From:	Diane Abbott
To:	Oaklands Farm Solar
Subject:	Further Submissions
Date:	23 October 2024 14:58:11
Attachments:	Oaklands NSIP sumission 30-04-24 corrected.pdf Comments for open hearing.pdf Visualisation feedback.pdf

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Dear Oakland's NSIP team.

Please find attached my prepared notes in response to the Applicants comments with relation to Landscape Visualisations.

This document needs to be read in conjunction with my previous submission REP1-043 as I have not duplicated the images.

I also submit the text that I read from during the Open hearing.

During the course of the hearings it became apparent to me that a few of the issues I raised early in the process had not been considered by any of the interested parties.

On looking into this further, I have discovered that my very first submission to the NSIP (RR-080) seems to have ended up with a big central section missing. I do not know if this was my error, or if it was caused in the process of redacting the property names (N° 1 Oakland's Cottage & Orchard Cottage). I have therefore reattached this as a correctly formatted pdf document (not redacted). The missing text as far as I can tell is now shown in blue - it is almost 3 pages long.

I would like to draw this to the attention of the Examining Authority, as I believe there are some interesting points that should be explored, especially in relation to the BNG calculations and the very optimistic evaluation of the proposed enhancements.

Note that at the start of the investigation the NSIP website would only accept a text string and did not appear to allow file uploads. It would be helpful if this was corrected for future projects.

NB - next week is half term, and I will be on holiday until 4th November.

Many thanks

Diane Abbott

Diane Abbott - Open hearing submission **October 2024**

I am a local resident, living next door to Oakland's Farm. I will be subject to all the harms and nuisances caused by the development, but with none of the compensations that the farm owners benefit from.

This project has been flawed right from the outset because of inadequate community engagement. The statutory consultation events in 2022 were poorly advertised, did not capture all the affected communities and contained scant information. Nor was it made clear at the consultation that if you had any concerns, that you needed to lodge a complaint immediately. It was not until 2024 that I found out the consultation had been deemed satisfactory by multiple councils, even though the marketing for the event failed to target many affected residents.

This is not a suitable site for a solar farm when there are other brownfield sites locally. It is on BMV farmland, in a prominent position in the landscape and in an area with very poor / overstretched transport routes. It will industrialise the countryside, reduce local employment and tourism, put habitats at risk and lead to various environmental impacts for the life of the project. It will greatly impact landscape value and amenity and will have a long lasting effect that cannot fully be mitigated – not to mention the risk of fire from the battery storage and possibly increased flooding on local roads.

EN1 has several provisions to ensure that a project such as this focusses on good design and the provision of improvements that benefit the environment and local communities. I do not think this application comes close to meeting this aim.

I wish to make sure that if this development goes ahead, then it is designed sensitively so that it abides by all of the relevant legislation and causes the least possible impact to all stakeholders.

So far, I have been disappointed how the Applicant's various technical assessments generally downplay the current state of the site (in terms of amenity, environmental and agricultural importance etc), and yet optimistically rates the benefits delivered by the development.

Where they have been challenged on the technical aspects of the proposal, the Applicants have broadly rejected other stakeholder's comments and have purely reiterated their initial position. In each instance, it is clearly a case of the Applicant marking their own homework.

I have found instances (for example in Noise), where the specialists have cherry picked legislation to support their case, but this legislation is not applicable. Or – in the absence of specific UK legislation such as for Glint and Glare, the specialists have used their own "expert judgement" to define mitigation criteria that will never be met in practice. This information is buried deep in the various technical appendices, meaning that it is highly unlikely that any issues will have been spotted by either local residents, or even professionals viewing the summary documents.

I have questioned the accuracy of all of the Applicant's visual representations which are not to scale and create an unrealistic impression of how the landscape will be affected throughout the life of the project. The Applicant has failed to address these concerns.

Overall, the Applicants have offered very little in return for this massive industrial installation in our rural environment. Miles of fencing and opaque screening will ruin the scenic views from the site, reducing amenity and creating an industrialised corridor between local villages. They have proposed adding a footpath through the site (under the line of pylons where they can't put their infrastructure), but this serves little benefit to the local communities and does not connect villages.

There will be a small amount of additional woodland and pockets of meadow planting around the site as visual mitigation – but there will be no public access to these areas.

Other aspects where the application fails to consider "Good Design" is the transport route onto the site which follows the course of a local stream meaning excessive environmental impacts.

Also, the site of the second construction compound is in a highly visible location just off Coton Road. It would be better sited at the centre of the development, where it will be more secure and offer improved access to the majority of the site without threatening the local landmark of the Twin Oaks tree and being an eyesore for residents and users of Coton Road.

