OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Draft Statement of Common Ground with South Derbyshire District Council and Derbyshire County Council

November 2024

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SoCG between the Applicant and the Local Planning Authorities (DCC and SDDC)

Oaklands Farm Solar Park

Oaklands Farm Solar Limited

November 2024 – Deadline 6 Draft

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DOCUMENT CONTROL

Statement of Common Ground between Oaklands Farm Solar Limited and the Local Planning Authorities (Derbyshire County Council and South Derbyshire District Council)

Applicant: Oaklands Farm Solar Limited

Project: Oaklands Farm Solar Park

Version/Date: Version 2- draft at Deadline 6 - November 2024

Application Reference: EN010122

Version 1	Post Deadline 4 Draft	October 2024
Version 2	Deadline 6 Draft	November 2024

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1 STATUS – DEADLINE 6

1.1.1 This draft of the SoCG has been submitted following Deadline 6, with the agreement of all Parties, to provide an update to the ExA on the status of discussions between the Parties at this point in the Examination.

1.1.2 The status of discussions on the individual topics following Deadline 6 are as follows:

Topic	Status at Deadline 6
The Application Site	Agreed
The Proposed Development	Agreed
Legislative and Policy Context	Agreed
Principle of Development	Agreed
Design and Parameters	Agreed
DCO Requirements and Practical Matters	Partly agreed, some points under discussion
Climate Change and Carbon Reduction	Agreed
Glint and Glare	Agreed
Landscape and Visual	Agreed
Noise	Agreed
EIA Cumulatives	Under Discussion
Biodiversity, Ecology and Trees	Under discussion
Highways	Agreed
Heritage and Archaeology	Agreed
Water Resources, Flood Risk and Ground Conditions	Under discussion
Agricultural Land	Not Agreed – Wording being drafted

2 INTRODUCTION

2.1 CONTEXT

2.1.1 Oaklands Farm Solar Limited ("the Applicant") is applying to the Secretary of State for Energy Security and Net Zero for a Development Consent Order ("DCO") ("the Application") under Section 37 of the Planning Act 2008 ("PA 2008") 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 Site").

2.1.2 This Statement of Common Ground has been produced by the Applicant and the Local Planning Authorities (namely Derbyshire County Council and South Derbyshire District Council), ("the Parties") and identifies those matters where the Parties are in agreement or those matters where discussions are ongoing or which are areas of disagreement.

2.1.3 This SoCG has been produced through discussions between the Parties. It will continue to be reviewed, updated and resubmitted as the examination into the Application continues. The SoCG therefore reflects the position of the Parties at the date of the latest version.

2.2 THE ROLE AND APPROACH OF THE LOCAL PLANNING AUTHORITIES

2.2.1 In the context of this SoCG the term 'Local Planning Authorities' describes the two authority areas which contain in full the site which is the subject of the Application. In this case that is Derbyshire County Council ("DCC") and South Derbyshire District Council ("SDDC").

2.2.2 DCC and SDDC have agreed to share resources in order to act in the Examination as a single entity, and are therefore referred to jointly in this SoCG as the Local Planning Authorities ("the LPAs"). If either DCC or SDDC have taken a position individually on a particular matter which differs from the other LPA then that has been specifically recorded in the relevant section of this SoCG.

2.2.3 The Applicant has remained in continued engagement with the LPAs during the preparation and following the submission of the Application.

2.2.4 SDDC have submitted an Adequacy of Consultation Representation [AoC-012], a Relevant Representation [RR-295], suggested locations for the site inspection [PDA-002], a further response on suggested site inspection locations [REP1-028] and responses to the 1st Written Questions [REP1-029].It has then submitted a Response to the ExA's Second Written Questions [REP4-014] and submissions at Deadline 5, providing further responses to the Second Written Questions and Responses to the ISH1 action points.

2.2.5 DCC have submitted an Adequacy of Consultation Representation [AoC-004], a Relevant Representation [RR-078] and a response to the 1st Written Questions

[REP1-026]. It then submitted Responses to the ExA's Second Written Questions [REP4-012] and at Deadline 5 a response to ISH1 action points.

2.2.6 SDDC and DCC then submitted a joint Local Impact Report at Deadline 2 [REP2-001].

3 MATTERS COVERED BY THIS SOCG

3.1.1 The matters covered by this SoCG comprise a number of general and procedural points relating to the Application, and then a number of specific environmental matters which sit within the function of the LPAs.

- The Scheme and Application Site
- The Proposed Development
- Planning Policy;
- DCO Requirements and Practical Matters
- EIA Cumulatives;
- Principle of Development
- Design and Parameters
- Agricultural Land;
- Biodiversity, Ecology and Trees;
- Climate Change and Carbon Reduction;
- Glint and Glare;
- Heritage and Archaeology
- Highways
- Landscape and Visual Impacts
- Noise;
- Water Resources, Flood Risk and Ground Conditions.

3.1.2 The following matters are not covered in this SoCG:

(1) **Air Quality –** the Parties agree that the potential effects are insignificant and any potential adverse impacts at construction would be addressed through the CEMP;

(2) **Ground Contamination –** the Parties agree that there are no potential effects subject to the mitigation measures which are proposed being employed;

(3) **Public Rights of Way –** the position of the Local Authorities, as set out in their LIR is that there would be a neutral impact on Public Rights of Way.

(4) **Minerals –** the Local Authorities acknowledge in their LIR that the site does not impact upon identified Mineral Safeguarding Areas or identified economic mineral resources.

3.1.3 The position of the Parties on each of the matters covered in this SOCG is recorded in the following sections of this SoCG, as follows:

(1) **Matters Agreed –** the Parties are in agreement on the matter;

(2) **Matters under Discussion –** the Parties are in continued discussion regarding the matter or aspects of it, so a position of agreement or disagreement has not yet been reached;

(3) **Matters Not Agreed –** the Parties have discussed the matter in question but are unable to agree a position on it, or on aspects of it.

