

# **Byres Gill Solar Farm Development Consent Order**

**EN010139**

## **Local Impact Report Stockton on Tees Borough Council**

**IPR20048691**

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## 1. Introduction

- 1.1. This report comprises the Local Impact Report (LIR) and Written Representations of Stockton Borough Council (SBC).
- 1.2. The Authorities have had regard to the purpose of LIRs as set out in s.60 Planning Act 2008 (PA2008) (as amended), DCLG's Guidance for the examination of applications for development consent, and the Planning Inspectorate's Advice Note 1: Local Impact Reports, in preparing this LIR.
- 1.3. The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The Council should cover any topics they consider relevant to the impact of the proposed development on their area and should draw on existing local knowledge and experience.
- 1.4. The LIR gathers together the views of a number of internal departments who have been consulted on the application and their full comments have been appended to the report. These are:
  - Trees and Landscaping
  - Building Conservation and Heritage
  - Public Rights of Way
  - Lead Local Flood Authority
  - Highways
  - Amenity of Residents

## 2. Scope

- 2.1. This LIR only relates to the impact of the proposed development as it affects the administrative area of SBC.
- 2.2. The LIR relies upon the Applicant's description of the development as set out in Volume 1, Chapter 2 of the Environmental Statement (document reference App-025)
- 2.3. The extent of development which falls within the administrative boundary of Stockton Borough Council is the below ground cabling and connection to the Norton Substation.

2.4. The primary purpose of the LIR is to identify any potential local impacts of the proposed development and identify the relevant national and local planning policies in so far as they are relevant to the proposed development, and the extent to which the proposed development accords with the policies identified.

2.5. Topic-based headings set out how the Authorities consider the proposed development accords with the relevant planning policies and any potential local impacts of the development.

2.6. Key issues identified by the Authorities are set out within the topic headings in the supporting commentary in respect of the extent to which the Applicant has sought to address issues raised by the Authorities, with reference to relevant

### **3. Description of the Area**

3.1. The LIR relies upon the Applicant's description of the site and surrounding area as set out in Volume 1, Chapter 2 of the Environmental Statement (document reference App-025)

### **4. Planning Policy**

4.1. All national and local planning policies considered relevant to the consideration of this Application are listed below.

#### **National Policy Statements**

4.2. The relevant National Policy Statements (NPSs) include the Overarching National Policy Statement for Energy (EN-1) (Department for Energy Security and Net Zero, published January 2024), the National Policy Statement for Renewable Energy and Infrastructure (EN-3) Department for Energy Security and Net Zero, published January 2024) and the National Policy Statement for Electricity Networks Infrastructure (EN-5) Department for Energy Security and Net Zero, published January 2024).

4.3. This represents the primary policy basis for the determination of the Application.

#### **National Planning Policy Framework**

4.4. The National Planning Policy Framework (NPPF) was originally adopted in March 2012 and most recently updated in December 2023. Paragraph 5 of the NPPF

sets out that the document does not contain specific policies for Nationally Significant Infrastructure Projects (NSIPs) which are to be determined in accordance with the decision-making framework in the PA2008 and relevant NPSs, as well as any other matters which are relevant, which may include the NPPF.

4.5. The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance (PPG), which was originally published in March 2014 and is updated regularly with changes to government guidance.

### **Development Plan**

4.6. The development plan for Stockton on Tees Borough Council is the Local Plan (adopted 30 January 2019).

4.7. The relevant Stockton on Tees Borough Council is the Local Plan Policies are:

- Policy SD1 - Presumption in favour of Sustainable Development
- Policy SD2 – Strategic Development Needs
- Policy SD5 - Natural, Built and Historic Environment
- Policy SD8 – Sustainable Design Principles
- Policy ENV 2 - Renewable and Low Carbon Energy Generation
- Policy ENV4 - Reducing and Mitigating Flood Risk
- Policy ENV5 – Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity
- Policy ENV6 - Green Infrastructure, Open Space, Green Wedges and Agricultural Land
- Policy ENV7 – Ground, Air, Water, Noise and Light Pollution
- Policy HE2 – Conserving and Enhancing Stockton’s Heritage Assets

## 5. Assessment of Impacts

5.1. The following sections identify the relevant local planning policies and how the application accords with them.

5.2. The following sections also consider the adequacy of assessment for each identified subject area and any potential impacts.

5.3. The baseline against which each subject area has been assessed is discussed, setting out the Authorities views in respect of the adequacy of the assessments carried out, the base line data against which assessments have been based, and any mitigation proposed.

5.4. The extent to which the Applicant has addressed identified impacts and assessed them adequately, complying with local planning policy, has also been considered.

