



SCOPING OPINION:

Proposed Rosefield Solar Farm

Case Reference: EN010158

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

21 December 2023



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1. INTRODUCTION

- 1.0.1 On 13 November 2023 the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Rosefield Energyfarm Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Rosefield Solar Farm (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a) the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:
- <http://infrastructure.planninginspectorate.gov.uk/document/EN010158-000008>
- <http://infrastructure.planninginspectorate.gov.uk/document/EN010158-000011>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has/has not agreed to scope out certain aspects/matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects/matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/matters have been appropriately addressed the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg, on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Chapters 2 and 3)

ID	Ref	Description	Inspectorate's comments
2.1.1	Section 2.2	Flexibility	<p>The Inspectorate notes the Applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the Proposed Development. Scoping Report paragraph 2.2.8 also states that the design parameters will be further developed during statutory consultation.</p> <p>The Inspectorate expects that at the point an application is made, the description of the Proposed Development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the Proposed Development or where details are not yet known, will set out the assumptions applied to the assessment in relation to these aspects. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced.</p> <p>The Inspectorate considers that early refinement of options will support a more robust assessment of likely significant effects (LSE) and provide certainty to those likely to be affected. Where flexibility is sought, the ES should clearly set out and justify the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES. The Inspectorate advises that each aspect chapter includes a section that</p>

ID	Ref	Description	Inspectorate's comments
			<p>outlines the relevant parameters/commitments that have informed the assessment.</p>
2.1.2	Section 2.3	Site boundary	<p>The Scoping Report states that the redline boundary as shown in Appendix A represents the maximum land required for the full range of possible development options. The application site boundary indicated in Appendices C, F and H is different to that depicted in Appendix A. Scoping Report paragraph 6.2.4 states that the ecological surveys undertaken prior to 2023 were based on an earlier, reduced version of the site boundary excluding the cable route search area.</p> <p>The ES should clearly define the redline boundary/application site boundary within the project description section of the ES and ensure that it is consistently depicted on ES plans and figures. The ES should assess the LSE arising from all components of the Proposed Development within the entire area of the application site boundary.</p>
2.1.3	2.3.1	Site area	<p>The size of the application site area described in the Scoping Report does not include the East Claydon National Grid (NG) substation on the basis it does not form part of the Proposed Development. However, as the substation would be located within the Order Limits the ES should also identify the size of the site area including the land encompassing the substation.</p>
2.1.4	2.3.40 and 2.3.41	Existing infrastructure	<p>The Scoping Report identifies a number of existing infrastructure assets within the site, including pylons, overhead power lines, electric cables, water and sewer utilities. The assessment in the ES should take into account the location of existing infrastructure and identify any interactions between it and the Proposed Development. Any significant effects that are likely to occur should be assessed.</p>

ID	Ref	Description	Inspectorate's comments
2.1.5	2.4.57	Onsite cabling	The Scoping Report states that deeper trenches or specialist trenchless techniques may be required for crossings of roads, environmental receptors, and other existing sensitive infrastructure. The ES should describe the likely routeing for the underground cabling, type of trenching methods, widths and depths of the cable trenches and the works required, including any dewatering of excavations.
2.1.6	2.4.69	Construction programme	The Scoping Report anticipates that the construction of the Proposed Development is to be completed in one phase and to last for approximately 18 to 24 months. Construction activities are set out in Scoping Report paragraph 2.4.71. The ES should include details of the likely commencement date, duration and location of the required construction activities. The ES should also determine how and where such activities will overlap and what plant and machinery is required. Details of any demolition works and the extent and location of such works should also be set out. Where uncertainty remains at the point of application, the assessments should be made on the basis of the worst case scenario.
2.1.7	2.4.76	Temporary construction compounds and access routes	The Scoping Report states that the Proposed Development would require temporary construction compounds and access routes within the site, however, the exact location is yet to be determined. To ensure a robust assessment of LSE, the ES should provide details regarding the number, location and dimensions of construction compounds and access routes. Indicative timescales should be provided for all temporary works.
2.1.8	2.4.77	Street works	The Scoping Report states that street works outside of the site may be required to facilitate construction access to the public highway. Such works should be included within the Order Limits. The ES should clearly identify the location of the works or where uncertainty

ID	Ref	Description	Inspectorate's comments
			remains, assess the worst-case scenario. An assessment should be provided where significant effects may occur.
2.1.9	2.4.91	Decommissioning	The ES should provide a description of the activities and works which are likely to be required during decommissioning of the Proposed Development, including the anticipated duration. Where significant effects are likely to occur as a result of decommissioning the Proposed Development these should be described and assessed in the ES. Any proposals for restoration of the site to agricultural or other use should also be described.
2.1.10	N/A	Document referencing	The Appendices to the Scoping Report also contain appendices which are similarly numbered, therefore causing scope for confusion. It would aid the reader if the appendices to the ES are differently numbered/named so that they are clearly identifiable from cross-references in the ES.
2.1.11	Section 5.9	Labelling of figures	There are a number of figures in Section 5.9 of the Scoping Report where reference is made in related text to features located on particular 'Parcels' on the application site although the parcels are not identified on the figures. It would aid the reader if the relevant parcels were identified on such figures contained in the ES. In addition, the depiction on Plate 5.3 of the Water Framework Directive (WFD) Main River watercourses does not appear consistent with the description in paragraphs 5.9.8 and 5.9.14; a Main River is shown but not named in the Key (or referenced in the text) and the River Ray and its tributary are identified as Main Rivers in the text but not identified as such on the figure. 'Gubbinshole and Broadmoor ditch to Ray' does not appear to be shown on the figure (and is not referenced in the text) although it is listed in the Key.

ID	Ref	Description	Inspectorate's comments
			The Applicant should ensure that figures provided within the ES are correctly labelled and that the information depicted is consistent with information provided in the main text.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 4)

ID	Ref	Description	Inspectorate's comments
2.2.1	Chapter 2	Management plans	<p>The Scoping Report refers to a number of management plans which will be provided with the DCO application documents:</p> <ul style="list-style-type: none"> • Outline Construction Environmental Management Plan (oCEMP); • Outline Soils Management Plan; • Outline Construction Traffic Management Plan; • Travel Plan; • Framework Abnormal Load Transport Management Plan; • Outline Landscape and Ecology Management Plan (oLEMP); • Outline Operational Environmental Management Plan (oOEMP); • Outline Public Rights of Way Management Plan; and • Outline Decommissioning Environmental Management Plan (oDEMP). <p>The draft management plans provided with the application should be sufficiently detailed to demonstrate how significant effects will be avoided or reduced and the ES should clearly explain how the implementation of these plans would be secured in the DCO.</p>
2.2.2	2.4.62	Lighting	<p>The Scoping Report states that the Rosefield Substation compound, Battery Energy Storage System (BESS) compound and Collector Compounds would include manually operated or sensor-activated lighting, in accordance with relevant standards, but would not be permanently lit. External lighting will be assessed in a lighting</p>

ID	Ref	Description	Inspectorate's comments
			<p>assessment which will detail measures that are proposed to minimise light spill and impacts to sensitive receptors.</p> <p>The Inspectorate is content with this approach, however the ES should include a detailed description of the construction and operational lighting design and the measures taken to avoid or minimise lighting impacts on human and ecological receptors, including consideration of effects relating to intermittent lighting sources such as motion-activated security lighting.</p>
2.2.3	Section 4.4	Study areas	<p>The ES should include figures depicting the study areas used for the assessments.</p>
2.2.4	Section 4.5	Baseline conditions	<p>It is noted that a number of field surveys have been undertaken which have informed the Scoping Report, however some of the ecological surveys were not based on the current application site boundary. The Applicant should ensure that all surveys are up to date and cover as a minimum the entire area of the proposed Order Limits.</p>
2.2.5	4.6.1	Future baseline	<p>The ES should set out the assessment year of the future baseline and detail how the future baseline conditions are established.</p> <p>The Inspectorate notes that the HS2 and East West Rail projects are located near the application site and that construction works for each are ongoing (as set out in paragraph 6.1.5). The description of the future baseline in the ES should clearly set out the construction and operation timeline for these projects against the timeline for the Proposed Development.</p> <p>The Inspectorate notes that some assessments require projections to account for future change. The ES should detail the methodology used for the projections, including the relevant data sources used.</p>

ID	Ref	Description	Inspectorate's comments
2.2.6	Table 4-1	Mitigation	The ES should confirm where offset distances from sensitive features are proposed as mitigation how delivery of these commitments would be secured. Any offsets should be clearly shown on accompanying plans or drawings. The Inspectorate considers that for mitigation of this nature to be effective the offsets would need to be in place during construction, operation and decommissioning and be clearly marked so that no activities, storage of materials or vehicle movements are permitted within them.
2.2.7	Table 4-1	Mitigation	The ES should clearly identify any fields composed solely of Agricultural Land Classification (ALC) Grade 1, 2 and 3a land on accompanying plans or drawings. Details should be provided of how these fields could remain in arable production in parallel with the operation of the Proposed Development.
2.2.8	Appendix D	Methodology	The Scoping Report states that professional judgement would be used in the assessments to determine the level of significance for some aspects such as air quality, cultural heritage, landscape and visual, transport and access and population. Any use of professional judgement to assess significance should be fully justified within the ES, including an explanation of the criteria that the judgement has been based on
2.2.9	Appendix D	Methodology	The Scoping Report outlines the approach to assigning significance but does not clearly explain what level of effect is determined to be significant in EIA terms for some of the aspects such as air quality, biodiversity, climate, land soils and groundwater, transport and access and population. The ES should clearly define for each of the aspects addressed in the ES what is considered to constitute an LSE.
2.2.10	Section 5.10	Transboundary	The Inspectorate notes that Section 5.10 of the Scoping Report addresses any potential for transboundary effects and concludes that

ID	Ref	Description	Inspectorate's comments
			<p>due to the nature and location of the Proposed Development there would not be a transboundary LSE.</p> <p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that it is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area Member State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/</p>

2.3 Environmental aspects proposed to be scoped out

(Scoping Report Chapter 5)

ID	Ref	Description	Inspectorate's comments
2.3.1	Section 5.2	Glint and glare	<p>The Applicant proposes to scope out glint and glare from the EIA and provide a detailed stand-alone glint and glare assessment in an appendix to the ES, which will inform the design development, landscape mitigation plan and relevant assessments in the ES, particularly the LVIA. A bespoke glint and glare model will be used to undertake a detailed geometric analysis for all receptors potentially affected by the Proposed Development. A description of any relevant proposed mitigation measures and safety considerations will be included within the Proposed Development description chapter of the ES. It is proposed that aviation receptors will be considered as sensitive receptors but will not include departing aircraft on the basis that as the aircraft nose would be pointing upwards the visibility of objects, such as panels, located on the ground will be reduced. The Applicant is referred to Buckinghamshire Council's (BC's) comments in their consultation response (contained in Appendix 2) in relation to the need to include Finmere Aerodrome as a receptor.</p> <p>The Inspectorate is content with the proposed approach and agrees that a standalone glint and glare chapter does not need to be included in the ES. The technical appendix to the ES must clearly explain the assessment methodology (with reference to appropriate modelling and predictive techniques, charts/ diagrams and visual representations such as GIS-based viewshed analyses) to indicate the likely extent and distance of potential glint and glare. Where professional judgement has been applied this should be identified.</p>

ID	Ref	Description	Inspectorate's comments
2.3.2	Section 5.3	Heat and radiation	<p>The Scoping Report proposes to scope out an assessment of impacts from heat and radiation during construction, operation and decommissioning as no significant sources of heat and radiation are anticipated due to the scale and nature of the Proposed Development.</p> <p>The Inspectorate agrees that this matter may be scoped out from further consideration on the basis that the ES clearly signposts any identified sources of heat and radiation and how this has been considered with respect to site selection, site layout and mitigation design.</p>
2.3.3	Section 5.4	Electric, magnetic and electromagnetic fields (EMF)	<p>The Scoping Report seeks to scope out electric, magnetic and electromagnetic fields. The majority of the underground cables would have a maximum voltage up to and including 132 kilovolts (kV), which meets the 1998 guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). A 400kV underground cable would connect the proposed Rosefield substation to the National Grid East Claydon Substation. Potential areas considered suitable for the Rosefield Substation include fields within Parcel 3 of the application site, which is crossed by three 400kV overhead power lines.</p> <p>The 400kV underground cable is described as a "minimal" amount of cabling and it is explained that residential properties would be a minimum of 250m away from Rosefield Substation, to avoid the potential for any EMF effects on sensitive receptors. It is considered in the Scoping Report that there would be no significant EMF impacts. On this basis and subject to the provision of technical reporting to demonstrate that relevant design standards have been met for all cabling the Inspectorate is content to scope out consideration of EMF. However, in-combination impacts with the overhead lines on human health should be considered and significant effects assessed where they are likely to occur.</p>

ID	Ref	Description	Inspectorate's comments
2.3.4	Section 5.5	Major accidents and disasters	<p>The Scoping Report proposes to scope out major accidents and disasters on the basis that the construction, operation and decommissioning of the Proposed Development are not considered to give rise to any risk of major accidents or disasters that could affect existing or future receptors which are not already considered through proposed design mitigation and existing regulatory regimes. The risk of major accidents and disasters will be considered throughout the design process, including siting the potentially hazardous equipment, eg the BESS and grid infrastructure, at a suitable distance from sensitive receptors in accordance with BESS standards (UL9540). In relation to the vulnerability of the Proposed Development it is highlighted that the UK already has a structured framework of risk management legislation in place.</p> <p>Scoping Report Table 5-1 presents a list of possible major accidents and disasters that will require consideration, ie fire, flooding, aircraft disasters, rail accidents and plant disease. It is stated that these will be addressed in documents submitted with the DCO application: a Plume Assessment, Battery Safety Commitments management plan, Flood Risk Assessment (FRA), Glint and Glare Assessment, the landscaping design and the oLEMP, which will include proposed mitigation, as necessary.</p> <p>In relation to potential fire risk associated with the BESS a cooling system will form part of the BESS, designed to regulate temperatures to safe conditions to minimise the risk of fire. The Plume Assessment will assess the impact of a fire event within the BESS battery components and the Battery Safety Commitments management plan will address the potential safety risks and the relevant mitigation and management procedures. The mitigation should be secured in the DCO, with reference to the proposed Battery Safety Commitments management plan.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Inspectorate has considered the characteristics of the Proposed Development and agrees with the proposed approach to major accidents and disasters. However, the ES should clearly signpost where these impacts are assessed in other relevant chapters and other application documents and where any relevant mitigation measures are secured, if required.</p>
2.3.5	Section 5.6	Utilities	<p>The Scoping Report proposes to scope out a utilities chapter from the ES. A utilities search identified several assets within the application site. Further consultation will be carried out with the relevant utility companies and advice sought regarding separation distances and methods of construction in close proximity to each utility to avoid any risk of impact during construction. This will inform the layout of the Proposed Development and be reported within the ES as embedded mitigation. The oCEMP will include additional mitigation measures to protect against interference with below-ground utilities during construction.</p> <p>The Inspectorate is content that a standalone ES utilities chapter is not required. However, the ES should set out the findings of the desk-based study and signpost to where any required mitigation measures are secured.</p>
2.3.6	Section 5.7	Human health	<p>The Scoping Report proposes to scope out a dedicated assessment of impacts to human health on the basis that it will be considered in other relevant ES chapters including Air Quality, Landscape and Visual, Noise and Vibration, Traffic and Access and Population; and in the standalone glint and glare assessment.</p> <p>The Inspectorate is content with this approach, however the ES should clearly set out potential impacts to human health from the Proposed Development during construction, operation and decommissioning and cross-reference to where impacts are assessed within the ES; this may extend beyond the chapters proposed above.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Applicant's attention is drawn to the comments of BC (Appendix 2 of this Scoping Opinion) in relation to the approach to assessing potential impacts on human health.</p>
2.3.7	Section 5.8	Material assets and waste	<p>The Scoping Report proposes to include a description of the potential streams and volumes of construction and operational materials and waste within the Project Description chapter of the ES, in lieu of a standalone chapter. The indirect impacts associated with materials consumption and waste disposal, eg greenhouse gas emissions; water consumption; amenity impacts; ecological impacts, will be assessed ".elsewhere within the EIA". Table 5-2 presents what the Applicant considers would be the main impacts and effects of the Proposed Development; predicted to occur in the construction and decommissioning phases.</p> <p>The oCEMP submitted with the DCO application will set out how construction materials and waste would be managed onsite and there would be a requirement in the detailed CEMP to develop and implement a Site Waste Management Plan (SWMP) and Materials Management Plan (MMP) in advance of the construction works. It is not intended to remove significant quantities of excavated arisings from the site during construction. Where possible, they would be balanced through a cut and fill exercise to retain volumes onsite, however there may be a need to remove some soils for treatment or disposal if found to be contaminated and not practical to treat onsite. The ES should confirm the cut and fill balance.</p> <p>It is considered that there will be relatively little waste produced during the operational phase and the requirement for material assets will be limited to maintenance and replacement parts, as required. The ES should include an assessment of the likely impact of component replacement, eg batteries and panels, and outline what</p>

ID	Ref	Description	Inspectorate's comments
			<p>measures, if any, would be put in place to ensure that these components are able to be diverted from the waste chain.</p> <p>The ES should include estimates, by type and quantity, of expected residues and emissions and quantities and types of waste produced during the construction and operational phases in line with Schedule 4 of the EIA Regulations.</p> <p>During decommissioning, the removal of any material assets and waste would be recycled where practicable or disposed of in accordance with good practice and market conditions at that time. An oDEMP will be submitted with the DCO application. The ES should assess the LSE from decommissioning waste to the extent possible at the time of application submission.</p> <p>As such, the Inspectorate does not agree that material assets and waste may be scoped out as a standalone ES chapter.</p>
2.3.8	Section 5.9	Water – flood risk	<p>The Scoping Report proposes to scope out flood risk to and from the Proposed Development for all phases of the Development on the basis that it is unlikely to give rise to significant effects taking into account the design of the development and the mitigation measures proposed (examples of which are provided in paragraph 5.9.18), to be agreed with the Lead Local Flood Authority (LLFA), the Environment Agency (EA) and the relevant Internal Drainage Board (IDB) where appropriate. Mitigation would be secured through the oCEMP, the oOEMP and the oDEMP. An FRA will be submitted with the DCO application.</p> <p>Potential changes in flood risk resulting from the construction of the Proposed Development would be managed by principles documented in the oCEMP, which will include a construction surface water management plan. It is also anticipated that a temporary drainage system would be implemented during construction. During operation</p>

ID	Ref	Description	Inspectorate's comments
			<p>surface water drainage measures would be implemented and the existing drainage network at the application site may also be utilised.</p> <p>Paragraph 5.9.3 identifies that the application site is predominantly located within Flood Zone 1 (FZ1), with some areas of the site in FZs 2 and 3, described as particularly in the northeast of the site along the eastern boundary of Parcel 3 and in the south of the site, where FZ3 encroaches slightly onto the western fringe of Parcel 1a (shown on Plate 5.1). Paragraph 5.9.20 states that it is anticipated that any "significant areas of development" (not defined) would be located outside of the FZs. However, paragraph 5.9.31 identifies parts of Parcel 3 as a possible exception to this and paragraphs 2.4.34 and 2.4.40 state that Parcel 3 is a possible location for the proposed substation and BESS, respectively. It is stated that the potential impacts of any less vulnerable elements of the Proposed Development proposed to be located within FZs 2 and 3 will be assessed within the FRA.</p> <p>On the basis of the information provided and the lack of clarity about the potential locations of proposed infrastructure the Inspectorate is not in a position to scope this matter out at this stage. Accordingly, the ES should include an assessment of significant effects to/from flooding where they are likely to occur or evidence demonstrating agreement with the relevant consultation bodies and the absence of an LSE. The ES should assess impacts to groundwater during all phases of the Proposed Development where significant effects are likely to occur or otherwise explain why significant effects are not likely, with evidence of agreement to the approach from statutory consultation bodies. Cross-reference should be made to relevant information contained within the FRA, as appropriate.</p> <p>The Applicant's attention is drawn to the comments of the EA (Appendix 2 of this Scoping Opinion).</p>

ID	Ref	Description	Inspectorate's comments
2.3.9	Section 5.9	Water – quality	<p>The Scoping Report proposes to scope out impacts on water quality for all phases of the Proposed Development on the basis of the proposed mitigation. During construction potential impacts from sedimentation and pollution would be controlled through the implementation of the CEMP and construction drainage management plan. During operation impacts would be controlled through the surface water drainage network which would incorporate sustainable drainage systems (SuDS) and pollution prevention measures, such as interceptors. Examples of proposed mitigation measures are provided in paragraph 5.9.18.</p> <p>The Inspectorate notes that impacts from herbicide and pesticide mobilisation have not been discussed in the Scoping Report; and that horizontal directional drilling (HDD) may be required but a breakout plan is not proposed. The Inspectorate does not consider enough evidence regarding the final design and control measures has been provided to scope impacts to water quality out during construction or decommissioning. The ES should identify relevant receptors and pathways of effect, the likely mitigation required to mitigate such effects and any monitoring required; this should include a drilling fluid breakout plan which should also be submitted with the application if trenchless techniques are employed.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters out at this stage. Accordingly, the ES should include an assessment of significant effects where they are likely to occur or evidence demonstrating agreement with the relevant consultation bodies and the absence of an LSE.</p>

ID	Ref	Description	Inspectorate's comments
2.3.10	Section 5.9	Water - foul water, potable water, private water supplies, abstraction licenses and discharge consents	<p>The Scoping Report proposes to scope out foul water flows to the sewer network, demand for potable water, private water supplies, abstraction licenses and discharge consents for all phases of the Proposed Development. Potential impacts to private water supplies and any abstraction and discharge consents will be identified and appraised in a Preliminary Risk Assessment (PRA).</p> <p>On the basis of the information provided in the Scoping Report and subject to the PRA being provided as an appendix to or clearly crossed-referenced from the ES the Inspectorate agrees that these matters may be scoped out. However, in the event that the PRA identifies any potential for significant effects these should be assessed or evidence provided in the ES demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Air Quality

(Scoping Report Section 6.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	6.1.9	Dust and particulate matter emissions resulting from demolition works - construction	The Scoping Report states that there are no demolition works proposed during the construction phase. The Inspectorate agrees that this can be scoped out of further assessment during construction.
3.1.2	6.1.9	Dust and particulate matter emissions resulting from site activities - operation	The Inspectorate considers that due to the scale and nature of the Proposed Development operation is unlikely to give rise to significant air quality effects and agrees that this matter may be scoped out of further assessment. However, the ES project description should confirm that there are no emissions from operational plant that require further assessment.
3.1.3	6.1.9	Road traffic exhaust emissions - operation	The Scoping Report proposes to scope out this matter given that movement of vehicles during operation is expected to be minimal. On this basis, the Inspectorate agrees that this matter can be scoped out of further assessment. The ES must however provide information on the nature of vehicle movements during the operational phase (alone and cumulatively) and confirm that these projections fall below the relevant thresholds set out in guidance.
3.1.4	6.1.9	Potential air quality impacts of a fire incident at the BESS Compound - operation	The Scoping Report proposes to scope out this matter given the unlikely event of a fire at the BESS compound. A Plume Assessment to assess the impact of a fire event within the BESS battery components and a Battery Safety Commitments management plan is proposed to be submitted with the DCO application.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate agrees that this matter can be scoped out provided that cross-reference is made, as necessary, from the ES to relevant information contained within the Plume Assessment and Battery Safety Commitments management plan. The Applicant is referred to our comments on BESS fire risk in ID 2.3.4 above.

ID	Ref	Description	Inspectorate's comments
3.1.5	6.1.11 and 6.1.12	Road traffic exhaust emissions assessment – construction and decommissioning	The Inspectorates notes that a screening level qualitative assessment will be undertaken with reference to Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance to confirm whether a detailed construction phase traffic emissions modelling assessment is required. Should it be considered that the modelling assessment is not required, the ES must provide up to date information on the anticipated construction programme and the predicted number of HGV movements to demonstrate that the relevant EPUK-IAQM thresholds are not exceeded on relevant links by the Proposed Development on its own or cumulatively with other proposals.

3.2 Biodiversity

(Scoping Report Section 6.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	6.2.9	<p>For all phases -</p> <ul style="list-style-type: none"> • Eight non-statutory designated sites within / adjacent to the site boundary: <ul style="list-style-type: none"> - Bernwood Biodiversity Opportunity Area (BOA); - Shrub Woods Local Wildlife Site (LWS); - Decoypond Wood LWS - Romer Wood LWS; - Runts Wood LWS; - Finemere Wildlife Trust Reserve (WTR); - Home Wood, Middle Claydon LWS; and - Balmore Wood LWS. • 14 non-designated sites within 2km of the site boundary • Ancient woodland adjacent to the site boundary 	<p>The Inspectorate considers that there is insufficient evidence provided in the Scoping Report to scope out effects on these habitats and species for all phases of the Proposed Development for the following reasons:</p> <ul style="list-style-type: none"> • the baseline surveys and desk-based reports used to inform the scope of the assessments do not cover the whole of the Proposed Development site boundary depicted in Scoping Report Appendix A; • insufficient consideration of potential impact pathways or use of the mitigation hierarchy; • details of the location and working methods for solar panel infrastructure, cable corridors, access routes and construction compounds are not yet defined so potential effects are not fully defined; • effects from habitat severance, habitat loss, disturbance or displacement and changes to drainage, lighting, fencing or recreational pressures are not considered for all habitats and species; • the Masterplan contained in Appendix B does not show where measures proposed to support the scoping out of effects, such as the provision of buffer zones, will be implemented within the site boundary; and

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> • Other ancient woodland sites within 2km of the site boundary • Arable field margins • Lowland mixed deciduous woodland and other woodland • Mixed scrub and bramble scrub • Other neutral grassland • Modified grassland • Cereal and non-cereal crops • Arable (non-crop) plants • Hedgerows and hedgerow trees • Individual trees and lines of trees • Watercourses • Ponds • Invasive species • Invertebrates • Amphibians (including great crested newts (GCN)) • Reptiles • Non-ground nesting birds • Barn Owl • Red kite 	<ul style="list-style-type: none"> • the scope of the assessments has not yet been agreed with relevant consultation bodies. <p>The Inspectorate therefore does not agree that these habitats and species can be scoped out of the assessment for all phases of the Proposed Development.</p> <p>Specific comments in relation to some of these matters are identified below in IDs 3.2.3 to 3.2.7.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> • Bats (roosting) • Otter • Water vole • Dormouse • Badger • Specific surveys for water vole, great crested newt and white-clawed crayfish. 	
3.2.2	6.2.9	Bernwood BOA – all phases	<p>The Applicant proposes to scope out the Bernwood BOA on the basis that the area is avoided by the layout of the Proposed Development. The Inspectorate notes the comments from Natural England (NE) and BC that there is potential for changes to be made to the extent of some Sites of Special Scientific Interest (SSSIs) in this area and that there are nationally and regionally important populations of bats within this BOA. The Inspectorate considers that there is potential for significant effects to occur and that the Bernwood BOA and the potential effects on the coherence of the ecological network associated with it should be assessed as a receptor and scoped into the assessment.</p>
3.2.3	6.2.9	Arable (non-crop) plants – all phases	<p>The Inspectorate agrees that given there is no recorded presence of this habitat type within Parcels 1, 1a, 2 and 3, that this matter can be scoped out of the assessment for those land parcels.</p> <p>However, for the reasons given in Scoping Opinion ID 3.2.1, the presence and value of arable (non-crop) plants has not yet been determined for the remainder of the application site and the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Inspectorate does not agree that it can be scoped out of the assessment of those areas at this stage.
3.2.4	6.2.9	Invasive species - all phases	<p>The Inspectorate notes that no invasive species have been identified within Parcels 1, 1a, 2 and 3. Provided the oCEMP and oDEMP contain appropriate measures through an invasive species method statement containing measures for identification and control of any invasive species that are encountered unexpectedly, the Inspectorate agrees that significant effects are unlikely to occur and that this matter can be scoped out of the assessment for those land parcels.</p> <p>However, for the reasons given in Scoping Opinion ID 3.2.1, the presence of invasive species has not yet been determined for the remainder of the site and the Inspectorate does not agree that it can be scoped out of the assessment of those areas at this stage.</p>
3.2.5	6.2.9	Amphibians (including GCN) - all phases	<p>The Applicant states that the effects of the Proposed Development on GCN are likely to be mitigated through a licence obtained as part of NE's District Level Licensing (DLL) scheme. The Inspectorate understands that the DLL approach includes strategic area assessment and the identification of risk zones and strategic opportunity area maps. The ES should include information to demonstrate whether the Proposed Development is located within a risk zone for GCN. If the Applicant enters into the DLL scheme, NE will undertake an impact assessment and inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The outcome of this assessment will be documented in an Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC can be used to provide additional detail to inform the findings in the ES, including information on the Proposed Development's impacts on GCN and any appropriate</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			compensation required. Given the current limited knowledge of the location of GCN and this potential mitigation the Inspectorate does not agree that this matter can be scoped out of the assessment at this stage.
3.2.6	6.2.9	Otter - all phases	The Inspectorate notes that presence of otter has been identified during the Applicant's site surveys and that details of the cable corridor routes, which could include watercourse crossings, have not yet been confirmed. Therefore, the Inspectorate does not agree that this matter may be scoped out of the assessment for all phases of the Proposed Development. The assessment in the ES should be supported by appropriate field surveys for otter of the entire area within the site boundary.
3.2.7	6.2.9	Badger - all phases	The Scoping Report concludes that an oCEMP and oDEMP would contain measures to protect badgers from the Proposed Development. The Inspectorate considers that these matters cannot be scoped out of further assessment. This is on the grounds that at present no details have been provided on what the draft EMPs would contain. In addition there is no indication on the Concept Masterplan contained in Appendix B of where buffers and other protection measures would be. The Inspectorate also considers that there is potential for significant effects on badgers to occur during operation from the installation of fencing and lighting and that no details have been provided to demonstrate how the Proposed Development design would address these matters. As such, effects on badger cannot be scoped out of the assessment for the operational phase at this stage.

ID	Ref	Description	Inspectorate's comments
3.2.8	N/A	Baseline surveys for bats	The Inspectorate notes that further bat roost surveys are proposed for 2023 and 2024 but no reference is made to other forms of bat survey being planned. The Inspectorate notes that the location of the Proposed Development supports populations of numerous bat species, particularly Bechstein's bats, and that this feature is under consideration for further SSSI designation by NE. The ES should identify how the land affected by the Proposed Development is currently being used by bats for foraging and commuting in order to inform the assessment. This should consider how the assessment of effects takes account of the characteristics of the different species of bats present. The Applicant should seek to agree the approach and study area for bat surveys and assessment of effects with the relevant consultation bodies. This should consider the need for wider forms of bat survey in addition to roost and bat activity surveys and should take account of any species-specific survey requirements.
3.2.9	6.2.1	Consultation approach	The ES should report the outcome of discussions with consultation bodies and demonstrate how this has influenced the scope of the design and the biodiversity assessment. Consideration should also be given to whether other local interest groups exist that should be included in the biodiversity technical consultation. The Applicant is directed to the BC response for suggested additional biodiversity consultees.
3.2.10	6.2.1	Assessment of SSSIs	The ES should include an assessment of the direct and indirect effects of the Proposed Development on SSSIs and their features and identify appropriate mitigation measures to avoid, minimise or reduce any potential adverse significant effects. This should include consideration of the ecological network with other woodland blocks. Potential effects from habitat fragmentation and from loss of supporting habitat should therefore be scoped into the assessment for all SSSIs identified within

ID	Ref	Description	Inspectorate's comments
			Scoping Report paragraph 6.2.8 unless otherwise agreed with relevant consultation bodies.
3.2.11	Appendix B	Masterplan	The Inspectorate notes the potential for an area of ecological mitigation/enhancement in Parcel 1 (marked orange on the Masterplan) to be surrounded by potential solar development. The ES should demonstrate how ecological functionality and connectivity has informed the selection of mitigation areas as being suitable for biodiversity mitigation and take opportunities to consider their location to maximise the benefits and ecological functionality.
3.2.12	Appendix F-2	Mitigation	Scoping Report Appendix F-2 identifies several potential mitigation measures to address potential significant effects, eg suggested habitat mitigation for overwintering birds. However, it is not clear where or how these recommendations have been used to inform the developing design. The ES should clearly identify the mitigation measures and explain how these have been used to inform the developing design.
3.2.13	N/A	Assessment of ancient woodland and veteran/ancient trees	<p>The ES should consider the potential for areas of nationally important ancient woodland to be present within designated sites that are valued at lower than national importance to ensure that an appropriate value is assigned to these habitats.</p> <p>The Inspectorate notes that several Target Notes in the Preliminary Ecological Appraisal (PEA) (Scoping Report Appendix F) identify the presence of standard trees within hedgerows and woodlands but do not indicate whether they have potential to be veteran or ancient trees. The ES should be supported by appropriate baseline data, including field survey, to identify the presence and condition of existing veteran and ancient trees, including hedgerow trees. Effects on ancient and veteran trees should be addressed in the ES, where there is potential for significant effects to occur. The approach to</p>

ID	Ref	Description	Inspectorate's comments
			survey and assessment should be agreed with the relevant consultation bodies. The Inspectorate directs the Applicant to NE's response (in Appendix 2 of this Opinion) which refers to its standing advice and provides links to existing inventories for ancient and veteran trees.
3.2.14	N/A	Field survey extent	The Inspectorate notes that the site boundary presented in Scoping Report Appendix A differs from the site boundary considered during earlier desk and field-based surveys reported within the ecological appendices in Appendix F, including the most recent PEA (2023). The Inspectorate considers that the ES should be informed by a programme of appropriate field surveys for the area within the Proposed Development's zone of influence. This is expected to include the whole site. A single PEA should also be prepared for the ES that includes updated desk-based records for the whole extent of the site boundary. The ES should include habitat surveys which cover the whole site boundary for the Proposed Development. The approaches should be agreed with the relevant consultation bodies as far as possible and reported within the ES. Where possible, a set of consolidated survey reports should then be appended to the ES.
3.2.15	6.2.11	Guidance	The biodiversity assessment in the ES should be prepared with reference to the Chartered Institute of Ecology and Environmental Management's 2022 'Guidelines for Ecological Impact Assessment (EcIA).
3.2.16	N/A	Surveys - terrestrial invertebrates	The Inspectorate notes that recommendations for further terrestrial invertebrate surveys were included in the 2021 PEA in Appendix F-1. The Inspectorate considers therefore the baseline within the ES should be supported by appropriate field surveys, including specific surveys for terrestrial invertebrates, where suitable habitats are identified. The Inspectorate also directs the Applicant to BC's comments (contained in Appendix 2 of this Opinion) in relation to

ID	Ref	Description	Inspectorate's comments
			establishing the potential for lepidoptera and glow worm. The approach to field survey should be agreed where possible with the relevant consultation bodies.
3.2.17	2.3.7	Overlap with High Speed 2 (HS2) mitigation	The Scoping Report notes that Parcels 1 and 1a of the Proposed Development overlap with proposed mitigation planting for HS2. No details of the specific nature of the HS2 planting nor a timetable for its implementation are provided. The Inspectorate considers that the ES should therefore describe the scale and extent of the mitigation planting, including where and when it will be introduced into the Proposed Development, making use where possible of figures and maps. The ES should then identify whether this planting would affect the future baseline (including creating new biodiversity receptors). An assessment should be provided where significant effects are likely to occur.
3.2.18	N/A	Impact on local enhancement projects	The Inspectorate notes that the Proposed Development potentially affects the Freshwater Habitats Trust's proposals for flood and biodiversity enhancements that also lie within the Bernwood BOA. The ES should demonstrate how the design of the Proposed Development has taken account of the conservation objectives of these projects, and where there is potential for significant effects to occur, the approach to mitigation.
3.2.19	N/A	Lighting effects on bats during operation	The Scoping Report describes that directional and on demand lighting would reduce potential effects on bats during construction and decommissioning. However the Scoping Report does not explain what if any lighting (eg for security) would be required during operation. The ES should assess the effects of lighting disturbance on bats and other nocturnal species for all phases of the Proposed Development.
3.2.20	N/A	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable

ID	Ref	Description	Inspectorate's comments
			<p>ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.</p>
3.2.21	Table 4-2	Water-dependent designated sites	<p>The Scoping Report identifies 12 waterbodies within 500m of the site and aquatic habitats within the site that could be water-dependent. The ES should assess the potential effects of the Proposed development on such sites where there is potential for changes in drainage patterns to give rise to a LSE on these sites and habitats.</p>

3.3 Climate

(Scoping Report Section 6.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	6.3.9	Climate resilience – all phases	<p>The Applicant proposes to scope out consideration of climate resilience on the basis of solar panels having an embedded resilience to high heat and wind speeds and the low risk of flooding to the site.</p> <p>Significant effects associated with these matters are not anticipated and the Inspectorate agrees that climate resilience may be scoped out in relation to the solar panels as they are unlikely to be susceptible to impacts from temperature change, sea level rise, precipitation change and wind. Nevertheless, the ES should demonstrate how the Proposed Development has been designed to be resilient to climate change. This should include a description of the measures that have been embedded in the design to enable climate resilience during construction, operation and decommissioning.</p> <p>The Scoping Report does not however consider climate resilience in relation to other elements of the Proposed Development such as the proposed substation, cable corridors, BESS and highways access. The climate resilience of these elements should therefore be considered within the ES.</p>
3.3.2	6.3.9	In-combination impact assessment – all phases	<p>The Applicant proposed to scope out an in-combination climate change assessment on the basis that receptors relevant to other aspect assessments are unlikely to be affected by the combination of future climate change and the Proposed Development. The Scoping Report also states that no significant surface or groundwater impacts are expected from precipitation changes as the Proposed Development will not significantly affect flow of precipitation to ground.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate agrees that the Proposed Development is unlikely to result in or be susceptible to impacts from temperature change, sea level rise, precipitation change, and wind. Significant effects associated with these matters are not anticipated and an in-combination assessment can be scoped out from the ES.