3.1.4 Each matter is recorded in terms of the baseline, the assessment methodology, the position of the Parties on the matter in question, and any related Requirement.

4 MATTERS AGREED

4.1.1 **Position at Deadline 6**: The following matters have been agreed, as reflected in this Section of the SoCG:

- The Application Site
- The Proposed Development
- Legislative and Policy Context
- Principle of Development
- Design and Parameters
- DCO Requirements and Practical Matters
- Climate Change and Carbon Reduction
- Glint and Glare
- Highways
- Heritage and Archaeology
- Landscape and Visual
- Noise

4.2 THE APPLICATION SITE

4.2.1 The Site lies within the administrative boundaries of South Derbyshire District Council and Derbyshire County Council. It is located approximately 0.25km west of the village of Rosliston and 0.7km south-east of Walton-on-Trent, and extends from the former Drakelow Power Station, north of Walton Road, to the south of Coton Road. The Site (Order Limits) occupies a total area of approximately 191 hectares.

4.2.2 The following references are used where necessary to describe the different areas of the Site:

(1) **Oaklands Farm Area -** contains the proposed solar PV panel array, BESS, substation and other ancillary elements including landscaping and a permissive path together with means of permanent operational site access.

(2) **Fairfield Farm Area –** contains the proposed cable route between the solar park and the grid connection point including temporary access to that area for the purposes of construction and decommissioning.

(3) **Park Farm Area -** comprises the proposed cable route between the Solar Park and the grid connection point including temporary access to that area for the purposes of construction and decommissioning.

(4) **The Drakelow Power Station Area –** comprises the final part of the cable route and the point of connection to the National Grid, including permanent means of operational access.

4.2.3 The Site mainly comprises agricultural land of arable and pastoral fields, enclosed by low clipped hedgerows with occasional hedgerow trees, and post and wire fencing. A small area of the northern section of the site is located within land associated with the operational National Grid Drakelow Substation and this area comprises scrub and trees and a series of overhead power lines.

4.2.4 The Site is crossed by a series of large scale power lines connecting into the Drakelow Substation. A small section of the Cross Britain Way / National Forest Way long distance path crosses the Site.

Constraints

4.2.5 The Parties agree the following:

(1) The Site is not within any nationally designated landscapes (such as National Parks or Areas of Outstanding Natural Beauty/National Landscapes) or the Green Belt.

(2) There are no listed buildings, Scheduled Monuments or registered parks and gardens within the Site.

(3) The Drakelow area of the Site includes a wooded area between Walton Road and the Drakelow substation which is covered by a blanket Tree Preservation Order (TPO No.122).

(4) A small section of the Grove Wood Local Wildlife Site lies within the eastern part of the Park Farm Area of the Site.

(5) The entire site is designated as part of the National Forest which covers 200 sq. miles of land in the Midlands covering parts of Derbyshire, Leicestershire and Staffordshire and aims to link the two ancient Forests of Charnwood and Needwood.

(6) There is an existing network of public rights of way (PRoW) in proximity to the Site although only Footpath SD48/9/1 crosses the Site. This PRoW runs east to west connecting the settlement of Rosliston in the east and Walton-on-Trent to the west of the Site. It also forms part of the Cross Britain Way which is a Long Distance Path.

(7) The River Mease SAC and SSSI are located around 4.4km to the south of the Site and the Proposed Development lies within the Risk Impact Zone. The Coppershill Spinnery potential Local Wildlife Site (LWS) lies adjacent to the Site to the west of the Oaklands Area. There are then a small number of LWS and potential LWSs within 2km of the Site.

(8) The nearest heritage assets are the two Grade II listed buildings in close proximity to the Park Farm Area which are the Gate Piers at the Drakelow Lodge Entrance to Drakelow Power Station to the northwest of Walton Road and Grove Farmhouse located at Park Farm. The nearest Conservation Area is approximately 400m northwest of the Site at the closest point in Walton-on-Trent to the Site. The nearest Scheduled Ancient Monument is the hillfort 230m southwest of Old Hall Cottages around 1km to the west of the Oaklands Farm Area.

(9) The nearest ancient woodland is Grove Wood located approximately 55m to the east of the Park Farm Area.

(10) The majority of the site falls within Flood Zone 1. A small part of the site, associated with the water course which runs north to southeast immediately to the north of the Oaklands Farm area falls within Flood Zone 3.

Planning history

4.2.6 The Parties agree that the relevant planning history is as set out in Appendix A of the Applicant's Planning Statement [APP-181].

4.2.7 The Parties agree that there is no planning history directly relating to the Site itself which is of direct relevance to the consideration of the Proposed Development.

4.3 THE PROPOSED DEVELOPMENT

4.3.1 A full description of the Project is provided within the Environmental Statement (Doc 6.1). The Parties agree that the main components of the Proposed Development are as follows:

- Solar Photovoltaic (PV) modules and mounting structures;
- Solar Inverter Units;
- Transformer Units for Solar Output;
- Energy Storage Facility;
- Electrical Cabling and Connection to the Grid;
- Fencing, CCTV and other security measures;
- Access Tracks;
- Construction compounds, storage and welfare units;
- Watercourse crossings.

4.3.2 The Project is split into a number of key works within the Order Limits including areas where ancillary works are required for the construction and operation of the key works. A plan showing the DCO boundary is provided in the Location Plan [APP-005].and location of the key works is provided in the Works Plan [APP-007].