## 6. Principle of Development

### Relevant Local Planning Polices

6.1. The relevant local planning policies are:

- Policy SD1           Presumption in favour of Sustainable Development
- Policy SD2           Strategic Development Needs
- Policy SD5           Natural, Built and Historic Environment
- Policy ENV 2        Renewable and Low Carbon Energy Generation
- Policy ENV6        Green Infrastructure, Open Space, Green Wedges and Agricultural Land

6.2. Policy SD1 (1) of the local plan in accordance with Paragraph 11 of the National Planning policy Framework seeks to take a positive approach in the assumption in favour of sustainable development, particularly when such a development would improve the economic, social and environmental conditions in the area. With Policy SD2(7) seeking to secure new development within the most sustainable locations, with regards to the relevant policies.

6.3. Local Plan Policy SD5 (2) (h) supports the principle of development which would provide for renewable and low carbon energy including the generation and supply of decentralised energy. However, this is not to be of the detriment of the Borough's rich natural and historic environment, it must be demonstrated and is considered

in the latter stages of this report whoever the proposed development would conserve and or enhance the natural built and historic environment.

6.4. The Council does not have a renewable energy strategy which allocates areas for renewal energy production. However, Policy ENV2 (3) sets out that where applications received for energy generation other than wind energy generation will have to be considered against Policy SD8 the proposed development has been considered against the requirement of Policy SD8 throughout the latter stages of this report.

### **Agricultural Land Classification**

6.5. Local Policy, National Planning Policy Guidance and National Planning Practise Guidance advises that local planning authorities should encourage the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land provided that it is not of high environmental value

6.6. Planning Practice Guidance advises in considering solar farms located on greenfield sites, local planning authorities should consider whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to high quality land; and the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around the arrays.

6.7. Policy SD5 requires that development proposals will be expected to demonstrate that they avoid the 'best and most versatile' agricultural land unless the benefits of the proposal outweigh the need to protect such land for agricultural purposes. Where significant development of agricultural land is demonstrated to be necessary, proposals will be expected to demonstrate that they have sought to use areas of lower quality land in preference to that of a higher quality.

6.8. An Agricultural Land Classification Assessment (document reference APP-150) has been undertaken with desktop study and fieldwork analysis. The report concludes that should the cabling within the Borough of Stockton go through third party land, this would predominantly be either confirmed subgrade 3b land or predicted to be 3b subgrade land. No further details of how the predicted land classification was concluded. Notwithstanding this, given the nature of the laying

of cabling it is not considered to result in a loss of agricultural land, contrary to local or national planning policy.

6.9. It is of note that a small section of the cabling, north of the settlement boundary of Redmarshal would go through subgrade 3a. However, as per the aforementioned the laying of underground cabling is not considered to result in the loss of agricultural land.

6.10. Local planning policies are therefore considered to support the proposed development in principle.

### **Adequacy of Application/DCO**

6.11. The application identifies the relevant local planning policies within the Development Plan against which the application is to be assessed.

6.12. The Authority is in agreement that the principle of the proposed development is supported by the relevant local planning policies within the Development Plan.

## **7. Design, Landscape and Visual Impact**

7.1. The relevant local planning policies are:

- Policy SD5 - Natural, Built and Historic Environment
- Policy SD8 – Sustainable Design Principles
- Policy ENV5 – Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity
- Policy ENV6 - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

7.2. The proposed development comprises a large solar farm within the rural landscape between Darlington, Stockton and Newton Aycliffe. The area is characterised by undulating farmland crossed by a network of footpaths and local roads, with scattered settlements and farms.

7.3. Whilst none of the proposed panel areas are located within Stockton Borough, the development extends close to the borough boundary near Old Stillington and Whitton. The land set aside for Biodiversity Enhancement lies closest to Old Stillington, with Panel area F beyond.



- 7.4. An underground cable will connect the Solar Farm with Norton Substation to the east. A large part of the cable route passes through Stockton. Two cable routes are currently proposed, an on-road route following Redmarshall Road, Kirk Hill and Letch Lane, and a second off-road option following a largely parallel route through the adjacent farmland.
- 7.5. There are a number of receptors within the Stockton area who may view the proposed development in isolation and cumulatively with other consented solar farm developments locally. A site visit was undertaken on the 22 July 2024 with the Landscape Officer and Principal Planning Officer to review the findings of the submitted Landscape and Visual Impact Assessment for the proposed development, and the three fixed viewpoint locations within Stockton Borough, 25, 27, and 28 were visited, in clear and sunny conditions.
- 7.6. The scale of effects is assessed 'major/moderate adverse' for some sensitive receptors (footpath users) within the local area during construction, which is a significant effect. However, this will reduce to 'moderate adverse' during operation. Road users will experience a scale of effect assessed to be non-significant, and similarly, the scale of effects from the fixed viewpoints is assessed to be 'medium/small adverse' from viewpoint 25 (the worst within the Stockton area), but this location along with viewpoints 27 and 28 will see a reduction in the scale of effects to negligible on maturity of mitigation planting. The findings were accepted by the officers.
- 7.7. The cumulative effects of the proposal in conjunction with other existing and recently consented developments has also been fully considered.
- 7.8. No concerns are raised regarding the LVIA conclusion for receptors within the Stockton boundary. Only one receptor group will experience significant effects during the life of the solar farm, users of PRow 'east of Bleach House Bank, between Stillington, Redmarshall and Stoney Flatt Farm', whilst this is not desirable, it is not considered that on balance the impact would be so adverse as to generate an objection to the proposed development
- 7.9. As the cable route through Stockton has not yet been finalised, the impacts of this element of the proposals are unclear. Greater certainty for protection and retention of existing vegetation, the agreement of final routing options within the Grid