ID	Ref	Description	Inspectorate's comments
3.3.3	N/A	Baseline	<p>The Inspectorate notes a discrepancy between the information on FZs provided within the Scoping Report Climate Change chapter, which suggests that the entire application site lies within FZ1; and paragraphs 2.3.14 and 5.9.3, which state that parts of the site lie within FZs 2 and 3.</p> <p>Care should be taken to ensure that the information provided in the ES on flood risk is consistent throughout the ES and accurately identifies the flood risk across the site.</p>
3.3.4	6.3.3	Data	The Scoping Report states that the ES will consider how the Proposed Development would enable BC to meet its net zero target by 2050. The assessment should set out how the Proposed Development will contribute to this target.
3.3.5	6.3.7	Whole life greenhouse gas (GHG) assessment	The ES should include a whole life GHG assessment showing construction, operational and decommissioning GHG impacts and an explanation of the steps that have been taken at each stage to reduce emissions.
3.3.6	6.3.7	Operational GHG assessment	The operational GHG assessment should include quantification of the operational energy consumption and any associated carbon emissions. Where there are residual emissions it should include the

ID	Ref	Description	Inspectorate's comments
			level of emissions and the impact of those emissions on national and international efforts to limit climate change both alone and, where relevant, in combination with other developments.
3.3.7	6.3.6	Operational impacts on climate change	The Scoping Report states that the operation of the Proposed Development is likely to have a positive effect on climate change. The ES should include an assessment that demonstrates how this will be achieved. This should include an explanation of how operational emissions have been reduced as far as possible and how the potential to reduce operational energy demand and consumption has been considered at each stage of the Proposed Development.
3.3.8	Appendix D	Assessment criteria	Appendix D of the Scoping Report states that the Proposed Development will directly replace energy generated by fossil fuels and the operational GHG emissions savings will be assessed based upon a comparison of its operational emissions to those generated by a gas-fuelled power station. The ES should provide evidence to support any assumptions made to determine the displacement of fossil fuels from other electricity production activities against the contribution of the Proposed Development to reduced GHG emissions.
3.3.9	Appendix D Table D5	Significance criteria - Climate	The Scoping Report does not make clear what calculations would be used to determine the levels of significance illustrated in Table D5 for defining significant climate effects. Terms such as 'may partially meet' or 'Project has minimal residual emissions' are not sufficiently clear or quantifiable to understand how effects at different stages of the Proposed Development would be assessed. The assessment presented in the ES should address this. It should be aligned with the approach, as proposed in the Scoping Report, presented within the Institute of Environmental Management and Assessment (IEMA)'s 'Assessing Greenhouse Gas Emissions and Evaluating their Significance' as the basis for the assessment of effects. With reference to Scoping Opinion

ID	Ref	Description	Inspectorate's comments
			ID 3.3.1 above, a separate methodology and criteria should also be presented for the assessment of climate resilience.

3.4 Cultural heritage

(Scoping Report Section 6.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	6.4.9	Setting effects on all heritage assets - construction	<p>The Scoping Report states that the construction phase effects resulting from changes in the setting of heritage assets will be temporary and, for visual effects, no worse than the operational phase effects. It is stated that other construction phase effects would be controlled through an oCEMP and it is not considered necessary to repeat the setting assessment for the construction phase.</p> <p>The Inspectorate does not have sufficient information about the potential noise, dust and visual impacts or the proposed mitigation to agree with the assumption that the construction phase effects would be no worse than the operational phase effects or that LSE can be excluded. Accordingly, the ES should include an assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
3.4.2	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): scheduled monuments - operation	<p>It is proposed to scope out six scheduled monuments within the study area based on the distance between the assets and the Proposed Development, and the fact that agricultural fields surrounding the assets (which contribute towards their significance) would not be materially altered by the Proposed Development.</p> <p>Given the stage of design and absence of detailed information about the Proposed Development layout, the Inspectorate does not have sufficient information to exclude the possibility that changes to surrounding agricultural fields would result in significant effects on the six scheduled monuments.</p> <p>The ES should include an assessment of significant effects to the scheduled monuments, unless evidence is provided in the ES</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			demonstrating the absence of a LSE and agreement with the relevant consultation bodies.
3.4.3	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): listed houses and cottages (other than Grade II listed 23 Orchard Way, Weir Cottage, 1 and 3 Orchard Way, Pond Cottage and 5 Orchard Way) - operation	<p>It is proposed to scope these receptors out on the basis that they are small dwellings within settlements that would not be affected due to the distance from the Proposed Development, topography and existing screening.</p> <p>The Inspectorate considers that it is unlikely that these assets would be subject to LSE but notes that the Scoping Report does not contain information about their location or any possible impacts from other sources such as noise and air quality change.</p> <p>The ES should include an assessment of significant effects, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>
3.4.4	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): listed churches and crosses - operation	<p>It is proposed to scope out all listed churches and crosses (14 assets in total) on the basis that these assets do not derive significance from views that include the site of the Proposed Development. It is also stated that the closest of these assets, the Grade II listed Church of All Saints within Claydon Registered Park and Garden, is circa 740m distant and surrounded by mature trees.</p> <p>The Inspectorate considers that it is unlikely that assets located at a further distance from the Proposed Development would be subject to LSE but notes that the Scoping Report contains limited evidence to support the statement that the assets do not derive significance from views and does not contain information about possible impacts from other sources such as noise and air quality change.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The ES should include an assessment of significant effects, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p> <p>It is also noted that setting effects to the Grade II Claydon Registered Park and Garden during operation are proposed to be scoped in; if there is potential for LSE to this asset that could have a bearing on its relationship with the Grade II listed Church of All Saints resulting in LSE on the Church, this should be assessed in the ES.</p>
3.4.5	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): listed farmhouses and agricultural buildings (other than Grade II listed Pond Farmhouse, Finemerehill Farmhouse and Dry Leys Farmhouse) - operation	<p>It is proposed to scope these receptors out on the basis that they are located at a distance from the Proposed Development which means that changes in land use would not affect their significance.</p> <p>The Inspectorate considers that it is unlikely that assets located at a further distance from the Proposed Development would be subject to LSE but notes that the Scoping Report does not contain information about the location or distance of these assets from the Proposed Development or any possible impacts from other sources such as noise and air quality change.</p> <p>The ES should include an assessment of significant effects, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>
3.4.6	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): listed country houses (other than Grade I listed Claydon House) - operation	<p>It is proposed to scope these receptors out on the basis that the two remaining country houses (Winslow Hall and St John's Manor) within the study area are more than 2km from the Proposed Development and do not draw significance from views across the site.</p> <p>The Inspectorate considers that it is unlikely that assets located at a further distance from the Proposed Development would be subject to LSE but notes that the Scoping Report contains limited information to support the assertion that the assets do not draw significance from</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>views and does not consider possible impacts from other sources such as noise and air quality change.</p> <p>The ES should include an assessment of significant effects, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>
3.4.7	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): other listed buildings - operation	<p>It is proposed to scope out various other buildings and structures (military buildings, telephone kiosks, war memorials, gates, gate piers, walls and bridges, public houses, water pumps and well head) on the basis that the positive contribution of their setting does not extend to the site of the Proposed Development; and in the case of gates, gate piers, walls and bridges that they are experienced in close proximity to their settlements or houses.</p> <p>The Inspectorate considers that it is unlikely that these assets would be subject to LSE but notes that the Scoping Report does not contain information about the location or distance of these assets from the site or any possible impacts from other sources such as noise and air quality change.</p> <p>The ES should include an assessment of significant effects, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>
3.4.8	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): conservation areas - operation	<p>It is proposed to scope out the other 12 conservation areas within the study area (with Botolph Claydon and Middle Claydon Conservation Areas scoped into the ES), on the basis that they are more than 1.7km from the Proposed Development and not anticipated to have visibility.</p> <p>The Inspectorate notes that BC (Appendix 2 of this Scoping Opinion) has advised that Quainton Conservation Area appraisal identifies long distance landscape views that contribute towards its significance, and</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>that Grendon Underwood Conservation Area also benefits from extensive landscape views.</p> <p>The Inspectorate notes that the Scoping Report does not contain information about the location of conservation areas within the context of the Zone of Theoretical Visibility (ZTV) or possible impacts from other sources such as noise and air quality change.</p> <p>The Inspectorate does not have sufficient information to exclude LSE and advises that the ES should include an assessment of all conservation areas in the study area (including Botolph Claydon and Middle Claydon Conservation Areas), unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>
3.4.9	6.4.9 and Appendix G, Sections 1.1 to 1.4	Designated heritage assets within the 5km study area that are not scoped in (in paragraph 6.4.8 of the Scoping Report): registered parks and gardens (other than the Grade II listed Registered Park and Garden at Claydon) - operation	<p>It is proposed to scope out registered parks and gardens within the 5km study area (including Grade I listed Waddesdon Manor and Wotton House) on the basis that they are more than 3.5km from the Proposed Development and are not predicted to have visibility.</p> <p>The Inspectorate notes that these assets are shown on Figure 6 of Appendix I of the Scoping Report Appendices and that Figure 5 of Appendix I indicates there is likely to be some visibility in these locations based on the ZTV. In its consultation response (Appendix 2 of this Scoping Opinion), BC states that these assets have designed views, often over a greater distance, which contribute towards setting and significance.</p> <p>The Inspectorate does not have sufficient information to exclude the possibility of LSEs, and effects to Grade I Waddesdon Manor and Wotton House should be assessed in the ES, unless evidence is provided in the ES demonstrating the absence of a LSE and agreement with the relevant consultation bodies.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.10	6.4.9	Findspots recorded by the Historic Environment Record (HER) within the site	<p>The Scoping Report states that as findspots, these assets have been removed from the site and the heritage significance of their former locations will not be harmed by the Proposed Development.</p> <p>The Inspectorate agrees that this matter can be scoped out from further assessment. For the avoidance of doubt, the Inspectorate understands that the other HER record within the site (ie, the ridge and furrow earthworks) would be assessed in the ES (see the Inspectorate's further comments at ID 3.4.16 of this Scoping Opinion). If during further intrusive archaeological investigations, new findspots are identified the ES should include an assessment of impacts to such findspots, where significant effects are likely to occur.</p>
3.4.11	6.4.9 and Appendix G, Section 1.5	Non-designated heritage assets within the 1km study area but outside of the scoping boundary, other than Catherine Farm	<p>The Scoping Report states that there would be no direct impact on these assets as they are located outside of the Proposed Development site. Aside from Catherine Farm, it is stated that all other non-designated heritage assets within the 1km study area derive significance from historical or archaeological interest and any further significance from their setting or positive contribution of setting to significance does not extend to the site.</p> <p>The Inspectorate agrees that direct physical impacts to non-designated heritage assets within the 1km study area but outside the scoping boundary can be scoped out of further assessment.</p> <p>The Inspectorate notes that the Scoping Report does not contain information about their location within the context of the ZTV. The ES should include an assessment of significant effects where these are likely to occur or otherwise confirm why they would not, including confirmation of their location and intervisibility with the Proposed Development. This should include consideration of any cumulative harm arising from effects to assets that have significance as a group.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Applicant's attention is drawn to the comments of BC (Appendix 2 of this Scoping Opinion).
3.4.12	6.4.9	Decommissioning effects	<p>The Scoping Report states that decommissioning will not result in impacts upon any heritage assets that were not affected during construction and operation, and that setting effects during decommissioning would not be any worse than construction or operational phase effects.</p> <p>The Inspectorate considers that there is potential for effects on buried archaeological resource, such as the potential for harm due to compaction, removal of piles and subsequent potential changes in drainage patterns. In addition, given that the potential effects on setting during decommissioning are likely to be similar to those experienced during construction, the Inspectorate is of the opinion that this matter cannot be scoped out at this stage for assets scoped into the construction and operational phase assessments. Please refer to the Inspectorate's comments at ID 3.4.1 of this Scoping Opinion.</p>
3.4.13	N/A	Direct physical impacts to designated heritage assets	For the avoidance of doubt, the Inspectorate notes that there are no designated heritage assets within the scoping boundary and as such considers that LSEs from direct physical impacts can be scoped out of the ES.

ID	Ref	Description	Inspectorate's comments
3.4.14	6.4.2	Study area	The Scoping Report states that following consultation with BC, a 1km study area from the scoping boundary will be used for non-designated heritage assets and a study area of up to 5km for designated heritage assets, which has been informed by the ZTV model provided in Appendix I (Scoping Report Appendices).

ID	Ref	Description	Inspectorate's comments
			<p>The Inspectorate notes that the ZTV Figures 1 to 4 in Appendix I (Scoping Report Appendices) indicate theoretical visibility of some of the Proposed Development components beyond 5km. Whilst paragraph 1.1.2 of Appendix G (Scoping Report Appendices) states that accessible designated heritage assets within the ZTV were visited to ascertain potential invisibility with the Proposed Development, assets beyond the 5km study area do not appear to have been considered as part of this process. The Scoping Report does not contain information about the location of non-designated heritage assets in the context of the ZTV.</p> <p>The Inspectorate considers that the study area(s) should be determined relevant to the extent of the likely impacts and should be depicted on a supporting plan. This should include consideration of potential for designated heritage assets beyond 5km, and non-designated heritage assets beyond 1km, to be affected. The Inspectorate also considers that the setting influence of assets may extend beyond their strict designation boundary and that the wider landscape context should be considered in the assessment (in conjunction with assessments in the Landscape and Visual Chapter). The Applicant should make efforts to agree the approach with all relevant consultation bodies.</p> <p>The Applicant's attention is drawn to the comments of BC in this regard (Appendix 2 of this Scoping Opinion).</p>
3.4.15	6.4.4	Surveys	<p>The Scoping Report states that a written scheme of investigation (WSI) for a geophysical survey of the site has been agreed with BC, and that further consultation post-completion of the survey would be carried out to confirm the scope and timing of any intrusive archaeological evaluation required.</p> <p>The Inspectorate advises that where necessary, any intrusive investigations and trial trenching should be completed prior to</p>

ID	Ref	Description	Inspectorate's comments
			<p>submission of the DCO application to inform the assessment in the ES. Evidence of consultation with BC and any other relevant consultation bodies about the scope and timing of intrusive investigation should be provided within the ES.</p> <p>The Applicant's attention is drawn to the comments of BC in this regard (Appendix 2 of this Scoping Opinion).</p>
3.4.16	6.4.6	Additional archaeological mitigation	<p>The Scoping Report states that where there are archaeological remains identified within the site that are not of such importance that they require preservation in situ, but that cannot be avoided by the Proposed Development, it is anticipated that additional mitigation during the construction phase will take the form of a programme of archaeological investigation and recording, secured by a DCO requirement. It is stated that this would be agreed with BC's archaeological advisor and Historic England where necessary, with details set out in an outline WSI (oWSI).</p> <p>As noted above at ID 3.4.17, the Inspectorate considers that, where necessary, intrusive investigation and trial trenching should be carried out prior to DCO submission and used to inform the ES assessment, which should be based on robust baseline data. The assessment conclusion should be used to inform the mitigation strategy as required. The Inspectorate advises that the oWSI should be submitted with the DCO application and cross-reference made from the ES as appropriate.</p> <p>The Applicant's attention is drawn to the comments of BC in this regard (Appendix 2 of this Scoping Opinion).</p>
3.4.17	6.4.6	Additional mitigation for setting impacts to heritage assets	<p>The Scoping Report states where setting impacts to heritage assets cannot be avoided, additional mitigation to offset any operational phase adverse impacts will most likely involve planting and landscaping. The Inspectorate advises that mitigation required to</p>

ID	Ref	Description	Inspectorate's comments
			address significant adverse effects is fully described in the ES and demonstrably secured. Noting the Inspectorate's comments at ID 3.4.1 and 3.4.12 of this Scoping Opinion, this should also include mitigation required during construction and decommissioning of the Proposed Development.
3.4.18	Paragraph 6.4.12	Difficulties and uncertainties	<p>The Scoping Report states that existing records for the historic environment do not record all heritage assets and that this will be addressed through desk-based assessment, aerial investigation and mapping and geophysical survey.</p> <p>The Inspectorate advises that the ES should explain whether there are any remaining uncertainties in the assessment and, if so, the implications of these for the assessment conclusions. Where uncertainty exists, the assessment should be based on a worst-case scenario.</p>
3.4.19	N/A	Direct impact pathways	The Scoping Report provides limited information about the potential direct impact pathways for LSEs to non-designated heritage assets within the scoping boundary. For the avoidance of doubt, the ES should include (but not be limited to) consideration of installation and removal of piling, cable trenching, any tracking platforms and any deep ploughing, along with any alterations to drainage patterns or dewatering.
3.4.20	N/A	Visuals	The Scoping Report does not specify whether any photomontages or visual representations would be prepared to support the assessment of cultural heritage. Effort should be made to agree the number and location of any viewpoints required to support the assessment of setting effects with relevant consultation bodies including Historic England and the host local authorities.

ID	Ref	Description	Inspectorate's comments
3.4.21	N/A	Non-designated heritage assets	In addition to the HER records referenced in paragraph 6.4.5 of the Scoping Report, the assessment should also consider non-designated heritage assets on BC's 'Local List' where there is potential for LSEs to occur during all phases of the Proposed Development. In undertaking the assessment of effects to ridge and furrow earthworks, consideration should be given to the whole area of open fields, as part of their significance derives from landscape and group value.

3.5 Land, soils and groundwater

(Scoping Report Section 6.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	6.5.9	Impacts to geological units - all phases	<p>The Scoping Report states that there are no sensitive geological units within the study area and that the geology comprises bedrock units of mudstone with superficial units derived from glacial and glaciofluvial actions.</p> <p>The Inspectorate is unclear from information presented in the Scoping Report what is meant by a "sensitive geological unit" and notes that the Scoping Report refers to alluvium geological units being present, which form part of a mineral safeguarding area.</p> <p>The Inspectorate advises that the ES should include an assessment of impacts to geological units or demonstrate an absence of LSE, together with evidence of agreement with relevant consultation bodies. The Inspectorate's comments at IDs 3.5.3 and 3.5.8 of this Scoping Opinion are relevant to this matter.</p>
3.5.2	6.5.9	Impacts to geological conservation sites - all phases	<p>The Scoping Report states that there are no geological SSSIs within the application site or 1km buffer. On that basis, the Inspectorate agrees that this matter can be scoped out of the ES.</p>
3.5.3	6.5.9	Impacts to mineral safeguarding areas - all phases	<p>The Scoping Report identifies that there are several mineral safeguarding areas within the Proposed Development site and states that mineral safeguarding issues would be assessed within the Planning Statement, outwith the ES.</p> <p>The Inspectorate does not have sufficient information at this stage to exclude the possibility of significant effects to mineral resource. The ES should include an assessment of the potential impact of loss of access to mineral resources during the lifetime of the Proposed</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Development where there is potential for LSE to occur, unless evidence is provided in the ES demonstrating agreement with the relevant consultation bodies and the absence of a LSE. Evidence of consultation with BC, as the Mineral Planning Authority, should be presented in the ES.
3.5.4	6.5.9	Impacts to geological hazards - all phases	<p>The Scoping Report states that the baseline review has not identified any geological hazards that require consideration. However, the Inspectorate notes that paragraph 6.5.5 of the Scoping Report states that there is potential for low to moderate risk from geological hazards within some sections of the Proposed Development site.</p> <p>The Inspectorate does not have sufficient information at this stage to exclude the possibility of significant effects arising from geological hazards. The ES should include an assessment where there is potential for LSE to occur, unless evidence is provided in the ES demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
3.5.5	6.5.9	Potential land contamination in all areas except Parcel 3 - construction	<p>The Scoping Report states that a review of historical site use and mapping identified that, aside from Parcel 3, the Proposed Development site has been in agricultural use. However, Figure 6.5.1 in Appendix H (Scoping Report Appendices) shows that Parcel 1 is located adjacent to a landfill site/ infilled land (Calvert Pit) and paragraph 2.3.36 states that Parcel 1 formed an extensive area of quarrying associated with brickworks and historic landfills.</p> <p>A PRA has not been submitted with the Scoping Report (although there is a commitment to produce one for the DCO application, see ID 3.5.10 of this Scoping Opinion), so assumptions about existing land contamination have not been verified and there remains a risk that contamination may be present. Until the results and recommendations of a PRA are known, there is insufficient evidence</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			to support scoping this matter out. The ES should be supported by the findings of a PRA, which should include consideration of permitted landfill at Calvert Pit, and where land contamination is identified, the ES should assess significant effects where they are likely to occur.
3.5.6	6.5.9	Potential land contamination - operation and decommissioning	<p>The Inspectorate agrees that significant effects from existing land contamination during operation and decommissioning are unlikely to occur on the basis that it would be addressed during construction and agrees that this matter can be scoped out of further assessment.</p> <p>The Inspectorate considers it unlikely that there would be significant land contamination effects arising from the Proposed Development, ie from project activities such as storage and use of fuels, during operation and decommissioning on the basis that activities would be controlled through an OEMP and DEMP. However, at this stage limited information has been provided about the measures proposed to be included within the management plans. This matter should be assessed in the ES where significant effects are likely to occur or it should otherwise be explained how potential impacts would be managed, with measures clearly described in an oOEMP and oDEMP, which are secured through the DCO. Measures should include protection for groundwater receptors and a remediation strategy in the event of accidental leaks or spills.</p>
3.5.7	6.5.9	Impacts to soils and ALC land – all phases	<p>The Scoping Report states that based on the completed Agricultural Land Classification (ALC) survey, less than 3% of the Proposed Development site (excluding the cable search area) is Best and Most Versatile (BMV) land (Grade 2 and 3a), equating to approximately 14 hectares. It is not anticipated that there would be a significant effect to BMV land on that basis.</p> <p>The ALC survey report has not been submitted with the Scoping Report and the data is not yet complete, as the cable search area is</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>still to be surveyed. The Inspectorate does not have sufficient information to exclude the possibility of significant effects to BMV land at this stage. This matter should be assessed in the ES or it should be explained why significant effects are not likely to occur, with evidence of agreement to the approach from relevant consultation bodies. The ES should quantify the total amount of agricultural land that would be lost and/or temporarily unusable (and over what duration of time), particularly any BMV land, and consider this loss within a regional context. Cumulative loss should be considered within the cumulative effects assessment.</p> <p>The Scoping Report states that significant effects to soils would be avoided through mitigation, including appropriate soil handling and protection of groundwater, with measures set out in outline versions of a CEMP, OEMP and DEMP submitted with the DCO application. Limited information about the proposed measures has been provided with the Scoping Report. The Inspectorate does not have sufficient information to exclude the possibility of significant effects at this stage. Accordingly, the ES should include an assessment of this matters or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE. This should include consideration of changes to the hydrogeological regime and how this might affect soil quality.</p> <p>The Applicant's attention is drawn to the consultation response of NE (Appendix 2 of this Scoping Opinion) regarding soils and BMV land.</p>
3.5.8	6.5.9	Impacts to groundwater quality - all phases	<p>The Scoping Report states that the quality of groundwater would be appropriately protected by proposed mitigation, with measures set out in outline versions of a CEMP, OEMP and DEMP. It is stated that any piling required would be managed in accordance with a piling risk assessment, undertaken prior to construction. A surface water strategy would incorporate best practice measures to minimise</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>adverse effects and reduce potential for changes to groundwater. Paragraph 6.5.5 states that the site is not located within a Source Protection Zone (SPZ) and bedrock deposits are defined as secondary A aquifer or secondary aquifers (undifferentiated).</p> <p>The Inspectorate does not have sufficient information about construction and decommissioning activities and whether these could lead to creation of contamination pathways, eg piling, trenching, borrow pits. Nor is detailed information about the mitigation proposed provided. The ES should assess impacts to groundwater during all phases of the Proposed Development where significant effects are likely to occur or demonstrate absence of LSE, with evidence of agreement to the approach from statutory consultation bodies. Any proposed mitigation should be described in the ES, together with confirmation of how measures would be secured through the DCO.</p> <p>The Inspectorate's comments regarding groundwater flood risk are provided above at ID 2.3.8 of this Scoping Opinion.</p> <p>The Applicant's attention is drawn to the EA's comments (Appendix 2 of this Scoping Opinion) about updates to its guidance on piling and the potential need for a foundation works risk assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.5.9	6.5.2	Study area	<p>The Scoping Report states that a study area of the application site plus a 1km buffer will be used for both the assessment of land and soils and for groundwater receptors. No justification is presented for the selection of these areas. The ES should explain the basis on which the final study area has been selected. This should be informed by an understanding of the predicted ZOI of the Proposed Development rather than a generic geographical distance.</p>

ID	Ref	Description	Inspectorate's comments
3.5.10	6.5.3	Baseline data sources	<p>The Scoping Report refers to various data sources that have been used to characterise the baseline conditions at the site, including historical mapping, a site-specific ALC survey and an Envirocheck Report. It is also proposed to prepare a PRA. Copies of reports used to establish the baseline conditions at the Proposed Development site should be submitted as part of the ES, which could be in the form of technical appendices.</p>
3.5.11	6.5.4	Ground investigation surveys	<p>Effort should be made to agree the scope and method of the proposed ground investigation works with relevant consultation bodies. Copies of any ground investigation reports should be submitted as part of the ES, which could be in the form of technical appendices.</p>
3.5.12	6.5.4 to 6.5.5	ALC surveys	<p>The Scoping Report states that an ALC survey has been completed for the Proposed Development site, excluding the cable search area and at East Claydon substation. Paragraph 6.5.5 states that it is anticipated that an ALC survey for the potential cable route connection will be undertaken when the route location has been refined. It is unclear whether this would be prior to any DCO application submission. Where no surveys are proposed within areas of construction works for the Proposed Development, the ES should provide a justification for this and how it can be assured that the ALC is adequately classified and how the area of construction works can be returned to its baseline ALC for agricultural use during operation, including for intrusive methods such as trenching.</p> <p>Where ALC data is presented, it should include the entirety of the area required for the construction and operation of the Proposed Development, including any temporary access roads.</p>

ID	Ref	Description	Inspectorate's comments
3.5.13	6.5.5 and Appendix H	Baseline conditions and supporting figures	The figures provided within Scoping Report Appendix H: Land and Soil Figures show a red line boundary only around three land parcels (1, 1a, 2 and 3) not the entirety of the Proposed Development. No baseline information about groundwater receptors is provided in the figures. Relevant figures accompanying the ES assessment should consistently and accurately illustrate the red line boundary and applicable study area. The figures should clearly present baseline information across the entirety of the Proposed Development site, for all relevant receptors.
3.5.14	6.5.6	Outline soils management plan	In addition to soil management measures, the ES should also explain how the design has considered how to to avoid, prevent, or reduce any potential LSE on BMV land or explain why this is not feasible.
3.5.15	6.5.8	Potential land contamination in Parcel 3	The Scoping Report states that this matter is scoped in but refers to it being assessed in the PRA. For the avoidance of doubt, consideration of effects arising from the potential release of existing contamination at Parcel 3 during construction of the Proposed Development should be assessed in the ES.
3.5.16	N/A	BESS and firewater	The ES should include consideration of the potential for escape of firewater/foam and contaminants that they may contain as an impact pathway to surface and groundwater receptors. Suitable protection measures should be identified for any LSE identified.

3.6 Landscape and visual

(Scoping Report Section 6.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	6.6.9	Chilterns Area of Outstanding Natural Beauty (AONB) - all phases	<p>The Scoping Report states that the Chilterns AONB is situated 18km from the proposed development and that there would be no visibility at this distance. The Inspectorate agrees that this matter can be scoped out of further assessment.</p> <p>The Inspectorate notes that AONBs were rebranded on 22 November 2023 and should now be referred to as National Landscapes.</p>
3.6.2	6.6.9	Landscape character areas (LCA) in the Aylesbury Landscape Character Assessment, other than those listed in paragraph 6.6.8 - all phases	<p>The Scoping Report states that, other than the LCAs listed at paragraph 6.6.8 which are scoped into the assessment, there would be limited intervisibility between the Proposed Development site and any other LCAs. It is stated that detailed ZTVs would be presented in the ES to demonstrate this.</p> <p>The Inspectorate notes that Figure 5b in Appendix I of the Scoping Report Appendices indicates that there would be visibility with LCA 8.1 (Marsh Gibbon Vale) but this is not proposed to be scoped in.</p> <p>For LCAs other than LCA 8.1, the Inspectorate agrees that these receptors can be scoped out of the ES; however, the ZTV should be reviewed with the final Proposed Development and presented in the ES to demonstrate that there is no intervisibility.</p> <p>LCA 8.1 should be included in the ES assessments or it should otherwise be explained why significant effects are not likely to occur to this LCA.</p>
3.6.3	6.6.9	Areas of Attractive Landscape (AALs) within the 5km study area,	<p>The Scoping Report states that there would be minimal visibility between the Proposed Development site and any other AALs. It is</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		other than Quainton-Wing Hills AAL - all phases	<p>stated that detailed ZTVs would be presented in the ES to demonstrate this.</p> <p>The Inspectorate agrees that these receptors can be scoped out of further assessment; however, the ZTV should be reviewed with the final Proposed Development and presented in the ES to demonstrate that there is no intervisibility.</p>
3.6.4	6.6.9	Registered parks and gardens within the 5km study area, other than Claydon House and Garden - all phases	<p>The Scoping Report states that there would be limited visibility from Waddesdon Manor and Wotton Underwood Registered Park to the Proposed Development site. This is indicated on Figures 5b and 6 of Scoping Report Appendix I, through the ZTV. It is stated that detailed ZTVs would be presented in the ES to demonstrate this.</p> <p>The Applicant is referred to the Inspectorate's comments in Section 3.4 of this Scoping Opinion. The Inspectorate considers that there is potential for LSE to visual receptors at Waddesdon Manor and Wotton Underwood Registered Park. The ES should include an assessment of this matter or information demonstrating absence of LSE and agreement with relevant consultation bodies. If mitigation is relied upon to exclude LSE, then it should be fully described in the ES.</p>
3.6.5	6.6.9	Villages/hamlets of Twyford, Hillesden, Padbury, Adstock, Addington, Swanburn, North Marston, Oving, Calvert, Waddeston, Westcott, Edgcott, Marsh Gibbon, Poundon, Calvert, Middle Claydon, Charndon and Quainton - all phases	<p>The Scoping Report states that the ZTVs contained in Scoping Report Appendix I indicate that there would be some distant visibility from the edge of these villages but once intervening hedgerows and vegetation are taken into account it is highly unlikely there would be views of the Proposed Development. It is stated that any glimpses would be distant, filtered and negligible.</p> <p>The Inspectorate notes that the ZTVs do appear to indicate for most of the listed villages/hamlets that there is limited intervisibility with the Proposed Development but the text on the figures is difficult to read when zoomed in. The ES should include ZTVs which clearly</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			demonstrate limited intervisibility for each village/hamlet. Otherwise the potential impacts on views and visual amenity within the ZTV should be assessed where significant effects are likely to occur.
3.6.6	6.6.9	Public Rights of Way (PRoW) and local roads beyond the 5km study area during all phases	<p>The Scoping Report states that it is unlikely that there would be views of the Proposed Development at this distance and any glimpses would not likely result in effects that would reach the threshold of a significant effect.</p> <p>The Inspectorate agrees that these receptors can be scoped out of further assessment; however, the ZTV should be reviewed according to the final Proposed Development parameters and presented in the ES to demonstrate that there is no intervisibility.</p>
3.6.7	6.6.9	Users of the rail network, specifically HS2 and East West rail during all phases	<p>The Scoping Report states that receptors would be of medium/low sensitivity and would have limited intermittent views of activity during all phases of the Proposed Development. It is stated that the potential for significant effects to occur is considered low. Paragraph 6.5.5 states that the line of HS2 is likely to be screened by landform and vegetation.</p> <p>The Inspectorate agrees that these receptors can be scoped out of further assessment on the basis presented in the Scoping Report; however, the ZTV should be reviewed using the final Proposed Development parameters and presented in the ES to demonstrate that there is limited intervisibility.</p>

ID	Ref	Description	Inspectorate's comments
3.6.8	6.6.2	Study area	The Inspectorate notes that the ZTVs contained in Scoping Report Appendix I show potential visibility beyond 5km and it is unclear if there are sensitive landscape and visual receptors outside of the 5km

ID	Ref	Description	Inspectorate's comments
			buffer area that could be subject to LSE. The final extent of the study area, and the methodology for the ZTV used to inform its selection, should be determined in consultation with the relevant local authorities. Evidence of consultation should be provided in the ES.
3.6.9	6.5.5 and Appendix I, Figure 5a	Landscape Character Types (LCTs)	<p>Paragraph 6.6.5 of the Scoping Report states that the Aylesbury Vale LCA identifies a series of LCTs, which are further subdivided into LCAs. Paragraph 6.6.8 identifies the LCAs that are proposed to be scoped into the assessment but makes no reference to LCTs. For the avoidance of doubt, LCTs should also be assessed in the ES where significant effects are likely to occur. The ES should include a justification for scoping out any LCTs within the study area, together with evidence of agreement to this approach by relevant consultation bodies.</p> <p>The Scoping Report states that LCTs within the study area are shown on Figure 5a in Scoping Report Appendix I. LCTs are not shown on this figure. The ES should include figures to illustrate baseline conditions of relevance to the assessment.</p>
3.6.10	6.6.6	Lighting	The Applicant is referred to the Inspectorate's comments above at ID 2.2.2 of this Scoping Opinion. An assessment of external lighting on landscape and visual receptors should be undertaken in the ES where significant effects are likely to occur.
3.6.11	6.6.6	Outline Landscape and Ecological Mitigation Plan	The Scoping Report commits to submission of an oLEMP with the DCO application. The oLEMP should confirm the establishment period proposed for mitigation planting, together with any monitoring requirements and how these would be reported. It should consider potential for vegetation planting to be affected by climate change and/or any easements restricting the location of planting. Any assumptions made about the height that proposed mitigation planting would have reached by the assessment years should be clearly

ID	Ref	Description	Inspectorate's comments
			presented and justified for the purposes of generating photomontages and reaching assessment conclusions.
3.6.12	6.6.6	Embedded mitigation	The Scoping Report states that a high quality design will be secured through careful site selection of components. Where the avoidance of a LSE is reliant on embedded mitigation, this should be described in the ES along with the proposed methods by which delivery would be secured, assisted by a plan or figures where appropriate. The Inspectorate considers that a clear benchmark should be established within the ES as the basis for implementation of design mitigation with consideration given to relevant local and national guidance and policies.
3.6.13	6.6.6	Mitigation and enhancement	The Scoping Report refers to the landscape design seeking to deliver landscape enhancements above the requirement to mitigate adverse effects. The Inspectorate welcomes this commitment but advises that there should be clear differentiation in the ES and other application documentation between mitigation and enhancement proposals.
3.6.14	6.6.11	Viewpoint locations	<p>The Scoping Report states that a selection of viewpoints will be used in the assessment to consider effects on different receptor groups at various distances from the Proposed Development. The viewpoint locations have not yet been determined but it is stated that these would be agreed with relevant consultation bodies.</p> <p>The Inspectorate advises that the ES should include confirmation of the consultation undertaken, together with evidence of agreement about the final viewpoint selection. Where any disagreement remains, an explanation as to how the final selection was made should be provided. Viewpoint locations should be identified on a plan within the ES. Baseline viewpoint photography for summer and winter should be provided.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Applicant's attention is drawn to the consultation response of BC (Appendix 2 of this Scoping Opinion), which identifies several suggested viewpoint locations.</p>
3.6.15	6.6.11	Photomontages	<p>The Scoping Report states that photomontages consistent with Type 3 or Type 4 visualisations as set out in the Landscape Institute's Technical Guidance Note 06/19 (TGN 06/19) will be presented for key viewpoints, which are to be determined through further consultation.</p> <p>The Inspectorate advises that the ES should include a justification for the final number and location of key viewpoints selected for photomontage. Effort should be made to agree these matters with relevant consultation bodies with evidence provided in the ES. The photomontages should be representative of the maximum visual envelope of the Proposed Development and include all components. Versions with and without proposed mitigation should be provided to enable the effectiveness of the mitigation to be understood.</p>
3.6.16	6.6.12	Difficulties and uncertainties	<p>The Scoping Report states that there is some uncertainty about the extent of other proposed renewable energy and large-scale development in the study area.</p> <p>The Inspectorate advises that effort should be made to agree with relevant consultation bodies, including local authorities, a list of other developments that may give rise to potential significant cumulative effects, which should be considered in the cumulative effects assessment within the ES. The Applicant is referred to the Inspectorate's comments in Section 3.10 of this Scoping Opinion.</p>
3.6.17	6.6.13	References	<p>The Inspectorate notes that the Landscape Institute published a draft TGN, 'Notes and Clarifications on aspects of the 3rd edition of the Guidelines on Landscape and Visual Impact Assessment (GLVIA3)', in</p>

ID	Ref	Description	Inspectorate's comments
			May 2023. The ES should reflect any updated guidance of relevance in this note (and any subsequent version published).
3.6.18	Figures 5a and 5b, Appendix I of Scoping Report Appendices	Northamptonshire Vales LCA	Figures 5a and 5b show an additional LCA called Northamptonshire Vales LCA, within the Oxfordshire Landscape Character Area, which is on the edge of the 5km study area. This LCA is not referenced in paragraphs 6.6.8 - 6.6.9 so it is unclear whether effects on it are proposed to be scoped in or out of the assessment. The ES should include an assessment of effects to the Northamptonshire Vales LCA, or information demonstrating absence of LSE and agreement with relevant consultation bodies. If mitigation is relied upon to exclude LSE, then it should be fully described in the ES.
3.6.19	N/A	National Character Areas (NCAs)	<p>Paragraph 6.6.5 of the Scoping Report describes that the Proposed Development would be located within NCA 108: Upper Thames Clay Vales. This NCA is not referenced in paragraphs 6.6.8 - 6.6.9 so it is unclear whether effects to it are proposed to be scoped in or out of the assessment. The ES should include an assessment of effects to NCAs, or information demonstrating absence of LSE and agreement with relevant consultation bodies. If mitigation is relied upon to exclude LSE, then it should be fully described in the ES.</p> <p>The Applicant's attention is drawn to the consultation response of NE (Appendix 2 of this Scoping Opinion) in this regard.</p>
3.6.20	N/A	Other landscape areas and sensitive views	The Scoping Report states that the assessment will draw on published landscape character assessments including the Steeple Claydon and Quainton Neighbourhood Plans and the emerging Local Plan for BC. If these documents identify any receptors located within the study area of the Proposed Development, the ES should include an assessment of effects on them or information demonstrating absence of LSE and agreement with relevant consultation bodies. If mitigation is relied upon to exclude LSE, then it should be fully described in the ES.

ID	Ref	Description	Inspectorate's comments
			The Applicant's attention is drawn to the consultation response of BC (Appendix 2 of this Scoping Opinion) in this regard.