If this development goes ahead, there is so much more that could be done. Why not deliver safe walking routes around the perimeter of the site that will help link local villages, or create open access meadow / woodland areas where the mitigation planting is required? These simple measures would go a long way to reducing the amenity losses and making the development a better neighbour to its local community, thereby meeting the requirements of EN1.

Recent precedent shows that the Secretary of State is willing to approve solar farms even against the recommendation of the Planning Inspectorate. Nevertheless, I believe that there is still much that can be done to improve the way this project fits into the environment and to minimise its effect on residents and wildlife. I hope our presence here today can get more safeguards built into the proposal to deliver the best possible outcomes for the local community.

References (paraphrased):

EN1 section 4.6.13 which states: "Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure. Such as… reduced flood risk, improvements to air or water quality, landscape enhancement, increased access to natural greenspace, or the provision of trees and woodlands".

Section 4.7 of EN1 specifies how projects such as this need to focus on "Good Design".

To paraphrase… Good Design includes consideration of; "The visual appearance of a piece of infrastructure, how it relates to the landscape, appropriate siting to help mitigate adverse impacts, and use of appropriate technologies and sustainable design practices to minimise impacts. "

Comments on Applicants response to Landscape Effects / Visualisations Oct 2024

I have reviewed the Applicant's responses to the ExA Question 9.1 and have noted the following points.

In my initial critique of the visualisations, I pointed out visual clues that suggested the calibration of multiple images were in error, such as solar panels being modelled lower that hedgerows, and through comparison with the height of gateposts etc. I only questioned the topography in one of the images (fig 5.10p looking towards Oakland's Farm).

In their first response the Applicant stated that all the issues I queried were the result of perspective and topography.

In response to the Ex A questioning, the Applicant has virtually checked the calibration against different topography models and has concluded that there are minimal topography errors in their initial visualisations and that they can be relied upon to inform the determination of visual effects (undermining their initial response to my concerns).

However, as part of this evaluation, the Applicants confirm that typical level of error on the vertical height of these topographical models is up to 2.5m. Surely this renders the virtual models ineffective when evaluating the impact of solar panels that are 2.7m tall?

In relying so heavily on topographical models and computer modelling, there has been a lack of focus on sense checking what can be seen in the completed visualisations. This remains apparent when checking distant hedges that should be completely obscured by solar panels, yet they remain visible in the background on the visualisations.

LVIA Guidance says "Care should be taken when using software approaches to determine the size of the render within a photograph. A 'sense-check' will help ensure the overall placement is correct."

Some simple reference photographs of a calibrated pole at the correct distance from the camera would be enough to cross check the modelled heights of the planned infrastructure, especially now that the proposal is well enough developed to understand the offset distances from the camera.

The sections below are my detailed comments following the Applicants responses to ExA Question 9.1.

They should be read with reference back to my original submission REP1-043 (with images), as I have not reproduced them again here.

Figs 10b & c (Coton Road – looking Northwards)

In their rebuttal of my assessment of the view on Coton Road Northwards (fig 10b / 10c) the Applicant's fail to explain why the solar panels at the top of the hill are shown as less than half the height of the hedge (which is probably 2 to 2.5m tall).

They state that the portacabin has been modelled at 2.3m tall which distorts how the view is perceived. This seems exceedingly low. Other portacabins on site have been specified as being 2.9m tall, mounted on a 10cm concrete slab. I see no reason why this one should be any different.

It has been clarified by the Applicants that the opaque screening on Coton Road will be 3m tall. If this is the case, why do the fences in the image not completely obscure the 2.3m portacabin? And why do the solar panels behind the cabin not rise above the building – as they are 0.4m taller and on rising ground?

The details of the type of opaque fencing has not yet been provided. Therefore it is not clear whether the subtle green screening shown in this image is in any way representative of the actual design solution.

My concerns about the accuracy of this image remain.

Figs 10f & g (Coton Road – looking towards Lad's Grave)

The Applicant states that based on virtual markers the rendering is modelled at the correct scale, however this fails to consider visual clues such as hedge heights and the known geometrical relationships between the fence height and panel height.

A site visit and photograph from a similar position with a calibrated height measure at different positions in the field would quickly confirm the scale that the solar panels should have been modelled at.

Figs 10j & k (Coton Road – looking roughly South)

In this image, the Applicant's claim that the gate measurement I provide is "significantly further forward" than the proposed security gate / fence position. If this is the case, then why is the fence's shadow modelled at almost exactly the same height (in the visualisation) as the gate in the original image.
If the security fence is further into the field than the current gate (as a result of visibility splays and road widening), then it should be modelled higher in the image.

The Applicant fails to explain why the solar panels look to be lower than the ~1.6m tall hedge in the centre of the image.