Connection Corridor to actively protect vegetation, and a landscape framework capable of minimising potential vegetation loss and actively providing and supporting green infrastructure within the Grid Connection Corridor is required. This is to minimise damage to the established mature green infrastructure - particularly field boundaries, and secure replacement and/or mitigation for any damage as a result of installing the cable in accordance with Policy ENV5.

### **Adequacy of Application/DCO**

7.10. Subject to the further clarification sought, the Authority is in agreement that the proposed development is would not have a demonstrable adverse impact on the administrative boundary of Stockton on Tees with regards to landscape and visual.

## **8. Transportation and Highways**

8.1. The Outline Construction Traffic Management Plan (CTMP) identifies that all the panel areas are located within the Borough of Darlington and, during the construction period, will be accessed from the highway network within Darlington as shown in ES Figure 12.1 (Document Reference 6.3.12.1). As the project progresses and should this be amended Stockton Borough Council as Local Highway Authority expects to be involved in this process allowing the authority to comment on all aspects of the project when considering its impact on the highway.

8.2. The only site that will be accessed from within Stockton administrative boundary is the grid connection on Letch Lane and the works at this location will be minimal. Therefore, other than the potential on-road cable route within Stockton which can be controlled through the street works process, the construction activities associated with the proposed development will have a minimal impact on the road network within Stockton.

8.3. Taking account of the above and subject to compliance with the CTMP being secured by condition there are no highways objections to the proposals.

### **PROW and Countryside Access**

8.4. The Authorities PROW officer has advised that the impacts on Public Footpath 4 (shown below) would have to be considered as it connects to Number 7 so would need to be given due consideration. The remainder of the footpaths have been adequately considered.



**Figure 1 Footpath 4**

8.5. The Applicant will be aware that it is an offence to disturb or obstruct a public right of way; if any works undertaken adjacent to, or on a PRow, will disturb the surface or create an obstruction, either permanent or temporary, permission needs to be obtained from Stockton Borough Council prior to these works being undertaken. If as a result of the works public access cannot be maintained an application for a temporary closure order would need to be made. Likewise, if there is any potential health and safety risks to the public using a route while works are being undertaken an application to temporarily close the footpath would need to be made.

8.6. It is advisable for the Applicant to take photographs of the routes before works commence and again after the works are completed, such that they hold evidence that any route is in at least as good a condition after the works, as it was before.

### **Adequacy of Application/DCO**

8.7. Subject to the additional assessment being made on Footpath 4, the Authority is in agreement that the proposed development is would not have a demonstrable adverse impact either the highway network or the PRow within the administrative boundary of Stockton on Tees.