3.7 Noise and vibration

(Scoping Report Section 6.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	6.7.9	Operational vibration	The Scoping Report proposes to scope out this matter on the basis that levels of vibration associated with the solar PV modules and BESS during the operational phase will be low and unlikely to be perceptible at the nearest residential dwelling. Based on the nature and characteristics of the Proposed Development, the Inspectorate agrees that operational vibration may be scoped out of further assessment. The ES project description should demonstrate that operational plant and equipment is of a type that does not generate a perceptible level of vibration or is to be used in locations unlikely to result in significant vibration impacts on both human and ecological sensitive receptors.
3.7.2	6.7.9	Operational road traffic noise	The Scoping Report proposes to scope out an assessment of noise associated with operational traffic on the basis that once operational the Proposed Development would generate minimal traffic. Considering the characteristics of the Proposed Development, the Inspectorate is content that this matter can be scoped out of further assessment. The ES project description should confirm the anticipated trip generation (including number and type of vehicles) required for routine maintenance during operation to justify this approach.

ID	Ref	Description	Inspectorate's comments
3.7.3	6.7.3	Sensitive receptors	The Inspectorate notes that a baseline noise monitoring exercise is proposed at representative noise sensitive receptors with the locations to be agreed with BC. The ES should explain how the

ID	Ref	Description	Inspectorate's comments
			baseline noise monitoring locations were chosen with reference to relevant information including noise contour mapping.
3.7.4	6.7.5	Baseline conditions	<p>The Scoping Report states that due to the proximity of HS2 to the proposed site the baseline conditions will be influenced by the ongoing construction works and the future baselines will be influenced by the operation of high speed trains associated with HS2.</p> <p>The ES should describe any construction activities for HS2 and/or any other relevant ongoing projects that would affect the baseline conditions and explain how it is ensured that the data collected is representative to inform the baseline conditions.</p> <p>For the future baselines the ES should explain how the noise and vibration effects from the operation of high speed trains associated with HS2 and/or other relevant projects have been considered.</p>
3.7.5	N/A	Receptor locations and mapping	The ES should provide a plan showing the location of all sensitive receptors identified for assessment overlaid with noise contour mapping to aid understanding of the potential for significant effects relating to noise.

3.8 Transport and access

(Scoping Report Section 6.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	6.8.9	Operational traffic	The Scoping Report states that the effect of operational traffic is likely to be minimal (up to two van trips per day). On the basis of the low anticipated operational traffic volumes, the Inspectorate is content to scope this matter out from further assessment. The ES description of development should clearly set out the operational vehicle types and numbers (with reference to relevant thresholds within guidance) to justify this position.
3.8.2	6.8.9	Decommissioning traffic	The Scoping Report proposes to scope out effects during the decommissioning phase since the traffic movements are anticipated to be fewer than the construction phase as elements of the Proposed Development, such as an improved junction and some access tracks, may be retained for future agricultural/land uses. Furthermore, it is considered that the decommissioning phase is too far in the future to be able to ascertain the future baseline. It is proposed to produce a Decommissioning Traffic Management Plan to protect the future road authority's interests and to ensure the safe movement of all road users at that time, which will be secured by a DCO requirement. On the basis of the above information, the Inspectorate is content to scope this matter out of further assessment.

ID	Ref	Description	Inspectorate's comments
3.8.3	6.8.2	Study area	The ES should confirm the final study area and key roads included in the assessment and explain how they have been identified. In addition to agreement with the local highway authority, consideration

ID	Ref	Description	Inspectorate's comments
			<p>should also be given to industry guidance and the extent of the potential impacts and likely receptors, both human and ecological. A plan illustrating the extent of the study area, the expected route(s) of construction traffic and the anticipated numbers of vehicle movements (including vehicle type, peak hour and daily movements) should be included in the ES.</p>
3.8.4	6.8.3	PRoW surveys	<p>Scoping Report paragraph 6.9.5 states that there are numerous PRoW crossing the site and continuing beyond the site boundary in various directions connecting surrounding settlements. Paragraph 6.8.3 states that data from BC's PRoW 'Interactive map' will be used to inform the baseline characterisation but no surveys are proposed to understand the baseline use of these PRoW. The Inspectorate advises that surveys should be undertaken to provide baseline data in relation to the use of the PRoW affected by the Proposed Development.</p> <p>The Inspectorate notes that walkers, cyclists and horse-riders (WCH) and PRoW are scoped into the assessment within the Population chapter. It is unclear whether impacts on PRoW will be assessed fully in the ES Transport and Access or Population chapter. The ES should assess impacts to PRoW and on WCH receptors from the Proposed Development where significant effects are likely to occur and clearly signpost where this is addressed in the ES.</p>
3.8.5	6.8.1 and 6.8.6	Abnormal Indivisible Loads (AIL)	<p>Paragraph 6.8.1 indicates that consultation on the route(s) for AIL access will be undertaken with the statutory structure and road agencies via the Department for Transport (DfT) Electronic Service Delivery for Abnormal Loads (ESDAL) system. The impacts on safety from the use of AILs should be assessed within the ES. Appropriate measures to ensure safe transportation of hazardous loads should be included within the Framework Abnormal Load Transport Management Plan.</p>

3.9 Population

(Scoping Report Section 6.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Paragraph 6.9.8	Private property and housing Community land and assets Development land	<p>The Scoping Report proposes to scope out impacts on private property and housing for all phases of the Proposed Development on the basis that there are no properties or houses at risk of demolition, none of the application site is allocated for residential development and no new planning applications have been submitted for housing development within the site boundary.</p> <p>It is proposed to scope out impacts on private property and housing for all phases of the Proposed Development on the basis that it would cover a large area of privately owned agricultural land which is therefore land not used as community land and there are no community assets located within the application site boundary.</p> <p>It is proposed to scope out impacts on private property and housing for all phases of the Proposed Development on the basis that there is no land allocated for employment use or any planning applications yet to be determined that will generate employment opportunities at the application site.</p> <p>Paragraph 6.9.2 states that the study area to be used for this assessment will include all land within the site boundary and extend for 500m in all directions beyond it. Due to the lack of information provided about private property and housing, community land and assets and development land beyond the site boundary the Inspectorate considers that insufficient justification has been provided for scoping these matters out at this stage. Accordingly, the ES should include an assessment of these matters or evidence</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
3.9.2	6.9.6	PRoW - mitigation	It is stated that temporary diversions or closures of existing PRoW may be required during construction. Any temporary diversions will be detailed in an Outline PRoW Management Plan submitted with the DCO application, which will set out the "PRoW commitments" and any proposed changes to PRoW will be agreed in consultation with BC. Evidence of agreement with the Council should be included in the ES chapter. The chapter should clearly identify any PRoW that are proposed to be temporarily diverted or permanently stopped up and the proposed mitigation measures and contain explicit cross-reference to relevant information within the Outline PRoW Management Plan. The proposed mitigation must be secured in the DCO.
3.9.3	6.9.8	Effects on agricultural land holdings and businesses	The ES should assess the impacts during construction, operation and decommissioning of potential severance issues for farmers and other landowners and changes to long-term viability of farm holdings affected by the Proposed Development. Any LSE should be assessed and reported in the ES. Mitigation should be proposed for any significant effects identified and secured in the DCO. Measures should be included within the dDCO, as necessary, to ensure farmers' and other landowners' ability to access and move their livestock and access their land is not hindered.
3.9.4	6.9.11	Methodology	The Inspectorate notes that a 'Socio-Economic Statement' will be submitted with the DCO application "...outside of the EIA process", which will contain information on the potential loss of permanent jobs, the creation of new temporary and permanent jobs and the

ID	Ref	Description	Inspectorate's comments
			<p>effect on the local economy. An estimate of the number and types of jobs created should be provided in the ES and considered in the context of the available workforce in the area during each phase of the Proposed Development. Consideration of potential impacts should include the availability of local accommodation and services. Significant effects should be assessed in the ES where they are likely to occur. Explicit cross-reference should be made from the ES Population chapter to relevant information contained within the Socio-Economic Statement', as appropriate.</p>

3.10 Cumulative Effects

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.10.2	7.1.8	Intra-project effects assessment methodology	Scoping Report Appendix D does not set out clearly what level of effects are considered to be significant and not significant for the individual aspect assessments. The methodology should be clarified in the ES so that it can be understood how receptors will be selected for inclusion in the intra-project assessment.
3.10.3	N/A	Locations of the long and short list of projects	The ES should include information on the locations of the developments included in the cumulative effects assessment (CEA) and the distance from the Proposed Development. This should be supported by a figure depicting the locations and extent of cumulative developments in relation to the Proposed Development.
3.10.4	N/A	Consultation	The Applicant should seek to agree the ZPI and the long list of projects for the CEA with relevant consultation bodies. Any omissions or inclusions should be clearly justified and explained with reference to PINS Advice Note 17: Cumulative effects assessment.
3.10.5	7.1.18	Long list criteria	The Inspectorate considers that the criteria for the selection of a long list of projects should also include those associated with rail infrastructure, given the location of the Proposed Development. The Inspectorate notes that the ZOI for the Proposed Development is likely to overlap with those of the adjacent works involved in HS2 or

ID	Ref	Description	Inspectorate's comments
			East West Rail which are indicated in the Scoping Report to be under construction, or those for which separate planning applications are required. The ES should explain the approach taken to these projects as either part of the future baseline and/or within the cumulative effects assessment with reasons given for the approach taken. This should include a description of how the projects may overlap spatially and/or temporally with Rosefield Solar Farm.
3.10.6	7.1.24	Methodology - matrix approach to CEA	The Inspectorate notes a reference to a matrix in Appendix 1 to the Scoping Report which has not been supplied. Where a matrix approach is taken in the ES to identify projects and the reasons for their inclusion or exclusion this should be supported by appropriate evidence and consultation with the relevant consultation bodies.
3.10.7	N/A	Feedback on projects to be included	The Applicant is directed to responses from NE and BC for details of projects that should be included in the long list of sites for the cumulative and in-combination effects assessments.
3.10.8	N/A	Structure of ES	For the avoidance of doubt, the ES should include a CEA for all aspects scoped into the ES in accordance with this Scoping Opinion.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES¹

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Buckinghamshire Fire & Rescue Service
The relevant police and crime commissioner	Thames Valley Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Grendon Underwood Parish Council
	Quainton Parish Council
	Middle Claydon Parish Council
	Calvert Green Parish Council
	Steeple Claydon Parish Council
	East Claydon Parish Council
	Granborough Parish Council
	Winslow Parish Council
The Environment Agency	Environment Agency
The relevant AONB Conservation Boards	Chilterns Conservation Board

¹ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Cotswolds Conservation Board
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Buckinghamshire Council
The relevant strategic highways company	National Highways
The relevant internal drainage board	Buckingham and River Ouzel Internal Drainage Board
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS²

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board
The National Health Service Commissioning Board	NHS England
The relevant NHS Foundation Trust	South Central Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority

² 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	Environment Agency
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Last Mile Gas Ltd
Leep Gas Networks Limited	
Mua Gas Limited	
Quadrant Pipelines Limited	

STATUTORY UNDERTAKER	ORGANISATION
	Squire Energy Limited
	National Gas
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (East Midlands) Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))³

LOCAL AUTHORITY⁴
Buckinghamshire Council - Aylesbury Area
Buckinghamshire Council - Chiltern Area and South Bucks Area
Buckinghamshire Council - Wycombe Area
Central Bedfordshire Council
Cherwell District Council
Dacorum Borough Council
Hertfordshire County Council
London Borough of Hillingdon
Milton Keynes Council
Oxfordshire County Council
Royal Borough of Windsor and Maidenhead
Slough Borough Council
South Oxfordshire District Council
Three Rivers District Council

³ Sections 43 and 42(B) of the PA2008

⁴ As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Anglian Water
Buckingham and River Ouzel Internal Drainage Board
Buckinghamshire Council
Cadent Gas Limited
East Claydon Parish Council
Environment Agency
Fulcrum Pipelines Limited
Grendon Underwood Parish Council
Health and Safety Executive
Middle Claydon Parish Council
Ministry of Defence
National Grid Electricity Transmission Plc
NATS En-Route Safeguarding
Natural England
Network Rail Infrastructure Ltd
South Oxfordshire District Council
Three Rivers District Council
United Kingdom Health Security Agency
Winslow Parish Council

Planning Inspectorate

www.anglianwater.co.uk

rosefieldsolar@planninginspectorate.gov.uk

Our ref: RSF/ScopingResponse

29 November 2023

Dear Alison,

Application by Rosefield Energy Farm Limited (the Applicant) for an Order granting Development Consent for the Rosefield Solar Farm (the Proposed Development) - Anglian Water scoping consultation response

Thank you for the opportunity to comment on the scoping report for the above project which is within the Buckinghamshire Council area. Anglian Water is the appointed water and sewerage undertaker for main site and the cable route/grid connection shown in Appendix A.

The following response is submitted on behalf of Anglian Water in its statutory capacity and relates to potable water and water assets along with wastewater and water recycling assets. We have met with the EDF team including Kevin McManus and can confirm that the project is undertaking proactive engagement.

The Scheme – Anglian Water existing infrastructure

There are existing Anglian Water assets including wastewater network assets and water mains within the identified site area and in roads and areas serving communities within the cable route. The promoter at 2.3.41 confirms the presence of 'water and sewer utilities' from a desked based study. Only the Sub- station land and a small area of the north west corner of the site at Addison Road are within existing wastewater catchment areas. The substation is served by the Winslow Wastewater Recycling Centre (WRC) which also serves the villages to Botolph Claydon and Granborough. Addison Road is within the Steeple Claydon WRC catchment which also serves the village of Calvert.

The rising main serving the substation and East Claydon is 150mm in diameter and the starting point for the standoff distance is 4 (four) metres. The rising main which crosses and runs alongside Addison Road is 250mm in diameter and so the starting point for its standoff distance is 5 (five) metres. The water mains along East Claydon Road to the west of the Sub-Station and south of the village at Orchard Way are 225mm, and so have a 4 (four) metre standoff for works. All other water mains including those serving the Claydon Estate and between Calvert and Steeple Claydon on Addison Road are 225mm or less and so also have a 4 (four) metre standoff. These standoff distances are set out in the template Protective Provisions provided to the promoter.

Due to HS2 works in the area the status, size and location of Anglian Water pipes is still changing and so we advise the promoter to use geophysical survey work undertaken for archaeological investigation in pre-application is used to inform future ground investigations which will locate Anglian Water assets prior to construction works in that area. The stated standoff buffers set out in the Protective Provisions may then be revised in consulting with Anglian Water's network teams following necessary ground investigations.

Anglian Water would want to ensure the location and nature of our assets serving local communities and strategic water supply infrastructure, are identified, and protected. To reduce the need for diversions and the associated carbon impacts of those works, ground investigations would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to supporting infrastructure. We welcome the intention at 2.3.41 to consider utilities 'in ongoing design development'.

We welcome the intention to produce a Construction Environment Management Plan (CEMP) (6.1.6) and Construction Traffic Management Plan (2.4.81) and these should include steps to remove the risk of damage to Anglian Water assets from plant and machinery (compaction and vibration during the construction phase) including haul and access roads and crossings (if any). Further advice on minimising and then relocating (where feasible) Anglian Water existing assets can be obtained from: connections@anglianwater.co.uk

Maps of Anglian Water's assets are available to view at the following address: <https://utilities.digdat.co.uk/>

Flood Risk, Drainage and Surface Water

We would advise that in accordance with the drainage hierarchy, surface water should first look to be managed by Sustainable Drainage Systems (SuDS) and note that SuDS are mentioned (5.9.37 and 5.9.42) and with reference to pollution prevention. From our engagement with the promoter, we understand that there is no intention to seek to connection to the public sewer for the construction or operational phase. This is how we read 5.9.28 and 5.9.38. In view of 5.9.29 though we would welcome confirmation that the design of drainage system for the substation (2.4.66) will be a self-contained system that utilises SuDS for surface water management and rainwater harvesting for non-potable uses (page 60) during construction and then operation. The tanker off option for any non-recycled waste water (page 59) is the option that we understand the promoter prefers and given the proximity of connection is likely to be the least carbon intensive solution for the project.

Anglian Water would welcome the non-inclusion of provisions in the draft Development Consent Order (DCO) which would allow for a right of connection to the public sewer.

In view of the guidance in the National Policy Statements we would welcome reference to in the scoping to water supply and water resources (3.2.4, 4.1.3, 5.8.4, 5.9.10, 5.9.30

and 6.5.5, page 118) Anglian Water requests that these points are assessed early in the EIA process and design iteration to set out how the project will be supplied with water given the statement at 5.9.39. and 5.9.40.

Water Resources

The site within the Ruthamford South Water Resource Zone (WRZ) and specifically the Steeple Claydon Distribution Management Area. We note that whilst the scoping considers water environment impacts it does not look at impacts on water resources. As the site is within an area designated by the Environment Agency as 'seriously water stressed' and water may be used in the project construction and operation, this indicates that water resources should be assessed in the EIA. Given the current desk-based study of utilities we understand why there is no reference to assessment of the carbon costs of relocating water infrastructure if assets are impacted during construction or operation.

Anglian Water notes that the applicant has in part sought to scope these matters out by providing a desk-based assessment looking at the scale of use but without reference to the availability of water. On the basis that no connection is sought by the promoter for water during construction and operation then this may be a reasonable conclusion. We would advise though that experience in servicing the water demands of HS2 illustrates the need for these matters to be considered in the EIA at an early stage and design in or designed out of the project.

in the area Anglian Water now advise that new non household water supply requests (construction and operational phases) may be declined as these could compromise our regulatory priority of supplying existing and planned domestic growth. The flows needed to fill water storage tanks for example (in the event that the promoter decides not to use rainwater harvesting on site to meet this non potable demand) will need to be assessed by Anglian Water to advise whether a supply is feasible when assessed in terms of the potential to jeopardise domestic supply or at a significant financial or environmental cost.

Our new position on non- household supply is due to our joint aim with the Environment Agency of reducing abstraction to protect sensitive environments. If the promoter elects to seek a public water supply, they will need to submit a water resources assessment setting out a daily demand for each stage of the project and whether this is for domestic or non-domestic uses. Water use during construction means that the promoter will need to confirm that concrete production, for example, would be offsite and so not require an on-site supply. Further advice on water and wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team at: planningliasion@anglianwater.co.uk

Engagement

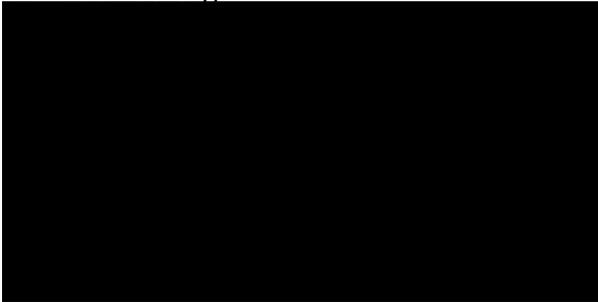
Anglian Water welcome the early instigation of discussions with RDF Renewables as the prospective applicant, in line with the requirements of the 2008 Planning Act and

guidance. Experience has shown that early engagement and agreement is required between NSIP applicants and statutory undertakers during design and assessment and well before submission of the draft DCO for examination. On the basis that fuller consideration of water supply and water recycling matters does identify resources, assets and services may be impacted by the project we would recommend further discussion on the following issues:

1. Impact of development on Anglian Water's assets and the need for mitigation
2. The design of the project to minimise interaction with Anglian Water assets/critical infrastructure and specifically to avoid the need for diversions which have associated carbon costs
3. Requirement for potable and raw water supplies
4. Requirement for water recycling (surface water/foul drainage) connections
5. Confirmation of the project's cumulative impacts (if any) with Anglian Water projects
6. Draft Protective Provisions (a template has been previously provided to the promoter)
- 7.

Please do not hesitate to contact us should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours sincerely,



Darl Sweetland MRTPI
Spatial Planning Manager – Sustainable Growth

cc. info@rosefieldsolarfarm.co.uk

BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

14 November 2023

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
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Broadmead Road
Stewartby
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Email: planning@idbs.org.uk
Website: www.idbs.org.uk

Rosefieldsolar@planninginspectorate.gov.uk

BY E-MAIL ONLY

For the attention of **Wing Sum To, Associate EIA
Advisor**

Dear Sir/Madam

Planning Application Number:	EN010141
Location:	Rosefield Solar Farm, near Middle Claydon, Buckinghamshire
Proposal:	Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11. Application by Rosefield Energy Farm Limited (the Applicant) for an Order granting Development Consent for the Rosefield Solar Farm (the Proposed Development). Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested
Grid Reference:	472319, 224013

The proposed development falls within the Board's district or will drain directly into it. No development shall take place within 9 m of a watercourse within the district without the prior consent of the Board. Consent under the Land Drainage Act is separate to planning legislation and not superseded by it.

Several of the watercourses within the proposed development footprint are adopted into the Board's maintenance programme. It is therefore essential that during and after any development because of this proposal that the Board can continue to access and maintain these watercourses. The 9 m easement zone is a requirement of our byelaws, made under S.66 of the Act, for us to use heavy plant to undertake maintenance and to spread arisings from said maintenance.

The applicant should also be made aware that the watercourses in the development area are also of interest to Buckinghamshire County Council and Freshwater Habitats Trust as part of their Natural Flood Management plans.

Please direct any reply to Scott Brewster at the Board's offices.

Yours faithfully

Scott Brewster
Senior Engineer





Directorate For Planning, Growth And Sustainability

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Alison Dawn
Environmental Services
Operations Group 3
Temple Quay House
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BS1 6PN

11 December 2023
Our Ref: 23/03613/DCO

Email to: Rosefieldsolar@planninginspectorate.gov.uk

Dear Ms Dawn,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Rosefield Energy farm Limited (the Applicant) for an Order granting Development Consent for the Rosefield Solar Farm (the Proposed Development)

Scoping Consultation and Notification

I refer to your letter dated 13 November 2023 providing an opportunity for Buckinghamshire Council ('the Council') as a S43 Local Authority and statutory consultee to provide comments on the Applicant's EIA Scoping Report to inform the Environmental Statement (ES) for the proposed development referred to as Rosefield Solar Farm.

The following information reflects the views of the Council regarding the information contained within each chapter / sub heading of the submitted Scoping Report dated November 2023.

The Council's response includes:

- The environmental topics or areas for which the Council considers that there are likely to be potential impacts that will need to be addressed in the Environmental Statement (ES).
- The geographical area and timeframe over which the potential likely impacts may occur.
- Comment on the methods that the Applicant proposes to use to determine the likely significant environmental effects that will arise as a result of the construction and operational phases and cumulative impacts of the Rosefield Solar Farm.
- Comments on the impacts that the Applicant intends to scope out on the basis that it considers them unlikely to give rise to likely significant environmental effects.

This response has been prepared in consultation with the following Specialist Officers from the Council:

- Biodiversity and Ecology
- Environmental Health
 - Noise
 - Air pollution
 - Land contamination
- Heritage
- Highways and Transport (i.e. the local Highway Authority)
- Landscape and Urban Design
- Lead Local Flood Authority
- Public Rights of Way

The Council has also sought specialist input from consultants in preparing the aspects of its response relating to population, health and cumulative effects.

Suitably qualified and experienced experts have input into this scoping response letter.

Chapter 2 Proposed Development

This section provides a description of the proposed Rosefield Solar Farm Site ('the Site'). The Council notes that the Site comprises four separate land parcels, with some underground connections proposed between the parcels. The Council does not disagree with this description. The Council's comments on Site selection can be found in the Alternatives section in a subsequent section of this letter.

The document notes up to 500 Megawatts (MW) grid connection has been secured by the Applicant, however the Scoping Report does not outline the MW generating capacity of the Photovoltaic (PV) panels or the storage capacity of the Battery Energy Storage System (BESS). The solar PV generating capacity is significant as it will enable an assessment of the Green House Gas (GHG) impacts. Further clarification of the efficiency of the proposed panels as well as the role of the BESS is required in order to quantify the overall emissions benefits and this should be included in the Preliminary Environmental Information Report (PEIR) and Environmental Statement (ES).

The description of the Rosefield Solar Farm does not set out the construction workforce size, volume of traffic anticipated during the construction phase of the project, nor does it identify anticipated construction traffic routes or alternative transport options for workers. This is important for an assessment of the impacts on communities, residential and other receptors sensitive to traffic impacts.

Precedent from Scoping Opinions on other Solar Development Consent Order (DCO) applications published by the Planning Inspectorate (PINS) has been reviewed by the Council in preparing this response. It is noted that in the proposed Longfield Solar Farm PINS Scoping

Opinion¹, against the heading ‘Employment opportunities’ (page 36), the Planning Inspectorate (PINS) advises that the number and types of jobs created should be estimated in the ES and considered in the context of the available workforce in the area during each phase of the Proposed Development. For the same project, PINS comments on the construction traffic associated with the workforce, stating that *‘The ES should quantify the number of construction workers and vehicle movements required and explain, with reference to relevant thresholds, whether this is likely to result in significant traffic effects’* (p.23). The Council will be seeking construction worker information of this nature to be included in the assessment – it is particularly relevant to both the Population and Health assessment and completion of cumulative effects assessment (CEA).

Paragraph 2.4.24 of the Applicant’s Scoping Report notes there are two options being considered for the Balance of Solar System (BoSS) for the inverters, transformers and switchgears. The ES will need to assess all options being considered at this stage (e.g. string or centralised inverters; independent outdoor or contained indoor equipment) and any potential impacts arising from each of these (e.g. noise, landscape and visual impact, etc) until or unless a decision is taken on which option would be used in advance of completing the ES.

Paragraph 2.4.39 of the Scoping Report notes that the location of the BESS is yet to be determined. The ES will need to assess all options being considered at this stage (e.g. string or centralised inverters; independent outdoor or contained indoor equipment) and any potential impacts arising from each of these (e.g. noise, landscape and visual impact, etc).

Paragraph 2.4.62 of the Scoping Report notes the Substation compound, BESS compound and Collector Compounds would include manually operated or sensor activated lighting, in accordance with relevant standards, but would not be permanently lit. External lighting will be assessed in a lighting assessment that will detail measures that are proposed to minimise light spill and impacts to sensitive receptors. Whether scoped in or out of the ES, external lighting should be assessed in a lighting assessment to include consideration of glare, glow, lux levels and consideration of Environmental Zone following standards recommended by the Institution of Lighting Professionals and source intensity levels given the countryside location of the site.

Paragraph 2.4.69 – 2.4.82 of the Scoping Report does not provide detail of the 18-24 month construction programme. Given the level of disruption this will cause, the Council considers that detailed information of the construction programme is required. Such information should also clarify the arrangements for the decommissioning proposed after the 30- 40 year period. This clarification should include the timeframes and assumptions made regarding waste management and site restoration.

Chapter 3 Reasonable Alternatives Considered

The Scoping Report sets out the intended approach to considering alternatives in Chapter 3 (‘Alternatives Considered’). The Council agrees that a consideration of alternatives should be presented in the ES. Notwithstanding this, the Council expects that a number of alternatives

¹<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010118/EN010118-000058-LFSF%20-%20Scoping%20Opinion.pdf>

have already been considered in agreeing the parameters for the Rosefield Solar Farm, as described for the purposes of scoping. These alternatives are not set out in the Scoping Report (in Chapter 3), so should be included as high-level alternatives for publication within the PEIR, in addition to the matters that the Applicant identifies for inclusion in the Reasonable Alternatives description that will appear in the ES.

In the Council's opinion, Reasonable Alternatives should include different layouts, scales, technologies adopted, design parameters as well as different sites. The ES should explain in detail what criteria have been used to identify the chosen option and explain what criteria have been applied, as well as reasons why other alternatives have been dismissed. It is considered that the option of 'Do Nothing' scenario should be included in the ES in sufficient detail given the extent of land that will be occupied by the scheme and the adverse effects it may have on soil and carbon storage and any future options to increase the carbon sequestration from this considerable area of land.

The need for the generation of renewable energy should not be stated in isolation. The Committee on Climate Change (CCC) have stated that a considerable amount of carbon could be stored by improved land use and from land use change, as set out in 'Land use: Reducing emissions and preparing for climate change'²:

'Land is a critical natural asset. It provides us with the fundamentals of life: clean water, food, timber, and the natural regulation of hazards such as flooding. Key to the effective functioning of these is biodiversity. Land is also an essential resource to mitigate climate change, naturally sequestering and storing carbon. Over the rest of this century and beyond, climate change combined with other social, economic, and environmental pressures will present significant risks to the services provided by the land. Unless land is managed more effectively over this transition, its essential functions will not be maintained for future generations'.

The above document is now being utilised to set out environmental targets within Part 1, Chapter 1, Part 8 of the Environment Act³ which will detail how soil health and improved woodland health should be achieved, monitored, and reported. It would be beneficial to understand how this project may impact on these expected targets and the stated ambitions for a Nature Recovery Network.

It is also expected that a 'Do Nothing' scenario considers the long-term impacts of the project on the National Grid capacity, particularly on the supply of energy within Buckinghamshire. This is to understand whether or not there is capacity in the area. If not, the Council considers that the ES will need to specify how acute the problem.

It is appropriate to consider how alternative schemes using the same technology may have different acceptability depending on the scale of development. As the scale of a development increases, the resulting increase in benefits is presumably directly proportional as the amount

² [Committee on Climate Change - Land Use: Reducing Emissions and Preparing for Climate Change \(November 2018\)](#)

³ <https://www.legislation.gov.uk/ukpga/2021/30/part/1/chapter/1/crossheading/environmental-improvement-plans/enacted>

of clean energy that can be produced increases with the amount of land that can be used for arrays. However, it is not obvious that the relationship with environmental impacts is necessarily proportional in the same way, as the marginal impact of each additional hectare of land may be greater than the last. It could therefore be appropriate to consider the relative impact of multiple smaller sites amounting to the same total output. It is the Council's view that this scenario constitutes a reasonable alternative for the purposes of paragraph 14(2)(d) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Chapter 4 Approach to EIA

Consultation is reported to have been held from 28th September 2023 – 10th November 2023 (4.2.4). One of the stated aims of this consultation was to '*understand key community and stakeholder concerns, insights and proposed design enhancements*'. The Council wishes to be made aware of what was raised through this process, particularly in the context of potential/perceptual impacts on community members. It is considered that this information is important in the decision regarding the scope and approach to assessment and reporting of human health matters into the assessment (see comments made in relation to Chapters 5 and 6 on this topic). Relevant to this, the Council advocates adherence to the November 2022 Institute of Environmental Management and Assessment (IEMA) guidance documents on the scoping and conduct of health assessment in EIA⁴⁵ respectively, as the latest best practice approach (see further comments in relation to Chapter 6). Chapter 4 of the IEMA scoping document emphasises the role of engagement with health stakeholders and communities as part of determining the health assessment scope, sensitive community groups and local health priorities (para. 4.2). This element is absent from the Scoping Report and needs to be incorporated moving forwards through the PEIR and later EIA stages.

Para. 4.2.6 of the Scoping Report provides a list of consultees – It is accepted by the Council that the list of consultees is not a definitive list; however, it is recommended that identified consultees include Community Boards in Buckinghamshire and the Internal Drainage Board as well as relevant community and health stakeholders mentioned in the comments provided by the Council on paras. 4.2.4 and 4.5.3 of the Scoping Report.

The ES should clarify what method has been used to establish baseline conditions for each topic and issue - it is noted that Chapter 6 of the Scoping Report is intended to provide this. However, the Council considers the approach to be inconsistent and not all topics are associated with a reference to specific guidance or recognised methodologies. This

⁴ Pyper, R., Lamming, M., Beard, C., Waples, H., Birley, M., Buroni, A., Douglas, M., Turton, P., Hardy, K., Netherton, A., McClenaghan, R., Barratt, T., Bhatt, A., Fenech, B., Dunne, A., Hodgson, G., Gibson, G. (2022) *IEMA Guide: Effective Scoping of Human Health in Environmental Impact Assessment*.

² Pyper, R., Waples, H., Beard, C., Barratt, T., Hardy, K., Turton, P., Netherton, A., McDonald, J., Buroni, A., Bhatt, A., Phelan, E., Scott, I., Fisher, T., Christian, G., Ekeraw, R., Devine, K., McClenaghan,

⁵ R., Fenech, B., Dunne, A., Hodgson, G., Purdy, J., Cave, B. (2022) *IEMA Guide: Determining Significance for Human Health in Environmental Impact Assessment*

inconsistency needs to be addressed and the ES will need to clarify whether any information has been obtained from third parties. If the information is obtained from third parties, the ES should specify which third party.

Para. 4.5.3 of the Scoping Report indicates that the baseline information will be established through site visits and surveys, desk-based studies and modelling. According to the latest IEMA guidance, for the assessment of human health it is advised that the baseline should also be informed by consultation with health stakeholders and communities (para. 4.2 and Table 4.1 of the IEMA guidance refer to suitable groups). This should be added to the Applicant's approach.

Para. 4.7.1 of the Scoping Report sets out the baselines that are to be used within the EIA process. There is no reference to how the assessment will take account of third-party developments that may interact with the Proposed Development as part of the predicted changes to the baseline at different points in time. This is considered important and a matter that will need to be addressed, particularly for the conduct of the CEA (see comments relating to Chapter 7). As an example, section 2 of the Scoping Report highlights the proximity of part of the Site to current works related to High Speed 2 (HS2); and there are multiple references to HS2 and East West Rail (EWR) within Chapter 6. The traffic and transport section of Chapter 6 specifically mentions the need for HS2 construction traffic to be understood and then removed from baseline traffic modelling in order to reflect assumptions made by the Applicant regarding the relationship of HS2 construction to the construction of the Rosefield Solar Farm. The Council therefore considers that the Applicant will need to provide clarity around the other projects that are to be considered within the assessment, either as influences or changes to the baseline, or through the CEA, or both. This will need to be set out in the future reporting (PEIR and ES) and should be informed by consultation with the Council as host authority, as well as third party stakeholders as appropriate.

Para. 4.8.1 of the Scoping Report cites a mitigation hierarchy. This is not sourced; and the Council considers it may be a topic specific citation rather than a general mitigation approach. The Applicant should clarify and update this within the PEIR.

Table 4.1 of the Scoping Report includes embedded mitigation measures that will form a core part of the Proposed Development. This includes measures related to public rights of way (PRoW) that are intended to reduce impacts to users – this is a traffic and transport, population and human health matter. It is therefore considered to allude to the need for human health to be scoped into the assessment, not just Population (as is currently the case). The Council is of the opinion that impacts on PRoW as determinants of health should be addressed as part of a human health assessment chapter (see comments on Chapter 6).

Chapter 5 Environmental Factors Proposed to be Scoped Out

The following matters are proposed by the Applicant to be scoped out:

- Glint and glare
- Heat and radiation
- Electric, magnetic and electromagnetic fields
- Major accidents and disasters

Utilities
 Human health
 Material assets and waste
 Water

Notwithstanding reference in the Scoping Report to the applicant taking the ‘Rochdale Envelope’ approach, it is considered that there are a number of elements to the Rosefield Solar Farm that are not currently fixed. The Scoping Report describes the nature of the equipment required for each scenario but does not offer any significant detail on the full extent of the Rosefield Solar Farm in terms of the number and location of pieces of equipment, which could have an impact on what is scoped in. The Applicant has suggested that a number of environmental effects can either be scoped out or do not require standalone chapters in the ES. The Council has commented on the Scoping Report based on the information available and at this stage is unable to agree that that matters proposed to be scoped out of the ES can be dealt with in this way where the final position of development is not known, the Council has commented on matters of ambiguity.

Specific comments on each of the matters proposed by the Applicant to be scoped out is set out below.