Figs 10o & p (Coton Road – looking towards Oakland's Farm)

This is the only image in which I queried the topography, and yet the Applicant's make no reference to checking the topography elements in this view. I made no claims regarding calibration of this image as there are no defined objects that can be measured. I did point out that the distant hedges should not be visible behind the tall solar panels in the foreground, but the Applicant has failed to respond to this point.

Figs 11b & c (Cross Britain Way looking roughly North)

The Applicant's state that all items are modelled at the correct scale, but provide no evidence.

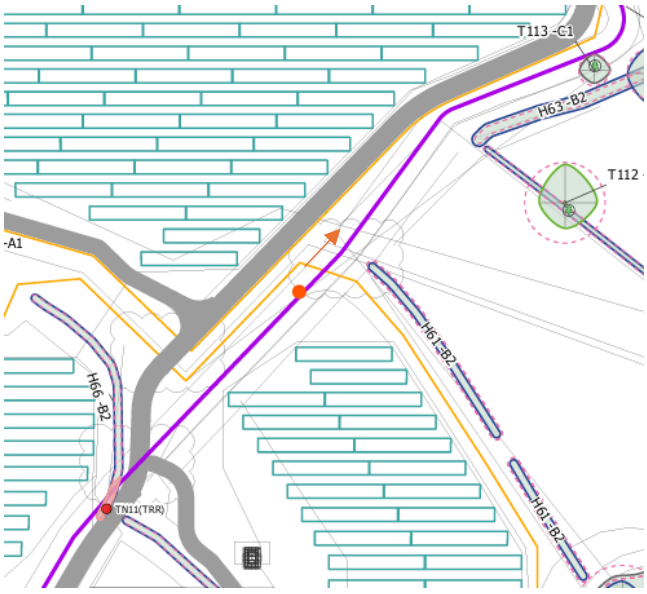
A site visit, taking photographs of a calibrated height marker at different positions in the field would be a simple way of clarifying the accuracy of the rendered visualisation.

Below is an excerpt from the Arboricultural assessment EN010122/D4/6.1/Appx 6.14 (sheet 4), which shows the expected layout of the area in question. The approximate camera position and direction of view is marked in orange. (The cable route is marked in purple and security fences are yellow.)

The Applicant's visualisation fails to show the full 6m access track running in front of the solar panels, nor does it show the security fencing that will be needed on either side of the PRoW (approx. 5m between fences).

The fence and solar panels on the left side of the visualisation seem to be modelled much further away from the camera than the hedge on the right, but, as they are similar distances from the central camera position, they should show the same perspective.

As before, I remain sceptical about the accuracy of this visualisation.



Other views

In my original submission I focussed only on the five images discussed above, but explained that I was similarly concerned about all other visualisations. The Applicant has not provided any commentary regarding the accuracy of any other viewpoints that they have modelled.

None of the viewpoints shown above are really representative of the impacts of the development on the landscape as experienced by local residents and road users. Other views, such as from the crossroads at Lad's Grave, or driving (riding, cycling or walking) along the roads around the perimeter of the site between Walton on Trent, Coton in the Elms and Rosliston would offer better indicators as to the landscape and visual impacts of the site as a whole.

As an example, I include below the view from Lad's Grave.

All traffic passing through this junction currently gets a magnificent view across the fields. The yellow bar below shows the approximate horizontal extent of the solar farm (the correct height would of course depend on distance from the camera and site topography).

Oakland's Solar – NSIP letter

I am strongly opposed to the Oakland's Farm solar project and wish to have my views heard during the Planning process. I am in favour of new green energy and understand the important role it plays in achieving net zero, but I believe this should be generated using the most effective / efficient and least harmful methods possible. The Oakland's Solar proposal does not achieve any of these goals.

As a close neighbour of the site I will suffer significant negative impacts in multiple ways and believe the submitted documentation does not adequately reflect this.

Here are some of the reasons I object to this proposal:

Effectiveness of consultation

- There has been inadequate publicity about the project and a lack of meaningful consultation with interested parties, both local residents and other stakeholders such as people that travel to the area for work or leisure.
- The proposal has been worked on for several years by the developer, yet the only full scale public consultation was held in May 2022 before many of the details were known. At this stage it was communicated that the application would be submitted in Autumn 2022.
- The statutory consultation was notified to residents through a limited leaflet drop, which occurred just before Easter and would have been easy to forget in the public and school holidays that occur at this time. The in-person events were also held in a bank-holiday week, which is less than ideal for ensuring good community engagement.
- There were only three venues where copies of the SoCC information were available during the statutory consultation period, these were at libraries sited 3, 6 and 7 miles away from the development site. The closest two of these libraries are in Staffordshire, whereas the development itself is in Derbyshire – is it reasonable to assume that Derbyshire residents would visit libraries in another county? Alternative locations for sharing the SoCC documents in the villages affected were not considered. These could have been provided at the local schools, village halls, Rosliston forestry centre, shops or pubs, or through local community groups. All of which would have been more accessible to members of the public, including working people, the elderly and families residing outside the leafleted area but using the local schools.
- Local village noticeboards (such as the three in Walton on Trent) were not used to inform the community prior to the in-person events taking place, this could easily have been arranged.
- The in-person consultation was centred on two venues; one in Walton on Trent and one in Rosliston. Residents in Drakelow and Coton in the Elms were left without an easily accessible venue to find out about the project. The lack of advertising meant it was unlikely they were aware that they needed to travel to the neighbouring villages.
- The Walton on Trent event was held on a Friday between 1pm and 7pm – meaning that many working / commuting people would be unable to attend. The Rosliston event was for just 4 hours on a Saturday when people often have other activities planned.
- The information provided at these events was lacking. Images were too small and dark to be seen easily, maps were provided without a key, there were no scaled visualisations. It was also evident that representatives at the events did not have answers to the questions raised by the public.

- Taking all the points raised above – I feel that the statutory consultation was both badly publicised and did not effectively target the different types of populations affected.
- I raised my concern about the poor publicity for the statutory consultation with BayWa in person at the event (and later in writing), but was told that there would be other chances to influence the process once the application had been submitted. I now find out after much research that any representations regarding the consultation process should have been made to my local council or the IPC at the time so it could be considered prior to application. As a layperson there is no way I could have known this at the time.
- Since May 2022 there have been various updates to the project, but these have not been brought back to a full public consultation.
- I believe the delays and changes to this project should have meant a full scale follow-up consultation was necessitated. As this was not completed, many local communities affected by the development have been excluded from the process. (Eg new residents at the Dracan housing estate, and residents in Drakelow, Stapenhill, Coton Park, Grangewood, Netherseal and Acresford who will be affected by the proposed transport routes).
- In late March 2024 BayWa conducted a leaflet drop to notify of the NSIPs sign up stage (radius of coverage unknown) but this did not reference the deadline of 3rd May 2024 and again arrived just before the Easter holiday. The leaflet contained very little meaningful information, showed no visualisations or transport routes and included an out of date site map. Nor did it outline any of the possible impacts on the local community. If this leaflet was considered as an advert for the site, there is an argument that it would have fallen foul of trading standards legislation for it's lack of balance, missing information and unsubstantiated claims.
- I understand that the NSIPs consultation process was advertised in the local and national press, but after extensive searching on-line I have failed to find any record of this information.
- In order to find out more information, interested parties were required to access the NSIP portal. The documentation provided on the NSIP portal is extensive and does not offer an easily accessible summary (in total there are 211 documents in no particular order). There is no way that the general public would be able to access and evaluate even a tiny proportion of the information in the time available. Six weeks is clearly not long enough to give residents and organisations sufficient time to understand the proposal and put their views forward. I strongly believe that a new consultation is required to present the latest information to the public in an accessible manner over at least 3 months; otherwise the process cannot be considered to be democratic.

Site selection:

- The developer fails 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.
- 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.
- I believe the actual reason for selecting this site is the fact that the developers had found landowners near to Drakelow substation that were willing to commence the project.
- The site is on good quality farmland. Government guidance states that BMV farmland should be avoided. There are multiple sites nearby (such as the old Drakelow Power Station) that would be more suitable for solar power generation (one site is already running

and a new one is in planning.) The fact that these sites were not available for BayWa to develop is not good enough justification to use BMV land.

- There have also been many large warehouses developments built in the local area (within 12km of the proposed site) these could also have been identified as suitable locations for a rooftop solar development. Or the developer could have investigated sites in proximity to other sub-stations.

Timescale

- The proposed 40 year running period for the site represents a generational change and should not be considered temporary.
- Once farming and farmers are displaced from the site, they are unlikely to return.

Loss of BMV land

- When evaluating the loss of BMV to food production, the Agriculture and Soil report considers the difference between food production from the BMV land on this site and a baseline level of production from a site that has poorer ground. This is misleading as there is no evidence that another alternative site with the same acreage will suddenly commence production once this site is lost to agriculture. Therefore the full loss of production of the site should be considered.
- Much of the site will be impacted by permanent changes, such as the concrete base for the BESS and under the solar panels that cannot be piled, and the various access routes across the site. This proportion of the site should be quantified so it can be shown how much will never be returned to agricultural usage.
- The heavy equipment being used on site will likely damage the soil structure irreversibly, especially if construction continues in wet conditions when farmers would normally keep off the land. If the site is to be returned to agriculture, then there needs to be strict conditions for working only when the ground conditions are suitable.