4.3.3 The different elements of the works pertaining to the Project is set out in the Table below.

Proposed Development Works
Work No. 1 - a ground mounted solar photovoltaic generating station
Work No. 2 - a battery energy storage system compound
Work No. 3 - works in connection with a new 132/33kV onsite substation
Work No. 4 - works to trench and lay 132 kilovolt electrical cables connecting Work No. 3 to Work No. 5
Work No. 4A - crossing Rosliston Road with electrical cabling
Work No. 4B - temporary stopping up of water courses to trench and lay cables, installation of culverts, drainage and other features to cross watercourses
Work No. 4C - crossing Walton Road with electrical cabling
Work No. 4D - crossing Coton Road with electrical cabling
Work No. 5 - connection and installation works to the existing transmission network substation, including works to trench and lay 132 kilovolt electrical cables connecting to Work No. 4C
Work No. 5A - construction, operational maintenance and decommissioning access for Work No. 5

Work No. 5B - access to National Grid operational land for the construction, maintenance and decommissioning of Work No.5
Work No. 6 - temporary construction and decommissioning of access tracks and compounds
Work No. 7 - general works
Work No. 8 - works to facilitate access for all works excluding Work No. 5
Work No. 9 - works for areas of habitat management
Work No. 10 - works to implement new permissive path through Order limits

4.4 LEGISLATIVE AND POLICY CONTEXT

4.4.1 The Parties agree that:

- The Proposed Development is a Nationally Significant Infrastructure Project ("NSIP") by virtue of it being an onshore generating station in England which does not generate electricity from wind and which would have a generating capacity of over 50MW;
- The BESS is associated development for the purposes of this application;
- That the following National Policy Statements have effect; EN-1: Overarching National Policy Statement for Energy (January 2024), EN-3: Renewable Energy Infrastructure (January 2024) and EN-5: Electricity Networks Infrastructure (January 2024).
- That the Application falls to be determined under Section 104 of the Planning Act 2008 which states that the Secretary of State, in making its decision, must have regard to (in summary) any National Policy Statement which has effect, any local impact report, any matters prescribed and any other matters which the Secretary of State thinks are both important and relevant to their decision.
- The following aspects of the Derbyshire County Council Development Plan are relevant to the Proposed Development:
    - The Derbyshire Climate Change Strategy;
    - The Derbyshire Environment and Climate Change Framework;
    - The Derbyshire Spatial Energy Strategy.
- The South Derbyshire Local Plan Part 1 (2016) and the South Derbyshire Local Plan Part 2 (2017) are those aspects of the South Derbyshire District Development Plan which are relevant to the Proposed Development.

4.4.2 Other national policy of relevance is the National Planning Policy Framework and the National Planning Policy Guidance. The Written Ministerial Statement of the 15th May 2024 is also relevant to the Proposed Development.

4.5 PRINCIPLE OF DEVELOPMENT

4.5.1 The Parties agree that the key policy relating to the principle of development is set out in NPS EN-1 (Overarching National Policy Statement for Energy - 2024).

4.5.2 In respect of the principle of development the Parties agree that the following statements from EN-1 are relevant:

- EN1 - 3.2.2 – *'it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS'*.
- EN1 – 3.2.4 – `*It is not the government's intention in presenting any of the figures or targets in this NPS to propose limits on any new infrastructure that can be consented in accordance with the energy NPSs'*.
- EN1 – 3.2.6 – `*The Secretary of State should assess all applications for development consent of the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent'*.
- EN1 – 3.2.7 – `*In addition the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008*.'
- EN1 – 3.3.62 – `*Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure'*.
- EN1 – 3.3.63 – `*Subject to any legal requirements, the urgent need for CNP infrastructure, to achieving our energy objectives, together with the national security, economic, commercial and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP infrastructure and it should be progressed as quickly as possible.*'
- EN1 – 4.1.7 – *'Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk'*.

4.5.3 The policy context provided above means that the Parties agree that there is an urgent need for this type of Development which should be given substantial weight and that the type of Development is a Critical National Priority where, subject to the specific wording of the EN-1 policy, the need case will in general outweigh the residual effects not capable of being addressed by application of the mitigation. In respect of Paragraph 4.1.7 of EN-1, the Parties agree that no residual impacts have been identified which present an unacceptable risk to or interference with human health and public safety, defence, irreplaceable habitats, the achievement of net zero, navigation or flood and coastal erosion risk.

4.6 DESIGN AND PARAMETERS

4.6.1 Section 4.7 of EN-1 sets out criteria for Good Design for energy infrastructure. EN-1 then requires applicants to demonstrate how the proposed design has evolved, in order to demonstrate that infrastructure projects are sustainable and as attractive, durable and adaptable as they can be, with functionality, aesthetics, amenity and visual impacts having been considered. EN-3 reiterates the message the need for good design, with Paragraph 2.10.61 making clear that panel arrays should seek to maximise the power output of a site.

4.6.2 The Parties agree that the Design Statement sets out how the Applicant has identified key opportunities and constraints and has used those to identify a series of Design Objectives. The Parties agree that, as set out at Section 8.4 of the Design Statement, the illustrative design of the Proposed Development has evolved during the preparation of the Application in order to take account of technical work and to reflect the identified constraints and opportunities and the identified Design Objectives.

4.6.3 The Parties agree that by seeking to achieve the identified Design Objectives the Proposed Development has been shown to follow the policy relating to good design in EN-1 and EN-3. The principles of the design of the Proposed Development are captured through the design parameters set out in Chapter 4 of the ES and in the Design Statement and will be the basis on which the Local Authorities assess the detailed design of the Proposed Development through Requirement 5.

4.7 DCO REQUIREMENTS AND PRACTICAL MATTERS

4.7.1 Reference is made in the topic specific sections of this SoCG to individual Requirements relating to those topics where necessary. This Section deals with general Requirements and other procedural and practical matters.

Requirement 4 – Phases of authorised development and date of final commissioning

4.7.2 The Parties agree that the wording of Requirement 4 is appropriate. The Parties agree that the amendment made to Requirement 4 to introduce the need for a construction timetable and phasing plan is sufficient to provide clarity as to the phases of development.