Applicant's Matter to be scoped out	The Council Comments
Glint and Glare	The Council considers this matter can be covered through a standalone assessment provided that the Zone of Influence (ZOI) of the assessment is appropriately justified, and the assessment demonstrates that there would be no potential for significant effects to occur in line with relevant guidance. In the event that potential remains for significant effects from glint and glare, a full assessment should be undertaken, and this should be used to inform the relevant chapters in the ES, in particular for the Landscape and Visual; and consideration of in-combination amenity impacts on PRoW users (with other topics). The Council has also identified that the approach to Finmere Aerodrome may be affected by glare from solar arrays therefore should be considered as a potential receptor for the purposes of a Glint and Glare analyses.
Heat and radiation	The Scoping Report proposes to scope out an assessment of impacts from heat and radiation during construction, operation and decommissioning as no significant sources are anticipated. The Council agrees this matter can be scoped out provided that the ES will include details of how this has been taken into consideration in site selection, layout and mitigation design.
Electric, magnetic and electromagnetic fields (EMF)	The Applicant proposes to scope out EMF on the basis that the Rosefield Solar Farm would not require cables and infrastructure exceeding 132kV; a threshold set out by Department for Energy and Climate Change (DECC) Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012 guidance. However, it is noted that a 400kv underground cable is proposed to

	<p>connect to East Claydon Substation. There is no indication given by the Applicant as to how 'minimal' this would be. For this reason, further information that the ES should address is the risks to human health arising from EMF to the extent that it is relevant to the nature of the development, taking into account relevant technical guidance and where significant effects are likely to occur. The ES should demonstrate the design measures taken to avoid the potential for EMF effects on receptors from the substation infrastructure.</p>
Major accidents and disasters	<p>The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Rosefield Solar Farm. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Rosefield Solar Farm's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Rosefield Solar Farm to a potential accident or disaster and also its potential to cause an accident or disaster. The assessment should specifically assess the significance of potential effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.</p>
Utilities	<p>The Scoping Report suggests that existing infrastructure will be identified through consultation and a search. This will inform the design and protective provisions to avoid impacts on receptors. The Scoping Report states that the outline Construction Environmental Management Plan (oCEMP) will include any additional mitigation measures to protect against interference with below ground utilities during construction and that protective provisions will be agreed with each utility owner.</p> <p>The Council considers a standalone ES Chapter for utilities is not required. However, the ES should explain the findings of the utility search and consultation and signpost to where any required mitigation measures are secured.</p>
Human Health	<p>The Council does not accept the rationale offered at para. 5.7.3 of the Scoping Report for the scoping out of human health as a standalone topic chapter within the EIA process: <i>'As any potential human health impacts will be captured by the aforementioned assessments and there are not expected to be any significant human health impacts outside of these assessments, it is proposed that human health is not subject to dedicated assessment and therefore excluded from the scope of the EIA'</i>.</p> <p>The Scoping Report as currently drafted fails to provide clarity on the interaction of the Rosefield Solar Farm with likely impacts on determinants of human health and nor does it indicate which determinants of health will be addressed in the cross-referenced assessments and in what way. The</p>

	<p>Council does not, therefore, have confidence that due and proportionate consideration will be given to all relevant interactions via the approach to health proposed by the Applicant. Furthermore, as stated in the comments on Chapters 5 and 6, this approach is not recommended in latest guidance and should not be supported as a rationale for scoping out a health chapter (IEMA guidance on Scoping health in EIA, para. 3.11).</p>
<p>Material assets and waste</p>	<p>The Scoping Report at paragraph 5.8.6 notes that it is not intended to remove significant quantities of excavated arisings from the Site during construction and that where possible, soil arisings will be balanced through a cut and fill exercise to retain volumes on Site. However, there is no reference to the potential use of borrow pits. If the use of borrow pits are confirmed, this matter would need to be scoped into the ES. The Council agrees that this can be scoped out as a specific chapter of the ES. The ES Project Description should confirm the cut and fill balance.</p> <p>The Council agrees that waste does not need to be a separate chapter of the ES and that the description of the potential streams of construction waste and estimated volumes can be included in the ES description of development chapter. However, an assessment of the likely significant effects that may arise from waste should also be included within the ES within the transport and access and human health chapters of the ES.</p> <p>In addition, the ES should describe any measures implemented to minimise waste and state whether the waste hierarchy will be utilised. The oCEMP should include as much detail as possible on on-site waste management, recycling opportunities, and off-site disposal. If off-site disposal is required, an assessment of likely significant effects including inter-project cumulative effects (e.g. the Rosefield Solar Farm additive cumulative effects with other known projects such as HS2 and EWR) should be included within the ES. It should also provide details of how waste would be managed once the Site is decommissioned.</p>
<p>Water</p>	<p>Given the site is greater than 1ha and is partially located within the fluvial and pluvial flood zones, a detailed Flood Risk Assessment (FRA) and Drainage Strategy report will be required that assesses all sources of flood risk, and provides details on the surface water management scheme for the Site. It is envisaged that the FRA and Drainage Strategy report will form a technical appendix to the ES Hydrology and Flood Risk chapter.</p> <p>The Council's Lead Local Flood Authority (LLFA) consider matters in relation to surface water drainage can be detailed within the oCEMP, a site-specific FRA and supporting Surface Water Drainage Strategy.</p> <p>The Scoping Report notes that no consultation has been undertaken regarding ground water with the EA or the British Geological Survey (BGS) and current baseline data is based on third party maps. The depth of groundwater is unconfirmed as these surveys are yet to be carried out. As this information is currently unknown, the Council is unable to agree that</p>

	<p>this matter can be scoped out.</p> <p>The Scoping Report does not state how the assessment of potential hydromorphological impacts arising from cables crossing waterbodies or drainage will be undertaken. The ES should set out a description of the methodology used and assess impacts from underground cables on existing field drainage and groundwater flow regimes. The Applicant should seek to agree the approach to this assessment with relevant consultation bodies.</p>
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Chapter 6 Environmental factors proposed to be scoped into further assessment

Topic	Description	The Council's Comments
Air Quality	Consultation	The Council consider Natural England should be consulted on the impact of air pollution on ecological sites.
	Study Areas	The study areas should be determined by following the criteria in the Institute of Air Quality Management's (IAQM) guidance note 'Assessment of dust from demolition and construction 2023, v2.1' and the Environmental Protection (UK) and IAQM guidance entitled "Land-Use Planning & Development Control: Planning for Air Quality" (2017)
	Data sources	The data sources listed to inform the Air Quality assessment is considered appropriate.
	Receptors/assets/resources	The receptors, assets and resources identified in the scoping report to consider further are agreed.
	Matters to be scoped in	<p>It is agreed that IAQM's guidance note 'Assessment of dust from demolition and construction 2023, v2.1' and the Environmental Protection (UK) and IAQM guidance entitled "Land-Use Planning & Development Control: Planning for Air Quality" 2017 is used to scope in and out any requirement for assessment of the impact of both the construction/demolition and operational phases of the development on human health. The Council consider that an opinion on the impact of pollutants on ecological sites should be requested from Natural England.</p> <p>The narrative on health assessment in the Scoping Report includes air quality as a contributing topic</p>

		<p>that addresses the impacts of the Rosefield Solar Farm and will provide suitable mitigation. The Council does not consider this to be sufficient. For example, the most commonly followed air quality EIA methodology (IAQM) would deem any changes in traffic during a construction period less than 24 months in duration to be temporary and therefore unnecessary to include in the context of the potential to significantly adversely affect human health.</p> <p>The construction duration stated in the Scoping Report is up to two years. Any effects of construction traffic on air quality as a determinant of human health would therefore not be assessed in the EIA process. This absence from assessment would fail to capture the potential differential effects of changes in air quality on more susceptible members of the affected population, nor address issues that could manifest as adverse mental health effects due to anxiety, stress or disturbance from dust raising or concerns about increased localised pollution, which are typically experienced over a shorter timeframe than two years. This is an illustration of the Council's broader position, which is that there should be a standalone health assessment in the EIA process to capture all relevant determinants of human health, reported together in a health chapter. If this is not supported by the Applicant, then it will be necessary for the air quality assessment to be expanded such that it explicitly addresses these potential health effects – both physical and mental, as well as accounting for the presence of sensitive members of the affected population.</p> <p>The Applicant should explain how this topic will conduct CEA.</p>
	Factor specific assessment	The definition of and approach to a factor specific assessment is unclear.
Biodiversity	Overview	<p>The scoping is based upon incomplete survey information. The understanding of the Site needs to be based upon (in some instances):</p> <ul style="list-style-type: none"> • a wider survey area, • greater variety of surveying, • more surveying,

		<ul style="list-style-type: none"> • more up to date surveying, • surveying to cover more species groups, • assessment of a wider range of surveys which have already been undertaken in relation to a range of developments (in existence, permitted and refused) in the area, • consultation with a wider range of consultees. <p>The decision making on what needs to be scoped in to the Ecology Impact Assessment (EclA) is not well justified, and the extent of receptors that have been scoped out is excessive.</p> <p>The Applicant should explain how this topic will conduct CEA. The intra-project cumulative impacts in particular (I.e. two or more different ecological impacts on the same receptor) needs to be given substantial attention due to the extent of development in the area and the ecological sensitivities.</p> <p>The approach to scoping on biodiversity is therefore not agreed and needs to be revisited.</p>
	<p>Sites of Special Scientific Interest</p>	<p>The Site is centred adjacent to, two nationally important Sites of Special Scientific Interest (SSSI), which are ancient woodlands. It is also adjacent to other areas of woodland, most of which are either ancient woodland, priority habitat or both. Together these sites that make up part of the Bernwood Forest area. The impact on the woodland is important because historically these woodlands were part of a more extensively wooded landscape and were linked to a greater extent by other wooded areas that have been cleared at different times in the past.</p> <p>Many of the ancient woodland sites in the wider area are afforded statutory protection through their designation as SSSIs. However, the citations for the SSSIs do not (yet) include bats as Reasons for Notification. It is understood that Natural England is in the process of updating the citation to include bats (see 6.2.7 of the Scoping Report). Regardless of this administrative delay, it is</p>

		<p>known through the work of HS2 that these sites and intervening habitats support nationally important populations of Bechstein’s bats as well as breeding colonies of Brandt’s, Natterer’s, brown long-eared, Daubenton’s and whiskered bats. Other species recorded in the area include common, soprano and Nathusius pipistrelle, noctule, Leisler’s, serotine, and barbastelle.</p> <p>The proposals are likely to reduce the coherent ecological network associated with the SSSIs, other woodland blocks.</p>
	<p>Bernwood Biodiversity Opportunity Area (BOA)</p>	<p>The site is located within the Bernwood Biodiversity Opportunity Area (BOA), a non-statutory designation where targeted action is considered to have the greatest benefit for conservation at a biodiversity landscape level in Buckinghamshire. The conservation objectives for the BOA are promoted through local planning policy (see section below). The site also falls within the Berks, Bucks and Oxon Wildlife Trust (BBOWT) Bernwood Forest and Ray Valley Living Landscape Project and is considered to be one of the last remaining traditional floodplain meadows in England.</p> <p>The proposals are likely to reduce the coherent ecological network associated with the semi-natural habitat within Bernwood BOA.</p>
	<p>Compliance with 2018 Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2 - updated April 2022 Chartered Institute of Ecology and Environmental Management (CIEEM)</p>	<p>The importance of the site ecologically is not currently reflected in the scope of the EIA in terms of Biodiversity. Sufficient ecological survey data is required to establish the baseline conditions in the absence of the proposed activities (CIEEM guidelines paragraph 3.1). The Scoping report prematurely scopes out significant impacts on certain ecological receptors when the presence or likely absence of the receptor/ importance of the feature(s) is not yet known. It is important to note that <i>“Ecological baseline conditions are those which exist in the absence of proposed activities. The impact assessment determines how the conditions will change in relation to this baseline to facilitate a clear understanding of the effects of a project”</i>.</p> <p>To eliminate likely significant effects mitigation is</p>

	<p>generally outlined, however, the Council is of the view that for biodiversity mitigation should not be considered at the scoping stage. It is important to establish the likely significant effects before mitigation in line with CIEEM guidelines.</p>
<p>Survey Study Area</p>	<p>The study area includes the four parcel areas (Parcel 1, Parcel 1a, Parcel 2 and Parcel 3), proposed cable routes and appropriate buffer zones. It is agreed that the Zone of Influence will vary per receptor.</p> <p>The survey areas for the following are agreed:</p> <ul style="list-style-type: none"> - preliminary ecological appraisal (PEA) - hedgerows and invasive species - rare and notable arable (non-crop) plants - aquatic preliminary surveys - great crested newts <p>The survey study area for the river condition assessment is not agreed, watercourses on the edge of the site also need to be surveyed.</p> <p>The survey study area for bat activity is not agreed. The proposed survey study area does not reflect the ZOI for bats and it is therefore insufficient, given the high diversity and importance of the local bat assemblage and presence of populations of nationally rare and uncommon species. The ZOI will need to take into consideration the factors listed in Chapter 3 of the Bat Mitigation Guidelines⁶ including the core sustenance zones of the various bat species in the area.</p> <p>The impact assessment on bats will need to include the considerations and valuation methods set out in Chapter 4 of the Bat Mitigation Guidelines. More information about the movement of bats through the site which will not be gained from bat activity surveys. There will be a need for more detailed tracking through mist netting/harp trapping and radio tagging, and potentially other means. This is important to know whether there could be population impacts. Species specific information is required in order to inform the impact assessment and the likely significance of effects. Given the scale</p>

⁶ <https://cieem.net/wp-content/uploads/2023/09/Bat-Mitigation-Guidelines-2023.pdf>

	<p>of the development and species present it is expected that radio-tracking work will be required and that this will be undertaken in accordance with latest Bat Conservation Trust survey guidelines.</p> <p>The survey study area for roosting bats is not agreed. The impact assessment on roosting bats (both direct and indirect impacts) needs to be informed by sufficient survey work. This is likely to include ground level tree assessment surveys of all trees within and adjacent to the site and follow up surveys as necessary in line with current best practice guidelines⁷</p> <p>The assessment methods for the woodland outside of the site is not clear from the description in reference to paragraph 6.2.2 of the Scoping Report.</p> <p>A detailed understanding of the use of the surrounding woodlands for roosting bats will also be crucial in assessing the importance of habitat connectivity (including commuting routes) within and around the site.</p> <p>The list of woodlands does not include all of those which are adjacent to the site, and which will be used by roosting bats, it does not include Finemere Wood nor Home Wood and there are other small areas of woodland which are not mentioned.</p> <p>The survey study area for breeding and wintering birds is not agreed. It is necessary to understand the impacts on ground nesting birds as these are likely to be particularly significant as a lot of the ground area will be lost due to the area of solar panels and the open areas around the solar panels will have limited capacity to be used by ground nesting birds. At least 2 years' worth of complete survey data is required, given scale of the development and location of site relative to wintering bird habitat/breeding birds, as well as fluctuations in weather conditions/use of the site between years.</p> <p>The survey methodology for considering reptile suitability is not agreed and is inadequate. Reptile</p>
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⁷ Bat Surveys for Professional Ecologists Good Practice Guidelines
<https://cdn.bats.org.uk/uploads/images/Resources/Bat-Survey-Guidelines-23NoPrint.pdf?v=1694682790>

		<p>surveys need to be undertaken to adequately inform an impact assessment – the assessment of impacts is proposed to be based on habitat suitability which will not be sufficient to inform a reptile mitigation strategy (if required).</p> <p>The survey study area for badgers is not agreed. The survey study area needs to include the woodland blocks that abut the site and 30m beyond the red line in order to establish presence of setts and understand the use of the landscape by badgers – location of setts, connectivity between them, commuting routes, and key foraging grounds.</p> <p>Impacts from wildlife on Public Rights of Ways (PRoW), such as badger setts should be considered. These must not be relocated near PROWs as they cause maintenance issues to the surface, occasionally requiring licences to disturb them to maintain public safety and convenience.</p>
	Statutory and non statutory designated sites	The Applicant notes that background data searches for statutory and non-statutory designated sites and protected species records will focus on the Site and a 2 km buffer, extended to 10 km for Special Protection Areas (SPAs), Special Areas of Conservation. The study areas are agreed.
	Terrestrial invertebrates	No consideration has been given to terrestrial invertebrates. These are important in their own right and in support plants for pollination and of fauna species further up the food chain that rely upon them. The area is known to support a high diversity of invertebrates including rare and uncommon species. The Council considers that invertebrates need to be scoped into the EIA and the assessment of impacts informed by suitable survey work and desk study/literature review of impacts of solar farms on invertebrates. The invertebrate surveys need to include, but should not be limited to, establishing presence/absence and importance of the site to Lepidoptera (butterflies and moths) and glow worm. Butterflies and Glowworms are known to exist in the area.
	Data sources to inform the EIA baseline characterisation	<p>There are many other sources of information which need to be reviewed to establish the baseline. These include:</p> <ul style="list-style-type: none"> • Consented and proposed schemes on the Greatmoor Estate – requires liaison with FCC

		<p>Environment and should include:</p> <ul style="list-style-type: none"> ○ Greatmoor energy from waste facility (consented and built scheme), ○ Calvert access track (live application, undecided), ○ Reverse osmosis plant (consented), ○ Landfill site solar array (live application, undecided) <ul style="list-style-type: none"> ● Grendon Underwood Prison ● HS2 data ● East West Rail data <p>This information (and potentially more) will need to be understood in order to inform the cumulative impact assessment.</p>
	Surveys to inform the EIA baseline characterisation	Surveys have only been taken of a reduced area and therefore this is incomplete. Surveys of all areas where development will be proposed is necessary to inform the EIA. Where there are different potential locations for cable routing, they should all be surveyed.
	Mitigation	It is too early to be setting this out, as the baseline information is not known, it is premature to consider mitigation at this stage.
	Receptors (6.2.9)	<p>This section only mentions a relatively small number of receptors to be scoped in. This seems to be preselecting what might be significant, based upon incomplete information (ecological baseline is unknown for certain receptors and incomplete for others) and on assumptions about mitigation measures which should not be considered until the ES.</p> <p>Where it is known that mitigation measures will be required, this is a clear pointer to the need to scope them in.</p> <p>The scoping out relies heavily on mitigation measures, which are not relevant at this stage as set out above. It is suggested that everything that has been scoped out should be scoped in with the exception of dormice and certain habitats (e.g. modified grassland, cereal crops, arable). All Local Wildlife Sites, woodland sites, arable field margins, scrub, other neutral grassland, hedgerows, trees, watercourses, should be scoped in.</p>

	6.2.11 Assessment Methodology	Following CIEEM guidance is appropriate but note that the guidelines were updated in 2022. Reference to 2018 guidance is outdated ⁸ . Otherwise, the content in appendix D is broadly appropriate with regards to biodiversity. It must be highlighted that the 'Precautionary principle' which is spelt out in Appendix D has not been followed in the scoping out of receptors/matters.
	List of Consultees	It is also recommended that the following are consulted: North Bucks Bat Group, Bucks Owl and Raptor Group, Bucks Bird Group, Butterfly Conservation, Bucks Badger Group, Buckinghamshire and Milton Keynes Environmental Record Centre, Environment Agency, NatureSpace (re. Great Crested Newts), East West Rail, HS2 ecologists (Kat Stanhope, David Prys-Jones), FCC (data from Middlemarch, SLR).
	Data sources listed to inform the EIA baseline characterisation	Further baseline information will be available through the above-mentioned consultees that will be able to inform the baseline and may help scope in/out certain receptors.
	Factor specific assessment approach	<p>Appendix D of the Scoping Report references a superseded version of 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (Chartered Institute of Ecology and Environmental Management (CIEEM)', it references the 2018 version, it should reference the 2022 version (version 1.2 updated in April 2022).</p> <p>In sections 6.2.8 and 6.2.9 of the Scoping Report decisions have been made to scope in and out receptors and therefore potential impacts without the full scientific evidence, survey or robustly justified conclusions.</p> <p>The lack of adherence with the precautionary principles in the scoping of potential significant effects is a significant concern.</p>
Climate	Risks from climate change including impacts from increase in ambient temperature and extreme weather events	Such risks from climate change are proposed to be scoped out on the basis that impacts are not likely to be considered significant during the Proposed Development's lifetime of 40 years. Mitigation will be embedded in the design and technology of the

⁸ Guidelines for Ecological Impact Assessment in the UK and Ireland (2022) <https://cieem.net/wp-content/uploads/2018/08/ECIA-Guidelines-2018-Terrestrial-Freshwater-Coastal-and-Marine-V1.2-April-22-Compressed.pdf>

		<p>solar array to account for extreme weather events such as storms, high winds, and increased ambient temperatures. On the premise that the ES explains how and to what degree the design and technology accounts for these events, it is agreed this can be scoped out.</p>
	<p>Impacts from Greenhouse Gas (GHG) emissions from land use change</p>	<p>The option of 'Do Nothing' scenario should be included in the ES in sufficient detail given the extent of land that will be occupied by the scheme and the adverse effects it may have on soil and carbon storage and any future options to increase the carbon sequestration from this considerable area of land.</p> <p>The ES should include information regarding Greenhouse Gas Impact of Rosefield Solar Farm from land use change.</p>
	<p>GHG emissions during decommissioning</p>	<p>An Outline Decommissioning Plan should be submitted with the application. The ES should clearly set out if and how impacts from GHG emissions will be assessed for the decommissioning phase.</p>
<p>Cultural Heritage</p>	<p>Archaeology</p>	<p>The Site sits within a well preserved medieval and post-medieval landscape, with visible upstanding archaeological earthworks (including moats, deserted villages and agricultural earthworks) surviving in good states of preservation across the landscape.</p> <p>It is important to note that some of these assets are designated as Scheduled Monuments, whilst others are recognised on the Local Heritage List as Non-designated Heritage Assets. Recent archaeological works have also identified evidence of multi period earlier remains across the wider area, such as the discovery of a Roman settlement near Twyford during HS2 excavations which included the discovery of a rare early Roman wooden figurine. It is considered likely that the application site contains hitherto unknown archaeological assets which may be impacted upon by the Rosefield Solar Farm.</p>
	<p>Archaeology Baseline characterisation</p>	<p>It is not agreed. Section 6.4 (specifically 6.4.1 and 6.4.4) of the Scoping Report suggests that the EIA will be informed by a historic environment desk-based assessment and the results of a geophysical survey. It then states that the need for, scope, and timing of intrusive evaluation will be negotiated and</p>

		<p>agreed following these works.</p> <p>Buckinghamshire Council Archaeology Service (BCAS) always expect the results of geophysical survey to be verified by trial trenching, therefore the need for the works has already been established. In regards timing of such works, it is not clear whether the applicant is suggesting that intrusive evaluation be undertaken pre or post DCO submission but BCAS would expect the evaluation works to be undertaken at the earliest opportunity to inform the ES and DCO submission.</p>
	<p>Archaeology receptors, assets and resources</p>	<p>There is a need for a thorough assessment of the historic landscape as a whole. Appendix 1 references the ridge and furrow earthworks present within the application site boundary. These earthworks form part of a larger area of earthworks recognised on the Local Heritage List. The impact on the whole area of the open fields of Shipton should be considered, and the asset not divided into field by field assessments, which will invariably lower their significance, as the significance of these earthworks come in part from their landscape value, and group value.</p>
	<p>Archaeology – Mitigation</p>	<p>Mitigation proposed in the scoping report is not agreed. Information regarding the location of any remains, the depth of the archaeological horizon, and comparison with the final layout plan to be sure that the remains could be safely preserved without impact. Only once this is ascertained, a three phased management plan would be recommended.</p> <p>The following information is required within the ES:</p> <ul style="list-style-type: none"> a) how the solar panels/BESS are proposed to be installed without damage to the underlying archaeology. This should include reference to vehicle movement, site conditions, and installation. In addition to a description of the chosen approach, use of tracked mats, low impact vehicles and/or soil build up should all be considered. The report should be site specific and draw on the results of evaluation reports to inform topsoil depth and location of features. b) Operation - A management plan for the protection of any buried remains throughout the operational life of the solar farm/BESS

		<p>c) Decommissioning - A methodology in regards to protecting the buried remains during the decommissioning and removing the panels, to accompany any documents submitted to address any relevant Condition relating to decommission.</p> <p>A programme of archaeological excavation may be required which can be decided upon following the results of the evaluation. A full detailed, contractor specific Written Scheme of Investigation will be required in advance of any works.</p>
	Archaeology - receptors	There are concerns that findspot data is being scoped out/removed. The presence of these findspots is an indication that associated buried remains are present in these locations, and therefore that associated buried remains could be harmed by the development. This is a good example of why the ES needs to be informed by intrusive archaeological investigation.
	Archaeology inconsistencies	-Paragraph 2.4.15 of the Scoping Report states archaeology trial trenching is currently being undertaken. The Council is not aware of any active evaluation work in this area. This statement contradicts the approach presented throughout the Scoping Report which suggests trenching has yet to take place.
	Heritage Assets	Due to the scale of the development and proposed study area there are a wide range of heritage assets that should be considered. The Scoping documents identify some of these, however there are heritage assets that have not been considered which should also be included such as the emerging Local List and Neighbourhood Plans.
	Heritage – Study Area	This has been considered alongside the Zone of Theoretical Visibility (ZTV) in Volume 2. The distance for Non Designated Heritage Assets in paragraph 6.4.2 of the Scoping Report is agreed. The 5km study area is not agreed. The ZTV models in pages 607 -613 of Appendix 1 of the Scoping Report show that the proposed development could theoretically be visible from well outside of the study area. It is noted that the scale of the proposed development is vastly disproportionate to the scale of all nearby settlements, local development pattern. The ES should define the study area based on ZTV and from consultation bodies. For example, where the 5km

	<p>radius touches on highly significance heritage assets such as the Waddesdon and Wotton Underwood Registered Park and Gardens (RPG) (and their related heritage assets) and where designed views (often over great distances) contribute to their setting and significance, a more thorough assessment should be made in respect of heritage assets that may fall just outside of the 5km radius but which contribute to the overall significance of these high level RPGs and related Conservation Areas.</p> <p>The Council is actively working on adopting a local list for Buckinghamshire. Live project data is available online⁹ and therefore, nominated sites and structures should be used in addition to information on the Historic Environment Records.</p> <p>The ES should ensure that the study area is based on the ZOI and where impacts to the historic environment are assessed in other relevant chapters such as the landscape and visual chapter, any differences in the applied study areas are explained and justified.</p> <p>The Council is unable to agree the list of assets scoped out of the ES. For example, assets such as the designated landscapes of the Grade I Waddesdon Registered Park and Garden, Grade I Manor and its associated assets derive significance in part from long range views which could be impacted by a development of the scale proposed and should not be coped out as their significance is not confined to their immediate street scene or rural setting.</p> <p>Similarly, Quainton Conservation Area appraisal identifies long distance landscape views which contribute to its significance and other CAs such as Grendon Underwood also benefit from extensive landscape views towards the site and gain some significance from a connection to their agricultural landscape setting.</p> <p>The importance of low-level harm to a wide range of designated heritage assets should also be</p>
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⁹ Local Heritage List: <https://local-heritage-list.org.uk/buckinghamshire>

		<p>considered. Additionally, the Council would like to reserve the right to request more detailed assessments and verified views from or to any assets that it feels should be assessed in more detail.</p> <p>It is not appropriate to scope out impact to setting for the NDHAs falling outside of the application site but within the 1 KM study radius. The table at 6.4.9 of the Scoping Report states that effects to setting 'are not anticipated to result in a level of harm sufficient to cause significance effects' however, cumulative harm from the development on both Designated and Non-Designated heritage assets can be anticipated and should in fact be scoped into the review.</p> <p>The study area should scope in assets to include and identify all assets where there is any intervisibility between heritage assets and the proposed development, or where significance is otherwise impacted by changes in the surrounding landscape. This is applicable even where no intervisibility exists and/or where negative changes include the severing of relationships between assets and settlements may occur (in line with Historic Environment Good Practice Advice in Planning: 3¹⁰).</p>
Land, soils and ground water	Minerals	There are a number of mineral safeguarding areas across the land parcels. These all relate to alluvial deposits, which are present along the routes of watercourses. A Minerals Assessment should be undertaken to inform and influence the design and layout of the development and demonstrate how impacts to Mineral Safeguarding Areas have been minimised. The ES should demonstrate that the Council as the Minerals Planning Authority has been consulted in respect of all of the proposals and that the proposed development does not impact on future ambitions for minerals extraction within the area.
	Land Contamination	The Council welcomes the inclusion of a Preliminary Risk Assessment report will be prepared to provide a desk-based analysis of the site and ground investigation works are scheduled to take place on

¹⁰ [Historic Environment Good Practice Advice in Planning: 3 \(2nd Edition\)](#)

		<p>the site to obtain data relating to soil conditions, contamination status and groundwater.</p> <p>Potential contamination in Parcel 3 of the proposed development will be scoped into further assessment due to a known historical railway that crossed the site from north to south. Section 6.5.8 of the Scoping Report states that further assessment of this feature will be completed as part of the Preliminary Risk Assessment report for the site. This is agreed.</p> <p>Potential contamination in all areas except part of Parcel 3 will be scoped out of further assessment. This is because a review of the historical usage of the site has identified the land parcels have been in use as agricultural fields since the earliest historical mapping. Further assessment of these areas may not be required however the evidence behind this decision must be clearly outlined within the Preliminary Risk Assessment report which is to be submitted in support of the ES. Until this matter is clarified, the Council cannot agree to it being scoped out.</p> <p>Potential contamination during the operation and decommissioning phases of the proposed development have also been scoped out. Potential risks of soil and water contamination from leaks, improper storage, or spills during the construction phase, should be mitigated through implementation of standard best practice measures secured via the oCEMP</p>
	Ground water	<p>The Council's records show that the site lies within a Source Protection Zone. The ES should assess impacts from all phases of the development to groundwater where significant effects are likely to occur. Best practice measures should be employed and secured via the DCO to ensure any potential pollution impacts are minimised.</p>
	Soils	<p>There is no reference in the Scoping Report as to whether or how agricultural land use would still carry on across the Site alongside the operation of the Rosefield Solar Farm. Changes to the hydrogeological regime as a result of the Proposed Development may also affect the quality of soils within the Site and this should be assessed within the ES.</p>

	Soil Management Strategy	The Scoping Report states that a separate outline Soil Management Strategy (SMS) will be produced, detailing measures to reduce or avoid damage to soils. For clarity, this should be provided with the application and detail how this is secured through the DCO.
	Agricultural Land Classification	The Scoping Report suggests an Agricultural Land Classification (ALC) was carried out which identified 96% of land classified as 3b (moderate), 2% is 3a and 1% is Grade 2 (very good). An ALC survey for the potential cable route connection has not been undertaken. The ES should provide a regional assessment of the loss of BMV land and assess any significant effects where they are likely to occur. As given the size of the site, the 3% or more represents a significant proportion of land. The ES should include details of the operational impacts of the proposed development in terms of the loss of agricultural and BMV land because of the removal of this land from productive use. The assessment should also include and detail mitigation measures to remove, reduce or minimise such impacts.
Landscape and Visual	Study Area	<p>The study area is not agreed. The ZTVs have been used to help define the proposed 5km Study Area. An assumed height of 15m is given to woodland as a filter to these initial ZTVs. This is very high woodland height for this area. For the purposes of representing a 'worst case scenario', a bare earth ZTV would be a more realistic starting point. Filters such as woodlands, hedgerows and tree lines can be introduced to the ZTVs once the bare earth ZTV is established. The heights of these should then be agreed with the Council.</p> <p>It is recommended that the Study Area be expanded to 6km, to include the sensitive potential receptors such as Waddesdon Manor, Waddesdon Hill, Brill and Oving Hills.</p> <p>Para. 2.2.7 of the Scoping Report explains that the locations for the various development features such as Collector Compounds, solar panels and Project Substations are based on the parameter plan at Appendix B, Fig1 of the Scoping Report. Given this proposal takes a Rochdale Envelope approach, it is unclear whether the location of the intrusive elements of the proposal are fixed. If it is possible for the locations to be changed through the design</p>

		<p>process, then it is reasonable to expect the ZTVs to also assume this worst case scenario when defining the Study Area. The ZTVs and resulting Study Area would have to be based on any of the features being in any location within the red line boundary.</p> <p>The ES should justify the extent of the study area/s with reference to recognised professional guidance and the extent of the likely impacts, informed by fieldwork and relevant models or approaches such as the ZTV. The Applicant should agree the study areas with relevant consultation bodies.</p>
	Landscape Characterisation	<p>This is not agreed. The ES should consider all appropriate landscape related studies (eg. National Character Areas, Local Character Areas, Neighbourhood Plans etc), that fall within the Study Area. All relevant landscape related documents that form the background evidence to the Vale of Aylesbury Local Plan should be considered.</p>
	Viewpoints	<p>Viewpoints should include but not be limited to Quanton Hills and Finmere Hills given its location within the Quanton-Wing Hills Area of Attractive Landscape. A full list of viewpoints should be agreed with the Council.</p>
	Receptors/assets/resources	<p>Residential receptors – these should be included in the LVIA (not just in the proposed separate Residential Amenity report) and not restricted to those within a 200m envelope, as suggested in para. 6.6.4 of Vol.1 of the Scoping Report, but be considered in the first instance from the whole Study Area.</p> <p>Winter photographs – although winter surveys are referred to, it is not clear if photography is also being carried out. It is imperative that winter photos are shown alongside summer ones in all visuals to demonstrate the worst-case scenario. Winter photos will also be required as a basis for the photomontages.</p> <p>It is inappropriate to consider mitigation at this stage. Details of hedgerows should be provided to establish a baseline.</p>
	Receptors	<p>The Council considers that any Registered Park and Garden, village/hamlet within the Study Area (expanded to 6km as described above) should be scoped in.</p>

		As the volume of passengers using EWR and HS2 are likely to be significant, there is potential for a significant effect, even though the effect may be short lived. The Council considers that this matter should be scoped in.
Noise and Vibration	Study area	<p>The study area for noise during construction is proposed to include receptors located within 300m of the Proposed Development. No consultation has taken place with the Council's EH officer to establish the baseline. The ES should explain how the study area and sensitive receptors have been selected with supporting evidence including noise modelling/noise contouring mapping.</p> <p>The ES should provide a plan showing the location of all sensitive receptors identified for assessment overlaid with noise contour mapping. This should cross reference the EWR/HS2 projects being carried out in the area to understand the cumulative impacts to aid understanding of the potential for significant effects relating to noise.</p>
	Receptors	<p>Scoped-out of further assessment is the effect of vibration during the operational phase of the development. The report's justification is because the vibration will be low and unlikely to be perceptible over the distances to the nearest residential dwellings. However, walkers, cyclists, and horse riders are more likely be much closer to the sources of vibration than residential dwellings as many routes go directly through the parcels identified for solar panels and battery storage.</p> <p>The Council considers that this matter should be scoped in to ensure vibrations do not affect the amenity of the PROWs, particularly the possibility of impacting the safety of horse riders.</p> <p>The narrative on health assessment in the Scoping Report includes noise and vibration as a contributing topic that addresses impacts on health.</p> <p>The Council does not consider this to be sufficient. Chapter 6 indicates the intention to use the Design Manual for Roads and Bridges 'standard' approach for the noise assessment. In general terms, this approach sets thresholds of significance for direct health impacts from noise at 3dB change and</p>

		<p>upwards; however, the UK Health Security Agency (UK HSA) has commented on other DCO applications that changes below this topic-specific significance level can have adverse health effects, plus differential effects for sensitive members of a population; and all changes should therefore be identified and explored. The need to consider noise in the consideration of noise impacts on health determinants (as set out in the IEMA scoping guidance (Table 5.2)), such as sleep disturbance, annoyance, and anxiety; and to reach the point where it is possible to ensure that committed mitigation can avoid potentially significant population health effects (IEMA scoping guidance para 6.6(3)) are considered important by the Council. This is a further illustration of the Council's broader position, which is that there should be a standalone health assessment in the EIA process to capture all relevant determinants of human health, reported together in a health chapter.</p> <p>There is a need for clarification of how this topic will address CEA.</p>
Transport and Access	Consultees	<p>In addition to the list of consultees included, consultation with Oxfordshire County Council as a neighbouring authority (and local Highway Authority for Oxfordshire) is required. Additionally, whilst it is stated in the scoping note that no consultation with National Highways is considered necessary, the Applicant must seek confirmation that National Highways do not have any concerns regarding construction traffic and the cumulative impacts with other national strategic infrastructure projects (EWR and HS2) particularly at Junction 9 of the M40 and on the A41.</p> <p>There is a need for this topic to provide clarification of how CES is being undertaken. This includes the interaction of other projects with the baseline (e.g. HS2) and the development and growth assumptions that will be embedded in traffic modelling.</p>
	Study area	<p>The Scoping Report states that the study area is to be agreed with the local Highway Authority based on the likely origin and destination points for construction staff and materials. This is acceptable.</p>
	Characterisation	<p>The Scoping Report lists potential data sources. In addition to these sources, traffic data from the A41</p>

		<p>should be sought from the Council. The local Highway Authority (LHA) would support the collection of new traffic data at key junctions and links surrounding the site including any supplementary data required as identified on the A41. The location of additional surveys undertaken must be agreed with the LHA once the study area has been defined. Any new traffic data should be cross checked with older data.</p>
	Receptors/assets/resources	<p>This will be dependent on the routing agreement for construction traffic. Further consideration for residents living along the A41 to the south of the development Site may be required if construction traffic is to route in this direction. There may also be additional parts of the network that are identified as requiring specific analysis once further information is available regarding construction traffic workers and their anticipated movement modes and patterns.</p> <p>Additionally, users of Junction 9 of the M40 (Wendlebury Interchange) should be included if appropriate following consultation with Oxfordshire Local Authority and National Highways.</p>
	Mitigation measures	<p>This is not agreed. It is expected that the applicant shall consider mitigation requirements to address capacity and safety of the operation of the highway network facilitating two-way HGV movements during the construction period given the proposed scale of the development. The Council does not consider that the mitigation fully addresses the impact of Highways Safety and convenience. The ES should include commitment to a full condition survey, agreement to interim repairs and road condition improvements for the construction and decommissioning phases.</p>
	Receptors	<p>The Council considers that the operational phase of the development requires further assessment. The ES must provide details of the access arrangements, traffic generation and parking and manoeuvring arrangements for the site during the operational period.</p>
	Requirement of Transport Assessment (TA)	<p>The TA must consider key transport policies relating to the development proposals. The relevant guidance and policies must be considered at</p>

	<p>national, regional and local levels.</p> <p>The following documents, amongst others, must be considered:</p> <ul style="list-style-type: none"> • National Planning Policy Framework • Highways Development Management Guidance: Managing the transport and travel impact of new developments (July 2018)¹¹ • Buckinghamshire’s Local Transport Plan 4 2016-2036 - April 2016¹² • Vale of Aylesbury Local Plan 2013-2033 - September 2021¹³ <p>The TA must include a review of the local highway network within the vicinity of the site including a review of Personal Injury Accident, (PIA). Data for the latest available five-year period is required. The Local Highway Authority will need to see full PIA details in the TA appendix and the area to be included in the assessment will need to be agreed.</p> <p>The TA should identify any necessary mitigation for safety / capacity reasons required on any of the construction routes. Construction traffic should include Heavy Goods Vehicles, Large Goods Vehicles, and staff/operative vehicles.</p> <p>The Scoping Report confirms that the extent of the study area will be developed from the likely origin and destination points for construction staff and materials. This approach is acceptable although it is confirmed that the study area will be subject to discussion and agreement with the Council. The Scoping Note confirms that existing data sources will be supplemented using new Automated Traffic Count (ATC) traffic surveys to be carried out on all study area roads. The Local Highway Authority would support the collection of new traffic data at key junctions and links surrounding the site. The location of additional surveys undertaken must be agreed with Council once the study area has been defined. Any new traffic data should be cross</p>
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¹¹ [Highways Development Management Guidance dated July 2018](#)

¹² [Buckinghamshire’s Local Transport Plan 4 \(2016\)](#)

¹³ [Vale of Aylesbury Local Plan \(2021\)](#)

		<p>checked with older data.</p> <p>The Scoping document references the Institute of Environmental Management and Assessment (IEMA) Environmental Assessment of Traffic and Movement (2023). The document notes two rules used for screening the appropriate extent of the assessment area.</p> <p>The first rule is to include highway links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%) and the second is to include highway links of high sensitivity where traffic flows have increased by 10% or more.</p> <p>The Local Highway Authority strongly caution against using this rigid approach. The document referenced is in relation to environmental assessments of traffic and movement and not the capacity and delay impact and it is stated that it is generally accepted by regulators and practitioners that it should not be applied to assessments of road safety and driver delay. Once the changes in flows are known, it is recommended that further engagement is made with the Local Highway Authority in order to ensure that there are no links where a significantly lesser change would not be expected to have a significant impact on the junction performance or safety. A mid-level growth estimate must be applied to any junction assessment as standard, and this can be sensitivity tested against low and high growth scenarios.</p> <p>Given that the development shall be a scheme for the delivery of infrastructure and the impacts on the highway are expected to be during the construction phase rather than the operational phase, the Local Highway Authority is not satisfied to leave the Construction Traffic Management Plan to a post permission requirement. The application shall be required to provide detailed analysis of the construction phase and provide a comprehensive assessment. This shall follow the approach taken by the Council in its assessment of the EWR Transport Works Acts Order process.</p> <p>The Transport Assessment shall be required to</p>
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		<p>assess the construction impacts fully given the scale and nature of the development. It is expected that the applicant will consider mitigation requirements to address capacity and safety of the operation of the highway network facilitating safe and suitable two-way HGV movements. An assessment of the profile of HGV movements throughout the construction period showing the peak construction periods shall be expected to be submitted as part of the Transport Assessment.</p> <p>Any mitigation or traffic management identified as being required shall be delivered as a permanent installation to ensure that it is reliable and suitable for the duration of the scheme construction. It would be the expectation of the Local Highway Authority to retain the right to determine if any mitigation schemes shall be required to be retained or shall be removed post construction.</p> <p>The TA must provide details of the access arrangements, traffic generation and parking and manoeuvring arrangements for the site during the operational period.</p>
	<p>Requirements for the Construction Traffic Management Plan (CTMP)</p>	<p>A CTMP would be required as part of the application to establish vehicle routing and to ensure that vehicles can access and egress the site safely during the construction phase.</p> <p>The Council would expect the following information to be contained within a CTMP or plotted on drawings:</p> <ul style="list-style-type: none"> • Construction access, and demonstration upon a submitted plan of wheel washing facilities; • A construction traffic routing agreement including details of any diversion, disruption or other abnormal use of the public highway during construction works; • Detailed swept path analyses for the main constraint points on the route from the nearest suitable trunk road junction; • An assessment of structures that are to be crossed or used during the build stage and a commitment that any necessary works would be carried out prior to commencement on site; • Details of vehicle holding areas outside the