Visual impacts

- The site has a rolling topography, which means that effective screening of the panels and other related infrastructure for much of the site is not possible. It is acknowledged that there will be significantly negative long term impacts from the development.
- The visual receptor points chosen by BayWa do not adequately reflect what will be seen from the key local viewpoints and this is noted in the assessment itself. “There are a few receptors that do not consider a representative viewpoint”. Other – better sited receptors should have been considered. It is not clear whether inspectors approving the chosen vantage points were familiar with, or visited the site before making their judgement.
- None of the visualisations provided show any evidence of being calibrated to represent the realistic heights of the solar panels or other infrastructure. (This can be demonstrated at a later date if required – but metal gates are typically 1.1m tall and this can be used as a rough calibration measure).
- Similarly the sizes of trees shown in the mitigation planting have been exaggerated meaning that the long term views are also misleading.

- None of the visualisations include the 3m CCTV towers around the site, and many fail to show the various site compounds and transformer buildings etc.
- There were no scaled visualisations shown during the consultation phase, thereby denying the public the ability to judge for themselves the impact of this proposed development.
- It is not immediately clear that the latest visualisations are not to scale (indeed the reports state otherwise), therefore these images are misleading to the general public and to the examining committee.
- New receptors should be identified and modelled to scale before the landscape visual assessment is reviewed. These revised documents should be subject to public consultation.
- The Landscape Visual Amenity Assessment specifies that a High Magnitude of change in visual amenity is defined as "The property is affected by a large change to views/ visual amenity in the round. For example, the Proposed Development will be a key/defining element in the main view from the property and garden, or will be prominent in views from multiple aspects (including the main aspect of the property)."
  By this criterion many of the evaluated properties (eg Lad's Grave, Walton Hill Farm etc) should be classified as suffering a "high" magnitude of change in year 1, and yet the report only rates them as "medium". This is subjective and an impartial review should be undertaken to reassess the impacts on local properties through site visits.
- The Landscape Visual Amenity Assessment includes factual errors. Property 3a is referred to as Orchard Cottage, when this is actually N°1 Oakland's Cottage (it is privately owned and does not form part of the project landowner's holdings). This also raises the question of whether important consultation material was provided to the correct recipients.
- The impact of light pollution during construction and operation has not been adequately assessed for how it will affect local residents or the ecology of the site.

Ecological effects

- The development will have a major negative impact on the flora and fauna of the site. Hedgerows will be dug up and trees uprooted. The main transport road to be created through the site is along the path of a stream / woodland and will cause the worst possible environmental effects along a vital wildlife corridor – this access route should have been re-sited to cause less ecological damage. Most of the wildlife on site (badgers, foxes, deer, otter etc) will be displaced (or worse) during construction and larger mammals will have no means of re-entering the site once the fences have gone up. Red listed bird species present on the site such as skylark and lapwing will lose valuable breeding grounds.
- There is no mention of how the Ecological Emergency declared by South Derbyshire District Council in September 2023 affects the development – and what additional actions will be taken to mitigate the ecological impact of the site.
- The biodiversity net gain metric has used an old format. Biodiversity Metric 4.0 was published in March 2023. The first draft BNG report for this site was prepared in April 2023 and has been revisited several times since then. I believe that due to the timeframe to develop and approve this project, that the latest BNG legislation metrics should be used as a baseline.
- The BNG improvements rely heavily on the additional 47 Hectares of "neutral semi improved grassland" that will be planted around the arrays. In determining this, the marking criteria assumes "Wildflowers, sedges and indicator species for the specific grassland habitat type are very clearly and easily visible throughout the sward." This is a

bold assertion considering that the long term parcels of similar grassland on site currently do not meet this criterion despite having multiple different species reported. It will also be difficult to establish a good wildflower mix on previously enriched land that has only just been moved out of arable use. It is therefore likely that the newly planted areas both around and under the solar arrays will remain as "poor" for many years to come.