Requirement 5 – Detailed Design Approval

4.7.3 The Parties agree that the wording of Requirement 5 is appropriate and sufficient to ensure that final details of the Proposed Development are provided to the local planning authority for approval.

4.7.4 The Parties agree that the identification of the design parameters within the Environmental Statement and the Design Statement is sufficient to provide clarity as to the parameters against which the detailed design will be assessed, with the Environmental Statement and Design Statement both identified as certified documents within the dDCO.

4.7.5 The Applicant is amending the dDCO so that Requirement 5 refers directly to the details of the coating of the solar panels to be a matter which is covered through Requirement 5. The Parties agree that the inclusion of that reference in Requirement 5 ensures that appropriate anti-reflective coating will be used on the panels within the Proposed Development.

Requirement 23 – Amendments to approved details

4.7.6 The Parties agree that Requirement 23 provides for amendments and variations to be made to the approved scheme, so long as those changes are immaterial where it has been demonstrated that the change would not give rise to any materially new or different environmental effect from that assessed in the environmental statement.

Procedure for discharge of requirements

4.7.7 The Parties agree with the process for discharging requirements, as set out in Part 3 of Schedule 1 of the draft DCO. The parties agree that a deemed consent after 28 days is appropriate, on the basis of the amendment made by the Applicant to the appropriate Articles in the dDCO which provide for the 28 day period to be extended if agreed in writing between the parties. The Parties agree that it is not necessary for the dDCO to draw specific or further attention to the deemed consent process.

4.8 CLIMATE CHANGE

Baseline and Methodology

4.8.1 The effect of the Proposed Development on climate change has been quantified using the Institute of Environmental Management and Assessment's guidance on Assessing Greenhouse Gas Emissions and Evaluating their Significance published in 2022. A desk-based assessment has been completed in accordance with the guidance to determine the potential effects of the Proposed Development on the climate.

4.8.2 A 16-month construction programme has been assumed for the assessment (from Spring 2026 to Summer 2027), followed by a 40-year operational lifetime (Summer 2027 to Spring 2067) and a 12-month decommissioning phase (Summer 2067 to Summer 2068).

4.8.3 Where activity data has allowed, expected Greenhouse Gas (GHG) emissions arising from the construction, operational and decommissioning phases of the Proposed Development have been quantified using a calculation-based methodology as stated in the BEIS 2021 emissions factors guidance.

4.8.4 The agricultural nature of the site is such that the GHG emissions from the current land use will be minor and not material in the context of the overall Proposed Development. For the purpose of the assessment, a conservative baseline of zero GHG emissions has been assumed to present a worst case scenario.

4.8.5 Climate change effects relating to increased rainfall and potential flood risk are dealt with in the Chapter 8 Water Resources and Flood Risk in the ES and summarised under Water Resources, Flood Risk and Ground Conditions in this SoCG.

Potential Effects

4.8.6 The likely effects of the Proposed Development have been identified as:

- A negligible to minor adverse effect on GHG emissions and resultant climate change from the construction of the Proposed Development principally associated with embodied carbon in the development's infrastructure.
- A negligible to minor adverse effect resulting from decommissioning activities at the end of the project lifetime.
- An overall moderate to major significant beneficial effect on GHG emissions and resultant climate change resulting from the production of low carbon renewable energy equivalent to powering 35,000 homes over 40 years.

Mitigation and Relevant Requirements

4.8.7 A suite of measures is proposed to further reduce emissions associated with the construction and decommissioning phase including the sustainable sourcing of

materials, waste recycling and sustainable travel measures. These are detailed in the Outline CEMP secured through Requirement 8 of the dDCO and the Outline DEMP secured through Requirement 21.

Position of the Parties

4.8.8 No significant effects were identified for Landscape and Visual and Ecology as a consequence of projected climate change.

4.8.9 Minor effects are predicted in relation to the Proposed Development's resilience to climate change.

4.9 GLINT AND GLARE

Baseline and Methodology

4.9.1 A Glint and Glare assessment of the Proposed Development has been undertaken by suitably qualified experts and following industry guidance. The assessment considers the effects of the development on road users, public rights of way, nearby residences and aviation activity.

4.9.2 The area surrounding the Proposed Development is semi-rural with some residential areas, regional roads and local roads. There are five airfields within 10km of the site.

Effects

4.9.3 Following the implementation of the mitigation measures identified below the Proposed Development is predicted to result in the following effects:

- Minor and not significant effects on road users, public rights of way, nearby residences and aviation activity.
- No significant cumulative effects with other proposed or permitted developments.

4.9.4 The LPAs identify two specific points in their Local Impact Report; a further review of the vegetation screening at road receptors 15 and 56 and additional evidence regarding vegetation screening and line of sight at worst case residential dwelling receptors. The Parties have agreed that those are matters which would be addressed at detailed design stage as they do not represent matters of concern.

Mitigation and Relevant Requirements

4.9.5 To eliminate potential adverse effects on road users, two areas of c.300m in length along Coton Road and an unnamed road north west of Coton-in-the-Elms will be planted with new hedgerow and have temporary screening installed (until such time as the hedgerow matures) to obscure any glare from the panels on road users.

4.9.6 This mitigation is detailed in the Outline LEMP in Appendix 5.6 of Document 6.1.

4.10 HERITAGE AND ARCHAEOLOGY

Baseline and Methodology

4.10.1 A full assessment of the potential effects of the Proposed Development on the buried archaeological resource within the site and upon the setting of known heritage assets, including designated heritage assets, has been undertaken by suitably qualified experts.