		<p>vicinity of the site including details of the vehicle call up procedure;</p> <ul style="list-style-type: none"> • Work programme and daily timeframes for each phase of the construction works; • A list of delivery vehicles to be permitted for use with dimensions and a swept path analysis of the largest proposed delivery vehicles entering and exiting the site; • Total numbers of construction vehicles to be used throughout the build stage; • Estimate for the daily numbers of vehicles including a breakdown of daily HGVs, LGV and staff/operative vehicles; • Estimate of peak hour construction vehicles including a breakdown of peak hour HGVs, LGV and staff/operative vehicles; • Commitments by the applicant to repair any damage to the highway resulting from construction traffic, to be determined using pre-commencement and post-construction surveys carried out by the Highway Authority; • Site parking for site operatives' vehicles and loading and unloading areas within the site curtilage and a restriction not to load and unload deliveries upon the public highway; • Commitment to the use of a banksman during access and egress of the site by construction vehicles; and, • Coordination with other development projects in the vicinity; • Convenience facilities • Provision for vehicles pulling off the road • HGV ID tracking systems to include post delivery routes
	<p>Requirements for the Project Framework Travel Plan (PFTP)</p>	<p>The primary aim of the Project Framework Travel Plan is to set a framework to minimise the adverse environmental impact of worker and visitor travel to and from the construction worksite. The PFTP must take account national, regional and local planning policies and guidance with regard to appropriate best practice guidance for travel planning including consideration of Buckinghamshire Councils, Travel Plans: Guidelines for Developers (July 2022)¹⁴.</p>

¹⁴ [Buckinghamshire Councils, Travel Plans: Guidelines for Developers \(July 2022\)](#)

		<p>A PFTP must demonstrate that there is sufficient expectation that measures can be brought forward to promote modal shift to sustainable modes for staff travelling to and from the proposed site including minimising the number of single occupancy vehicle journeys made to and from the site.</p>
	<p>Public Rights of Way (PROW)</p>	<p>Where the amenity for non-motorised users is considered, this must include PROWs, especially during construction. This should be scoped into the study, particularly given the size of the development and potential for construction harm over a long period.</p> <p>The impact of cabling on PROW users and highway maintenance needs to be understood and explained in the ES. The Applicant proposes buried cables 1.5m deep and these will almost certainly, be laid across the PROWs to connect between solar panels, battery storage and National Grid networks. This will necessitate temporary closures for each PROW and will require appropriate surface reinstatement, cumulatively, this has the potential to cause significant adverse impacts for users of the PROW network. The DCO will need to accommodate alternative temporary arrangements for these highway closures [as opposed to the standard temporary traffic regulation order process], as outline at para 2.4.88 of the Scoping Report. The DCO will also need to accommodate alternative permanent arrangements for PROW diversions [to the standard s257 TCPA 1990 legislative process] as outline at para 2.4.87 of the Scoping Report.</p> <p>Similarly, with regards to internal access tracks for ongoing monitoring and maintenance, details of the surface specifications along PROWs shared with employee vehicles will be required, for example, bitumen surfaces may be hard wearing, but they are less desirable for horse riders who find sealed surfaces slippery and unsuitable.</p> <p>Given the proximity of HS2 and Calvert landfill railway sidings on PROWs, the interface between the solar farm and the Calvert/Grendon Underwood crossings within the HS2 Act should be mapped, to ensure identification of strategic connectivity,</p>

		<p>enhancements, and improvements. This includes [1] the Calvert cycleway from Calvert village to the 'CAG/3 Underpass', passing through the area covered by the Calvert Sidings Transport and Works Act Order; [2] additional bridleways proposed around the Calvert landfill perimeter; [3] the wider Buckinghamshire cycleway project [Hillingdon to Brackley]; and [4] new pedestrian footways provided by HS2 between Calvert and Steeple Claydon [Addison Road]. The access improvements included within the final restoration plan and s106 Agreement for the Calvert landfill site [11/20000/AWD], and access impacts of the proposed Calvert Solar Farm [CM/0016/21] will also be important.</p>
Population	Baseline characterisation	<p>The Council notes that para. 2.3.10 excludes Population from the list of topics for which a high level overview of existing conditions is provided. This does not therefore contribute to the understanding of the Site. This gap needs to be addressed since it is important for the existing settlement characteristics and distribution of residential development within the landscape to be understood, such that there is an adequate baseline for considering the impacts of the Proposed Scheme on established neighbourhood characteristics.</p> <p>Census 2021 data should be used to inform the baseline, together with consultation with relevant Council officers to understand specific socio-economic and demographic challenges and priorities relevant to the study area.</p>
	Scope and methodology – proposed replacement with the IEMA Human Health methodology (scoping and	<p>Section 6.9.1 of the Scoping Report indicates that the focus of the scoped in parts of the Population assessment will be on PROW. It is noted that this includes the intention to consult with the Council's</p>

	determining significance)	<p>PROW officer, which is supported and considered essential. However, the Council has comments on the way in which PROW assessment is conducted and reported.</p> <p>Para. 6.9.2 of the Scoping Report states the intention to use Design Manual for Roads and Bridges (DMRB) LA112 Population and Human Health standard to shape the methodology for the assessment, but essentially only the population element. There is no attempt made to justify why the Human Health element of the LA112 standard is not covered.</p> <p>The Council is of the opinion that this is not the best suited standard (methodology) for considering impacts on people for NSIP solar power projects. DMRB is intended for application to linear strategic transport infrastructure proposals and many of the aspects of the methodology are not commonly transferable/applicable to a site based non-transport project. This is evidenced in the considerable amount of sub-topic coverage of DMRB LA112 that the Applicant proposes to scope out.</p> <p>The Council recommends that the Applicant changes the proposed approach – instead of using the DMRB LA112 Population aspect, the Council advocates replacing the Population topic chapter with a Human Health topic chapter following the IEMA November 2022 guidance. This would allow for the scoped in population aspects (discussed further below) to be considered alongside the broader range of relevant impacts on determinants of human health.</p> <p>The Applicant does propose to scope consideration of PROW into the assessment. At 6.9.5 of the Scoping Report there is an assumption that PROW are used regularly and chapter 2 of the Scoping Report lists the extensive network of routes that are within and proximate to the Site (2.3.18, supported by Plans in Appendix C). The Council considers that there is a need to have actual survey data to identify the baseline more effectively, particularly noting that the number of bridleways in the study area may mean that cycle and equestrian users merit</p>
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		<p>specific consideration; and this should be added to the methodology. This is a comment that was also made by PINS in the Scoping Opinion issued in respect of West Burton¹⁵ which, at para. 3.9.4 states that due to the number of PROW affected, <i>‘surveys should be undertaken to provide baseline data in relation to the use of the PROWs affected by the site where appropriate to define the change in characteristics of tourism and recreational use of the PROW as is required to define receptor sensitivity.’</i></p> <p>In addition, the Council considers that the Applicant should clarify how the DMRB LA112 approach to PROW assessment (which is principally concerned with impacts on journey length on a quantitative basis) addresses any aspect of user amenity, which is an additional dimension in terms of impacts on health determinants. This should supplement the passing reference made in para. 6.9.7, explaining how mental health and well-being are to be considered – the Council’s preference would be to see all aspects of PROW user experience brought together into the human health chapter (i.e. remove from the transport and access element, as currently drafted).</p> <p>The Scoping Report indicates that agricultural land use will also be scoped into the Population assessment, using the DMRB LA112 method. This will cover the physical loss of agricultural land and how it affects farm viability; however, without incorporating the human health dimension, this approach will not consider mental health and well-being impacts associated with changes to agricultural businesses and uncertainty around future viability, for example. This should be incorporated into the assessment and should include the cumulative loss of agricultural operations within the area.</p> <p>Para 6.9.11 of the Scoping Report refers to a separate socio-economic statement to be prepared. There is no commitment to then using this to inform the impacts of the scoped matters (agricultural loss, construction workers, operational workers, spend</p>
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¹⁵ [EN010132-000439-WB6.3.2.2 ES Appendix 2.2 EIA Scoping Opinion.pdf \(planninginspectorate.gov.uk\)](#)

		<p>and impacts from temporary workers) on determinants of health affecting the existing and affected population. The Council is of the opinion that this does merit consideration in the EIA process and the PEIR should expand on the detail.</p>
	<p>Promoted recreational routes</p>	<p>Promoted routes passing through or near the development include the North Buckinghamshire Way and Bernwood Jubilee Way. The Claydon Woods Circular walk and ride is also located within the site and is a popular promoted route. The attractiveness of any long-distance walk is strongly dependant on the likelihood of finding a pleasant environment in which to pass. The prospect of walking through a solar farm may deter visitors from attempting certain stages of these walks or rides. Therefore, the impact on the attractiveness of promoted routes needs to be assessed, including the proximity of the solar panels and battery storage areas and generous widths for routes would be required in mitigation. While it is appreciated PROWs beyond the 5km range across all three phases will potentially have a reduced impact due to the low likelihood of the proposed development being observed from distant views [and therefore proposed to be scoped out of the assessment], concerns remain that because of the long-distance nature of these routes, they will become less attractive for walkers, cyclists and horse riders passing within then outside the 5km threshold. The impact on all promoted routes should be scoped in with regards to the operational phase.</p> <p>Assessing the environmental impact of measures to make routes more attractive, such as proposed hedgerows using locally native species and fruiting and nut-bearing species for foraging opportunities, will be worthwhile. However, this needs to be balanced with the maintenance liability for the owner/occupier and the impact of hedges left uncut on the walking amenity, such as reduced widths. Mitigation could focus on making areas a destination for foragers to access high quality routes and there may be accompanying economic benefits for local businesses. These matters would most appropriately be addressed through a Human Health topic chapter as this allows for the complex interactions of impacts to be considered in an</p>

		inherently cumulative assessment methodology.
Human Health	Inclusion as a standalone topic chapter	<p>The Council does not support the approach proposed by the Applicant in respect of addressing health impacts of the Rosefield Solar Farm (see Chapter 5 comments). This is an overarching point relating to the methodology. The Council advocates the replacement of the Population chapter with a Human Health chapter, re-scoped in accordance with the IEMA guidance on scoping of health assessment in EIA; with the intention of applying the assessment of significance of health effects in accordance with the IEMA guidance on determining significance for human health in EIA.</p> <p>Para. 3.5 of the same guidance acknowledges that EIA scoping should be proportionate and where all relevant determinants of health are scoped out, the scoping report should include the justification for scoping out each wider determinant of health, as well as a clear explanation for the overall scoping out of health as an EIA topic. Para 3.10 indicates that <i>'where the implications of other EIA technical topics for population health are not clear at the scoping stage, then an EIA Report health chapter should be included'</i>. Further, para. 3.11 states <i>'the practice of solely relying on other EIA technical chapters to provide the coverage of human health (i.e. disparate discussion of health issues across the EIA Report), is not recommended and should not be the justification to scope out health in EIA.'</i> The Council is of the opinion that the Scoping Report as presented does seek to follow this approach, and the Council does not consider the Applicant's proposed approach to be satisfactory.</p> <p>The Council believes that the IEMA approach to health assessment more appropriately translates to the consideration of the potential for effects of a solar DCO development on relevant determinants of human health and could adequately incorporate the few elements of DMRB LA112 that have been scoped in for consideration by the Applicant. As part of this, the Council expects that the Applicant would then cross-refer to relevant data within the topic assessments that the Applicant is currently relying upon, but that these would be considered through the specific lens of impacts on health determinants</p>

		<p>and consequential effects and mitigation; to be reported in a dedicated health topic chapter in the ES.</p> <p>In the review of precedent undertaken by the Council in preparing this response, it is noted that within the PINS Scoping Opinion for the Tillbridge Solar Project, the Inspectorate supported the scoping in of a standalone health assessment within the ES (para. 3.6.2). Further, the Inspectorate stated that <i>'the ES should provide significance criteria for this assessment so that reader can understand the potential of any significant effects arising from the health assessment.'</i> (3.6.2). This advice was issued in November 2022, pre-dating the publication of the IEMA guidance in the same month – this guidance provides significance criteria that the Council asserts that the Applicant should use. In addition, the Inspectorate also stated that the ES should consider vulnerable populations within the health assessment (3.6.3). This is an element that the Applicant has not addressed – the Council would wish to see analysis of vulnerable populations within the updated baseline assessment presented at the PEIR. This analysis should be informed by consultation with the Council's specialist officers.</p>
	<p>Scoping determinants of human health</p>	<p>Table 5.1 of the IEMA guidance on scoping human health assessment sets out an indicative list of wider determinants of human health and could usefully be used to guide the Applicant. Para 3.2 of the same document advises that <i>'the Scoping Report should state why relevant determinants of health are scoped in or out, based upon specific factors described in the guide...[and]...may also refer to the temporal or geographical scope of the health assessment, the methods to be used, the health outcomes expected, and indicate how the community has been/will be engaged throughout the EIA and planning process'</i>. The Applicant should provide this information at PEIR, ideally having consulted with the Council in the preparatory stage.</p> <p>Para. 1.1.4 of the Scoping Report cross-refers to Appendix A as showing the maximum extent of land that would be included within the DCO application, noting that this covers all the options for components and is likely to be refined (Para. 2.3.2</p>

	<p>clarifies that Appendix A shows the area of land potentially requires for construction, operation, maintenance and decommissioning). Para 2.2.7 cross-refers to Appendix B as displaying the locations of the potential development and mitigation and / or enhancement as states that the worst case scenario for each receptor has been 'assessed' in the Scoping Report. The Council would like the Applicant to confirm that this covers all areas of off-site works that may be needed, as these will need to be included within the assessment.</p> <p>Para. 2.3.5 of the Scoping Report identifies the proximate settlements as Calvert, Middle Claydon, Botolph Claydon (directly to the north of Parcel 2 (2.3.7)), East Claydon (proximate to Parcel 3, and the National Grid substation (para 2.3.7)) and Hogshaw, Steeple Claydon, Edgecott, Shipton Lee, Quanton, Granborough, Winslow, citing a 3km distance from the site. Conservation Areas within some of these settlement exist and are noted in para 2.3.28. The Council expects that the human health study area would incorporate all of these settlements, which should be characterised.</p> <p>Para. 2.4.1 of the Scoping Report provides an overview of the elements that form the main features of the Proposed Development. These include a number of items that have the potential to affect determinants of health. The ancillary infrastructure includes elements that will merit consideration, particularly for the closest communities, for example, lighting, landscaping and boundary treatments, as well as highway works. The underground cabling work proposed will also be disruptive in the construction phase – para. 2.4.58 notes that open-cut trenching would be used for the majority, subject to any requirements for deeper trenches or specialist approaches where road crossings are needed, or environmental receptors necessitate a different approach. These elements all require consideration in terms of their potential to exert impacts on human health determinants.</p> <p>Para. 2.4.36 of the Scoping Report provides a description of the activities that are proposed for the Rosefield substation, which includes a control building, office space, material storage, welfare and</p>
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		<p>parking alongside other equipment. This is likely to be the part of the operational site that is the focus of movements and daily activities, as well as containing the tallest elements (some equipment up to 15 m in height) and it will be enclosed by permanent palisade steel fencing up to 3m in height (para. 2.4.60) together with pole mounted CCTV (up to 5m in height) (para. 2.4.61). The impacts of these aspects of the operational phase will be of greatest relevance to the communities proximate to its location as they will introduce activities and visual characteristics incongruent with the agricultural landscape. This needs to be adequately reflected in the scoping of the potential for effects on determinants of health.</p> <p>Para. 2.4.43 of the Scoping Report states that the BESS typically comprises a number of shipping container units, which could either be individual enclosures or housed in a large building. Given the nature of the BESS, it is anticipated that the heating, venting and air conditioning and electrical equipment are likely to give rise to localised noise/hum – this can be a cause of disturbance and annoyance for some human receptors, including users of PROW (human and equestrian impacts will be relevant) and needs to be appropriately reflected within the scope of the health assessment.</p> <p>Para. 2.4.50 of the Scoping Report indicates that the principal access route for the Site would approach from the south-west, from the M40 corridor via the A41. This is stated as bypassing the ‘sensitive’ communities of Calvert, Quainton, Botolph Claydon and East Claydon. Para. 2.4.51 states that the principal access junction will be located on Quainton Road. BESS access will be on Granborough Road, west of Lower Farm. Both of these are accessed via the A41, South Station Road, Snake Lane and Quainton Road. Paras. 2.4.52 and 2.4.54 both state the intention to liaise with Buckinghamshire Council to confirm the access strategy and arrangements, including the arrival of Abnormal Indivisible Loads (ALLs). It will be important to ensure that sufficient health assessment is undertaken to inform the formation of these routes and any associated mitigation strategies required.</p>
	Mitigation – initial	Para. 2.4.70 of the Scoping Report indicates that the

	proposals	<p>combined construction and commissioning period could be between 24 and 30 months (18-24 months of construction, then 6 months of commissioning). 2.4.71 identifies the types of construction activities. 2.4.78 and 2.4.79 commit to the provision and securing of an oCEMP – this is welcome and should be used as a means of addressing interventions that can lessen health effects on communities, for example, around control of the use of roads during construction and operation; and a well-conceived communication and engagement strategy that is inclusive in terms of the techniques used, seeks to avoid community anxiety and provides effective means for community member concerns to be heard and issues resolved swiftly.</p> <p>Para. 2.4.81 of the Scoping Report indicates that an oCTMP will be submitted in support of the DCO. The stated aims are to ensure road safety and effectively manage disruption. The scope may need to be broadened in response to the findings of the environmental assessment work at the PEIR stage and the Council wishes to see further definition of the proposed controls at this stage. The Council would also like to see a commitment to this also being secured through a DCO requirement, as per the oCEMP.</p> <p>Para. 2.4.84 of the Scoping Report relates to the Outline Operational Environmental Management Plan (oCEMP). The Council welcomes a commitment to this – it should also be secured by a DCO requirement. At the PEIR stage, the Council would wish to see additional detail on the controls to be incorporated to minimise the impacts on the environment.</p> <p>Paras. 2.4.87 and 2.4.88 of the Scoping Report relate to the management of PRoW throughout the construction and operation of the Proposed Development. The Council welcomes the commitment to an Outline Public Rights of Way Management Plan (oPRoWMP); however, it will be important for the Applicant to provide further information about what this will cover and how it addresses health effects, ideally at the PEIR stage, rather than waiting for the ES.</p>
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		<p>Para. 2.4.89 of the Scoping Report acknowledges the need to address battery safety around the BESS element of the Proposed Development. This is an important matter in relation to health and further information will need to be included in the PEIR to enable an understanding of the level of risk and how it is managed. This is in the interests of safeguarding physical health. The overall assessment will need to be reported in the ES.</p>
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Chapter 7 Cumulative Effects

In general terms, the Council welcomes the inclusion of a CEA process. The Council accepts the definition of the types of cumulative effects identified for consideration within this part of the EIA process; and the overall approach proposed to assessment. The inter-project and intra-project definitions are understood at a high level, but would benefit from expansion in the PEIR and ES.

The inter-project methodology is described more fully than the intra-project. The Council requires further clarification of how the intra-project cumulative effects assessment will be undertaken. It is suggested that the topics should address intra-project cumulative effects that may arise within their topic scope (e.g. more than one impact affecting the same receptor or biophysical feature); and clarify where the topic methodology itself already incorporates consideration of intra-project cumulative effects (e.g. the agricultural assessment is typically a product of combined impacts of loss of soils or land, severance, drainage and access). The cumulative effects chapter should then summarise findings from the topic assessments then extend the CEA to cover the intra-project cross-topic effects (i.e. where a receptor or biophysical features experiences more than one different type of impact, resulting in a different or more acute combined effect).

It is also noted that if the Applicant resists the Council's suggestions in terms of changing the health assessment approach, it may be possible to use the intra-project cross-topic CEA to provide a fuller consideration of relevant elements of the in-combination impacts that contribute to effects on determinants of human health. If the Applicant wishes to adopt this approach (noting that it would be a hybrid and not as readily supported as the IEMA guidance that the Council advocates as a preference), the Council would wish to be directly consulted on developing a suitable methodology.

In terms of inter-project effects, the Council wishes to see details of the projects that are to be considered. Para. 2.3.6 of the Scoping Report notes that an HS2 works area is adjacent to the western edge of Parcel 1 and 1a and is currently under construction. Para. 2.3.7 indicates that there is a conflict between the Rosefield Solar Farm and the mitigation planting of HS2 (50m incursion along the western boundary). Mitigation planting for HS2 runs along the PROW in the centre of the Parcel 1A Site – this highlights a further conflict. EWR is also referenced within the Scoping Report. The Applicant needs to be explicit about the full list of projects that are to be assessed and provide clear assumptions about how they interact with the Proposed Development, both spatially and temporally. This should be supported by consultation with

relevant stakeholders and referenced to publicly available documents (e.g. planning documents) as appropriate.

The cumulative assessment methodology taken for each specialist topic should be explicitly set out in the PEIR, enabling further comment. The methodology and proposed scope of the standalone CEA chapter will also need to be expressed, showing clearly the terminology and interaction between all of the different aspects of intra-project and inter-project CEA, both at the topic and cross-topic scale.

I trust this letter clearly sets out the position of the Council in respect of the Scoping Report submitted by the applicant.

Yours sincerely

Steve Bambrick

Steve Bambrick

Corporate Director – Planning, Growth & Sustainability

From: Feirn, Toby <[REDACTED]>
Sent: 15 November 2023 06:50
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Cc: .box.Landservicesworkrequest.GD16 <LandServices@cadentgas.com>
Subject: RE: [EXT] EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11 Notification

Dear Sirs.

Thank you for the attached letter.

I can confirm the projects falls outside of Cadent's operational area and as such does not have any comments.

We wish you well.

Kind regards

Toby

Regards

Toby Feirn
Planning and Consents Manager
COO - Operational Perfomance

Cadent
[REDACTED]

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**Application by Rosefield Energyfarm Limited (the Applicant)
for an Order granting Development Consent
for the Rosefield Solar Farm**

Consultation Response by East Claydon Parish Council

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1. Summary

Rosefield Energyfarm Ltd proposes to develop a solar power station on 875.47 ha (2,163 acres) of farmland across the East Claydon Valley and beyond. A development on this scale would have a huge impact on the environment, biodiversity, the farming community, local businesses and the well-being of neighbouring communities. Drawing on local experience and expertise, it is the view of the East Claydon Council that the Scoping Report (hereafter, 'the report') fails to address many of the key issues implicit in its proposals as follows:

Justification of selection of site and method of energy-generation

The Applicant suggests that it is "likely" that installation of a solar energy station is beneficial to the environment but provides no evidence of this, nor is there consideration either of alternative approaches to energy generation or alternative sites for the proposed scheme.

Definition of 'Site'

Throughout the report, the use of language lacks precision. This leaves the reader unclear as to the quality of data presented and, hence, the basis for the Applicant's assumptions and intentions. Notably, 'Site' is used variously to describe the overall development area of 875 ha or sub-parcels of land within that area. Matters are further confused by changing the scope of those sub-parcels between different sections of the report. Moreover, the report does not recognise potential interactions between the site proper and its immediate surroundings.

This approach undermines the entire basis for the scoping of the Environmental Impact Assessment (EIA).

Biodiversity and habitats

Desk-top and field surveys of the baseline biodiversity and habitat status have been limited to the (variously defined) sub-parcels of land within the red-lined, overall boundary area. In doing so, 45% of the total area has not been surveyed. Importantly, areas of ancient woodland, some designated SSSIs, either within or immediately adjacent to the overall development area have not been surveyed. These areas rich in biodiversity, including rare and endangered species, have not been adequately assessed.

The Applicant's approach to defining habitats on the basis of discrete parcels of land is fundamentally flawed. The surveys planned and undertaken to date are insufficient to inform the EIA on the baseline status and, therefore, the impact of the proposed development.

Visual impact

The proposed location of the solar panels and associated infrastructure would be highly visible to local communities and beyond. For example, some solar panels are to be installed on sloping land, contrary to accepted practice. The area's rich visual landscape, its flora and fauna contribute hugely to the amenity value of the area, not only to local communities but also to large numbers of walkers, cyclists and tourists from a wide catchment area. The negative impact of the proposed development on the landscape and its implications for its amenity value cannot be overstated.

Heritage

The area is fortunate in having retained many listed buildings and other structures and landforms dating back to the Medieval Period that help define the character of the villages, set in their rural surroundings. The Applicant has ascribed insufficient importance to these in the proposed scope for the EIA.

Land Use and risk of flood

Surveys conducted to date focus on sub-parcels of land. The Applicant is dismissive of the quality of the land and does not appear to have addressed the particular character of the soil type, the nature of existing drainage networks and their relation to run-off and watercourses. Parts of the area are subject to flooding, notably close to the proposed location for the scheme's sub-station. The scope of the EIA does not address these issues adequately.

Cumulative impact

Although acknowledged in the report, it is not clear how the Applicant intends to address the cumulative impacts of the proposed development together with those of other local, major infrastructure projects. These include, but are not limited to, HS2, East-West Rail, Grendon Underwood Prison and other local proposed or approved solar energy and battery storage projects. Together they involve huge loss of land, and associated habitats and biodiversity, destruction of the road infrastructure and other assets, major inconvenience to residents and erosion of their mental well-being. These developments continue to disrupt local communities and will do so on a permanent basis.

The Applicant has declined to comment on the need for the East Claydon National Grid Sub-Station to be expanded to accommodate the claimed 500 MW output from the solar installation. The land take for any such expansion and its environmental impact must be considered as part of the cumulative effects of the scheme.

Socio-economic impact

It is recognised that the scope of the EIA must follow individual, prescribed elements, but the thread that runs through the entire proposed development is its socio-economic impact. This receives little consideration in the Scoping Report but is key to assessing the environmental impact in its fullest sense.

Consequences of the proposed development are not limited to the headings above. Eviction of tenant farmers from their farms, many of them from generations of farmers, is not only a huge loss in respect of livelihoods but is a loss to the community in terms of land management, local food production, habitat development and preservation and to the whole local economic structure. Other local businesses are directly dependent on the health and maintenance of local agriculture. Three local businesses alone employ around 100 staff between them. Their dependence on the land and local farming communities means that their viability would be threatened by the proposed development and so those jobs would be at risk. It would be a relatively simple task to list those jobs that would be lost as a result of this proposed development, and those that would be gained, and to rank these as high-, medium-, and low-skilled. Without this, the report would be incomplete.

A full and transparent socio-economic impact assessment is a fundamental requirement towards understanding the true environmental impact of the proposed scheme.

2. Introduction

The Parish of East Claydon includes the villages of Botolph Claydon and East Claydon. The proposed development by Rosefield Energyfarm Ltd, if granted a Development Consent Order, would have far-reaching consequences for our villages and others in the locality, their socio-economic well-being and the surrounding countryside.

It is our view that the Applicant's Scoping Report (hereafter 'the report') has major shortcomings and we welcome the opportunity to provide our comments. The report lacks precision in its language (the phrase 'a number of' appears 18 times in the report and 20 times in the Appendices) and all too easily dismisses issues of importance as being unworthy of serious investigation.

We have grouped our comments under the main headings adopted in the report and have based them on careful consideration of its content together with the associated appendices. Our comments are accompanied by responses to the Scoping Questions posed under Section 6 of the report.

3. Definition of 'Site'

Definitions of the Site and Site Boundary are misleading and vary throughout the document.

Para 1.1.4 of the report states, *"It is important to note that at this stage, Appendix A shows the expected maximum extent of land that would be included within the DCO application, which includes all land being considered for the purposes of the Proposed Development, and provides a 'plan sufficient to identify the land' for the purposes of this EIA Scoping Report."*

The figure in Appendix A shows the 'red line' boundary for the maximum area of 875.47 ha considered for development. However, subsequent references to 'Site' refer to sub-parcels of land, denoted 1, 1a, 2 & 3 which, the Applicant states, are the principal locations currently under consideration for the solar panel installations and associated infrastructure. Further confusion arises as a result of changes in the areas attributed to those sub-parcels.

The claimed maximum permanently affected areas of land are stated (Scoping Report 2.3.7) as follows:

Parcel	Area (ha)
1	183
1a	15
2	228
3	55
Total	481

On this basis, 54.9% of the overall site area (875.47 ha) would be occupied by solar panels, collectors, inverters, battery storage units, sub-station and other infrastructure. Note that this is the area the Applicant states will be permanently affected. It is inevitable that large areas of the remaining 45.1% will be affected by installation of cabling, construction work, operation and eventual decommissioning of the site.

Section 2.3.1 of the report contains the internally contradictory statement, *"The Site measures approximately 875.47 ha (excluding the East Claydon National Grid substation) and extends across four separate parcels of land (Parcels 1, 1a, 2 and 3)"*. Referring to the overall land take, Section 2.3.3 goes on to say *"This allows for consideration of the potential environmental effects of the full range of options under consideration, to ensure that the likely significant environmental effects of each of the component options has been scoped into the assessment."* If surveys are limited to the four sub-parcels of land, this statement cannot be true.

The nature of the landforms within the Site is also important. Building Research Establishment's Planning Guidance for the Development of Large-Scale Ground Mounted Solar PV Systems states, *"Land selected should aim to avoid affecting the visual aspect of landscapes, maintain natural beauty and should be predominantly flat"*. It is clear that much of the land proposed for installation of solar panels is on sloping land. What is the Applicant's justification for discounting BRE's guidance?

3.1 Uncertainty through adoption of the Rochdale Envelope

The Applicant has indicated the intention to adopt the 'Rochdale Envelope' to allow for flexibility in defining the scope of the proposed development and, hence, its potential impact on the environment. As noted above, definition of the parcels of land (1, 1a, 2 & 3) has changed during the course of the surveys described in the report and Appendices.

It is apparent that work to support the various aspects of the report has been in progress for some 2-3 years. This should have provided the opportunity to solidify the scope of the proposed development. However, during the period of informal consultation with the Applicant, there has been huge uncertainty as to their intentions. This includes, but is not limited to the question as to whether (as we believe is the case) the National Grid East Claydon Sub-Station will require expansion in order to accept the claimed 500 MW output of the proposed development. Where would such expansion take place and on what scale? Would it affect the proposed location of the Applicant's planned infrastructure? This information is fundamental to informing the cumulative impact element of the EIA.

The Rochdale Envelope concept leaves open the possibility that the Applicant may determine that areas outside Parcels 1, 1a, 2 & 3 are required for installation of further solar panels and associated infrastructure in order to justify the 500 MW connection it claims to have secured from the National Grid.

The Applicant has declined to discuss the number of solar panels required to generate the proposed 500 MW output or, indeed, their exact location. Based on our own estimates, approximately 465 ha would be required for the solar panels alone. From the information provided in Section 2.4 of the report at least a further 10 ha would be required for the collectors, inverters, transformers, sub-station and battery storage infrastructure. Together, this would account for the entire area of Parcels 1, 1a, 2 & 3, leaving no space for the 'mitigation and enhancement' claimed for these areas in the Concept Masterplan at Appendix B.

Taking an alternative approach, widely published estimates of the land take for solar energy installations suggest that an area of 5 acres/MW is required. If that is correct, a 500 MW scheme would require 2,000 acres (809 ha) which would leave just 66 ha (7.5%) of the overall site available for habitat mitigation and biodiversity net gain.

It is imperative that greater transparency as to the true scope of the proposed development is adopted as part of the EIA.

We are aware of three other solar and battery storage installations in the area (either approved or planned), all of which would depend on connections to the East Claydon Sub-Station. Given their close proximity, it is imperative that the Applicant gives careful consideration to the cumulative impact of these developments and includes them in the EIA.

Added to this, the area has been subject to huge disruption from major infrastructure projects (notably HS2, East-West Rail [EWR]) over many years. This will continue as construction proceeds and their eventual operation. The far-reaching, negative impacts of these programmes on the environment, local infrastructure and communities cannot be overemphasised and must be considered as part of the Applicant's EIA.

Given that the majority of surveys described to date are limited to the sub-parcels of land, and there is no clear definition of 'Site', we have no confidence in the limited scope proposed for the EIA. We make further reference to the confused definition of Site in subsequent sections.

3.2 Biodiversity

In Sections 2.3.20-21 of the report, reference is made to the numerous areas of ancient woodland, some designated as SSSIs, that are contained within the overall site boundary or are immediately adjacent to the boundary. The area around Hogshaw Hill Farm to the east of the site has a rich biodiversity which includes the rare marshland beetle, *Limnichus pygmaeus*, found in artesian ponds, a relic of the last Ice Age. The Applicant has failed to acknowledge the importance of these areas and has excluded them from its surveys. In our view, this shows clear lack of understanding and/or negligence. We return to this point under Biodiversity below.

The report also fails to acknowledge the well-documented importance of this area for autumn migrant birds. It further fails to acknowledge current efforts and investment to re-introduce birds such as curlew which are now rare or absent, but which have a good and imminent chance of spreading into the site area from sites nearby where they are already established. The report compounds this omission by saying that snipe do not occur at the site; this is untrue.

3.3 Reasonable alternatives

During informal consultation events held on behalf of the Applicant, representatives were unable to provide information or evidence on any alternatives considered, be they alternative sites for solar energy or alternative forms of renewable energy generation.

Section 3.1.2 of the report states. *“The ES will include a description of the reasonable alternatives that have been considered, including a clear narrative on the main reasons for selecting the chosen option, including a comparison of the environmental effects. The reasonable alternatives assessment will focus on; the site selection process, design layouts / opportunities within the Site, the sizing and scale of infrastructure, and alternative technologies.*

As part its narrative on this point, we would expect the Applicant to provide a detailed analysis of the net greenhouse gas emissions (GHG) associated with the complete life-cycle of the production, installation, operation and decommissioning of the solar energy installation in its entirety set against the negative impact associated with loss of carbon capture etc. (See also under 6.3.14 Scoping questions below).

3.4 Consultation

The Applicant states under Section 4.2.1 that *“Consultation alongside the EIA process is critical to the development of a comprehensive and proportionate ES.”* Our experience through the informal consultation period was wholly unsatisfactory. There was great reluctance to provide adequate detail of the proposed development area which made it difficult for residents and parish councils to express a meaningful view on the matter. The Applicant’s lack of knowledge and understanding of the area and its communities was deeply concerning, as was the failure to commit to transparency in the consultation process.

It is to be hoped that, in any future consultation, the Applicant will be both better-informed and transparent in their dealings with communities that are understandably alarmed by the proposed development.

It is noted that Section 4.2.6 does not include parish councils in the list of consultees. We trust that this is not an intentional omission.

3.5 General difficulties and defining the study area

Under Section 4.3, the Applicant outlines difficulties and uncertainties. We agree that there are significant risks associated with reliance on third party data and this is commented upon in 6.2.14 Scoping questions below.

As has been alluded to already, we have grave concerns regarding the inadequacy of the study areas described under the various headings in Section 6 of the report. These are discussed in more detail under the relevant sub-sections.

Reliance on desk-top analyses is no substitute for on-site surveys and seeking out local knowledge. We are aware of all too many inappropriate conclusions drawn from such analyses in relation to planning applications. Definition of baseline conditions must also be cognisant of other developments, planned or in progress, in the locality.

3.6 Mitigation

For reasons discussed under our comments under Section 6, we regard it as disingenuous to imply that the impacts of a development on this scale can be mitigated or the landscape 'enhanced' (Section 4.10).

4. Environmental factors proposed to be scoped out of further assessment

We note that, under Section 5.2, it is proposed that 'Glint and Glare' should be considered in a document separate from the EIA. We disagree with this approach. The Applicant seems to be focussed principally on any potential impact on aviation and rail services, with little consideration for residents, tourists and livestock.

The proposed solar arrays would be mounted on steeply sloping as well as more level terrain. As such there is considerable potential for them to be viewed at changing angles over large areas. In addition to the potential for glint and glare to be disturbing to the human population, it is well known that horses are easily spooked by sudden changes in circumstances. The potential threat to the large numbers of horses in the area must be considered. As such, it is our view that glint and glare should be covered in the EIA.

4.1 Flooding

In Table 5-1 of the report, it is stated that the Site is not considered to be at risk of river flooding or surface water flooding. This is contradicted in Section 5.9.3 where it is acknowledged that areas of Flood Zones 2 and 3 encroach onto the site (notably the proposed location for the scheme's sub-station). We are aware of sections of the overall site that are prone to flooding.

The prevailing soil type is clay and the area has a network of established agricultural land drains. In Section 2.4.63 of the report, the Applicant offers two options for drainage on the proposed development. The second option (i.e. *"if during the construction any of the infrastructure interrupts the existing section of land drainage, then new sections of drainage would be constructed."*) fails to understand the nature of the existing network of mole drains that have to be redrawn every 5-7 years. Without these, the risk of increased run-off from the site (and, hence, flooding) would be greatly increased but, once the solar panels and other infrastructure have been installed, redrawing them would not be possible.

Following the installation of solar panels, rainfall will effectively be localised to the small area below the lower panel edges which will greatly impact the impermeable nature of the site. This localisation of precipitation will overwhelm the soil's already low ability to soak it up, leading to potential run off.

It will be noted also from Plate 5.2 in the report that the ancient woodlands within and adjacent to the site are amongst the most vulnerable areas to flooding at times of extreme rainfall. Disturbance of the established drainage system, removal of topsoil, compaction of ground during construction, the linear run-off from solar panels, excavation of cable trenches and the large areas of impermeable surfaces associated with the large infrastructure will all combine to alter the hydrology of the area. This is tacitly acknowledged in Section 5.9.27 and must be considered in the Applicant's submissions.