## 9. Flood Risk and Drainage

### Relevant Local Planning Policies;

9.1. The authority considers that the relevant local plan policies are;

- Policy ENV4 - Reducing and Mitigating Flood Risk

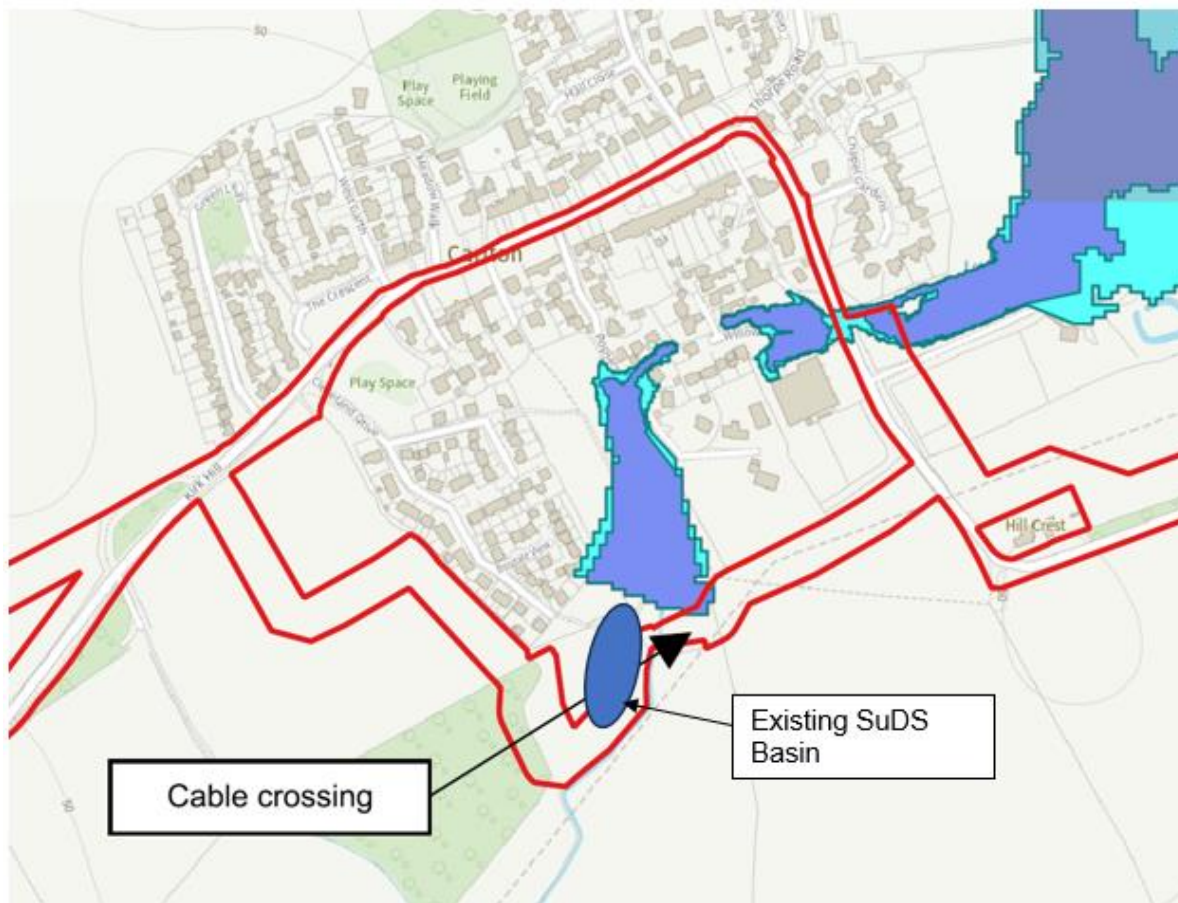
9.2. The NPPF, Section 10 'Meeting the Challenge of Climate Change, Flooding and Coastal Change' sets out the policy context for assessing the proposals with respect to the impacts to/from flooding. Local Plan Policy ENV4 (Reducing and Mitigating Flood Risk with respect to this matter.

9.3. Stockton Borough Council as Lead Local Flood Authority have reviewed the information submitted to support the above application and have the following comments to make;

9.4. The applicant should be mindful of how the proposed cable route will impact existing surface water infrastructure. A full survey of the cable route should be carried out to identify any impacts on existing surface water infrastructure (ordinary watercourses/drainage ditches/land drainage/highway drainage/existing SuDS features).

9.5. Any works within 8 metres of an ordinary watercourse will require Land Drainage Consent. Land Drainage Consent is separate application that could take up to 8 weeks for completion and no works on the watercourse can proceed until consent has been approved by the Lead Local Flood Authority.

9.6. Upon review of the submitted Flood Risk Assessment and Drainage Strategy it is noted the proposed cable route around Carlton Village conflicts with an existing SuDS basin. The location of the existing basin is highlighted on the plan below. This location should be reviewed by the applicant as the cable route must not impact upon an existing SuDS feature.



Drawing Referenced – Figure 3.4 Fluvial Flood Zones (4 of 4) (BSG-ES10-00019)

*Figure 2 SuDS Basin*

### **Adequacy of Application/DCO**

9.7. Further work is required to establish whether there are any conflicts with existing infrastructure along the proposed cable route.

## 10. Heritage Assets

### Relevant Local Planning Policies

10.1. The authority considers that the relevant local plan policies are;

- Policy SD5 - Natural, Built and Historic Environment
- Policy HE2 – Conserving and Enhancing Stockton’s Heritage Assets

10.2. Tees Archaeology have advised that they have worked with the applicant’s archaeological consultant, and have agreed upon the submitted Archaeological Management Strategy (Environmental Statement Appendix 8.5). They are satisfied with the approach which sets out the procedure for archaeological remains, proposed mitigation, and anticipate further discussions with the archaeological consultant as the project progresses.

10.3. The Council Historic Buildings Officer is satisfied that the relevant Listed Buildings, Scheduled Monuments, Conservation Areas and non-designated Heritage Assets have been identified and the search area is considered to be satisfactory. It is considered that there will be negligible impact on any built heritage within the Borough.

### Adequacy of Application/DCO

10.4. The Authority is in agreement that the proposed development would have a negligible impact on any built heritage within the administrative boundary of Stockton on Tees.

## 11. Ecology

### Relevant Local Planning Policies

11.1. The authority considers that the relevant local plan policies are;

- Policy SD5 – Natural, Built and Historic Environment
- Policy ENV5 – Preserve, protect and Enhance Ecological Networks, Biodiversity and Geodiversity.