- The newly planted hedgerows have been assumed to achieve "pass" marks for being both taller than and wider than 1.5m, for no canopy gaps and for no gaps between the ground and the base of the canopy. Thereby scoring higher than many of the established hedgerows on site. None of these thresholds can be met by a newly planted row of whips. Also, the assumption that "Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground" is extremely optimistic as these hedges will have been planted on previously enriched arable land which will favour the growth of nettles, cleavers and dock. These pass criteria can clearly not be met by a new hedge (for at least 15 years) and therefore the overall classification of these hedges should be considered as "poor" or "moderate" and certainly not "good".
- New woodland created is considered to be of moderate quality but high distinctiveness whereas the established woodland on site is only classified as being moderate quality and moderate distinctiveness. There are some unusual marking criteria in that the new woodland scores better for "deadwood" than the established woodlands.
- All of the BNG calculations should be assessed to ensure that this overly optimistic approach to habitat creation is not unrealistically characterising the development as positive for the environment in all of the different habitats surveyed.
- The BNG calculations should consider the harm to habitats out of the site boundary as a result of on-site working. For instance, how is the downstream area of the stream affected during the construction phase? There is also a portion of the stream (South of Park Farm) that is surrounded by the site, but not within the red line – has this been included?
- The developers claim that decreased use of herbicides will benefit the ecology of the site but provide insufficient evidence to prove this. For instance, is there any planned use of herbicides to keep vegetation from growing up around the solar panels and other equipment and how does this compare to historical usage by the farm? The Environmental Management Plan "assumes" that vegetation will be managed by mowing or grazing but this is not sufficient evidence to support the claim that herbicide reduction delivers a tangible benefit.
- Risk of transferring invasive species across the site (from Drakelow power-station to the existing farmland) does not seem to have been adequately considered. Management of invasive species is cited by BayWa as a potential benefit of the project – when in actual fact it's the development itself that brings the risk of spreading invasive species further.
- A long term and binding ecological management plan is required to ensure that the biodiversity improvements claimed in the literature are managed, monitored and delivered accordingly for the life of the project.

Amenity improvements to the community.

- There are multiple areas of planting to help screen the site. To improve amenity, these should be designated as open access pocket parks for the local communities.
- The permissive footpath through the site is welcomed, but is of limited amenity as it is directly through the site in a narrow corridor under the line of pylons. More community benefit would be gained if routes bounding the site alongside the existing roads could be

put aside for safe pedestrian access, this would enable safe pedestrian travel between Walton on Trent, Coton in the Elms and Rosliston which is not currently possible. These routes could also serve to enable access to the woodland planting areas eg at Lad's Grave.

Travel and transport.

- The development is particularly poorly sited to access the strategic road network.
- The local road network is not suitable for a major development project such as this. The development will impact the safety of all road network users during the course of construction and decommissioning.
- Key communities affected by the increase in HGV and light traffic were not consulted (eg Drakelow, Stapenhill etc).
- HGVs should not be using narrow country lanes for access to or egress from the site.
- Traffic plans to protect local communities and conservation areas cannot be enforced.
- School children in Walton on Trent, Rosliston, Coton in the Elms, Stapenhill and Drakelow will all be put at risk by the increase in traffic during construction.

Noise and vibration.

- The construction phase will cause major negative effects on local residents (through noise, dust, vibration, light pollution and loss of amenity) but these have been downplayed in the documentation.
- I do not agree that vibration should have been scoped out of the assessment due to the fact that the majority of solar panels will be mounted on piles driven into the ground.
- Vibration effects on the ecology of the site is also not sufficiently considered (eg where piling will surround badger sets).
- Once operational the site will produce noise both day and night, this will have a great impact on local residents and on the amenity of the site for users of the local road network and footpaths (eg cyclists, horse riders and pedestrians).
- Impacts of noise on pedestrians using footpaths through and near the site are inadequately prioritised and assessed. Dismissing the effects of noise on users of the Cross Britain way as transitory is unreasonable, as it will take around 20 minutes to traverse the site.
- The noise report and methodology repeatedly seeks to minimises the actual impact the development will have on the local population. An impartial study should review the various noise thresholds set within the report to determine if they are consistent with the appropriate planning requirements.
- The magnitude of criteria for daytime construction noise has the starting threshold for "minimal" effect of 65dB, this seems unreasonably high for the typically tranquil nature of the surroundings and for works that will last for 2 years. A starting threshold of 50dB would be a more reasonable.
- The methodology for the noise assessment fails to use the measured baseline noise survey data to set the LOAEL and SOAEL. Instead it arbitrarily chooses to use BS8233 which is intended to be used to determine insulation requirements for new and refurbished dwellings in noisy areas. The Government document Method Implementation Document (MID) for BS4142 Section 8.5 states that "You must not use BS8233 to assess noise pollution from an industrial or commercial sound. It does not take into account any

acoustic features such as tonality, impulsivity, intermittency or other distinguishing feature."