4.10.2 The assessment has been informed by desk-based research, walkover surveys and geophysical survey of the site. The DCC Archaeologist was consulted on the methodology and information requirements for the assessment. Agreement was gained to the methodology through the scoping process and information requirements were established and agreed through post-scoping consultation. Evidence of non-designated assets at the site comes from a combination of Historic Environment Record data, historic map information and earthwork remains visible above ground. Non-designated assets known or suspected on the site comprise undated enclosures, a section of Roman road crossing the northern tip of the site, medieval ridge and furrow, a possible medieval park pale and post-medieval field boundaries, farm buildings and extraction/quarrying pits. Following geophysical survey of the site there is no current evidence to suggest that archaeological deposits of more than local importance exist on the site that would require preservation in-situ.

4.10.3 There are no designated heritage assets within the site.

4.10.4 Several designated heritage assets lie within the study areas used for the EIA. Those within the remit of SDDC comprise the conservation areas at Walton-on-Trent and Lullington. The Walton-on-Trent Conservation Area lies approximately 420 m west of the site. The Lullington Conservation Area lies 3 km to the south east of the site.

Effects

4.10.5 The resultant effects of the Proposed Development are assessed as:

- Known buried archaeological deposits – these are of local importance and would experience less than substantial harm.
- Potential buried archaeological deposits – these could range from local to national importance and could be subject to as much as substantial harm or total loss. The presence of buried archaeological deposits of national importance at the site is considered unlikely on the basis of survey and assessment. If deposits of national importance are present and subject to substantial harm or total loss, then this is a significant effect.
- At most, a low level of less than substantial harm to heritage assets as a result of change in their setting. The Walton-on-Trent Conservation Area would experience some change in setting as a result of the scheme but this is assessed as not affecting how the conservation area is perceived or understood so no harm or effect would arise. Lullington Conservation Area

is assessed as not susceptible to effects from the scheme as it would not result to change to its setting.

- No cumulative effects were identified with other proposed or permitted development have been identified.

Mitigation and Relevant Requirements

4.10.6 Requirement 18 of the dDCO requires a written scheme of investigation (WSI) to be submitted to and approved by the Local Planning Authority before the commencement of development. It requires any archaeological investigation to be carried out in accordance with the approved WSI and by an organisation registered with the Chartered Institute for Archaeologists or by a member of that Institute.

Position of the Parties

4.10.7 The Parties agree that the harm created by the Proposed Development in heritage or archaeological terms would be less than substantial.

4.11 HIGHWAYS

Baseline and Methodology

4.11.1 Automated Traffic Count (ATC) data has been collected along the proposed construction vehicle routes to understand the existing 24-hour Annual Average Daily Traffic (AADT) and 24-hour Annual Average Weekday Traffic (AAWT). Traffic flows for the A5121 and A5189 were obtained from the Department for Transport using their online WebTRIS data platform. Existing traffic data has been collected so as to provide a baseline for assessment of the proposed development traffic.

4.11.2 To understand the effects of the proposed development traffic, the following scenarios have been assessed:

- Baseline (2022)
- Construction Commencement Year (2026)

4.11.3 Baseline conditions (2022) show that the local highway network surrounding the site has a low average daily and weekly traffic flow, typical of its rural location and the unclassified nature of the roads. Collision data collected within Staffordshire and Derbyshire have shown that recorded serious and fatal accidents on the local network were minimal on roads where the construction and maintenance vehicles will travel to the site. There are several villages and country lanes with narrow widths, which have been considered when developing the construction vehicle routing strategy.

4.11.4 The Baseline (2022) flows were uplifted to a 2026 construction year using TEMPro growth factors to account for increase in baseline traffic as a result of local housing and employment growth.

4.11.5 The principal effect of the Proposed Development will be during construction when materials and equipment are brought to site in addition to construction workers. Only very limited movements are necessitated on a weekly basis once the solar farm is operating. The effects of decommissioning have been scoped out of the assessment. Due to the modular nature of the Proposed Development, the decommissioning phase will be similar to or lesser in impact than the construction phase.

4.11.6 As a result of an unforeseen 7.5t weight-restriction imposed on the Chetwynd Bridge (A513), and in agreement with both SCC and DCC highways officers, it was agreed that various routing scenarios should be assessed with consideration given to different routes for different vehicle types. Following the routing scenario assessment, three potential construction vehicle routes have been brought forward. The scenarios are as follows:

- Scenario 1 (Preferred): The Walton-on-Trent Bypass is built prior to the construction phase commencing – all construction traffic uses the Bypass, Main Street and Walton Road.

- Scenario 2A (Likely): Walton-on-Trent Bypass is not built prior to the construction phase – all Heavy vehicles will route through Stapenhill via the A5189, Main Street and Rosliston Road. Light vehicles (up to 7.5t) will be dispersed along four different routes, including the Chetwynd Bridge.

- Scenario 2B (Back-up): Walton-on-Trent Bypass is not built prior to construction phase – all Heavy vehicles will route through Coton in the Elms via Coalpit Lane, and all Light Vehicles are dispersed along three different routes, including the Chetwynd Bridge and the Heavy vehicle route.

4.11.7 It is understood at present that the Walton-on-Trent bypass will be delivered by Countryside Properties by the end of 2025, as per the modified planning obligation under application DMPA/2023/1024. Creating multiple routing scenarios allows for flexibility should the Walton-on-Trent Bypass not be in place prior to the commencement of construction.

4.11.8 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 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.

4.11.9 Up to two abnormal indivisible load (AIL) movements are expected to deliver large items of equipment (prefabricated transformers) to the site. The AIL route will use the Heavy vehicle route via Coton in the Elms under Scenario 2B and has been informed by a review of local restrictions / receptors along the route, and suitable swept path analysis of an abnormal vehicle suitable to carry the transformers. Each movement consists of two trips: the first being laden with the transformer on the way to the site and the second unladen as the vehicle returns.

4.11.10 Prior to confirming the AIL route, a site visit was conducted on 24th April 2023 between a Highways Development Officer at DCC, the applicant and ITP to confirm the suitability of the AIL through Coton in the Elms. The DCC Highways Officer did not foresee any significant concerns with using this route and stated that typical measures should be in place such as police escort and surface padding on bends.