11.2. The authority defers to Natural England with regards to the conclusions of the Habitat Regulations Assessment (HRA) and the proposed mitigation measures set



out within the HRA (6.4.6.5) and the Framework Landscape and Ecological Management Plan (LEMP) (6.4.2.14).

### **Key Local Issues**

11.3. The cable route for connection to the Norton Sub Station lies within the administrative boundary of Stockton. The habitats located within Stockton are predominantly agricultural and urban. Arable farmland and pasture with drainage ditches, water courses and some hedgerows.

11.4. The main impacts associated with the grid connection works involve the temporary loss/disturbance of habitats during construction and the disturbance of species during installation and reinstatement of the grid connection corridor. There are proposals in place to minimise these impacts through good design and inclusion of measures within the Construction Environmental Management Plan (CEMP). A Framework CEMP has been submitted (APP-110) (6.4.2.6).

11.5. However, further information is required regarding the location and treatment of Himalayan Balsam which was recorded within the study area along the course of the Bishopton Beck, within the LEMP (6.1.6.).

## **12. Biodiversity Net Gain (BNG)**

12.1. The application presents a BNG assessment (ref 6.4.6.6) which demonstrates that the project, based on the current plans, is likely to result in an anticipated net gain of 88% for area-based habitat units and a net gain of 108% for hedgerow units.

12.2. The Framework Landscape and Ecological Management Plan (LEMP) (ref 6.4.2.14) is provided to demonstrate the proposed habitat creation and reinstatement and proposals for the management and monitoring across the scheme.

12.3. It is anticipated that the following would be secured as a DCO requirement:

- Landscape and Ecological Management Plan
- Biodiversity Net Gain
- Construction Environmental Management Plan (CEMP)

### **Adequacy of Application/DCO**

12.4. It is considered that the above requirements are sufficient to secure the biodiversity avoidance and mitigation measures set out within the ES Chapter 6 in relation to habitat and species protection and biodiversity net gain for the aspects of work that fall within the administrative boundary of Stockton.

## 13. Environmental Health

### Relevant Local Planning Policies

13.1. The authority considers that the relevant local plan policies are;

- Policy SD5 – Natural, Built and Historic Environment
- Policy ENV5 – Preserve, protect and Enhance Ecological Networks, Biodiversity and Geodiversity.

### Air Quality

13.2. The main Air Quality effects for Stockton are likely to be experienced during the construction phase of the grid connection/cable corridor, and to a lesser extent panel area F.

13.3. Overall, the mitigation measures are considered to be proportionate and, while there may be some dust effects experienced during the construction phase. The proposed mitigation measures are adequate and proportionate for example, routine dust monitoring, stockpile management, suppression/dampening down etc. It is however requested that that the mitigation measures detailed in section 7 of 6.4.2.4 Environmental Statement Appendix 2.4 Construction Dust Assessment are implemented when undertaking works within Stockton-on-Tees to minimise dust emissions.

### Noise

13.4. Unfortunately, the noise impact assessment has not obtained background levels or considered the impact of noise at any sensitive receptor within Stockton-on-Tees, as the nearest existing sensitive receptor assessed is ESR35 which is outside of Stockton. As such no assessment has been made in relation to construction noise, vibration, noise from road or operational noise within the administrative boundary of Stockton. Whilst it is appreciated that Stockton is only subject to cabling and not necessarily the operational phase of the development,



as residents within the Borough are within the vicinity where works are taking place i.e. Redmarshall and Carlton and may be within the range of audible low frequency noises from panel zone F. It is therefore considered that appropriate assessments should be made to protect the residents within Stockton-on-Tees.

13.5. Within the Environmental Statement Construction Environmental Management Plan, it states that work will take place until 14:00hrs on a Saturday. It is standard practice within Stockton that construction works on a Saturday finish by 13:00hrs, it is requested that this is reduced in line with other developments which may be taking place within the administrative Borough of Stockton.

### **Glint and Glare**

13.6. Environmental Health Officers are accepting of the findings of moderate impact detailed within 6.4.2.2 Environmental Statement Appendix 2.2 Solar Photovoltaic Glint and Glare Study Volume 6 February 2024 Revision C01 (App 106). Further clarification is sought on the identified impacted dwellings 254, 256 and 267 and road receptors 208 to 211 (Figure 10 Whitton Road) if necessary a planting/landscaping scheme should be provided to ensure that the height of proposed hedgerow/tree planting should be managed so that relevant reflecting areas are obscured from view. This should be supported by a validation report to demonstrate what has said will be achieved is.

### **Lighting**

13.7. In general, it is anticipated that the proposed development would not be lit, however, infrared security lighting would be required around key electrical infrastructure. This lighting would be sensor triggered. Given the separation distance to sensitive receptors with the administrative boundary of Stockton it is not considered that the presence of sensor triggered lighting would have an adverse impact on residents.