4.2 Human health

It is widely recognised that there has been a major negative impact of the major infrastructure projects, HS2 and EWR on local communities in general and individuals in particular. The high level of stress associated with these undertakings has taken its toll which, for some individuals, has been catastrophic.

The potential for the proposed solar energy station to add to this self-evident. We cover this point under 6.914 Scoping questions below, but our position is very clear; it is imperative that a full and transparent socio-economic analysis of the impact during all phases of the project must be included as an integral, indeed, central part of the EIA.

4.3 Material assets

Under Section 5.8.6, the Applicant states, *“However, where possible, soil arisings will be balanced through a cut and fill exercise to retain volumes on Site.”* This raises concerns as to the Applicant’s intentions in terms of land profiles, additional HGV traffic and the potential for reinstatement of the land at the end of the operational period and so the topic should be covered within the EIA and ES.

This is considered further under 6.5.14 Scoping questions below.

4.4 Water

Sections 5.9.18-30 are full of contradictions regarding the discharge of waste water into the public foul water sewers which renders the Applicant’s intentions unclear. In view of that uncertainty, the scale of the project and the sensitivity of watercourses and local habitats, we submit that water quality, water pollution and increased foul water flows into the public sewer network should be included in the EIA.

5. Environmental factors proposed to be scoped into further assessment

We have reviewed this section of the Scoping Report together with the corresponding information presented in the Appendices.

5.1 Air quality

A desk-top study (Section 6.1.3) is unlikely to be sufficient to inform the EIA. Pollutants from the Greatmoor incinerator plant are carried on the prevailing wind towards the proposed site as are those associated with the HS2 and EWR projects, as noted at 6.1.5 of the report.

5.2 Biodiversity

The extent of the negative impacts of the proposed development cannot be over-estimated. We find the studies conducted to date and the proposals for the EIA to be woefully inadequate for the purpose of accurately and transparently assessing those impacts.

APPENDIX F BIODIVERSITY REPORTS AND FIGURES

Appendix F-1 PEA September 2021

Preliminary Ecological Appraisal Report May (PEA) 2022

As noted under Section 3. Definition of Site above, the total area of the site is given as 875.47 ha (2,163 acres) –However, the claimed maximum permanently affected areas are stated (Scoping Report 2.3.7) as:

- Parcel 1 – 183 ha
- Parcel 1a – 15 ha
- Parcel 2 – 228 ha
- Parcel 3 – 55 ha
- **Total 481 ha = 54.9% of overall site area**

The ecological assessment is focussed on the four parcels designated 1, 1a, 2 & 3. These roughly correspond to the currently proposed locations for the solar panels and the associated infrastructure (although we have serious doubts as to whether this represents the true extent of the land take – see under 3.1 Uncertainty through adoption of the Rochdale Envelope above). No assessment appears to have been undertaken on the areas scheduled for the cable runs, intra-site haulage routes or the adjoining land areas, including important ancient woodlands, some of which are designated SSSIs, and other key habitat areas.

The proposed Site falls within the Claydon Estate which has managed the land, directly or through tenant farmers and other arrangements through many generations. The Estate's website includes the following statements:

Biodiversity

Being part of the government's Countryside Stewardship scheme, means that we are committed to managing a landscape that is rich in wildlife.

Approximately 10% of our land is now wildflower-rich, through the planting of wildflower seeds, wild bird seed and pollen and nectar mixes, creating flourishing wildflower corridors that are a valuable food source for both pollinating insects and wild birds.

Woodland Management

Claydon Estate's 600 acres of woodland is an important habitat for flora and fauna. We have an ongoing responsibility to maintain and protect all areas of the woodland, in particular the sites of specific scientific interest (SSSI), which provide a home to an extensive variety of wildlife and rare species.

These statements do not appear to be reflected in the Applicant's assessment of the site.

Woodland around the proposed site has indeed many rare and unreplaceable species of flora and fauna. The animals and plant life found around these ancient woodlands have a symbiotic relationship with each other and rely on both woodland and the open arable land adjoining the woodland to sustain their own particular species requirements. The scrapes and ponds introduced by generations of farmers form part of the landscape and provide habitats which appear to go unnoticed in the ecological assessment.

National and local policy requires that developments must not adversely affect wildlife corridors. By restricting ecological surveys to limited parcels of land and ignoring adjoining rich habitat areas, a full understanding of existing wildlife corridors across the 875.47 ha site cannot be realised. It follows, therefore, that the impact of the proposed development will not be fully understood. As noted under 2.2 (Vale of Aylesbury Local Plan), Policy NE5 states: *"Considering development involving potentially adverse lighting impacts to wildlife, the council will expect surveys to identify wildlife corridors and ensure that these corridors are protected, and enhanced where possible."* The Applicant's approach to the PEA would not allow them to comply with that policy requirement.

Of course, interruption of wildlife corridors is not limited to the impacts of lighting. The physical barriers introduced by the proposed development (e.g. between areas of ancient woodland) have the potential to disrupt those corridors. The Applicant's approach to the ecological appraisal fails to capture the potential for such impacts.

The PEA cannot, therefore, provide a true picture of the entire 875.47 ha site and, consequently, the impact of the solar energy installation during construction, operation and decommissioning. It is fundamentally flawed.

The report is dated May 2022 and so does not necessarily represent the current status. Of particular note is the area adjacent to HS2 and EWR workings which will continue to impact on the local environment over coming years, both during extensive construction works (including the proposed HS2 maintenance depot) and eventual operation of rail services. The 'baseline' thus remains unstable and various species are likely to be displaced to surrounding areas.

There is the further issue of the proposed 25 MW solar development at Tuckey Farm (63 ha; Planning Application 19/00983/APP; approved), Statera proposed 500 MW battery storage installation (25.9 ha; Scoping Opinion Request 23/01438/SO) and proposed Wings Farm 49.9 MW solar installation (70.7 ha; Scoping Opinion Request 23/01939/SO). Each of these adjoins land proposed for development by Rosefield Solar and so surveying discrete parcels within the 875.47 ha site is wholly inadequate.

Under Section 2.2 (Vale of Aylesbury Local Plan), the Applicant cites Policy NE8 which states: *"Development that would lead to an individual or cumulative significant adverse impact on ancient woodland or ancient trees will be refused unless exceptional circumstances can be demonstrated that the impacts to the site are clearly outweighed by the benefits of the development."* Failure to survey the areas of ancient woodland

encompassed within or adjoining the proposed development site risks unknown or unintended adverse effects were the development to proceed.

National Grid Sub-Station

It is our understanding that the existing East Claydon National Grid Sub-Station does not have the capacity to accept the proposed 500 MW input from the Rosefield scheme and so would require expansion to enable the required connections. (The same applies to the proposed Statera battery storage installation [23/01438/SO]). Clearly, any expansion of the sub-station would have a very significant impact on land use, ecology, transport, overall timeframe of construction and the local population. However, our enquiries during informal consultation seeking clarification from Rosefield Solar on the requirement for any expansion were met with the response that it is an issue for the National Grid.

It is self-evident that plans for expansion of the National Grid Sub-Station must form an integral part of the Scoping Report and, hence, EIA.

Range of species studied

It is noted that, for the most part, the survey does not include mammalian species other than bats, badgers and otters. There is brief mention in the PEA of dormice and water voles but these are largely dismissed on the basis of perceived lack of habitats, presumably assessed only within the limited sub-parcel study areas. Given that mammalian species form an important part of the overall interdependencies of the local ecology, we are concerned that the resultant surveys do not provide a true picture of the range of species and habitats across the 875.47 ha site. Failure to survey adjoining areas of woodland further amplifies the resulting deficiencies.

We submit that dependence on HS2 surveys to inform the situation on the present site is ill-advised.

3.3 Desk Study and Field Survey Limitations

The Applicant is right to highlight the limitations inherent in desk and field study surveys and is correct in stating that “*a lack of records for a particular habitat or species does not necessarily mean that the habitats or species do not occur in the study area.*” Indeed, this is apparent from the results of the studies embodied in the report. It is clear from local knowledge that some species are grossly underrepresented and others completely missed from the survey data.

Table 5,1 lists some of the species are known to inhabit land within or adjoining the overall (875.47 ha) site but ,either have not been identified or reported, or are underrepresented in the various surveys.

Table 5.1 Species present within the Site but not reported or underreported in the Scoping Documents

Birds	Reptiles	Amphibians	Invertebrates
Barn owl	Common lizard	Palmate newt	Elephant hawk moth
Little owl	Grass snake	Common toad	White Admiral
Tawny owl	Slow worm		
Sparrowhawk	Smooth newt		
Jack snipe			
Kestrel			
Nightjar			
Redstart			
Swallow			
Swift			
Wheatear			
Whinchat			
Woodcock			

5.2 Constraints and Requirements for Further Survey

The whole thrust of the ecological assessment by the Applicant to date appears to be predicated on the assumption that habitats and associated wildlife can be defined as arbitrarily defined, discrete areas that are the principal focus for development. The natural flora and fauna do not respect such constraints and we submit that the Applicant’s approach is fundamentally flawed and therefore misleading in its conclusions.

In the absence of a clear understanding of the woodland habitats within and adjacent to the proposed development site, we have grave concerns that the impact of the proposed 25 metre buffer zones and boundary fencing will not be fully assessed or appreciated by the Applicant. It is our view that is that the proposed development is highly likely to negatively impact important species having principal habitats in the woodlands but are dependent on territories outside them. Of particular note in this respect are the various populations of bats, including red-listed Bechstein’s bat, known to be present in the woodland areas encompassed within or adjacent to the site. These are dependent on foraging areas across the entire 875.47 ha site. Presence of Bechstein bats was a key determinant in shaping the HS2 project in the locality. The Applicant should demonstrate close and detailed consideration to the populations resident in woodlands that would be affected by its proposed development.

Appendix A: Legislation and Policy

The Applicant draws attention to Paragraph 182 of the NPPF which states that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”*. We submit that, given the limitations of the data obtained from desk and field surveys to date, the Applicant is not in a

position to conclude that the project will not adversely affect the integrity of the habitats within the proposed development site and adjoining areas, including ancient woodland.

Appendix B: Figures

It will be noted that the areas defined for Sub-Parcel 2 in Figures 1-3 differ from those in other studies.

We are concerned that a number of photographs and target notes relating to Fig. 4.1-4.2 have been redacted from the report. We have not found an explanation or justification for doing so.

APPENDIX F-2 WINTERING BIRD SURVEYS OCTOBER 2021 - MARCH 2022

3.2 Field survey

The survey area is defined as that *“included all habitat within the Site and a 50 m survey buffer.”* There being no further definition of the site, we assume that this means the four parcels 1, 1a 2 & 3, referred to previously for other field studies.

By way of example, we are aware of large flocks of fieldfares and redwings that are observed each year across the entire 875.47 ha development site. We submit that the inadequacies of the surveys to date cited under 3.4 Assumptions; Field Survey are understated. The additional surveys proposed under 6. Conclusions for Parcel 2 are unlikely to provide a true picture.

APPENDIX F-3 BREEDING BIRD SURVEYS MARCH 2022 - JUNE 2022

1.3 Site Description

The report again confuses the definition of ‘Site’ which, we conclude, is not the overall development site but is limited to the four parcels of land designated 1, 1a, 2 & 3.

3.4.2. Field survey

Given the comment under 1.3 above we cannot agree with the report’s statement that, *“It is considered that sufficient representatives of all habitat types and species were covered within the entirety of the survey period, to allow for a comprehensive assessment of bird species and assemblages present within the Scheme boundary”*. It is inconceivable that “all species” could have been covered during the survey period of August and September which is not relevant for, as an example, autumn migrant birds.

Table 4-1 summarises breeding status, number of territories and conservation status of birds recorded within the survey area for each scheme area. Local knowledge and experience inform us that the numbers and range of species reported here are underrepresented (see also Table 5.1 above). Amongst those not reported are examples of rare and endangered species. For example, the conclusion that the presence of barn owls is only ‘possible’ is an extraordinary statement given the frequent sightings and known nesting sites in the area. This further highlights the deficiencies in the scope of the studies and failure to assess the overall proposed development site.

APPENDIX A: FIGURES

The ‘Distribution of territories for species of conservation concern’ for the four parcels of land surveyed, as illustrated in Figs 2a-r, is further evidence of the inadequacy of the focussed areas investigated. It is clear that there will be overlap of habitats between areas not investigated, both within and outside the proposed overall development site.

APPENDIX B – NOTEWORTHY SPECIES RECORDS

It is not clear how negative records of presence of a species in this table relate to statements earlier in the report (e.g. confirmed presence of common toad, cinnabar moth, common frog, meadow pipit, woodpigeon, yellow wagtail, etc.).

APPENDIX C

Several photos/target notes have been redacted. No reason has been given.

APPENDIX D – TARGET NOTES

Some of the photographs and notes have been redacted. The Applicant should state the reasons for doing so.

APPENDIX E PROPOSED STRUCTURE OF THE ENVIRONMENTAL STATEMENT

Chapter 13 (Population) should include a detailed analysis of the local socio-economic impact of the proposed scheme. Without this, the true environmental impact cannot be assessed. (See comments under 6.9.14 Scoping questions below).

APPENDIX F-4 Great Crested Newt eDNA Survey May 2022 and April 2022

Section 1.1.3: Whilst the scope of this study covers a broader area than the other ecological surveys, the following statement is noted; *“The scope of field surveys was restricted to water bodies within ownership of the Claydon Estate (the landowner). No access to any land outside of the ownership of the Claydon Estate was provided.”* It should be added to that some of the potential GCN habitat locations within the proposed overall development site (875.47 ha) have been excluded from the analysis on the basis that they are >250 metres from the site. Presumably this means >250 m from one of the sub-parcels of land, NOT the site overall.

In any event, the entire study should be discounted because the boundaries for the individual study sites as defined in Fig 1 do not correspond to those in the Site Masterplan (the latter being significantly larger areas than those given in Fig 1).

APPENDIX F-5 PEA JUNE, JULY, AUGUST AND OCTOBER 2023

Section 1.1.1: As in other parts of the Ecology sections, ‘Site’ is referred to in the singular, giving the impression that it refers to the entire 875.47 ha area and yet it is clear from Fig.1 of the PEA that it refers only to the four sub-parcels of land within that area. It is disingenuous to suggest that the report provides a comprehensive review of the status quo and the areas that could be affected by the development.

Badgers: 3.3.27

This section has been redacted without explanation.

Habitats and plants: 4.4.2-3

It is noted that the ‘Site’ is *“considered to be of national importance for bat and invertebrate assemblages, and at least of county value for other fauna species.”* Furthermore *“Loss of these habitats would also result in a loss of suitable resting, foraging and breeding habitats and ultimately potential loss of these species. These habitats should be a focus for protection and enhancement for ecological purposes.”* Contrary to this statement, the areas selected for study exclude a number of those that are quite clearly important habitats for these species.

Birds: 4.8.2

For reasons discussed above, the true extent of species diversity amongst breeding birds across the proposed development site overall has been underestimated.

4.14. Validity of Data

We contest the validity of the data, both in terms of the limited areas surveyed and the absence of reports of species known to be present both within and adjacent to the proposed development site.

Further Surveys Required – Great Crested Newts: 5.2.3

Given the scale of the proposed development, we suggest that a District Level GCN Licence should be strongly resisted. If the rationale for doing so is that mitigation for GCNs could be achieved through transfer of existing populations to sites further afield, it should be understood that it would have a significant impact on populations across the local area and should be avoided.

Breeding Birds 5.2.6

Barn owls, little owls and tawny owls are known to inhabit the area and so proper surveys must be undertaken.

Opportunities for Enhancement: 5.4.3

Given the extent and variety of species identified within the limited areas of study, it is likely that similar and, indeed, other species and habitats will be present in the 45.1% of the overall development site not studied, as well as the adjoining significant areas of ancient woodland. It is difficult to see how the 'lost habitat' could be replicated on the remainder of the site.

Hedgerow Regulation Survey Results: Fig 4 (1-10)

In these figures, hedgerows are designated as Important (Yes or No). However, on p82 of the document there is a footnote stating "*N.B A hedgerow may also be classified as 'important' due to the presence/recorded presence of a particular animal and plant species (see Criteria 6 subparagraphs (1)-(4) of the Regulations for details). This has not been considered in our assessment as we do not currently have data of this type that could contribute to the assessment.*" On this basis, it is assumed that additional surveys are required in order to confirm the assigned Yes/No designations. In any event, this is needed to inform the assessment of the flora associated with hedgerows.

APPENDIX F-6 OTTER AND WATER VOLE SURVEYS JUNE 2023 AND AUGUST 2023

It is noted that evidence of the presence of otters was found in watercourses WC41, 43, 44 & 48. Figs 3 & 4 give the erroneous impression that the various branches of the watercourse that include WC40-53 terminate at the arbitrary 200 m boundary, whereas they form just part of a more extensive system of watercourses. Thus, given that evidence of the presence of otters was obtained within the search area, it seems likely that there is potential for a wider presence along that system complex. WC48 defines the south-eastern boundary of sub-parcel 3 and so the presence of otters here has an important bearing on the assessment of environmental impact of the proposed development.

The statement in Appendix F-7 (Section 2.3.2) that "*Surveyors also found the watercourse in Site 3 was largely inaccessible due to dense woodland scrub on the right bank and a steep, densely vegetated left bank. Inaccessible banks combined with a narrow channel (c.1 m*

width) rendered this site unsuitable for survey,” places additional caveats on the overall conclusions for this location.

Under Section 2.2 (Vale of Aylesbury Local Plan), the Applicant cites Policy NE2 states: *“Development proposals must not have an adverse impact on the functions and setting of any watercourse and its associated corridor.”* It is not clear how the Applicant proposes to comply with this policy requirement.

5.3 Cultural assets

APPENDIX G CULTURAL HERITAGE STAGE 1 ASSESSMENT AND FIGURES

Houses and Cottages (Section 1.2.2): The Applicant states that for *“The majority of listed houses and cottages are small dwellings within settlements. ... all derive significance and their principal reason for designated from the architectural and historic interest inherent in their fabric as examples of vernacular architecture. The wider rural surroundings of these buildings makes a minor contribution to their significance and in most cases the site visit undertaken on 10/10/2023 has indicated that the setting of the buildings will not be altered by the presence of the proposed development due to the distance from the Site, topography and intervening vegetation or buildings”*. We don't agree that all of the relevant buildings have been considered in this analysis. Furthermore, as presented, the scope fails to understand that the development of these buildings and their settings over centuries was integral to their rural communities and so cannot be set aside from their surrounding environment.

5.4 Land and soil

APPENDIX H LAND AND SOIL FIGURES

We are greatly concerned by the approach of limiting surveys to the sub-parcels of land. Failure to undertake studies across the entirety of the overall site risks unanticipated damage to the soil structure, hydrology and water quality.

5.5 Landscape

APPENDIX I LANDSCAPE FIGURES

The Zones of Theoretical Visibility (ZTV) shown for solar panels, collector compounds, battery storage areas and sub-station in Figs 1-5b contradict statements in Appendix G (1.1.2) regarding intervisibility. It is extraordinary to suggest that certain heritage assets do not derive their heritage significance from their setting.

The ZTVs serve to confirm the devastating extent of the potential impact of the proposed development on the whole of the Claydon Valley and beyond.

Buckinghamshire Council has a policy to promote tourism across the county. The Claydon Valley is a very popular area for walkers and cyclists. Section 6.6.5 of the report acknowledges the various Aylesbury Vale Landscape Character Assessments relevant to the proposed development site and to the PRowWs that cross the site. It correctly identifies that *“Recreational users of PRowWs would likely be some of the most sensitive visual receptors of any change in the landscape.”* What it fails to acknowledge is the impact of the installation of vast areas of solar panels behind high security fences, topped with CCTV cameras, on the visual amenity of the PRowWs. By way of example, the route, much loved by walkers, rising along Splash Lane towards Runts Wood with skylarks singing above would be reduced to an industrial site devoid of the rich birdlife that inhabits the area.

The table at Section 6.6.8 of the report includes a series of important statements. The impact of the proposed development on areas classified under eleven Landscape Character Assessments (LCAs) and one Area of Attractive Landscape (AAL) is described as *“there is likely to be a direct [or indirect], large scale change to characteristics of the landscape within part of that area.”* Against that background, it is difficult to see how that Applicant’s statement at 6.6.10 *“A comprehensive landscape mitigation strategy for the entire site will be developed and will seek to deliver significant landscape as well as biodiversity enhancement”* can have any credibility.

Fig 6 identifies two sites as Tourist Receptors, Hogshaw Farm & Wildlife Park and Claydon House. The former attracts large numbers of visitors throughout the year. Under Section 6.6.8 of the report it is stated, that the local area LCA 5.7 Hogshaw Claylands (in which Hogshaw Farm & Wildlife Park is situated) *“there is likely to be a direct, large scale of change to characteristics of the landscape within part of this LCA”* but there appears to be no consideration of the impact on the centre’s future prospects.

Claydon House attracts tourists from a wide catchment area, but local walkers and cyclists provide a large proportion of the visiting population. Section 6.6.8 of the report notes that there may be views of the solar installation from Claydon House. Land identified by the Applicant is part of the Claydon Estate. It is a paradox that the proposed development would have a major impact on the visual amenity of the area and therefore remove its attractiveness from a tourism perspective.

The Applicant is correct in noting at 6.6.12 that other major infrastructure projects are underway or planned in the same locality and that these must be considered in assessing the impact of the proposed scheme.

5.6 Terminology

APPENDIX J GLOSSARY AND ABBREVIATIONS

The definitions of Site and Site Boundary are misleading. These terms are used variously throughout the document to describe the site overall (e.g. Appendix A - 875.47 ha) or sub-parcels (designated 1, 1a, 2 & 3 in Appendix B), the latter relating to areas of land that, in themselves, are not consistently defined between the various sections of the document.

The Glossary in Appendix J offers yet another definition of ‘Site’.

6. Scoping questions

6.1.14 Scoping questions (Air quality)

• Do you agree with the proposed list of consultees?

As noted by the Applicant, Buckinghamshire Council has very few, if any, air quality monitoring stations in the area. The NO₂ monitoring point in Winslow is not relevant to local conditions. The Applicant should thus commission independent measurement of key determinants of air quality.

• Do you agree with the proposed study areas?

The definition of Site is not clear and is not used consistently in the scoping documents. For the purposes of this section, is 'Site' limited to sub-parcels 1, 1a, 2 & 3? The area is subject to frequent periods of high wind speeds. This should be considered in relation to distribution of dust from any site workings.

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

As noted above, there are likely to be few data sources available relevant to the local area.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

The cumulative impact of activities based on HS2 and EWR sites and other planned developments in the area on air quality should be included in any analysis.

A company, based in Botolph Claydon, operates under stringent air quality controls. Any increase in dust or other atmospheric pollutants would seriously compromise its operations.

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

The Applicant asserts that *"it is considered unlikely that a significant number of vehicle movements associated with staff commuting to and from the Site will be generated to result in a significant effect on local air quality. This will be assessed against the EPUK screening criteria within the ES."* It is important that the impact on air quality of on-site vehicle movements and other machinery as well as road traffic is included in the analysis.

• Do you agree with the proposed factor-specific assessment approach?

Of fundamental importance to the argument advanced in support of the proposed development is an independent assessment of the net GHG emissions associated with the project overall (see under 6.3.14 below). Whilst the need to move towards genuinely renewable energy sources is recognised, this should not be undertaken without transparent analyses of those net emissions and consideration of alternatives.

6.2.14 Scoping questions (Biodiversity)

Do you agree with the proposed list of consultees?

Local specialist groups (e.g. North Bucks Bat Group) should be consulted also.

• Do you agree with the proposed study areas?

No. The focus on sub-parcels of land (the definition of which varies between the various surveys) is wholly inadequate. This approach is fundamentally flawed on three main accounts:

1. Areas within the overall site (875.47 ha), but outside the four sub-parcels, will be used for cable runs, site roadways and possible other uses not specified (e.g. site offices, storage of equipment, materials shifted from other locations on the site, etc.). Clearly, unless the area ecological status of these excluded areas (45.1% of the total) and adjacent woodlands is fully understood, the impact of activities on those areas is unknown and unaccounted for. In any event, the Applicant's adoption of the Rochdale Principle means that future iterations of the plans could involve areas of the overall Site not currently included in the sub-parcels and, hence, not surveyed.

2. Wildlife does not operate in discrete parcels of land. The ecology of the areas not surveyed is interdependent with the areas surveyed and so activity in one parcel of land will affect adjacent areas, and vice versa. By the same token, failure to survey the areas of ancient woodland encompassed by, or adjacent to, the proposed development site (each having its own rich biodiversity, including rare and protected species) is either naïve or negligent.

3. During the period of non-statutory consultation, the Applicant's representatives indicated that areas within the main development site, but outside the sub-parcels identified for the solar panels and other infrastructure, would be reserved for biodiversity gain. No further information was provided. If this were the intended use of those areas then it is imperative that full ecological surveys are needed. Without them, there is no basis for determining, for example, whether habitats, soil types, etc. lend themselves to provision for displaced species. Do those sites have examples of competing flora and fauna, either of the same or different species?

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Reliance on data from HS2 is a risky approach. Such information may date from the period leading up to approval of the project and so fails to account for any subsequent displacement of species and habitats. Conversely, assumptions as to the existence of habitats for endangered species may no longer apply such that examples of those habitats, within or adjacent to the proposed Site, assume even greater importance.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

Local knowledge is key to a full understanding of the site overall. It is unacceptable to exclude areas of ancient woodland within and adjacent to the site from the EIA.

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

It is not accepted that mitigation of the adverse impacts of the proposed scheme is achievable.

We are sceptical as to the feasibility of the proposal (6.2.10) "*Creation of herbal 'ley' habitat or similar underneath solar panels to restore soil health and create a nectar source for invertebrates - in particular pollinators.*" Given that the function of solar panels is to absorb

radiation it is not clear how herbal-rich leys can be established underneath the panels when the area will be largely starved of meaningful sunlight. In our view, any such ley would have to be installed at least two years before siting the panels to stand any chance of success and great care would be needed at the construction stage to avoid its destruction

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

Failure to identify certain species is used as justification for removing them from the scope. However, as is acknowledged in the report itself, failure to identify a given species through a desk search or formal survey does not preclude the presence of that species. Indeed, on the basis of local knowledge, assertions of absence in the report are clearly incorrect.

Under Section 6.2.9, the Applicant is dismissive of areas of cereal crops as foraging sites for bats, remarking, “*However, the value of this foraging habitat is likely to be low given the intensity of the management and likely application of insecticides and herbicides.*” For the avoidance of doubt, it is important to note that most cereal crops do not receive any insecticides except for an application in late autumn to control aphids and the viruses they spread. Insect life during the spring and summer months is therefore largely unaffected and these crops are therefore potentially a rich source of foraging for bats and insect eating birds. Furthermore, regular rotation of crops contributes to biodiversity.

The statement at 6.2.9 that, “*Survey has indicated that there are no notable non-crop plants within the Site Boundary. Therefore, no significant effects and these have been scoped out of further assessment.*” is not accepted and is at variance with the Claydon Estate’s own position on the matter. Furthermore, the Applicant accepts that in the assessment of hedgerow quality, there has been no attempt to undertake detailed surveys (see under Hedgerow Regulation Survey Results below)

We consider the exclusion of areas of ancient woodland from the scope to be irresponsible.

Definition of the Site on the basis of sub-parcels within the overall site boundary cannot lead to an understanding of the interdependencies of the ecology of the area.

• Do you agree with the proposed factor-specific assessment approach

It is inevitable that failure to take a holistic view of the existing ecology will result in failure to understand the true impact of the proposed development.

6.3.14 Scoping questions (Climate)

Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

It is not sufficient under 6.3.7 for the Applicant to state, “*Given the assumed operational lifespan of 40 years for the purposes of the EIA, the cumulative effect of these GHG reductions will likely [our emphasis] provide significantly beneficial effects on the stability of the climate.*” This superficial statement is not adequate justification for the destruction of 875.47 ha of farmland, green and blue space, livelihoods and socio-economic structure of local communities.

Justification of the proposal must be evidence based. We would expect to see a complete and detailed analysis of the following:

Emissions associated with:

- Production of materials and components and final products over the entire life-cycle in the construction of solar panels, collectors, inverters, battery storage units, sub-station and connector cabling.
- Importation of the above.
- Transport to site.
- Site preparation.
- Installation of the various units, construction of infrastructure and connections to the National Grid.
- Operation of the site once commissioned, including power losses.
- Reduction in carbon capture resulting from the loss of crops, etc.
- Increase in GHG consequent on loss of food production and need to source food from further afield.
- Replacement of solar panels and batteries during the proposed operational life-time.
- Dismantling of site and associated infrastructure.
- Reinstatement of agricultural land
- Recycling of all materials.

Net change in GHG emissions should be set against realistic estimates of power generation over the lifetime of the installation.

We agree that, ultimately, the receptor is the global atmosphere. However, construction, operation, renewal of components and decommissioning will contribute substantially to local emissions. This should be the subject of a separate calculation.

Justification for a project on this scale also needs to consider other forms of renewable energy, including small scale nuclear reactors.

6.4.14 Scoping questions (Cultural heritage)

Do you agree with the proposed list of consultees?

Local communities should be consulted to determine what is important to them.

• Do you agree with the proposed study areas?

The ZTVs for the various elements of the site are of fundamental importance. We do not agree that the rural setting of listed properties is not relevant. The impact on all Listed properties in the villages should be evaluated.

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Local historical expertise should be consulted also.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

There are examples of ridge and furrow fields within the overall site area (see under 6.5.214 below and in LCA 5.6 Claydon Valley). These should be included to protect them in compliance with Buckinghamshire Council's policies as expressed in LCA 5.6, "*Encourage the preservation of historic earthworks and ridge and furrow by maintaining a continuous grass sward.*"

- ***Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?***

Mitigation of the impact of a scheme on this scale is not feasible.

- ***Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?***

See above.

- ***Do you agree with the proposed factor-specific assessment approach***

As indicated, focus on a few, selected Listed buildings is not appropriate. Heritage sites are not simply isolated assets and they include other features, such as ridge and furrow fields. Each contributes to the overall setting and character of the individual villages and parishes of which they are a part. As well as considering individual sites, the overall impact on the villages and parishes must be considered.

6.5.14 Scoping questions (Land, soils and groundwater)

- ***Do you agree with the proposed list of consultees?***

The principal consultees have been identified.

- ***Do you agree with the proposed study areas?***

No. Agricultural Land Classification has been assessed only in sub-parcels 1, 1a, 2 & 3. It is not clear, but it would appear that other assessments under this heading have been limited to these areas also. If that is the case, it is difficult to understand how a true picture of the site overall can be established. (See, e.g. also under 6.2.14 Biodiversity above).

- ***Do you agree with the proposed surveys?***

The Applicant should include consultation of records of ridge and furrow fields to identify sensitive sites (see Fig. 6.1).



Fig 6.1 Plan of Botolph and East Claydon showing ridge and furrow fields

It is the policy of Buckinghamshire Council to protect ridge and furrow fields as part of the heritage of the area. The proposed development would have a significant impact on that heritage.

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Yes.

• Are any receptors or resources not identified that you would like to see included in the EIA?

Watercourses extend beyond the study area. It is not clear how impact on flows, especially during flood-risk periods will be affected by the proposed development.

Artesian ponds feature in the area. It is important that these are identified from a hydrology perspective but also their particular ecological characteristics which may include rare species.

Scrapes and ponds created by farmers over generations should also be mapped and surveyed.

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

The Applicant states, “*No significant effects to soil are anticipated.*” Given the predominantly clay character of the soil, the damaging nature of compaction through the use of heavy machinery/road vehicles on-site needs careful consideration.

It is not clear to what extent topsoil will be removed from the site and its ultimate fate. How would the area be reinstated after the proposed 40-year lifecycle?

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

Assurances on the unlikelihood that impacts on groundwater would occur are not accepted. The area is known to flood and so any changes in the fate of surface water have significant potential to exacerbate the problem. What is the impact of cable trenches on the hydrology of the area?

6.6.14 Scoping questions (Landscape and visuals)

• Do you agree with the proposed list of consultees?

The most important consultees are local residents and visitors to the area.

• Do you agree with the proposed study area?

The ZTV areas provide an important aspect of this analysis. However, the scope for assessing impact on individual properties is too limited and should include views from upper as well as ground floor aspects.

It is our understanding the number of residents contacted to determine the potential impact from their homes is very limited. How does the Applicant plan to assess visual impact from those areas identified in the ZTV analyses?

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

See above.

• Are there any specific viewpoints to consider?

- The Mushroom Shelter, East Claydon
- East/Botolph Claydon Village Hall
- Hogshaw Road
- Church Lane, Granborough
- Denham View, Granborough
- Sovereign Road, Granborough

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

See above. Impact of glint and glare from solar panels on the visual landscape needs to be assessed from a human, livestock and wildlife perspective and from multiple viewpoints.

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

Mitigation for destruction of the local landscape and environment on this scale is not possible. We refer to the statement under 6.6.11, “*However, there are situations where the effect on the outlook / visual amenity of a residential property is so great that it is not generally considered to be in the public interest to permit such conditions to occur where they did not exist before.*” This, of course, applies not only to residential properties but to other assets, such as Public Rights of Way (PRoWs).

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

The impact on isolated dwellings within or adjacent to the overall site cannot be overemphasised.

• Are there any specific developments to be considered for the cumulative assessment?

The impact of other proposed solar/battery storage developments in the locality must be taken into consideration, together with the HS2 and EWR projects.

• Do you agree with the proposed factor-specific assessment approach?

This should not remove the need for a holistic assessment of the impacts.

6.7.14 Scoping questions (Noise and vibration)

• Do you agree with the proposed list of consultees?

The impact of noise and vibration on livestock and wildlife must be considered. Owners/managers of any livestock that are not evicted from the site must be consulted on this issue.

• Do you agree with the proposed study areas?

If the study area is limited to sub-parcels 1, 1a, 2 & 3, No. This would vastly underestimate the area affected. Certain activities (e.g. piling) would be heard over a much larger area.

The nature of the local landscape is such that sound travels over considerable distances (e.g. noise from HS2 and EWR construction work can be heard across the entire valley).

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Third party noise would be expected from the continuing works associated with HS2 and EWR.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

See under livestock and wildlife above. The impact on noise-sensitive species in the area needs to be assessed, both during construction, operation and decommissioning. This further emphasises the need for full ecological assessments of adjoining areas, especially the woodland areas.

We understand that significant magnetic fields can be associated with inverter units. The impact of this must be assessed also (e.g. on bats).

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

It is difficult to see how mitigation can be applied to a development on such a large scale in this setting.

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

See above.

• Do you agree with the proposed factor-specific assessment approach?

A holistic view is required in addition to factor-specific assessment.

6.8.14 Scoping questions (Transport & access)

• Do you agree with the proposed list of consultees?

We are concerned that desk-top analyses of haulage routes will fail to understand local issues. This leads to such fanciful statements (Section 2.3.16 of the report) as “*Parcels 1 and 2 are bordered by a main road, Calvert Road, which provides direct access to Botolph Claydon and Calvert.*” This ‘main road’ is a country lane already seriously damaged by HGV traffic associated with HS2 and EWR.

Importantly, the proposed haulage routes involve narrow lanes totally unsuited to HGV traffic. Experience with HS2 and EWR construction traffic has been catastrophic, leading to the complete destruction of our local road infrastructure. For example, one of the roads by-passing Quanton village, identified as part the principal haulage route for the proposed Rosefield development, has been rendered virtually impassable by car as a result of HS2 construction traffic. We anticipate the same would result across our road network were the proposed project to proceed.

• Do you agree with the proposed study areas?

We are not satisfied with assurances that all traffic would be limited to a single route. Experience with other infrastructure projects is that individual vehicles adopt their own routes

to the detriment of the local communities. The cumulative impact of any other approved solar/battery storage development in the area should be considered also.

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Full traffic surveys are required but it should be understood that there are important seasonal variations in local traffic for a variety of reasons.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

The cumulative impact of other infrastructure projects must be taken into account.

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

From previous experience, we are not confident that these measures will be successful. In any event, the damage caused by HGVs using unsuitable, country lanes cannot be prevented. HS2 and EWR haulage routes have destroyed the local road network, the sub-structure of the roads being totally inadequate to cope with the number and size of these vehicles.

The suggestion that improvements could be made to PRoWs, given that the visual amenity associated with them would be destroyed by the proposed development, is frankly patronising.

• Do you agree with the receptors/matters that are proposed to be scoped in and out of further assessment?

See above.

• Do you agree with the proposed factor-specific assessment approach?

The impact resulting from movement of vehicles on any remaining livestock across the site must be assessed.

6.9.14. Scoping questions (Population)

• Do you agree with the proposed study areas?

The study area is not clearly defined. What is the 'Site' in this context? The analysis should cover all of the individual communities within the ZTVs, the collective impact on the villages bordering the proposed overall development site (to include the cumulative impact accruing from HS2, EWR and other development programmes in the area) and a wider catchment area to consider the effects (e.g.) on recreational activities.

We are dismayed by the superficial approach adopted as regards impacts on the population. The proposed development area consists of a number of relatively small, rural communities in villages that have developed around the largely agricultural economy of centuries. Strong, long-established interdependencies between local populations and the immediate environment are fundamental to the socio-economic survival of those communities. The report wrongly implies that there are no businesses located within the area. In order to fully understand the implications of the proposed development, a full socio-economic analysis should be undertaken. This should include, but is not limited to, the impact of the consequential eviction of tenant farmers from their farms (and, hence, livelihoods) and the

associated collapse of their contribution to management of the land, which extends beyond their own agricultural businesses.

There are three significant employers that are either based in the villages, or close by. All three would be negatively impacted by the proposed development since they rely on land that is either earmarked for use as part of the solar development or is bordered by it. One business is a local tourist attraction, while the other two should be considered critical suppliers to the life science sector, including key reagents to the National Health Service.

These businesses employ circa. 100 people between them. Their jobs could be placed at risk as a result of this development. In the main, employees are from the local area, with an overwhelming majority living in the surrounding villages, including East and Botolph Claydon, Steeple Claydon and Winslow.

These businesses rely on local service providers and contractors, accounting for an equivalent number of livelihoods.

Loss of land, reduction of production capacity and a reduction in the number of tourists / visitors to the area as a result of the proposed development are realistic negative impacts on these businesses and therefore pose a legitimate risk to the jobs of their employees.