- The use of this inappropriate standard artificially increases the baseline by up to 7dB (day) and 16dB (night), which is a massive misrepresentation. These new baselines already exceed the LOAEL and SOAEL thresholds in places – before the additional noise of the site is considered.
- The use of this clearly inappropriate standard to artificially increase baseline levels by up to 16dB show the willingness of BayWa misrepresent the development and to purposefully mislead the average layperson reading these reports.
- The LOAEL and SOAEL should be based on 5dB and 10dB increases above measured baseline – as defined by SDDC policy.
- The noise report itself appears to have some errors and inaccuracies. For instance, if daytime noise levels for Boroughfields Farm Cottage are based on the recorded levels at Twin Oaks, why do they not match in table 14 of Appendix 11.1 (where Boroughfields is shown as 41dB and Twin Oaks as 34dB).
- The long term sound recording meter at Twin Oaks failed, therefore there is only limited short term data available for some of the closest properties to the development. This long term study should be repeated to ensure an adequate evaluation of daytime and nighttime levels at this critical location (affecting 7 properties).
- Surveys held at Twin Oaks Cottage mention that the predominant noise source is the farm ventilation fans that are stated to "run continuously". Yet it is mentioned in the night-time survey for Boroughfields Farm Cottage that the fans cut in and out. It should be assessed whether the amount of time the fans were running during the survey was an adequate reflection of the normal operating condition. (A long term study would assist this).
- The Government document MID for BS4142 (Dec 2023) states "for unattended monitoring, you must use a logging weather station." It is not clear from the noise report whether this was the case or not.
- The short term, attended noise assessments should not have been carried out during rush-hour / school rush hour as these times are not representative of the tranquil nature of the area. (For example the attended measurements at Twin Oaks should not have been carried out at 8.56am or 4.41pm; similar times were also used at other receptors).
  The Government document MID for BS4142 (Dec 2023) clarifies this, section 7.3 states "You must not measure during the most unfavourable time interval and claim it is representative of the whole day or night period. For example during rush hour or during late evening when other sound sources can still be heard."
- The noise survey mentions that passing trains can be heard at night (from 2km away). Trains can generate 80-95dBA (up close), but this is a transitory noise source, from a distance, lasting only a few seconds. Some of the operational equipment on site is expected to generate noise levels of >90dBA and is sited less than 500m from local properties. It therefore unlikely that the noise impacts on nearby receptors will be "negligible" as claimed.
- The noise document says that string inverters will be sited as far from receptors as possible. This is clearly not the case for the string inverters near to properties in Rosliston, and at Lad's Grave. To improve attenuation, the inverters should be positioned in the middle of the solar fields, rather than at the boundaries close to receptors.
- Actual noise levels for much of the operational equipment remains unknown and multiple approximations and assumptions have been made throughout the document. As a result, the proposed operational sound mapping is pure speculation and I don't believe any

meaningful conclusions of how residents will be affected can be drawn. Nevertheless, if the measured baseline levels are taken, then it can be shown that the noise on site will exceed the current nighttime LAOEL thresholds of 5dB over baseline for many of the properties.

- More information is required on the type of equipment and levels of noise that will be generated on-site.
- Referring to Appendix 6.1 Section 11.136. The noise report fails to add a sufficient modifier for the tonal noise source from the equipment (inverter and transformer hum will be noticeably tonal) which should result in a 5dB penalty. The report claims that it is only the transformers that will have a tonal quality, but in reality the data simply isn't available to confirm this.
- There is also the expectation of a 3dB (or higher) modifier for acoustic features such as a whine, hiss or screech (again, refer to the MID for BS4142). This modifier this has not been applied despite it being well known that inverters and transformers can produce an unpleasant high pitched noise.
- I'd also like to see an assessment on how low frequency noise from the site may impact neighbours.
- An independent report should be prepared to ensure that noise impacts are properly and impartially assessed using the appropriate standards.
- On the basis of this revised noise report, the developer should be expected to provide sound attenuated equipment, acoustic screening and other methods to minimise the impact on all nearby properties. 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.

Glint and Glare

- The glint and glare report desk study shows that many properties will be affected for months of the year, but does not see this as a significant negative effect (the assessment criteria is remarkably lenient). The threshold used by this report is that reflection must last for more than 3 months of the year and more than an hour a day to be considered problematic – this is way in excess of typical industry standards which tend to consider impacts of over 30 hours a year or 30 minutes a day as requiring mitigation.
- Multiple properties in Rosliston will suffer glint and glare between 6pm and 6.30pm from April to October. To consider that this will cause only a low level of nuisance that will not require mitigation is frankly ridiculous.
- Glint and glare can cause problems for residents where it is visible from ground level or from upstairs, a fact dismissed by the report.
- Desk studies for glint and glare have not been backed up by sufficient field surveys to clarify if the site can be seen from certain locations. Not all of the graphs for glint and glare are shown in the report meaning that affected residents cannot assess the level of nuisance they will be subjected to. My own property has been excluded from the tabular results despite the fact that the submitted zones of visibility seem to affect the house (see fig i27). The fact that the site was visible from multiple windows in my house was pointed out during the statutory consultation, but this has been ignored.
- There is no consideration of the intensity of reflection for dwellings and local transport network receptors (as required by The National Policy Statement for Renewable Energy Infrastructure (EN-3)11 section 2.10.104.