### **Radon**

13.8. Section 6.4 of the Groundsure report which is ES Appendix 2.1 Phase I Geoenvironmental and Geotechnical Desk Study sets out

*6.4.1. The BRE 'Guidance on Protective Measures for New Dwellings' (BR 211) has been consulted to review the geological radon potential of the Order Limits as outlined by the BGS.*

*6.4.2. The relevant radon data collated within the Groundsure Report estimates the percentage of dwellings exceeding the Radon Action Level as less than 1% for most of the Order Limits. There are areas within the Panel Areas A, B and F which estimated the percentage as 1% to 3%, and a limited area within the south-east and north-east which estimates the percentage as between 10% and 30%.*

13.9. Whilst Gen 11 identifies further ground investigation this is considered to be too broad, and we would recommend a more specific approach to the radon gas. We require written confirmation that there are no structures which could lead to entrapment of gas within the administrative boundary of Stockton, for the avoidance of doubt.

#### **Adequacy of Application/DCO**

13.10. There are a number of outstanding issues and further clarification required in relation to the impact of the DCO on a number of sensitive receptors.

## **14. Conclusions**

14.1. This LIR has given consideration of the potential impacts of the Byers Gill DCO at the local level for Stockton on Tees Borough Council.

14.2. As detailed within sections 4 and 6 of this LIR, the principle of the development is supported by local and national planning policy. The proposed enhanced biodiversity net gain is supported.

14.3. However, further clarification is sought with regards to a number of issues. These have been detailed below;

- The impacts of the alternative cable routes on existing surface water infrastructure (ordinary watercourses/drainage ditches/land drainage/highway drainage/existing SuDS features), the protection and retention of existing vegetation and the highway network.
- Clarification of the impact of Radon Gas within the administrative boundary of Stockton

- The noise assessment is recommended to be extended in relation to construction noise, vibration, noise from road or operational noise within the administrative boundary of Stockton.
- Mitigation scheme to prevent glare on the identified sensitive receptors with Stockton
- Identification of the location and treatment of the invasive species

14.4. Stockton on Tees Borough Council will continue to engage with the NSIP process and seek to work proactively with the Inspector and the applicants in connection with this project and in particular the issues raised within this LIR.

# Appendix One: Consultee Comments

This document was classified as: OFFICIAL



## Consultee Comments for Application

FAO Planning Case Officer: ~~Mrs~~ Helen Boston  
Consultee: Mr Michael Fearman  
Application Number: 22/2289/NSIP  
On behalf of: Environmental Health

Our Ref: I92466  
16/07/2024

**Address:** Street Record, ~~Redmarshall Road, Redmarshall~~  
**Proposal:** Noise and Air Quality application - Byers Gill Solar Farm

### Comments:

I have reviewed the following submitted reports in relation to noise and dust:

- 6.2.11 Environmental Statement Chapter 11 Noise and Vibration
- 6.4.2.4 Environmental Statement Appendix 2.4 Construction Dust Assessment
- 6.4.2.6 Environmental Statement Appendix 2.6 Outline Construction Environmental Management Plan

Unfortunately the noise impact assessment has not obtained background levels or considered the impact of noise at any sensitive receptor within Stockton-on-Tees, as the nearest existing sensitive receptor assessed is ESR35 which is outside of Stockton. As such no assessment has been made in relation to construction noise, vibration, noise from road or operational noise within our Borough. Whilst I appreciate Stockton is only subject to cabling and not necessarily the operational phase of the development, as residents within the Borough are within the vicinity where works are taking place i.e. ~~Redmarshall~~ and Carlton and may be within the range of audible low frequency noises I feel such assessments should be considered for the residents within Stockton-on-Tees.

Within the Environmental Statement Construction Environmental Management Plan it states that work will take place until 14:00hrs on a Saturday. We usually ask that work on a Saturday finishes by 13:00hrs, please could this be amended.

In relation to the construction dust assessment, I would ask that the mitigation measures detailed in section 7 of 6.4.2.4 Environmental Statement Appendix 2.4 Construction Dust Assessment are implemented when undertaking works within Stockton-on-Tees to minimise dust emissions.

This document was classified as: OFFICIAL

**INTERNAL MEMORANDUM**  
**Highways, Transport and Design**

From: Highways, Transport and Design Manager  
 To: Planning Development Services Manager  
 FAO: Helen Boston  
 CC: Planning Administration

Proposal: Byers Gill Solar Farm (Nationally Significant Infrastructure Project - NSIP)	Date: 25/07/24		
Location: Byers Gill Solar Farm	Ref: 22/2289/NISP	Rev: 1	

## Highways Transport and Design Consultation

I refer to your memo dated: 17/08/24

### General Summary

The Highways Transport and Design Manager raises no objections to the proposals.

### Highways Comments

Having reviewed the Outline Construction Traffic Management Plan (CTMP) all the panel areas are located within the Borough of Darlington and, during the construction period, will be accessed from roads within Darlington.

