (NI) which is the largest solar project in NI.
P-132	RR-055, RR-060, RR-061, RR-095, RR-110	All about making one person richer than he is already at disbenefit to community.	The UK Government strategy to achieve net zero is reliant on businesses providing the necessary renewable infrastructure through Proposed Development, such as this.
P-133	RR-069	Cancer land use after.	The Decommissioning Environmental Management Plan (DEMP) Appendix 4.3 of the ES **[APP-092]** sets out how the land will be managed once the Proposed Development ceases.
P-134	RR-100, RR-110, RR-253 RR-256, RR-280, RR-315	Ability to redevelop the site at the end of its lifetime will result in significant adverse impacts.	The Site is required to be returned to an appropriate condition following decommissioning. This will be controlled by the Decommissioning Environmental Management Plan (DEMP) **[APP-092]**.
P-135	RR-113	Government should not be overriding local democracy who actually know the area and the needs of it.	National Policy Statement EN-1 confirms the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure including solar generation. It is also confirmed there is an urgent need for CNP Infrastructure which is key for the Government to achieve their energy objectives and Net Zero. It further adds that, it is likely that the need case for CNP Infrastructure will outweigh the residual effects in all but the most exceptional cases. However, the Nationally Significant Infrastructure process includes opportunities for local parties to have their say on an application both prior to submission and during the examination and those views will be taken into account by the Examining Authority and Secretary of State.
P-136	RR-140, RR-161	The cumulative impact of this scheme along with other developments has not been considered.	The cumulative impact of the Proposed Development along with other relevant development has been assessed throughout the ES.

P-137	RR-195	Consultation process has been biased towards having the proposal accepted. Limited public awareness or engagement. Only public consultation was held on May 2022 notification was limited and not well targeted, community engagement and awareness were poor.	The Applicant has undertaken an extensive programme of consultation as set out in the Consultation Report **[AS-010]**.
P-138	RR-195, RR-222	Limited re-consultation on amended details such as the revised transport route and the wider communities affected by this. March 2024 further details provided but did not make reference to the short deadline for 3rd May.	The Applicant has undertaken an extensive programme of consultation as set out in the Consultation Report **[AS-010]**. The Notice of Acceptance provided sufficient time for Interest Parties to make a Relevant Representation in excess of the statutory period set out in the legislation.
P-139	RR-195	The NSIP portal has been the only source of actual detail of the revised proposal, comprising of a Non-Technical Summary along with 200+ online documents of the studies and technical assessments undertaken. Difficult to read of make sense of the application.	The Application Guide **[AS-001]** can assist with understanding the application documents along with the Examining Authority's Examination Library. The documentation submitted with the Application is provided to ensure that the likely significant effects of the Proposed Development are identified and mitigation measures are appropriately secured.
P-140	RR-195	The consultation process has been a tick box exercise. Many of the technical reports within the Environmental Statement are biased towards the development. The process feels like it has been manipulated and green-washed by BayWa to serve their own commercial gains.	The Applicant has undertaken an extensive programme of consultation as set out in the Consultation Report **[AS-010]**. The ES has been prepared in a robust manner by a team of expert consultants and is being reviewed by the relevant statutory consultees with their own specialist expertise as part of the Examination process.
P-141	RR-219	As an immediate neighbour I should be automatically notified and kept informed and not have to register in this way.	The relevant legislation requires interested parties to register their interest for an NSIP. The Applicant has no control over this process.
P-142	RR-239, RR-319	There should be a clear and simple process in place for local residents and other parties to report such issues, and governance in place to ensure repairs are made promptly and to an appropriate standard.	The OCEMP **[APP-090]**, OOEMP **[APP-091]** and DEMP **[APP-092]** commit to providing a means for the public to report issues and make complaints. The detailed will be confirmed in the detailed versions of these plans.

P-143	RR-253	Loss of local identity that has been eroded by coal and clay industry.	The Applicant appreciates that there will inevitably be a change to the appearance of the Site. In some locations that change will be more significant, such as from certain points in the surrounding highway network or for users of the Cross Britain Way for the very short section of that PRoW. Those impacts are on temporary users, and have been minimised wherever possible through the mitigation measures mentioned. New planting will take time to establish, but the OLEMP **[APP-105]** ensures that new landscaping is appropriately specified, planted and maintained to ensure it successfully establishes.
P-144	RR-256	The photo on the BayWa r,e, Project Newsletter – March 2024 to be particularly misleading by creating the wrong impression for any reader of the Newsletter. It minimises the scale of the proposed Oaklands Farm solar panels and maximises the profuse growth of wild flowers in the foreground without any sign of the high security fencing expected in the Oaklands Project other than a single strand of barbed wire shown without any fence posts.	The image on the newsletter provides an indicative viewpoint of the Proposed Development.
P-145	RR-261	Maintaining these panels and the substation will need to be addressed as that will be ongoing for as many years as they are here.	The maintenance of the Proposed Development is set out in the OOEMP **[APP-091].**
P-146	RR-304	My home and farm land are over the hedge from these plans and no one from this company have been to address any problems that will happen to my business family and devaluation of my property	The Applicant has undertaken an extensive programme of consultation as set out in the Consultation Report **[AS-010]** and has engaged with the Interest Parties at various points during the consultation period.