4.11.11 The assessment of the effects of the Proposed Development includes motorised and non-motorised road users.

Effects

4.11.12 The Proposed Development is predicted to result in the following potential temporary effects following mitigation:

- Minor adverse effect on the amenity of users of the PRoW Footpath 9/Cross Britain Way due to construction traffic on Walton Road and Rosliston Road under Scenario 1 and on Walton Road under Scenario 2A.

- Delay for road users under Scenario 2A - due to construction traffic on Main Street (Stapenhill), Rosliston Road, at the National Memorial Arboretum and

Catton Hall on event days due to construction vehicles on the A513 and the Unnamed Road (Between A513 and Church Street).

- Potential effects on road users and pedestrian safety under Scenario 2A - due to construction traffic on Main Street (Stapenhill) and Rosliston Road, the A5121, and the A513.
- Road user delay under Scenario 2B - at the National Memorial Arboretum and Catton Hall on event days due to construction vehicles on the A513 and the Unnamed Road (Between A513 and Church Street).
- Potential effects on road user and pedestrian safety under Scenario 2B - due to construction traffic on the A513.
- Delays in moving around the village (severance) under Scenario 2B –for residents along Mill Street and Church Street in Coton in the Elms due to construction traffic.
- No significant cumulative effects with other proposed or permitted development have been identified.
- A package of mitigation measures is outlined below to ensure all residual effects are managed to be minor (or less) and are not significant.

Mitigation and Relevant Requirements

4.11.13 An Outline Construction Traffic Management Plan (OCTMP) has been prepared which sets out measures to manage construction traffic on the local road network. It restricts construction vehicles to defined routes, limiting the impact on villages, urban areas and tourist attractions. It includes measures such as restricting deliveries during peak periods, staggered timing of inbound and outbound construction traffic movements and appropriate signage and traffic control. The OCTMP is secured through Requirement 10 of the DCO, which requires a full CTMP to be submitted and approved.

4.11.14 Pre and post construction Highway Condition Surveys will be undertaken to assess the condition of the road surface.

4.11.15 All AIL Vehicles will be escorted by a pilot vehicle and Police escort and be scheduled to travel during off-peak hours where possible to allow for the AIL vehicle to manoeuvre safely. This will ensure the safety of other road users and result in minimal disruption to existing vehicular traffic on the local road network. Additionally, suitable traffic management along the route will be undertaken, such as verge and footway reinforcement and culvert reinforcements. All necessary traffic management will be agreed with the relevant Highway Authorities prior the movements taking place. The AIL movements will be subject to a separate application and permitting scheme, currently administered by National Highways (the Electronic Service Delivery for Abnormal Loads, ESDAL system.) This process will be supported by additional route assessment and validation, including additional surveys as required.

4.11.16 Following the submission of the DCO application, the applicant has undertaken further engagement with SDDC and DCC to address potential concerns and queries, predominantly through updates to the Outline Construction Traffic Management Plan (OCTMP).

4.11.17 Specific updates to the OCTMP post-DCO submission following further engagement, include:

- Commitment to agreements regarding alteration and maintenance of the highway.
- Commitment to a detailed survey and review of the AIL routes prior to commencement of construction when the haul vehicle specification is established.
- Establishment of the Traffic Management Group (TMG) 6 months prior to construction, with meeting frequency increased to 2 months,
- Additional TMG engagement for events and other projects.

4.11.18 The matters of agreement presented within this SoCG are reflective of updates made to the OCTMP as an outcome of further engagement with SDDC and DDC.

Position of the Parties

APPLICANTS POSITION	COUNCIL'S POSITION
Baseline	
ES Chapter 10,Transport and Access adequately characterises the baseline environment.	SDDC / DCC agree
Methodology	
The impact assessment methodologies adopted in ES Chapter 10, Transport and Access represent an appropriate approach to assessing potential impacts and resultant effects.	SDDC / DCC agree
Effects – project alone	
The application adequately considers construction traffic routing suitability. The application, Transport and Access adequately identifies the significant Transport and Access effects.	SDDC / DCC agree (subject to commitment to further analysis as detailed in Paragraph 5.43 of the OCTMP once specification of AIL vehicle is known, and acceptability of necessary remedial works).
Effects -cumulative	
The application adequately identifies the potential cumulative effects arising from events and other projects in the defined study area.	SDDC / DCC agree, noting the commitments to mechanisms presented in Paragraph 6.3-6.7 of the OCTMP, including the establishment of the TMG- 6 months prior to construction, 2-

	month frequency of meetings and invitation of the following stakeholders: • Catton Hall • Drakelow Park (Countryside Homes) • National Memorial Arboretum • Leicestershire Country Council
Mitigation and Requirements	
The OCTMP measures (as secured by Requirement 10 of the draft DCO) are appropriate to mitigate the identified significant effects and ensure compliance with the assessed construction traffic routes.	SDDC / DCC agree
Measures to offer protection	
Requirement 10 of the draft DCO and the OCTMP adequately protects SDDC/DCC Transport and Access interests.	SDDC / DCC agree

4.12 LANDSCAPE AND VISUAL IMPACTS

Baseline and Methodology

4.12.1 The study area for the Landscape and Visual Impact Assessment (LVIA) was defined (and agreed through consultation with SDDC and DCC) as an area of 5km radius around the site (see LVIA Figure 5.1). It mostly comprises the Village Estate Farmlands Landscape Character Type (see LVIA Figure 5.4b) which is a broad scale, gently rolling lowland landscape with mixed farming (intensive cropping and improved permanent pasture). It contains broadleaf plantations, game coverts, tree lined pastoral stream corridors, and medium to large regular and sub-regular fields with mainly hawthorn hedgerows. Winding country lanes with wide grass verges are a feature along with small, nucleated hilltop villages often with prominent church spire.