The only site that will be accessed from within Stockton is the grid connection on Letch Lane and the works at this location will be minimal.

Therefore, other than the potential on-road cable route within Stockton which can be controlled through the street works process, the construction activities associated with the proposed development will have a minimal impact on the road network within Stockton.

Taking account of the above and subject to compliance with the CTMP being secured by condition there are no highways objections to the proposals.

### Landscape & Visual Comments

The proposed development comprises a large solar farm within the rural landscape between Darlington, Stockton and Newton Aycliffe. The area is characterised by undulating farmland crossed by a network of footpaths and local roads, with scattered settlements and farms.

Whilst none of the proposed panel areas are located within Stockton Borough, the development extends close to the borough boundary near Old Stillington and Whitton. The land set aside for Biodiversity Enhancement lies closest to Old Stillington, with Panel area F beyond.

Approval		Date	Approval		Date	Approval		Date
HT&D Officer:	MJP SW FRM	22/07/24 25/07/24 19/07/24	Authorised:			Authorised:		

An underground cable will connect the Solar Farm with Norton Substation to the east. A large part of the cable route passes through Stockton. Two cable routes are currently proposed, an on-road route following Redmarshall Road, Kirk Hill and Letch Lane, and a second off-road option following a largely parallel route through the adjacent farmland.

There are a number of visual receptors within the Stockton area who may view the proposed development in isolation and cumulatively with other consented solar farm developments locally. A site visit was undertaken on 22/07/24 with the Council's Principal Planning Officer to review the findings of the submitted Landscape and Visual Impact Assessment for the proposed development, and the three fixed viewpoint locations within Stockton Borough, 25, 27, and 28 were visited, in clear and sunny conditions.

The scale of effects is assessed 'major/moderate adverse' for some sensitive receptors (footpath users) within the local area during construction, which is a significant effect. However, this will reduce to 'moderate adverse' during operation. Road users will experience a scale of effect assessed to be non significant, and similarly, the scale of effects from the fixed viewpoints is assessed to be 'medium/small adverse' from viewpoint 25 (the worst within the Stockton area), but this location along with viewpoints 27 and 28 will see a reduction in the scale of effects to negligible on maturity of mitigation planting.

The cumulative effects of the proposal in conjunction with other existing and recently consented developments has also been fully considered.

The Highways Transport and Design Manager raises no concerns regarding the LVIA conclusion for receptors within the Stockton boundary. Only one receptor group will experience significant effects during the life of the solar farm, users of PRow 'east of Bleach House Bank, between Stillington Redmarshall and Stoney Flatt Farm', whilst this is not desirable, there are no objections to the proposed NSIP.

As the cable route through Stockton has not yet been finalised, the impacts of this element of the proposals is unclear. It is requested that should the application be approved, conditions must be applied to control the cable route particularly if it does not follow the road. This is to minimise damage to the established mature green infrastructure - particularly field boundaries, and secure replacement and/or mitigation for any damage as a result of installing the cable.

### **Flood Risk Management**

The Lead Local Flood Authority have reviewed the information submitted to support the above application and have the following comments to make;

The applicant should be mindful of how the proposed cable route will impact existing surface water infrastructure. A full survey of the cable route should be carried out to identify any impacts on existing surface water infrastructure (ordinary watercourses/drainage ditches/land drainage/highway drainage/existing SuDS features).