- The glint and glare study uses multiple flawed assumptions. For instance, it uses the midpoint of the solar panels as the modelled reflective surface height (1.75m) rather than the maximum height of the solar panels (2.7m). This massively underestimates the glint and glare effects for all local residents and road users as it ignores the most visible top half of the panels.
- Nor does the report consider that the solar panel frames will be bare metal (aluminium or steel) and therefore over ten times more reflective than the solar panel themselves (as noted in the report itself), this should be factored into the relative reflective nature of the site as a whole. (As per The National Policy Statement for Renewable Energy Infrastructure (EN-3)11 section 2.10.106)
- The report only considers receptors within 1km of the site, in reality the panels will be visible from a much greater distance. Indeed the assessment on glint and glare for local airfields requires an assessment distance of 10km.
- The glint and glare survey also reduces the impact on a receptor based on the distance of separation. However, in previous reports, Pager Power have stated " From a technical perspective, there is no maximum distance for potential reflections." Therefore, if glint and glare is possible at a receptor, it should not be assumed to be minimal based on distances of less than 1km.
- These multiple flawed assumptions mean that the majority of the conclusions drawn by the report are meaningless. An impartial assessment of the Glint and Glare report should be compiled for consideration.
- Long portions of the road network will be protected from glint and glare by "temporary" plastic screening for 10 years whilst hedgerows grow up – as well as being unsightly, this will produce a lot of plastic waste going into the local environment as it degrades. Once the glint and glare report is altered to review the maximum height of the solar panels, this could extend to other roads in the local area. A better solution would be to delay siting solar panels in these high risk areas until the environmental screening has grown up – or to reduce the overall size of the site. There should also be consideration as to applying protective coatings to the panels, or to changing the angle of orientation if these also reduce glint and glare effects.

Flooding

- The impact of potential surface water flooding from the site has not been adequately assessed or mitigated – nor considered as a risk from future environmental change. Several roads around the site already suffer from surface water flooding for months of the year, sometimes becoming impassable to traffic (this was highlighted during consultation). This flooding will only be compounded by the development of the site and will require mitigation.

Battery Storage risks

- I am concerned about the siting of the Battery Storage facility and how it will be reached in the event of an accident or fire. Access to the site during operation will be from Coton Road which is a narrow and winding country road. I do not think the response time to any emergency reported on site will be adequate due to the access constraints of the local road network. Consideration must also be made about storing the vast amounts of

contaminated water in the event of a fire so that it does not enter the environment or escape into the river Trent.
- The potential fire risks of the battery storage facility were not made clear at the time of the statutory consultation.
- Pollution mitigation plans in the event of a battery fire must be fully understood, either from smoke, noxious gases, water or ground contamination.

Working hours

- I object to the extended working hours for the proposed site. Working time in the week is planned between 7am and 7pm, with 1 hour before and after for start-up and wind-down operations (so 6am to 8pm); this is well outside the accepted norm for daytime working which is 8am to 6pm. Similarly weekend working hours exceed those normally specified for construction projects. This will cause great disturbance to local residents with little respite.

Decommissioning and reinstatement

- The documentation claims that after decommissioning the site will be capable of being returned to agriculture. I believe that in reality the majority of the changes to the site will be permanent and hard to mitigate. There are multiple access roads across the site that will compact the soil and make it unusable for farming. The concrete foundations and various other site infrastructure requirements are also likely to be permanent and the piling of the solar panels will impact land drains.
- Provision needs to be made to ensure the site will be reinstated to it's former agricultural status even in the event of failure of the business or change of landlord etc. There cannot be the risk of a defunct site being left in situ if there are insufficient funds or it is not profitable to remove the solar equipment.

Local economy

- The solar farm will negatively impact the local economy. The significantly reduced amenity of the area will have a negative impact on tourism in the wider area. Walkers and cyclists will avoid the area. It is highly likely that there will be fewer jobs created during the operation of the site than are currently supported by the farming business.
- The documentation suggests that a dairy herd can continue to be farmed, but I do not believe that this will be financially viable and so farming jobs will be lost.
- The reports also suggested that some limited sheep grazing may be used on site, but this is more as a form of green-washing (to suggest the land is not lost to agriculture) than as an economically viable business.

In summary

- Overall the development of the site will industrialise a tranquil and pleasing rural setting, where other more suitable sites could be found. It is unsuited to the location and will cause substantial harms to the environment and local communities. The industrialising

effect on the surroundings cannot be sufficiently mitigated and therefore the project should not go ahead in this area.

- Many of the technical reports within the Environmental Statement are biased towards the development. There is an underlying theme of the baseline conditions being evaluated conservatively whilst the analysis of proposed future effects have been assessed in a very optimistic light. Overall it is certainly a case of BayWa "marking their own homework."

I hope that the forthcoming planning investigation will look deeper into these issues (and many more) and will determine that this proposed development is not suitable for the site in question.

Yours faithfully

Diane Abbott