The disruption, congestion and damage to the road infrastructure should also be considered, as this will significantly impact travel for employees and customers to and from these sites.

The amenity value of the area is not limited to the local population. The area attracts walkers and cyclists from a huge catchment area. It is disingenuous of the Applicant to suggest that PRoWs could be 'enhanced' when it is proposed to install huge areas of solar panels surrounded by high security fencing alongside the footpaths and bridleways that provide recreational facilities for hundreds of individuals on a weekly basis.

• Do you agree that the data sources listed to inform the EIA baseline characterisation are appropriate?

Given the limited resources proposed and the absence of any intention to undertake surveys in the area, No.

• Are any receptors/assets/resources not identified that you would like to see included in the EIA?

Given that the analysis appears to be limited to the 'Site' (whatever that means in this context), it is clearly inadequate for the reasons provided under comments on the Study Area.

• Do you agree with the proposed additional (secondary and tertiary) mitigation measures and is this mitigation appropriate?

The adverse impact of the proposed development cannot be mitigated in the true sense of the word. The Applicant's suggestions fail to appreciate the scale of the impact on the environment and local communities.

• Do you agree with the receptors/matters that are proposed to be scoped in and out of the EIA?

No. The Applicant appears to be limiting the scope of Receptors to the 'Site' whereas the negative impacts of the proposed development, catastrophic in themselves, are far-reaching and extend well beyond that area.

• Do you agree with the proposed factor-specific assessment approach

The proposed 'enhancements' to the environment have no meaning in the context of the overall destructive effects of the Applicant's proposals. The proposed Socio-Economic Statement seems to be based on simple spreadsheet analyses of jobs created vs jobs lost. This fails to understand the human costs, not only to individuals, but also to the whole structure of communities.

As noted elsewhere, the communities affected by the proposed development have suffered over many years (and will continue to do so) through major projects such as HS2, EWR and the Grendon Underwood prison and local solar and battery storage projects. The cost in human terms, degradation of the environment and infrastructure, that has resulted from these schemes is incalculable. It cannot and should not be ignored when considering the consequences of yet another major infrastructure project in the same area.

Alison Down
The Planning Inspectorate
The Square,
Temple Quay House,
Temple Quay
Bristol BS16PN

Our ref: XA/2023/100048/01
Your ref: EN010158
Date: 11 December 2023

Rosefieldsolar@planninginspectorate.gov.uk

Dear Alison,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Rosefield Energyfarm Limited (the Applicant) for an Order granting Development Consent for the Rosefield Solar Farm (the Proposed Development).

Thank you for consulting us on the EIA Scoping Opinion for the above project. We have reviewed the Scoping Report, referenced EN010158 and dated 13 November 2023, and have the following advice:

We disagree with the topics to be scoped in and out of further assessment within the Environmental Statement (ES). Flood risk, hydrology and climate resilience should be scoped in.

We have provided our advice on the topics within our remit below. These are in the order prescribed by the Scoping Report for ease of reference.

Water

In line with NPPF, the lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment.

If flood risk is scoped into EIA, this ensures its early consideration in designs. This would not be the case if flood risk was scoped out of the EIA, and they only considered it through the FRA as part of DCO application.

The developer will need to consider the effects of climate change in the context of flood risk through the lifetime of the development.

Whilst we understand that a parameter-based approach is being applied to the assessment of uncertainty and that spatial matters are yet to be finalised. The Environment Agency believe it would be of benefit for the developer to commit to a minimum offset from watercourses both horizontally and vertically. This will help to manage future flood risk and erosion.

Despite there being no main rivers intersecting the Order Limits, there is fluvial flood risk which must be managed (see section 2.3.14). If the developer is proposing to build infrastructure within Flood Zones 2 or 3 e.g., as suggested in Appendix B Concept Masterplan, they will need to consider the following:

- Application of the Sequential Test and Exception Test.
- Flood storage compensation which must be localised, level-for-level, and volume-for-volume.
- Sensitive electrical equipment at least 600mm above the design flood with consideration of climate change ([Climate change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)).
- SuDS for all stages of the development.
- The proximity of works to assets.
- Consideration of hydrodynamics in the context of flood risk and sedimentation of the watercourse(s) e.g., from spoil storage for excavations
- An assessment of future flood risk within the lifetime of the development.

5.9.21. states that:

“Changes in flood risk from the construction of the Proposed Development will be managed by the good practice principles which will be documented in the Outline Construction Environmental Management Plan, which will include a construction surface water management plan and awareness training / talks for construction workers so that they are aware of the risks and how to mitigate them through working practices. It is also anticipated that a temporary drainage system will be implemented during construction (as outlined above).”

We will require assessment of the flood risk to allow for appropriate mitigation of risks throughout the lifetime of the development. The CEMP or FRA, which is proposed to be submitted in support of the DCO, should provide a detailed assessment of surface water runoff hydrodynamics for all stages of the development. Notably, the storage of spoil from excavations (see 2.4.71.) may have a significant influence on the flow regime if not adequately avoided or mitigated within the proposal. We note that section 5.9.18 mentions possible mitigation measures such as:

“Earth movement would be controlled to reduce the risk of silt combining with the site run-off.”

“Cut-off ditches and / or geotextile silt-fences would be installed around excavations and exposed ground, stockpiles to prevent the uncontrolled release of sediments from the Site.”

These would need to be implemented on the basis with an understanding of the existing flow regime and how the proposal will affect the hydrology. We would expect the supporting evidence to detail on evidence-based management of the flood and

erosion risks.

Flood risk and Hydrology

5.9.27. The developer is likely to change the flow regime with the proposal which may adversely affect flood risk.

5.9.42. The developer is proposing to address environmental impacts relating to water, flood risk and hydrology through the Flood Risk Assessment and the Management Plan(s). The assessment of flood risk and hydrology as part of the EIA will help to inform further discussions.

2.4.71. Please note our anti-culvert policy. We would oppose the culverting of any watercourses and instead prefer the installation of a temporary clear-span bridge crossing. This is in line with the Environment Agency's anti-culverting policy. We will normally only grant a permit for a culvert if there is no reasonably practical alternative, and if the detrimental effects would be sufficiently minor that a more costly alternative would not be justified or there are reasons of overriding public/economic interest. The developer should consider the effects of proposed crossings on hydrology and geomorphology. The developer will need to model the hydrology of culvert installation and how this relates to flood risk.

2.4.58. Trenchless techniques for the crossing of watercourse(s) would likely minimise interference to hydrology.

2.4.60. The proposed palisade fencing may inhibit flow paths and consideration needs to be given to the hydrodynamics which may require modelling.

2.4.63. The developer needs to consider the possible alterations to the hydrology from the interruption to land drainage as part of the EIA Scoping Report as this may adversely affect flood risk.

5.9.27. Any reduction in the natural infiltration of water into the ground will require the implementation of SuDS / surface water management to manage flood risks.

5.9.42. We should first assess the risks from and to water adequately before agreeing possible mitigations. The developer should model flood risk for the lifetime of the development with consideration of the effects of climate change.

Climate Resilience

Chapter 6 "Environmental factors proposed to be scoped into further assessment" also includes environmental impacts to be scoped out which were not addressed in Chapter 5 "Environmental factors proposed to be scoped out of further assessment".

For example, Climate Resilience is proposed to be scoped out. We consider it appropriate to scope in Climate Resilience for operation and decommissioning. This will allow consideration of future flood risk within the lifetime of the development.

Please note that the lifetime of the development should be assumed to be at least 75 years.

Use of third-party models / data

4.3.1 and 4.5.5. If the developer utilises an existing model, it is important to check that it:

- Represents current risk.
- Uses the latest available datasets.
- Complies with current modelling standards.
- Is at a scale suitable for the assessment being undertaken.
- Captures the detail required for a site-specific assessment.
- Makes use of current climate change allowances.

Please be aware that:

- Environment Agency models are not designed to assess third-party developments. The developer should not assume that the model is suitable for assessing the flood risk associated with the proposed development.
- It is the developer's responsibility to assess the suitability of a model for the project.
- The developer should provide evidence of any modelling checks and subsequent updates and document these in the FRA model reporting.

Air Quality

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in [Regulation \(EU\) 2016/1628](#) (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NO_x), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM₁₀ and PM_{2.5}). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps,

piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Biodiversity

We support the applicant's intention to provide Biodiversity Net Gain as part of the proposals. New developments should not only protect watercourses and their riparian corridors but also provide overall net gain for biodiversity. Net gain for biodiversity is defined as delivering more or better habitats for biodiversity and demonstrating this through use of the Defra Biodiversity Metric. It encourages development that delivers biodiversity improvements through habitat creation or enhancement after avoiding or mitigating harm.

This approach is supported by section 4.5 of National Policy Statement EN-1 and also paragraphs 174 and 179 of the National Planning Policy Framework (NPPF).

The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion.
- improved links between existing sites.
- buffering of existing important sites.
- new biodiversity features within development; and
- securing management for long term enhancement

The Environment Act 2021 looks to ensure that the overall impact from development on the environment is positive. The Act includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Although we recognise that provision of BNG is not yet mandatory for Nationally Significant Infrastructure Project, we encourage the applicant to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account.

The Planning Practice Guidance (PPG) provides guidance on the application of net gain and Institute of Ecology and Environmental Management, together with CIRIA and the Institute of Environmental Management and Assessment have published guidance on how to deliver net gain in practice. These can be downloaded [here](#).

Climate Change

Whatever final design or location is chosen the likely life span of the site will mean that it will need to operate within a changing climate. Therefore, a robust design and sensitive final location selection to accommodate future climate change impacts should be pursued. This will need to consider issues such as flood risk, increased heat, and drought, all of which could impact on the efficient running of the site. Climate change impact risk assessment and adaptation measures should include the potential impact of a changing climate for the expected duration of site operations.

Land, Soils and Groundwater

The bedrock geology beneath the site consists of the West Walton Formation, Weymouth Mudstone Member, Stewartby Member and Peterborough Member all of which are mudstones and classified as unproductive strata. Superficial deposits at

the site include alluvium, till, glaciofluvial deposits and glacial deposits. These deposits are classified as secondary A aquifers or secondary aquifers (undifferentiated). The site does not lie within a Source Protection Zone.

We are satisfied with the matters that are proposed to be scoped in and out of the Environmental Impact Assessment and provide further comments in relation to section 6.5 and general environmental considerations of the scheme below with some general informatives about the scheme at the end.

Section 6.5: Land, soils and groundwater

A preliminary risk assessment (PRA) report will be completed to assess the contamination potential of the potential historical landfilling in parcel 3.

There is a permitted landfill site adjacent to the south-western site boundary at Calvert Pit. Construction works near this landfill must not impact on any landfill leachate or groundwater quality monitoring boreholes that may be associated with the permitted site. It would therefore be prudent to include this site within the PRA.

Section 6.5.11 states that this report will, “assesses the potential risks on the existing land, soil and groundwater baseline, including contamination issues. The Preliminary Risk Assessment report conclusions and results of ground investigations will determine necessary mitigation measures to ensure that the construction, operation and decommissioning of the Proposed Development do not result in significant effects on the receiving land, soil and groundwater environment.”

We welcome this proposal. We are satisfied with the guidance that has been listed in section 6.5.11 in relation to the proposed assessment methodology.

Groundwater has (apart from the land contamination aspect mentioned above) been scoped out of further assessment. Instead, pollution prevention is mentioned as a means of protecting groundwater from contamination. Pollution prevention measures will be included in the Outline Construction Environmental Management Plan and Outline Decommissioning Environmental Management Plan. These measures should include all groundwater receptors and include a requirement for a remediation strategy if, for instance, any leaks or spills occur.

If contamination is identified as part of the land contamination assessment works a foundation works risk assessment may be required. In relation to this, please note that the EA guidance ‘Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination’ is currently being updated so please ensure that the most up to date version is used.

Other environmental considerations

BESS and firewater

Battery Energy Storage Systems (BESS) have the potential to pollute the environment. Applicants should consider the impact to all environmental receptors during each phase of development. Particular attention should be applied in advance to the impacts on groundwater and surface water from the escape of firewater/foam and any contaminants that it may contain. Suitable environmental protection measures should be provided including systems for containing and managing water

run-off. The applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring.

We would expect risks to groundwater to be included in this management plan.

Horizontal Directional Drilling (HDD)

Cables for the new scheme will be laid in trenches. Where the placement of these cables takes place in land affected by contamination the management of the waste material will need to be carefully managed.

Paragraph 2.4.58 states that horizontal directional drilling may be used at some locations where traditional trenching methods are not feasible. This work could involve the use of drilling muds and their use may require risk assessment to ensure they do not pose a risk to controlled waters. The proposed use of directional drilling techniques should be included in the Outline Construction Environmental Management Plan.

Informatives

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.gov.uk/government/organisations/environment-agency for more information.

Dewatering / Abstraction

If dewatering is required, it may require an environmental permit if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.

[Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

If they don't meet the exemption and require a full abstraction licence, they should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found here,

[Abstraction licensing strategies \(CAMS process\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Please note that the typical timescale to process a licence application is 9-12 months. The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found here,

[Discharges to surface water and groundwater: environmental permits - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The use of drilling muds for the directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

If the applicant is intending to seek to disapply any of the Environment Agency's legislation, they should contact us as early as possible. Further information on this can be found here,

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/an11-annexd/>

Further Advice

The Environment Agency would welcome the opportunity to engage and advise further on the matters outlined above.

Further engagement at the pre-application stage will provide you with confidence and clarity in relation to our position on the DCO proposals prior to formal

submission and outside the statutory engagement process. It should also result in a better quality and more environmentally sensitive development.

This would fall within the scope of our Cost Recoverable Planning Advice service, and would be subject to a fee of £100 per staff hour of time. As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems.

We will contact you further in relation to this, but in the meantime should you wish to gain our views on any draft assessments or proposals please contact us at NIteam@environment-agency.gov.uk for a quote. The terms and conditions of our charged for service are available [here](#).

Yours sincerely

Paul Gethins
Planning Specialist - National Infrastructure Team

Direct dial [REDACTED]

Direct e-mail: NIteam@environment-agency.gov.uk

From: FPL - Conx Request <ConnectionRequest@fulcrum.co.uk>
Sent: 14 November 2023 11:31
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Subject: RE: EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11 Notification

Hi

We have no comments on the attached.

Regards



Sue Beesley
Asset Coordinator

t: [REDACTED]
e: [REDACTED] w: www.fulcrum.co.uk
a: Fulcrum Pipelines, 2 Europa View, Sheffield Business Park, Sheffield , S9 1XH, T: 03330 146 466

Tell us how we're doing:

We'd really appreciate feedback on your experience with us today. So, please tell us how we're doing by emailing feedback@fulcrum.co.uk



GRENDON UNDERWOOD PARISH COUNCIL

All correspondence to the Parish Clerk on clerk.gupc@outlook.com

Tel: [REDACTED] Web Site: <https://www.gupc.org.uk/>

Dated: 6th December 2023

ROSEFIELD SOLAR FARM

GRENDON UNDERWOOD PARISH COUNCIL COMMENTS ON EARLY PLANS AND PROPOSALS

PHASE ONE CONSULTATION

A number of higher level surveys have been compiled and are set out within the EIA scoping report, intended to mitigate the inclusion of considerations for further scrutiny. Our concerns with these proposed exclusions are set out below:

1. Due to the malleability of the design, which seeks to incorporate recommendations following various reports, the glint and glare assessment should not be excluded from the EIA scope, since the de facto impacts of the development cannot truly be ascertained until such time that the design has been finalised.
2. Water in every aspect, but not limited to: run off, flood risk, water quality and contamination should not be excluded from the scope of the EIA. Water and Vegetation dynamics must be considered and cannot simply be overcome by mitigation (drainage networks) due to the flood risks identified and the elevation of the site, which will likely have an increased runoff. It appears that due consideration has not been given to hydrodynamics as a result of the reduction of biomass, specifically affecting neighbouring land (with consideration to the mineral safeguarding and flooding), heritage sites and conservation areas.
3. It is of utmost importance that decommissioning is considered within the EIA and to suggest that its impact will be the same as construction is absurd. It is clear that there will be changes within the ecosystem, and a reduction in biomass within the area following the lifespan of the development, and as such due consideration should be required following the development's lifecycle.
4. Considering but not limited to the high flood risk and the nature of the development, it would be unethical to exclude major accidents and disasters from the EIA due to the proximity to footpaths, bridleways and residents. We insist that this should be completed within the scope of the EIA since not to do so would be of detriment to our community.
5. Human and Health impacts should not be excluded on the grounds that this development should not be considered in isolation since the effects of other large scale construction projects currently underway in the local area will be compounded by the proposed development.
6. It is unclear why it is proposed to exclude electric, magnetic, and electromagnetic considerations from the scope of the EIA, in addition to Heat and Radiation considering its scale and proximity to highways, permanent residence and neighbouring businesses / heritage sites which are often frequented by tourists. These effects could be of detriment to residents and non-residents alike as so these effects should be given due consideration. It is known that electric devices & installations interfere and influence each other, and such surveys intend to understand and mitigate those effects under reasonable control.

Please consider the above in line with the scoping report.

Authorised & endorsed: GRENDON UNDERWOOD PARISH COUNCIL

Dated 6th December 2023

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Email: Rosefieldsolar@planninginspectorate.gov.uk

Date: 4 December 2023

Dear Mr Wing Sum To

**PROPOSED ROSEFIELD SOLAR FARM (the project)
PROPOSAL BY ROSEFIELD ENERGYFARM LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as
amended) REGULATIONS 10 and 11**

Thank you for your letter of 13 November 2023 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Hazardous Substance Consent

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed application boundary for this Nationally Significant Infrastructure Project is not within the consultation zones of any major accident hazard sites or major accident hazard pipelines. This is based on the site boundary 'redline' in drawing Figure 1 Rev 02 in Appendix A of the EIA Scoping Report Volume 2 Appendices downloaded from infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010158/EN010158-000011-ROSE - Scoping_Report_Appendices.pdf.

HSE's Land Use Planning advice [[HSE: Land use planning - HSE's land use planning methodology](#)] is dependent on the location of areas where people may be present within HSE's land-use planning zones. As the project area 'redline' is not within any of HSE's land-use planning zones, under HSE's existing policy for providing land-use planning advice, HSE would not advise against the development. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Would Hazardous Substance Consent be needed?

Based on the [Scoping Report Volume 1 Main Report published 13/11/2023](#), it is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. This may be because there are no relevant hazardous substances.

Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of [The Planning \(Hazardous Substances\) Regulations 2015](#) as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an 'addition rule' in Part 4 of Schedule

1 for below-threshold substances. If hazardous substances planning consent is required, please consult the relevant Hazardous Substance Authority (usually the Local Planning Authority) on the application.

Consideration of Risk Assessments

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role in NSIPs is summarised in Advice Note 11 'working with public bodies in the infrastructure planning process' Annex G on the Planning Inspectorate's website [[Advice notes | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#)] - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments under the heading "Risk assessments".

In [Scoping Report Volume 1 Main Report published 13/11/2023](#) Section 5.5 some possible major accidents and disasters are given however the text states that they *“are not considered within the scope of the existing technical assessment and will continue to be reviewed and addressed as part of the design process”*. It was not clear if there was consideration of risk assessments arising from the development's vulnerability to major accidents. HSE would advise this is considered further in line with Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive taking account of the following: *“it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses.”*. Note, there are no additional requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

Explosives sites

CEMHD 7's response remains the same as previous response in November 2023. No comment to make regarding this development as there are no HSE licenced explosives sites in the vicinity of the proposed development.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

Pp Shirley Rance

Cathy Williams
CEMHD4 NSIP Consultation Team

MIDDLE CLAYDON PARISH COUNCIL

Application by Rosefield Energyfarm Limited (the Applicant) for an Order granting Development Consent for the Rosefield Solar Farm

Consultation Response by Middle Claydon Parish Council

Clerk to Middle Claydon Parish Council
1 Darley's Close,
Grendon Underwood
Aylesbury
Buckinghamshire,
HP18 OSE
Email: mcpcclerk@outlook.com
Tel. [REDACTED]

Executive Summary

It is our view that for most people the document is too long and should have had summaries of salient points to make it more digestible. It is the opinion of our Council that the Rosefield Energyfarm Ltd proposal to develop a solar power station on 875.47 ha (2,163 acres) of farmland across the East Claydon Valley will have a huge impact on the environment, biodiversity, the farming community, local businesses and the well-being of our neighbouring communities. It is our view that the Scoping Report fails to address many of the key issues implicit in its proposals. The Applicant seems to suggest that it is "likely" that installation of a solar energy station is beneficial to the environment but provides no evidence of this, nor is there consideration either for alternative approaches to energy generation or for alternative sites for the proposed scheme

The Scoping Report

1. A comprehensive socio-economic study must be undertaken to examine the effects of such a large scale development on the residents of all the villages (both the Claydon Parishes and all surrounding villages) which will be affected by traffic, noise, visual impact, recreational opportunities and employment. No thought has been given to the long-

term effects on the community from being decimated by the loss of the farms and farmers around whom those communities have evolved over many decades. Without the farms the farmers will move away or will be forced to retire, and that important community cohesion will be lost. Scant mention was made of one local business which will be severely affected. It is the major employer in our community of skilled local staff, and this business will be severely compromised by the loss of rented land. The loss of three local farms will cause a severe impact on other businesses further afield which have been suppliers of goods and services for many years.

2. Further studies must be undertaken to assess the effect on the wider population of Buckinghamshire. So far our unspoilt landscape has been an escape and a lung for people living in built up, densely populated areas, i.e. Aylesbury, Buckingham, Milton Keynes, Oxford who come to walk the Public Footpaths for enjoyment of the open countryside, exercise and recreation. There can be no mitigation for obliterating this precious landscape with solar panels.
3. We acknowledge the need for renewable energy but this proposal for such a huge tract of land in an area of landscape beauty is unsustainable for the community. Smaller areas might be assimilated more easily, but the sheer scale of these 2,163 acres of solar panels, battery storage and the associated infrastructure will overwhelm the villages of Botolph and East Claydon to such an extent that they will lose their identity and become an industrial landscape. Rosefield seems to have ignored the magnitude of the impact that the development will have on the villages and their inhabitants. In some places the panels will be sited within meters of village houses, many of them listed. The scale of change will be enormous and Rosefield seems to have failed to appreciate that.
4. There are other solar developments which are pending in the same area. No consideration seems to have been given to the cumulative impact that these, together with the Statera Battery Storage installation in East Claydon and the Rosefield proposal will have on both the village residents and the wider population.
5. We have been affected by our experience of the HS2 and EWR projects and their contractors not adhering to many of their undertakings to preserve the landscape and wildlife, so we are naturally sceptical about similar promises from Rosefield. Moreover, having borne the extreme inconvenience and upheaval caused by the building of the EfW and the two rail projects for more than ten years, the population of the Claydons is dismayed at the prospect of several more years of the same.

Rosefield does not seem to have been sufficiently concerned about the routes proposed for construction vehicles. The HS2 and EWR construction traffic has already caused untold damage to our fragile local roads. Several local roads are impassable except at very low speeds and both Snake Lane and Claydon Road are narrow roads, unsuitable for a large volume of HGV's. Experience from HS2 and EWR lead us to realise that HGV drivers will deviate from designated routes and cause damage elsewhere.

6. No archaeological studies have been mentioned. This is a historically significant area and Rosefield should undertake an extensive study over the whole site, and not just limit it to the four parcels designated for solar panels.
7. We feel that more investigation should be done on air quality. The only local sensor in Winslow is irrelevant and the cumulative effect of pollution from the EfW plant at Greatmoor, the construction of EWR HS2 and now Rosefield, with possibly the mega prison at Grendon Underwood as well will no doubt have a major effect on air quality, especially during the summer months.

In conclusion we feel that Rosefield has concentrated its study on too restricted an area. It should be required to look at the whole area in detail to learn how the elements which make up our community environment are interdependent and are not just isolated to one area. It should also be required to consult with the local population as well as specialist local wildlife groups for valuable first hand knowledge.

Our Council fully supports the East and Botolph Claydon Council's Consultation Response and we join with all our neighbours in holding the view that this application should fail.

From: Baker, Deborah C2 (DIO Estates-SafegdgMgr2) <[REDACTED]>
Sent: 18 November 2023 12:15
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Subject: 20231118_MOD_Response_EN010158_Rosefield_Solar_Farm

Thank you for consulting the MOD on Scoping application reference EN010158.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided on the National Infrastructure Planning - Planning Inspectorate website as of the date of this email.

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of defence sites or assets.

In the event that any:

- revised plans;
- amended plans;
- additional information; or
- further application(s)

are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Kindest regards

Debbie Baker | Safeguarding Manager
Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14
9PY
Mobile: [REDACTED]
Email: [REDACTED]



Tiffany Bate
Development Liaison Officer
UK Land and Property

+44 (0) [REDACTED]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
Rosefieldsolar@planninginspectorate.gov.uk

11 December 2023

Dear Sir/Madam

APPLICATION BY ROSEFIELD ENERGYFARM LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE ROSEFIELD SOLAR FARM (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

I refer to your letter dated 13th November 2023 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure within or in close proximity to the current red line boundary.

NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within the scoping area. The overhead lines and substation forms an essential part of the electricity transmission network in England and Wales.

Existing Infrastructure

Substations

- East Claydon 400 kV Substation
- Associated overhead and underground apparatus including cables

Overhead Lines

- 4YH 400 kV OHL
 - Cowley to East Claydon
 - Cowley to Leighton Buzzard to Sundon
- 4YJ 400 kV OHL
 - East Claydon to Leighton Buzzard to Sundon
 - Cowley to Leighton Buzzard to Sundon

Cable Apparatus

- Associated cable fibre

New infrastructure

Please refer to the Holistic Network Design (HND) and the National Grid ESO website to view the strategic vision for the UK's ever growing electricity transmission network. <https://www.nationalgrideso.com/future-energy/the-pathway-2030-holistic-network-design/hnd>

NGET requests that all existing and future assets are given due consideration given their criticality to distribution of energy across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects>. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

I enclose a plan showing the location of NGET's apparatus in the scoping area.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)”.
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:
<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

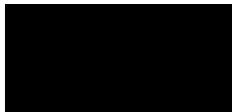
Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully



**Tiffany Bate
Development Liaison Officer
Commercial and Customer Connections
Electricity Transmission Property Land and Property**



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community

Legend

Electric Land Ownership

Electric Land Ownership - Freehold

Telecoms

RAMM

Fibre Cable

Fibre Cable Commissioned

Towers

Towers Commissioned

OHL 400Kv

OHL 400Kv Commissioned

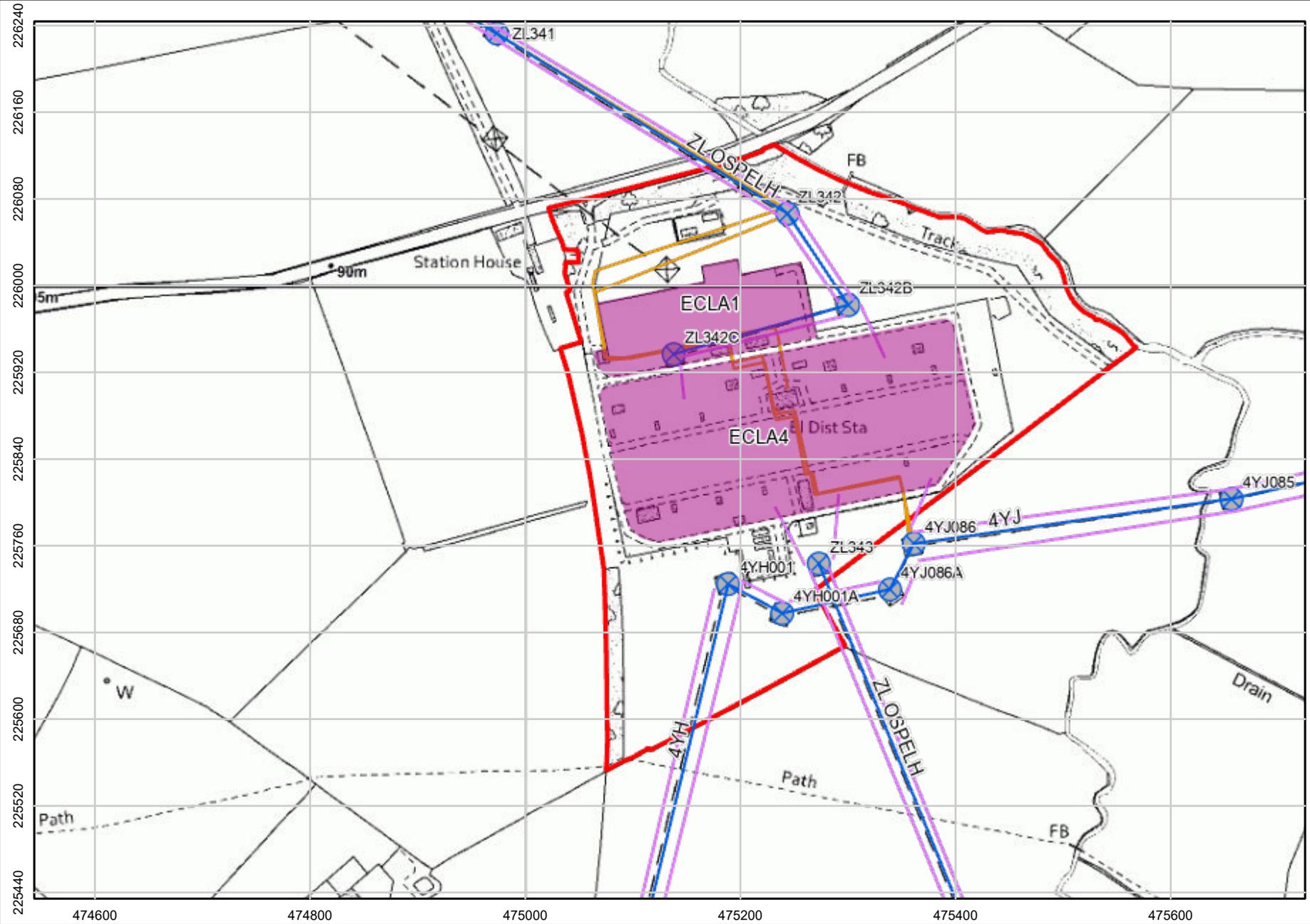
OHL Circuits

Commissioned

Substations

Substations Commissioned

Notes





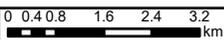
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community



Legend

- Fibre Cable
 - Fibre Cable
 - Commissioned
- Towers
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- OHL 400Kv
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- Substations
 - Substations
 - Commissioned

Notes



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 Note: Any sketches on the map are approximate and not captured to any particular level of precision.

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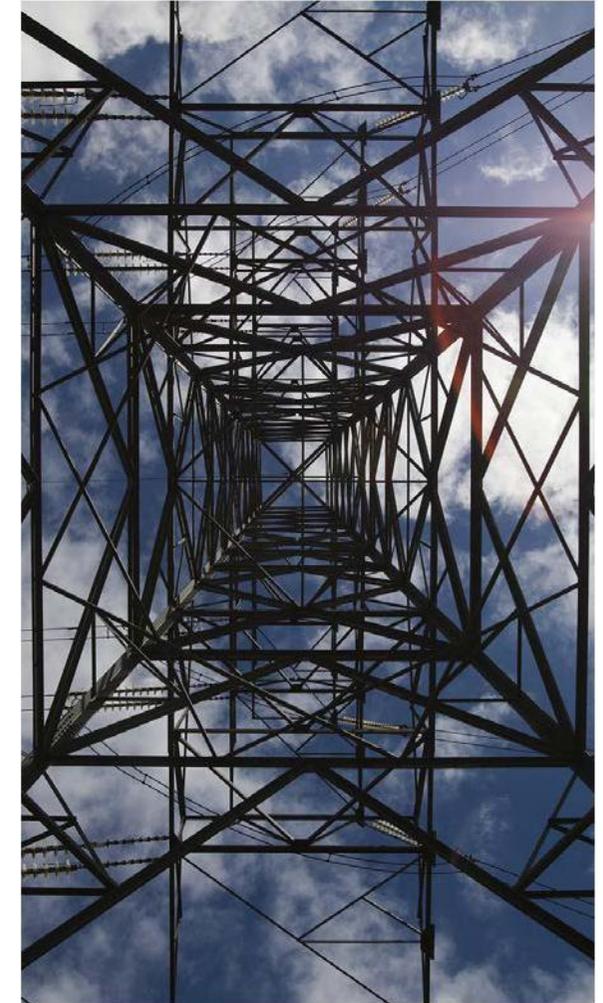
Technical Guidance Note 287

Third-party guidance for working near National Grid Electricity Transmission equipment





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Purpose and scope

The purpose of this document is to give guidance and information to third parties who are proposing, scheduling or designing developments close to National Grid Electricity Transmission assets.

The scope of the report covers information on basic safety and the location of our assets – and also highlights key issues around particular types of development and risk areas.

In the case of electrical assets, National Grid does not authorise or agree safe systems of work with developers and contractors. However, we will advise on issues such as electrical safety clearances and the location of towers and cables. We also work with developers to minimise the impact of any National Grid assets that are nearby.

How to identify specific National Grid sites

Substations

The name of the Substation and emergency contact number will be on the site sign.



Overhead Lines

The reference number of the tower and the emergency contact number will be on this type of sign.



Contact National Grid

Plant protection

For routine enquiries regarding planned or scheduled works, contact the Asset Protection team online, by email or phone.

www.lsbud.co.uk

Email: assetprotection@nationalgrid.com

Phone: 0800 001 4282

Emergencies

In the event of occurrences such as a cable strike, coming into contact with an overhead line conductor or identifying any hazards or problems with National Grid's equipment, phone our emergency number 0800 404 090 (option 1).

If you have apparatus within 30m of a National Grid asset, please ensure that the emergency number is included in your site's emergency procedures.

Consider safety

Consider the hazards identified in this document when working near electrical equipment



Part 1

Electricity transmission infrastructure

National Grid owns and maintains the high-voltage electricity transmission network in England and Wales (Scotland has its own networks). It's responsible for balancing supply with demand on a minute-by-minute basis across the network.

Overhead lines

Overhead lines consist of two main parts – pylons (also called towers) and conductors (or wires). Pylons are typically steel lattice structures mounted on concrete foundations. A pylon's design can vary due to factors such as voltage, conductor type and the strength of structure required.

Conductors, which are the 'live' part of the overhead line, hang from pylons on insulators. Conductors come in several different designs depending on the amount of power that is transmitted on the circuit.

In addition to the two main components, some Overhead Line Routes carry a Fibre Optic cable between the towers with an final underground connection to the Substations.

In most cases, National Grid's overhead lines operate at 275kV or 400kV.

Underground cables

Underground cables are a growing feature of National Grid's network. They consist of a conducting core surrounded by layers of insulation and armour. Cables can be laid in the road, across open land or in tunnels. They operate at a range of voltages, up to 400kV.

Substations

Substations are found at points on the network where circuits come together or where a rise or fall in voltage is required. Transmission substations tend to be large facilities containing equipment such as power transformers, circuit breakers, reactors and capacitors. In addition Diesel generators and compressed air systems can be located there.

Part 2

Statutory requirements for working near high-voltage electricity

The legal framework that regulates electrical safety in the UK is *The Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002*. This also details the minimum electrical safety clearances, which are used as a basis for the Energy Networks Association (ENA) TS 43-8. These standards have been agreed by CENELEC (European Committee for Electrotechnical Standardisation) and also form part of the *British Standard BS EN 50341-1:2012 Overhead Electrical Lines exceeding AC 1kV*. All electricity companies are bound by these rules, standards and technical specifications. They are required to uphold them by their operator's licence.

Electrical safety clearances

It is essential that a safe distance is kept between the exposed conductors and people and objects when working near National Grid's electrical assets. A person does not have to touch an exposed conductor to get a life-threatening

electric shock. At the voltages National Grid operates at, it is possible for electricity to jump up to several metres from an exposed conductor and kill or cause serious injury to anyone who is nearby. For this reason, there are several legal requirements and safety standards that must be met.

Any breach of legal safety clearances will be enforced in the courts. This can and has resulted in the removal of an infringement, which is normally at the cost of the developer or whoever caused it to be there. Breaching safety clearances, even temporarily, risks a serious incident that could cause serious injury or death.

National Grid will, on request, advise planning authorities, developers or third parties on any safety clearances and associated issues. We can supply detailed drawings of all our overhead line assets marked up with relevant safe areas.



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Your Responsibilities - Overhead lines

Work which takes place near overhead power lines carries a significant risk of coming into proximity with the wires. If any person, object or material gets too close to the wires, electricity could 'flashover' and be conducted to earth, causing death or serious injury. You do not need to touch the wires for this to happen. The law requires that work is carried out in close proximity to live overhead power lines only when there is no alternative, and only when the risks are acceptable and can be properly controlled. Statutory clearances exist which must be maintained, as prescribed by the Electricity Safety, Quality and Continuity Regulations 2002.

Under the Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, you are responsible for preparing a suitable and sufficient risk assessment and safe systems of work, to ensure that risks are managed properly and the safety of your workforce and others is maintained. Your risk assessment must consider and manage all of the significant risks and put in place suitable precautions/controls in order to manage the work safely. You are also responsible for ensuring that the precautions identified are properly implemented and stay in place throughout the work.

Work near overhead power lines must always be conducted in accordance with GS6, 'avoiding danger from overhead power lines', and any legislation which is relevant to the work you are completing.

What National Grid will provide

National Grid can supply profile drawings in PDF and CAD format showing tower locations and relevant clearances to assist you in the risk assessment process.

What National Grid will not provide

National Grid will not approve safe systems of work or approve design proposals

Part 3

What National Grid will do for you and your development

Provision of information

National Grid should be notified during the planning stage of any works or developments taking place near our electrical assets, ideally a minimum notification period of 8 weeks to allow National Grid to provide the following services:

Drawings

National Grid will provide relevant drawings of overhead lines or underground cables to make sure the presence and location of our services are known. Once a third party or developer has contacted us, we will supply the drawings for free.

400kV

The maximum nominal voltage of the underground cables in National Grid's network

Risk or impact identification

National Grid can help identify any hazards or risks that the presence of our assets might bring to any works or developments. This includes both the risk to safety from high-voltage electricity and longer-term issues, such as induced currents, noise and maintenance access that may affect the outcome of the development. National Grid will not authorise specific working procedures, but we can provide advice on best practice.





Risks or hazards to be aware of

This section includes a brief description of some of the hazards and issues that a third party or developer might face when working or developing close to our electrical infrastructure.