4.12.2 The site is located within four different landholdings and displays many of the key characteristics of the Village Estate Farmlands Landscape Character Type it is located within. The key landscape elements/ features within the site are:

- Gently rolling topography with localised high points.
- Medium to large mixed arable and pastoral fields.
- Low (and often managed) hawthorn and blackthorn hedgerows with hedgerow trees.
- Isolated trees within fields and small woodland copses.
- The Pessall Brook that cuts west to east through the site.
- The Cross Britain Way / National Forest Way long distance footpath.

4.12.3 There are no landscape designations covering the site or within the study area.

4.12.4 The pattern of settlement within the wider study area is typically defined by compact villages together with larger towns in the north. There are a number of individual farmsteads and some isolated residential properties that are connected by a network of minor roads and rural lanes. The Cross Britain Way / National Forest Way long distance footpath crosses the study area and runs through part of the site (see LVIA Figure 5.7b). Other local Public Rights of Way are located throughout the study area, often providing links between settlements and farmsteads (see LVIA Figure 5.7b).

4.12.5 To inform the assessment of visual effects brought about by the Proposed Development, a total of 11 representative viewpoints were selected through desk study, field work and consultation with statutory consultees (see LVIA Figures 5.7a and b). The viewpoints were originally agreed with SDDC and DCC in July/ August 2021 for the PEIR. The list was then revised and agreed with DCC in March 2023, following a reduction in the extent of the Proposed Development. Each viewpoint has been illustrated with panoramic photographs with ranges taken from the same locations when trees were both in leaf (summer) and not in leaf (winter) to ensure

seasonality has been represented in the baseline views. As agreed with DCC in March 2023, full photomontages (at AVR3 Level) showing the Proposed Development on completion at Year 1 and Year 10 were produced for Viewpoints 1, 2, 3, 5a and 8 using the photography captured in winter to demonstrate the worst-case scenario in terms of potential visibility of the Proposed Development. For the remaining Viewpoints 4, 6, 7, 9, 10 and 11, photomontages were produced at AVR2 Level were produced for the remaining viewpoints, with the Proposed Development represented by single colour massing where visible and composited and masked into the baseline photograph (see LVIA Figures:5.10-5.21).

4.12.6 Zone of Theoretical Visibility (ZTV) mapping was used to identify where the Proposed Development will be visible in the landscape, which assisted with identifying landscape and visual receptors, and the representative viewpoints (see LVIA Figures 5.5a-d).

Effects

4.12.7 The layout of the Proposed Development (see LVIA Figure 5.6, or Figures 1a-1f in ES Appendix 5.6), was developed as part of an iterative assessment and design process. As part of this process, a number of measures to reduce and mitigate landscape and visual effects are included within the proposed layout. These are:

- Setting PV panels back from field edges to preserve field patterns.
- Avoiding loss of trees and hedgerows as much as possible.
- Providing new native planting of local provenance (listed on Figure 1b in ES Appendix 5.6) that is in character with the landscape of the site and its surroundings (i.e. in line with the management guidelines of the Village Estate Farmlands LCT), and is in accordance with the aims of The National Forest (see Figures 1a-1f in ES Appendix 5.6).
- Reducing views from the nearby local community of Rosliston by:
  - keeping the pastoral field (ref O9 – see LVIA Figure 5.2), which is partly visible above the tree line in the foreground, free from PV panels so that is retained as a rural feature within views from the edge of the settlement, helping to visually break up the Proposed Development on the skyline;
  - making use of Redferns Wood (see LVIA Figure 5.2) to filter or screen views of the Proposed Development;
  - planting new woodland to further filter views and to provide a wooded backdrop against which PV panels on the skyline will be seen; and
  - locating the substation and BESS near to the centre of the site in a lower lying and flatter area (see LVIA Figure 5.3 Existing Topography) so that they are not visible from the settlement.
- Reducing views from the nearby local community of Coton in the Elms by strengthening existing field boundaries within the site and changing the

management of the hedgerow along south-eastern boundary (Catton Lane) by allowing it to grow significantly taller, providing filtering of the Proposed Development.

- Setting PV arrays at least 100m away from residential properties, and ensuring that the design of the Proposed Development was carefully considered.

- Seeking to integrate ancillary components into the agricultural landscape through careful selection of material and finishes such as deer fencing around the PV arrays, using a dark and recessive colour for the BESS and transformers (as agreed with DCC in March 2023), and surfacing permanent access tracks with locally sourced gravel.

- Ensuring deer fencing along the edge of the site is positioned behind existing/ proposed hedgerows to reduce its visibility.

- Limiting operational lighting to alarm lights on transformer stations that are only activated in case of theft.

4.12.8 The identified landscape and visual effects of the Proposed Development are as follows:

- A major significant adverse effect on the landscape character of the site and its immediate surroundings (up to approximately 500m from the Proposed Development) reducing to a moderate significant adverse effect once the proposed planting matures (>10 years). No significant effects on landscape character beyond around 500m are predicted to occur.

- A major significant adverse effects on views experienced by road users of a short section of Coton Road/Church Street and users of the Cross Britain Way for the section that passes through the site. This will reduce to a moderate significant adverse effect once the proposed planting matures (>10 years).

- A moderate adverse significant effects for residents at the Coppice View and the Chase in Rosliston, local road users surrounding the site and public rights of way users in the southern part of the study area. This will reduce to a minor (not significant) for users of the local road network and public rights of way once the proposed landscaping matures (>10 years).

- A high magnitude of change for the Twin Oaks residential property 1(e) (Oaklands Farm landowner's property); however, no residential properties will experience a breach of the Residential Visual Amenity Threshold (see ES Appendix 5.5 Residential Visual Amenity Assessment, and LVIA Figure 5.9 showing location of properties).