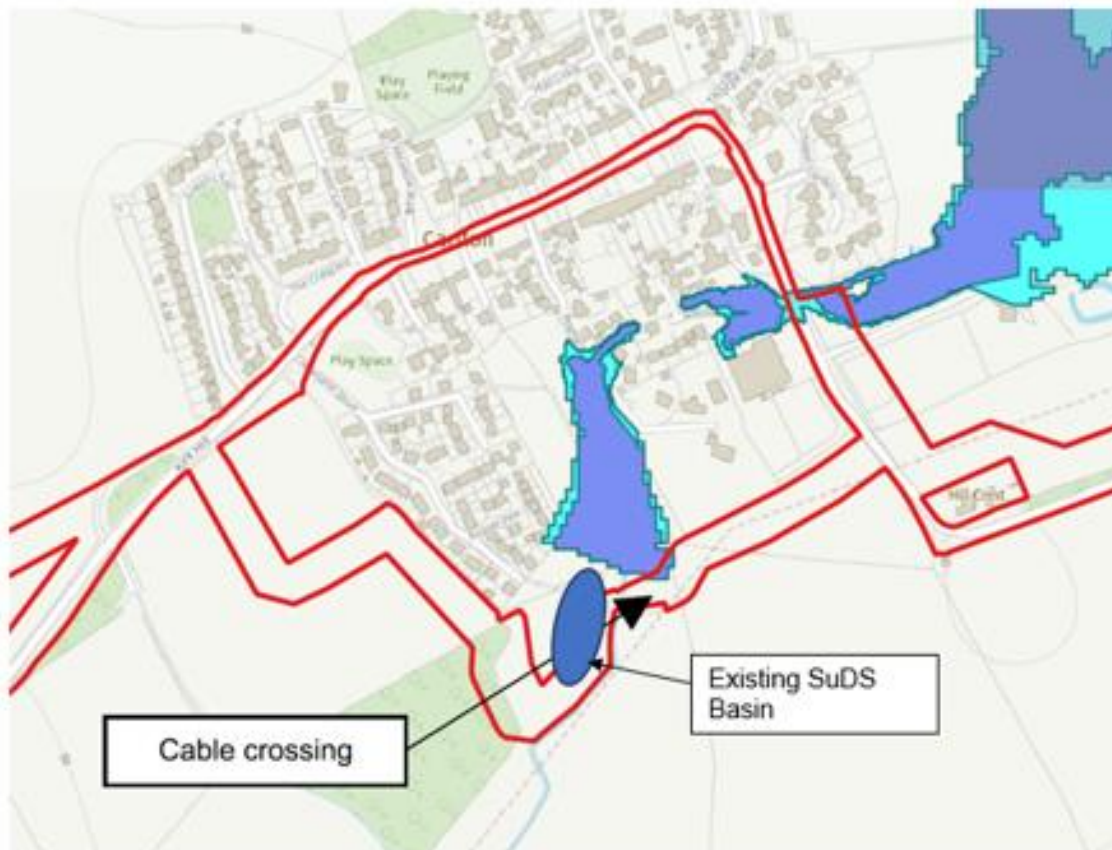
Any works within 8 metres of an ordinary watercourse will require Land Drainage Consent. A Land Drainage Consent is separate application that could take up to 8 weeks for completion and no works on the watercourse can proceed until consent has been approved by the Lead Local Flood Authority.

Approval		Date	Approval		Date	Approval		Date
HT&D Officer:	MJP SW FRM	22/07/24 25/07/24 19/07/24	Authorised:			Authorised:		



Similarly any work on or near to a designated main river will require consent from the Environment Agency.

Upon review of the submitted Flood Risk Assessment and Drainage Strategy it is noted the proposed cable route around Carlton Village conflicts with an existing SuDS basin. The location of the existing basin is highlighted on the plan below. This location should be reviewed by the applicant as the cable route must not impact upon an existing SuDS feature.



Drawing Referenced – Figure 3.4 Fluvial Flood Zones (4 of 4) (BSG-ES10-00019)

Approval		Date	Approval		Date	Approval		Date
HT&D Officer:	MJP SW FRM	22/07/24 25/07/24 19/07/24	Authorised:			Authorised:		

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Ref: Byers Gill Solar Farm (NSIP)

Municipal Buildings  
Church Road  
Stockton-on-Tees  
TS18 1LD  
SAT NAV code: TS19 1UE

Email: [REDACTED]@stockton.gov.uk  
Date: 17/05/2024

Dear Helen.

In regards to a consultee request from the Historic Buildings Officer, please see the comments below.

Relevant Listed Buildings, Scheduled Monuments, Conservation Areas and non-designated Heritage have been identified and the search area is considered to be satisfactory. It is considered that there will be negligible impact on any built heritage within the Borough.

Sincerely,

Kathryn Freeman  
Historic Buildings Officer



Hi,

Thanks for sending through the consult – the system won't let me submit my comments on the application. Please see my comments below:

Thank you for the consultation. We have been in discussions with the applicant's archaeological consultant, and have agreed upon the submitted Archaeological Man remains and proposed mitigation, and anticipate further discussions with the archaeological consultant as the project progresses.

Rosie Banens  
Archaeologist (Planning)

*Please note I usually work Tuesday to Friday*

Tees Archaeology  
Sir William Gray House  
Clarence Road  
Hartlepool  
TS24 8BT

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### Consultee Comments for Application 22/2289/NSIP

FAO Planning Case Officer: ~~Mr~~ Mrs Helen Boston  
Application Number: 22/2289/NSIP

Consultee: Stephanie Landles  
On behalf of: Environmental Health

Our Ref: I83767  
14/05/2024

**Address: Byers Gill SOLAR FARM**  
**Proposal: Nationally significant infrastructure project - NSIP**

#### Comments:

I have checked the documentation currently provided for the above application and have no grounds to object to this proposal.

I have assessed the potential impact of the development and have considered the likelihood of noise and vibration, air quality contaminated land assessment, deposits and residue to land and soil, hydrogeology – surface water, ground water, drainage and water quality and the interaction between any of the above within the borough and identified within the documentation as cabling squares #8 & #9.

My initial comments on the information provided are

1. The pipeline passes through a significant area identified by Radon gases and this will require further assessment to protect the Construction workers and any confined spaces will need to have a radon gas risk assessment.
2. noise disturbances during the short-term construction period would need to be restricted to operational hours.

I understand the information provided is not complete and so should more information be forthcoming I withhold the right to reassess the application.