Cumulative Assessment

4.12.9 A list of projects to be considered in the cumulative assessment was provided by SDCC in August 2021 and updated through further consultation with SDDC in February 2022, and via research by the Applicant's planners throughout 2023 (see

LVIA Figure 5.8). No significant cumulative effects with other proposed or permitted development were identified at the point of the Application being submitted.

4.12.10 The Applicant is reviewing and updating its cumulative assessment. The Parties remain in discussion regarding the cumulative effects in landscape and visual terms of any new cumulative projects which are identified through that work.

Mitigation and Relevant Requirements

4.12.11 All landscape and ecological proposals, to help mitigate the landscape and visual effects of the Proposed Development, are detailed in the Outline LEMP (Appendix 5.6 of Document 6.1). The Outline LEMP is secured through Requirement 9 of the DCO, which requires the submission and approval of a full LEMP which accords with the principles of the Outline LEMP.

4.13 NOISE

Baseline and Methodology

4.13.1 Noise surveys were completed in 2021 in accordance with industry guidance (BS4142:2014+A1:2019 and BS7445-1:2003) to measure and observe the existing noise climate and determine existing noise and vibration sources near to the Site (see ES appendix 11.1).

4.13.2 Monitoring locations were chosen which were likely to represent the noise climate experienced at noise sensitive receptors around the perimeter of the site. A desk study was undertaken to identify nearby noise sensitive dwellings and to establish the influence of existing noise sources.

4.13.3 The site and surrounding area are predominantly rural land in farming use. Ambient and background noise levels are generally controlled by road traffic noise on local roads, farm animals and birdsong. Local roads are relatively lightly trafficked and consequently, noise levels around the site are low. The busiest road is Walton Road to the north of Park Farm.

4.13.4 The Noise chapter of the ES has considered construction noise effects and operational noise effects. Construction noise has been assessed using methodology in BS5228:2009+A1:2014 for activity on site and using CRTN for construction traffics. Operational noise has been assessed with reference to methodology in BS4142:2014+A1:2019, principles in National Planning Policy Guidance on Noise, Local Planning Policy, and criteria in BS8233:2104 and WHO Guidelines. Noise levels have been predicted by considering likely construction activity and likely worst case operational noise source levels.

Potential Effects

4.13.5 A number of design measures have been incorporated in the design of the Proposed Development to mitigate or reduce potential effects, which includes locating the BESS centrally within the solar array to maximise distance from residences, locating inverters and transformers at least 100m from residences and standard noise pollution controls during construction and decommissioning processes. The resultant effects of the Proposed Development are assessed as:

- A potentially significant short-term effect at Comer Farm if night time work is required to install the grid connection cable under Rosliston Road.
- A negligible/minor effect on road traffic noise during construction.
- A negligible effect on nearby residences during the 40-year operation of the solar farm.

4.13.6 No significant cumulative effects with other proposed or permitted development have been identified.

Mitigation and Relevant Requirements

4.13.7 Best practice construction measures to mitigate and minimise noise emissions during construction and decommissioning are set out in the Outline CEMP (Appendix 4.3 of Document 6.1) secured through Requirement 8 of the dDCO and the Outline DEMP (Appendix 4.5 of the ES in Document 6.1) secured through Requirement 21.

4.13.8 Requirement 15 of the dDCO requires the Applicant to demonstrate that the detailed design of the Proposed Development (to be approved pursuant to Requirement 5) will accord with the operational noise emissions from the Proposed Development set out in the ES.

Position of the Parties

4.13.9 The Parties agree that the Proposed Development is satisfactory in respect of noise, so long as it is commissioned and operated in a manner that ensures the noise exposure predictions in Tables 11.18 and 11.19 of Chapter 11 of the ES are met and maintained for the duration of the development.

5 MATTERS UNDER DISCUSSION

5.1.1 Position at Deadline 6: the Parties remain in discussion regarding the following matters:

- **Aspects of DCO Requirements and Practical Matters -** The Parties remain in discussion regarding the specific wording of Requirement 21, the timeframes of decommissioning, the extent of the decommissioning works required, and the need for the Applicant to provide certainty over the funding of decommissioning works. The Parties also remain in discussion regarding the extent of site preparation works and how those are captured in the dDCO. In their Local Impact Report, SDDC and DCC raise the issue of the burden on the Local Authorities of resourcing the assessment, approval, and ongoing monitoring of Requirements and Obligations. The parties agree with the principle of ensuring that appropriate resourcing is in place and are continuing to discuss the most appropriate mechanism to secure that.

  The Parties remain in discussion regarding the definition and scope of site preparation works and the flexibility provided by the DCO before full compliance with all pre-commencement conditions.

  The Parties are continuing discussions regarding appropriate measures to protect public access and mitigate impacts during construction.

- **EIA Cumulatives** (including landscape and visual impacts of any new cumulative projects identified). Position at Deadline 6 – the Parties are reviewing an updated list of cumulative schemes and an update will be provided at Deadline 7.

- **Biodiversity, Ecology and Trees –** the parties are continuing to discuss this matter following the October Hearings.

- **Water Resources, Flood Risk and Ground Conditions –** the parties are continuing to discuss this matter following the October Hearings.

6 MATTERS NOT AGREED

6.1.1 **Position at Deadline 6**: in respect of the impacts of the Proposed Development on Agricultural Land, the Parties will each be recording their respective positions in this section of the SOCG once respective submissions at D6 have been reviewed.

7 SIGNATURES

7.1.1 The Parties confirm that their respective positions are as documented within this Statement of Common Ground.

Signed……..

Name and Position……

On behalf of Oaklands Farm Solar Ltd

Date……

Signed……..

Name and Position……

On behalf of Derbyshire County Council

Date……

Signed……..

Name and Position……

On behalf of South Derbyshire District Council

Date……