Land and access

National Grid has land rights in place with landowners and occupiers, which cover our existing overhead lines and underground cable network. These agreements, together with legislation set out under the *Electricity Act 1989*, allow us to access our assets to maintain, repair and renew them. The agreements also lay down restrictions and covenants to protect the integrity of our assets and meet safety regulations. Anyone proposing a development close to our assets should carefully examine these agreements.

Our agreements often affect land both inside and outside the immediate vicinity of an asset. Rights will include the provision of access, along with restrictions that ban the development of land through building, changing levels, planting and other operations. Anyone looking to develop close to our assets must consult with National Grid first.

For further information, contact Asset Protection:

Email: assetprotection@nationalgrid.com
Phone: 0800 001 4282

Electrical clearance from overhead lines

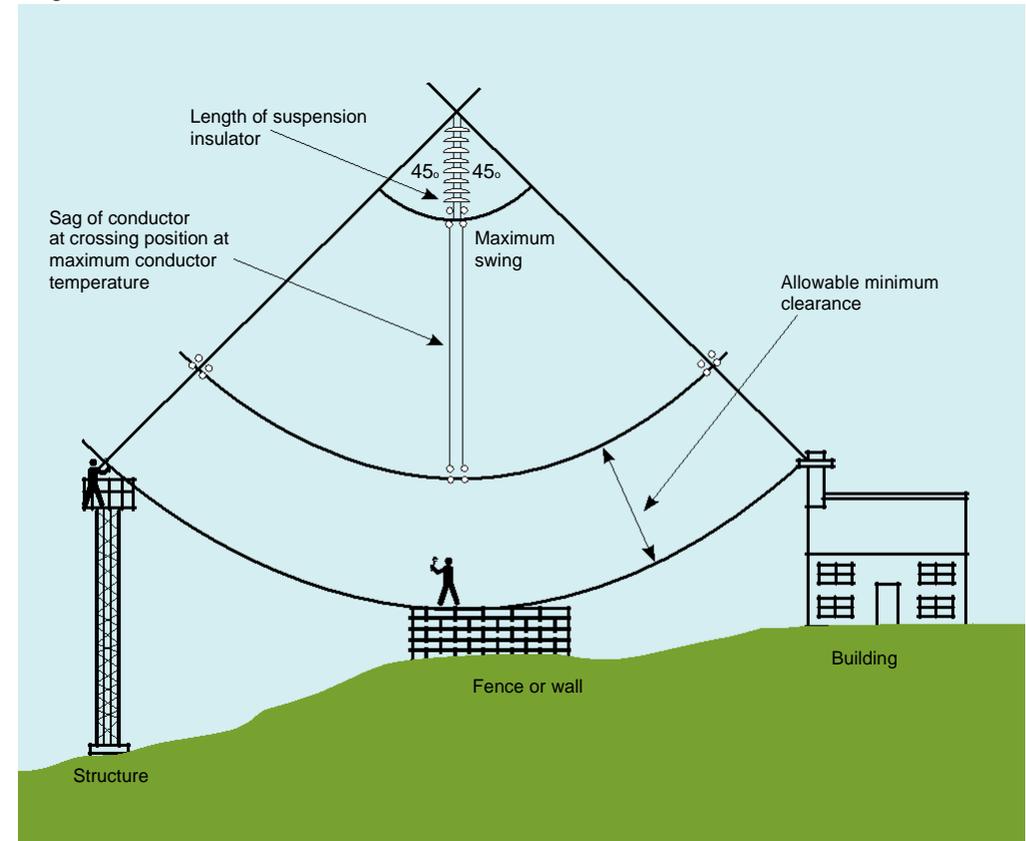
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

As we explained earlier, *Electrical Networks Association TS 43-8* details the legal clearances to our overhead lines. The minimum clearance between the conductors of an overhead line and the ground is 7.3m at maximum sag. The sag is the vertical distance between the wire's highest and lowest point. Certain conditions, such as power flow, wind speed and air temperature can cause conductors to move and allowances should be made for this.

The required clearance from the point where a person can stand to the conductors is 5.3m. To be clear, this means there should be at least 5.3m from where someone could stand on any structure (i.e. mobile and construction equipment) to the conductors. Available clearances will be assessed by National Grid on an individual basis.

National Grid expects third parties to implement a safe system of work whenever they are near Overhead Lines.

Diagram not to scale



There should be at least 5.3m between the conductors and any structure someone could stand on

We recommend that guidance such as *HSE Guidance Note GS6 (Avoiding Danger from Overhead Power Lines)* is followed, which provides advice on how to avoid danger from all overhead lines, at all voltages. If you are carrying out work near overhead lines you must contact National Grid, who will provide the relevant profile drawings.

7.3m

The required minimum clearance between the conductors of an overhead line, at maximum sag, and the ground

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The undergrounding of electricity cables at Ross-on-Wye

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Underground cables Underground cables operating at up to 400kV are a significant part of the National Grid Electricity Transmission network. When your works will involve any ground disturbance it is expected that a safe system of work is put in place and that you follow guidance such as *HSG 47 (Avoiding Danger from Underground Services)*.

You must contact National Grid to find out if there are any underground cables near your proposed works. If there are, we will provide cable profiles and location drawings and, if required, on-site supervision of the works. Cables can be laid under roads or across industrial or agricultural land. They can even be layed in canal towpaths and other areas that you would not expect.

Cables crossing any National Grid high-voltage (HV) cables directly buried in the ground are required to maintain a minimum separation that will be determined by National Grid on a case-by-case basis. National Grid will need to do a rating study on the existing cable to work out if there are any adverse effects on either cable rating. We will only allow a cable to cross such an area once we know the results of the re-rating. As a result, the clearance distance may need to be increased or alternative methods of crossing found.

For other cables and services crossing the path of our HV cables, National Grid will need confirmation that published standards and clearances are met.

Impressed voltage

Any conducting materials installed near high-voltage equipment could be raised to an elevated voltage compared to the local earth, even when there is no direct contact with the high-voltage equipment. These impressed voltages are caused by inductive or capacitive coupling between the high-voltage equipment and nearby conducting materials and can occur at distances of several metres away from the

equipment. Impressed voltages may damage your equipment and could potentially injure people and animals, depending on their severity. Third parties should take impressed voltages into account during the early stages and initial design of any development, ensuring that all structures and equipment are adequately earthed at all times.

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Earth potential rise

Under certain system fault conditions – and during lightning storms – a rise in the earth potential from the base of an overhead line tower or substation is possible. This is a rare phenomenon that occurs when large amounts of electricity enter the earth. This can pose a serious hazard to people or equipment that are close by.

We advise that developments and works are not carried out close to our tower bases, particularly during lightning storms.

Noise

Noise is a by-product of National Grid's operations and is carefully assessed during the planning and construction of any of our equipment. Developers should consider the noise emitted from National Grid's sites or overhead lines when planning any developments, particularly housing. Low-frequency hum from substations can, in some circumstances, be heard up to 1km or more from the site, so it is essential that developers find adequate solutions for this in their design. Further information about likely noise levels can be provided by National Grid.

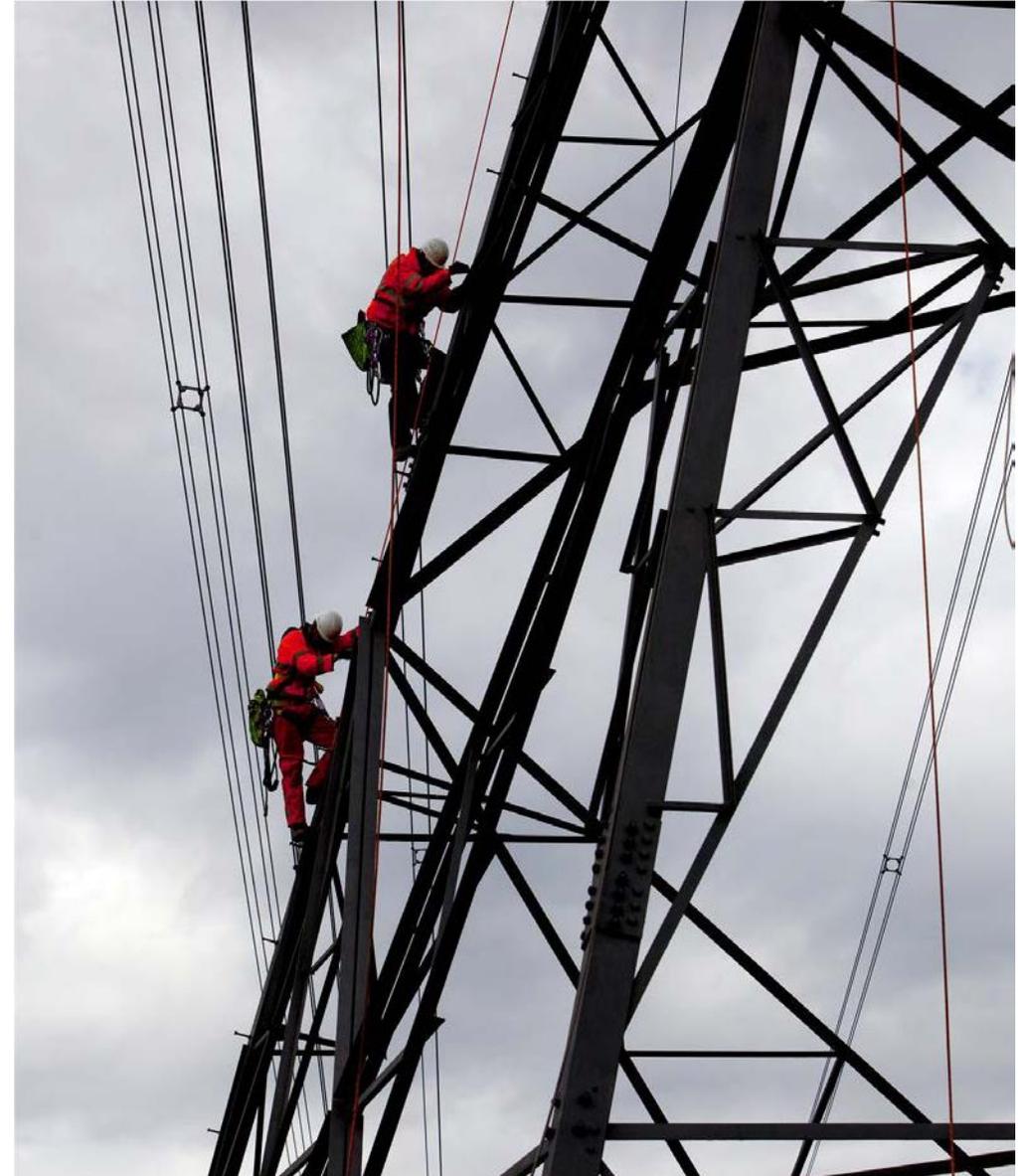
Maintenance access

National Grid needs to have safe access for vehicles around its assets and work that restricts this will not be allowed. In terms of our overhead lines, we wouldn't want to see any excavations made, or permanent structures built, that might affect the foundations of our towers. The size of the foundations around a tower base depends on the type of tower that is built there. If you wish to carry out works within 30m of the tower base, contact National Grid for more information. Our business has to maintain access routes to tower bases with land owners. For that reason, a route wide enough for an HGV must be permanently available. We may need to access our sites, towers, conductors and underground cables at short notice.

30m

If you wish to carry out work within this distance of the tower base, you must contact National Grid for more information

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Fires and firefighting

National Grid does not recommend that any type of flammable material is stored under overhead lines. Developers should be aware that in certain cases the local fire authority will not use water hoses to put out a fire if there are live, high-voltage conductors within 30m of the seat of the fire (as outlined in ENA TS 43-8).

In these situations, National Grid would have to be notified and reconfigure the system – to allow staff to switch out the overhead line – before any firefighting could take place. This could take several hours.

We recommend that any site which has a specific hazard relating to fire or flammable material should include National Grid's emergency contact details (found at the beginning and end of this document) in its fire plan information, so any incidents can be reported.

Developers should also make sure their insurance cover takes into account the challenge of putting out fires near our overhead lines.

Excavations, piling or tunnelling

You must inform National Grid of any works that have the potential to disturb the foundations of our substations or overhead line towers. This will have to be assessed by National Grid engineers before any work begins.

BS ISO 4866:2010 states that a minimum distance of 200m should be maintained when carrying out quarry blasting near our assets. However, this can be reduced with specific site surveys and changes to the maximum instantaneous charge (the amount of explosive detonated at a particular time).

All activities should observe guidance layed out in *BS 5228-2:2009*.

Microshocks

High-voltage overhead power lines produce an electric field. Any person or object inside this field that isn't earthed picks up an electrical charge. When two conducting objects – one that is grounded and one that isn't – touch, the charge can equalise and cause a small shock, known as a microshock. While they are not harmful, they can be disturbing for the person or animal that suffers the shock.

For these reasons, metal-framed and metal-clad buildings which are close to existing overhead lines should be earthed to minimise the risk of microshocks. Anything that isn't earthed, is conductive and sits close to the lines is likely to pick up a charge. Items such as deer fences, metal palisade fencing, chain-link fences and metal gates underneath overhead lines all need to be earthed.

For further information on microshocks please visit www.emfs.info.



200m

The minimum distance that should be maintained from National Grid assets when quarry blasting



Specific development guidance

Wind farms

National Grid's policy towards wind farm development is closely connected to the *Electricity Networks Association Engineering Recommendation L44 Separation between Wind Turbines and Overhead Lines, Principles of Good Practice*. The advice is based on national guidelines and global research. It may be adjusted to suit specific local applications.

There are two main criteria in the document:

(i) The turbine shall be far enough away to avoid the possibility of toppling onto the overhead line

(ii) The turbine shall be far enough away to avoid damage to the overhead line from downward wake effects, also known as turbulence

The toppling distance is the minimum horizontal distance between the worst-case pivot point of the wind turbine and the conductors hanging in still air. It is the greater of:

- the tip height of the turbine plus 10%
- or, the tip height of the turbine plus the electrical safety distance that applies to the voltage of the overhead line.

To minimise the downward wake effect on an overhead line, the wind turbine should be three times the rotor distance away from the centre of the overhead line.

Wake effects can prematurely age conductors and fittings, significantly reducing the life of the asset. For that reason, careful consideration should be taken if a wind turbine needs to be sited within the above limits. Agreement from National Grid will be required.

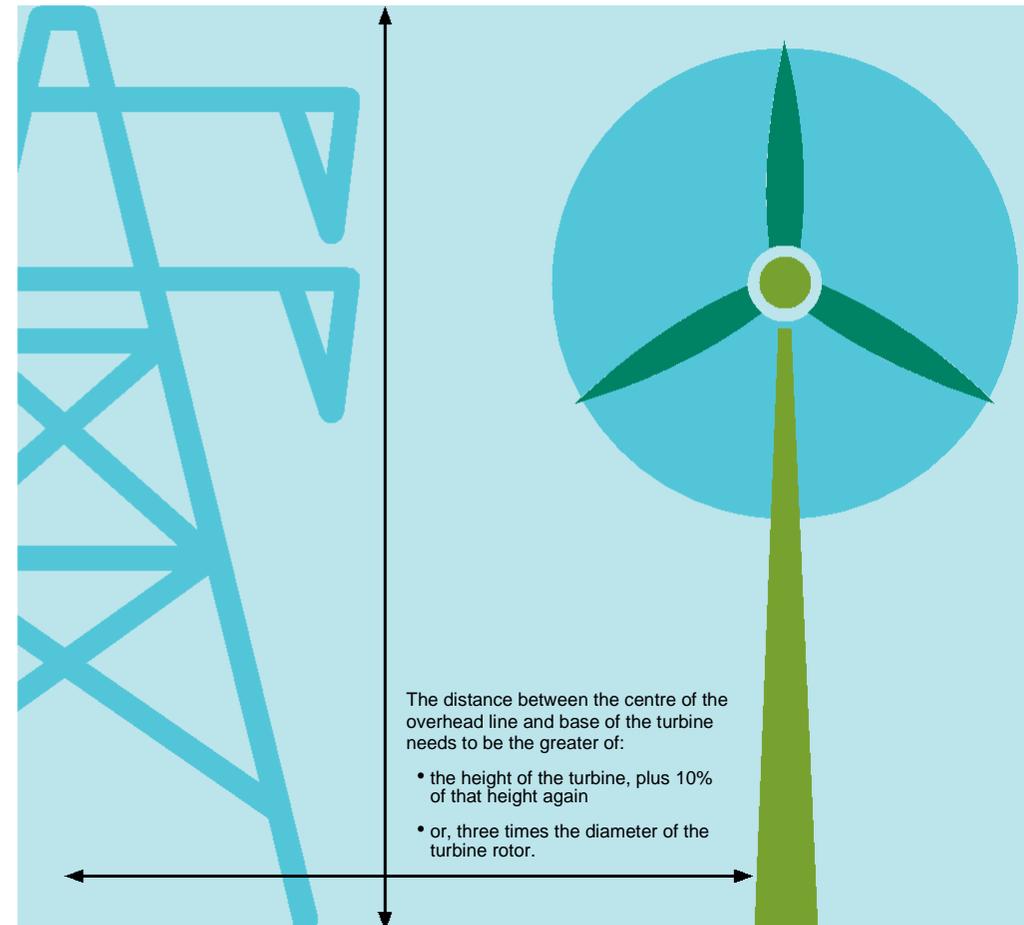
Commercial and housing developments

National Grid has developed a document called *Design guidelines for development near pylons and HVO power lines*, which gives advice to anyone involved in planning or designing large-scale developments that are crossed by, or close to, overhead lines.

The document focuses on existing 275kV and 400kV overhead lines on steel lattice towers, but can equally apply to 132kV and below. The document explains how to design large-scale developments close to high-voltage lines, while respecting clearances and the development's visual and environmental impact.

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Diagram not to scale



Turbines should be far enough away to avoid the possibility of toppling onto the overhead line



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The advice is intended for developers, designers, landowners, local authorities and communities, but is not limited to those organisations.

Overall, developers should be aware of all the hazards and issues relating to the electrical equipment that we have discussed when designing new housing.

As we explored earlier, National Grid's assets have the potential to create noise. This can be low frequency and tonal, which makes it quite noticeable. It is the responsibility of developers to take this into account during the design stage and find an appropriate solution.

Solar farms

While there is limited research and recommendations available, there are several key factors to consider when designing Solar Farms in the vicinity of Overhead Power Lines.

Developers may be looking to build on arable land close to National Grid's assets. In keeping with the safety clearance limits that we outlined earlier for solar panels directly underneath overhead line conductors, the highest point on the solar panels must be no more than 5.3m from the lowest conductors.

This means that the maximum height of any structure will need to be determined to make sure safety clearance limits aren't breached. This could be as low as 2m. National Grid will supply profile drawings to aid the planning of solar farms and determine the maximum height of panels and equipment.

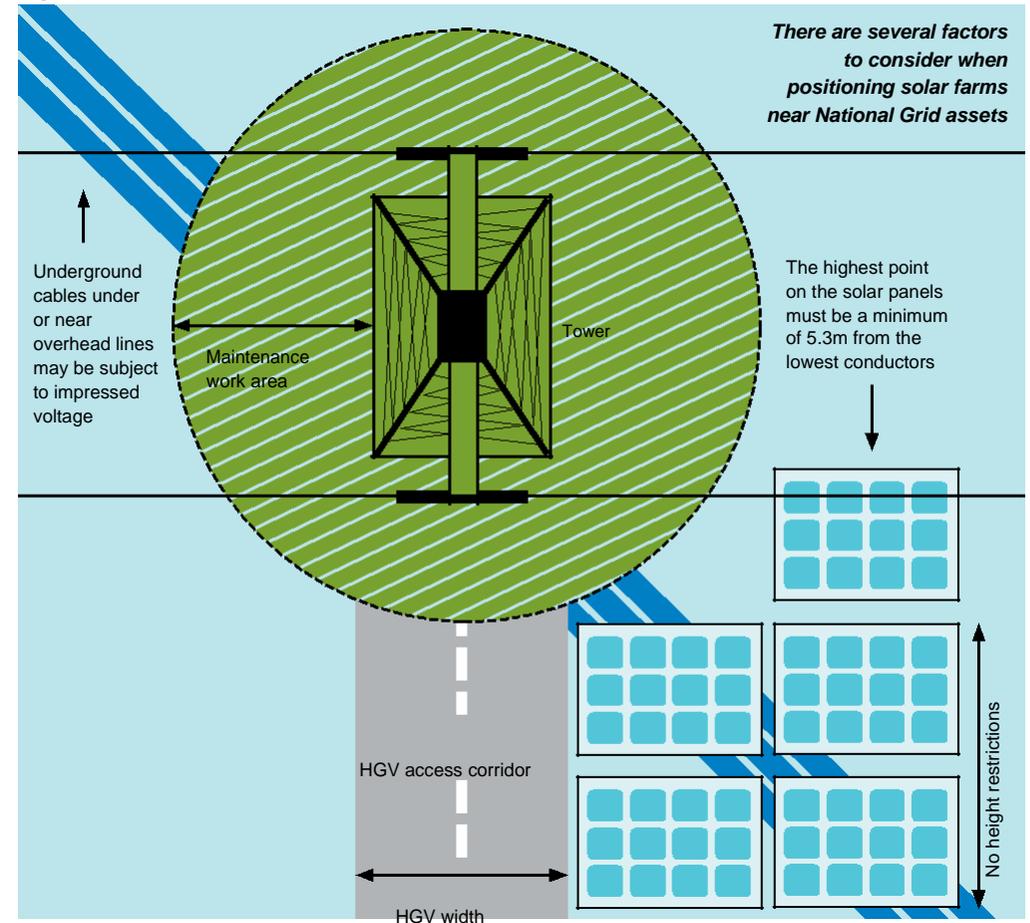
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

There is also a risk of damage during adverse weather conditions, such as lightning storms, and system faults. As all our towers are earthed, a weather event such as lightning can cause a rise in the earth potential around the base of a tower. Solar panel support structures and supply cables should be adequately earthed and bonded together to minimise the effects of this temporary rise in earth potential.

Any metallic fencing that is located under an overhead line will pick up an electrical charge. For this reason, it will need to be adequately earthed to minimise microshocks to the public.

For normal, routine maintenance and in an emergency National Grid requires unrestricted access to its assets. So if a tower is enclosed in a solar farm compound, we will need full access for our vehicles,

Diagram not to scale



Including access through any compound gates. During maintenance – and especially re-conductoring – National Grid would need enough space near our towers for winches and cable drums. If enough space is not available, we would require solar panels to be temporarily removed.



Asset protection agreements

In some cases, where there is a risk that development will impact on National Grid's assets, we will insist on an asset protection agreement being put in place. The cost of this will be the responsibility of the developer or third party.

Contact details

Emergency situations

If you spot a potential hazard on or near an overhead electricity line, do not approach it, even at ground level. Keep as far away as possible and follow the six steps below:

- Warn anyone close by to evacuate the area
- Call our 24-hour electricity emergency number: 0800 404 090 (Option 1)¹
- Give your name and contact phone number
- Explain the nature of the issue or hazard
- Give as much information as possible so we can identify the location – i.e. the name of the town or village, numbers of nearby roads, postcode and (ONLY if it can be observed without putting you or others in danger) the tower number of an adjacent pylon
- Await further contact from a National Grid engineer

¹ It is critically important that you don't use this phone number for any other purpose. If you need to contact National Grid for another reason please use our Contact Centre at www2.nationalgrid.com/contact-us to find the appropriate information or call 0800 0014282.

Routine enquiries

Email:
assetprotection@nationalgrid.com

Call Asset Protection on:
0800 0014282

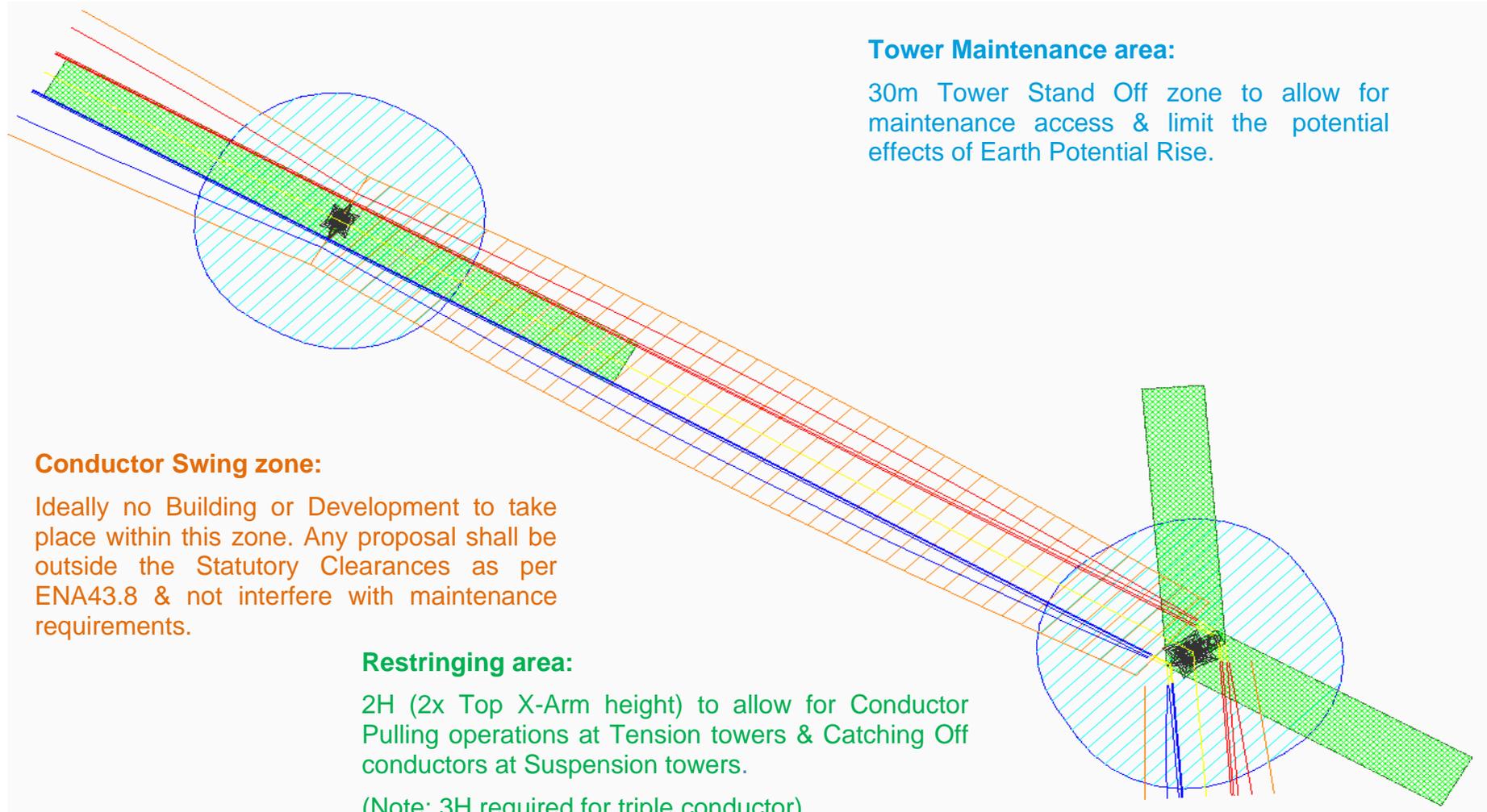
Opening hours:
Monday to Friday 08:00-16:00

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OHL Tower Stand Off & Reconducting Area



From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 14 November 2023 16:05
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Subject: RE: EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11 Notification [SG36481]

Our Ref: SG36481

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Public

Date: 08 December 2023
Our ref: 457166
Your ref: EN010158



The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

BY EMAIL ONLY - Rosefieldsolar@planninginspectorate.gov.uk
Cc: devcontrol.av@buckinghamshire.gov.uk

Dear Alison Down,

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: Rosefield Solar Farm

Location: Land parcels to the south and west of the East Claydon substation, Bucks.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 13 November 2023, received on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Natural England have had pre-application engagement with the project. An initial meeting was undertaken on 14th September 2023, and we have since provided feedback on the proposed ecological survey effort (dated 16th October 2023).

Bernwood Forest

The proposal could have significant impacts on Bernwood Forest. We advise that a robust assessment of the potential impacts is undertaken.

Bernwood is identified as a Biodiversity Opportunity Area (BOA)¹ and encompasses a suite of 7 local Sites of Special Scientific Interest (SSSI). In addition, the area is particularly important for Bechstein's bats which are a protected species under the Habitats and Species

¹ Buckinghamshire and Milton Keynes Natural Environment Partnership (NEP), Bernwood Biodiversity Opportunity Area (BOA). Available here: [Bernwood – Buckinghamshire & Milton Keynes Natural Environment Partnership \(bucksmknep.co.uk\)](https://www.bucksmknep.co.uk)

Regulations, 2017 (as amended). Natural England is considering the renotification, amalgamation and enlargement of the SSSIs within Bernwood under Section 28C of the Wildlife and Countryside Act 1981².

Bernwood Forest is home to nationally and regionally important bat populations; thirteen bat species are present including two Annex II species (Bechstein's and Barbastelle). The Bernwood Bechstein's population is unique for several reasons. It is located at the edge of the species range and is geographically isolated. Genetic structuring between the southwestern and northern populations of Bechstein's has been identified, within which the Bernwood population is genetically unique³. The loss of this population would reduce the genetic variation of the species nationally. A report by Wright et al (2018)¹ states:

“The identification of a population showing signs of inbreeding and low genetic diversity is of concern. This is particularly relevant to populations on the extreme edges of the British range for instance the Bernwood population, in Buckinghamshire. Such populations are likely to be more sensitive to the continual expansion of built developments and other threats that cause habitat fragmentation and loss”.

In addition, a recent report concluded that although common bat species that are successfully adapted to anthropogenic environments were detected frequently on solar farms, species of conservation concern (e.g. *Myotis* spp. and *Barbastella barbastellus*) do not use solar farms frequently⁴.

Based on the information provided, the site boundary for the solar farm is directly adjacent to the woodland areas currently moving forward for designation for maternity colonies of Bechstein's bat. The fields in between these areas are used for commuting and foraging by this species, this has been shown through extensive radio-tracking and other surveys, such as dietary analysis undertaken by HS2 ecologists since 2012. We advise that the evidence base will need to identify how the land is currently being used by bats to inform your assessment of the potential impacts.

Best and Most Versatile Agricultural Land

We consider the retention and safeguarding of Best and Most Versatile (BMV) Agricultural Land to be an important consideration for this project.

It is recognised that due to the nature of the development a good proportion of the agricultural land affected by the development will not be permanently lost. However, the large development area and 40-year development lifetime give rise to additional concern with regard to agricultural productivity.

Ancient Woodland

Natural England consider that a robust assessment of the implications for ancient woodland to be of importance for this project due to the scale of the project, potential for loss of connectivity at the landscape scale and habitat fragmentation.

Detailed advice on scoping the Environmental Statement, including further advice on ancient woodland and BMV land, is available in the attached **Annex A**.

² Natural England, November 2023. Bernwood. Available here [Bernwood \(naturalengland.org.uk\)](https://www.naturalengland.org.uk)

³ Wright, P. G. R., Hamilton, P. B., Schofield, H., Glover, A., Damant, C., Davidson-Watts, I., & Mathews, F. (2018). Genetic structure and diversity of a rare woodland bat, *Myotis bechsteinii*: comparison of continental Europe and Britain.

⁴ Szabadi, K. L., Kurali, A., Rahman, N. A. A., Froidevaux, J. S., Tinsley, E., Jones, G., Görföl, T., Estók, P., & Zsebök, S. (2023). The use of solar farms by bats in mosaic landscapes: Implications for conservation.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact us.

For any queries relating to the specific advice in this letter please contact me at [REDACTED] and copy to consultations@naturalengland.org.uk.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours sincerely,

Ellen Satchwell
Sustainable Development – Lead Adviser
Thames Solent Team

Annex A – Natural England Advice on EIA Scoping

1. General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided¹.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development.
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors).
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- An outline of the structure of the proposed ES.

From the Scoping report provided, Natural England consider that these general principles have been, or will be, appropriately addressed through the EIA process.

2. Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an

application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England are aware of a number of other Solar projects in the surrounding area. These should be included within the in combination assessment and the approach to in-combination assessment should be described including the distance criteria selected.

The scope of an in-combination assessment should include plans and projects which are 'live' at the same time as the assessment being undertaken. These can potentially include:

1. The incomplete or non-implemented parts of plans or projects that have already commenced;
2. Plans or projects given consent or given effect but not yet started;
3. Plans or projects currently subject to an application for consent or proposed to be given effect;
4. Projects that are the subject of an outstanding appeal;
5. Ongoing plans or projects that are the subject of regular review and renewal;
6. Any draft plans being prepared by any public body; and
7. Any proposed plans or projects that are reasonably foreseeable and/or published for consultation prior to application.

Table 1: Plans or projects that Natural England are aware of that might need to be considered in the ES	
Project /Plan	Status
HS2	Project has commenced
East West Rail	Project has commenced
Calvert Waste Management Complex	Project has commenced
Calvert Solar Farm	Application awaiting decision (Application ref: CM/0007/23)
Fox Covert Solar Farm, Adstockfields, Adstock, Buckingham, MK18 2JE.	Project has been approved (Application Ref: 20/02582/APP)
Energy Park (Wind/Solar) at Littleton Manor Farm, Bicester Road, North-West of Waddesdon, HP18 0JR.	EIA Scoping Accepted (Application Ref: 22/00410/SO) Application awaiting decision (Application Ref: 22/03384/AOP)

3. Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

4. Biodiversity and Geodiversity

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

We advise this include the emerging Local Nature Recovery Strategy (LNRS) for Buckinghamshire which will be the key mechanism for planning and mapping local delivery of the Nature Recovery Network (NRN). The NRN refers to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife [Local nature recovery strategies GOV.UK \(www.gov.uk\)](#).

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Many public authorities e.g. National Highways, National Grid have biodiversity duties including taking opportunities for habitat restoration or enhancement. They might have Key Performance Indicators (KPIs) to adhere to via Government policy, or have agreed approaches to BNG. Further information around general duties is available [here](#).

Remember to refer to the relevant sector specific information within National Policy Statements [here](#) and our own sector specific guidance on the SD Toolkit.

5. Designated nature conservation sites

5.1 International and European sites

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>

Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats Regulations Assessment (HRA). Agreeing the evidence-needs of the project early prior to applying for Development Consent will help reduce delays in the process. More information on Evidence Plans is available [here](#).

Natural England's Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

5.2 Nationally designated sites

Sites of Special Scientific Interest

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The development site is within or may impact on the following **Sites of Special Scientific Interest**: Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-Cum-Hamgreen Woods SSSI.

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Table 2: Potential risks to nationally designated sites: the development is within or may impact on the following		
Site name with link to citation	Features which the ES will need to consider	Potential impact pathways where further information /assessment is required
Sheephouse Wood SSSI SSSI detail (naturalengland.org.uk)	Lowland and mixed deciduous woodland Population of nationally scarce butterfly species: <ul style="list-style-type: none"> • Black Hairstreak <i>Strymonidia pruni</i> 	Habitat Fragmentation Loss of supporting habitat
Finemere Wood SSSI SSSI detail (naturalengland.org.uk)	Lowland and mixed deciduous woodland Invert assemblage: <ul style="list-style-type: none"> • A1 arboreal canopy • F2 grassland and scrub matrix Population of nationally scarce butterfly species: <ul style="list-style-type: none"> • Wood White <i>Leptidea sinapis</i>; and • Black Hairstreak <i>Strymonidia pruni</i> 	Habitat Fragmentation Loss of supporting habitat

<p>Grendon and Doddershall Woods SSSI SSSI detail (naturalengland.org.uk)</p>	<p>Lowland mixed deciduous woodland</p> <p>Population of nationally scarce butterfly species:</p> <ul style="list-style-type: none"> • Purple Emperor <i>Apatura iris</i> • Wood White <i>Leptidea sinapis</i>; • Black Hairstreak <i>Strymonidia pruni</i>; and • Brown Hairstreak <i>Thecla betulae</i> 	<p>Habitat Fragmentation</p> <p>Loss of supporting habitat</p>
<p>Ham Home-Cum-Hamgreen Woods SSSI SSSI detail (naturalengland.org.uk)</p>	<p>Lowland mixed deciduous woodland</p> <p>Population of nationally scarce butterfly species:</p> <ul style="list-style-type: none"> • Wood White <i>Leptidea sinapis</i>; • White-letter Hairstreak <i>Satyrrium w-album</i>; and • Black Hairstreak <i>Strymonidia pruni</i> 	<p>Habitat Fragmentation</p> <p>Loss of supporting habitat</p>

5.3 Regionally and Locally Important Sites

The Environmental Statement should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

These are contacts for the relevant local body in this area who will be able to provide further information.

Contact	Email	Telephone
Buckinghamshire & Milton Keynes Environmental Records Centre	erc@buckscc.gov.uk	01296382431
Buckinghamshire and Milton Keynes Natural Environment Partnership	nep@buckinghamshire.gov.uk	N/a
BBOWT	info@bbowt.org.uk	01865 775476

6. Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using NE guidance on licencing [NE wildlife licences](#). Applicants can also make use of Natural England's (NE) charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) For details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

Please note Natural England provided feedback to the applicant on the proposed survey effort (dated 16th October 2023).

7. District Level Licensing for Great Crested Newts

Where strategic approaches such as district level licensing (DLL) for great crested newts (GCN) are used, a letter of no impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent). If no GCN surveys have been undertaken, Natural England's risk zone modelling may be

relied upon. During the impact assessment, Natural England will inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

By demonstrating that the [DLL scheme for GCN](#) will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

8. Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

9. Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

The Environmental Statement should include details of where impacts might occur from this development proposal on the local ancient woodland and how these can be mitigated. Information that might require consideration to inform this work includes:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal, likely to include detailed habitat and species surveys;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species; and
- Full details of any mitigation or compensation that might be required.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

10. Biodiversity net gain

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. It is anticipated that major development (defined in the [NPPF glossary](#)) will be required by law to deliver a biodiversity gain of at least 10% from January 2024 and that this requirement will be extended to smaller scale development in April 2024. For nationally significant infrastructure projects (NSIPs) it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

Further information on the timetable for mandatory biodiversity net gain can be found [here](#). Further general information on biodiversity net gain can be found [here](#).

The ES should use the Government's [Biodiversity Metric](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area;
- calculate the losses and gains in biodiversity unit value resulting from proposed development; and
- demonstrate that the required percentage biodiversity net gain will be achieved.

We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). Opportunities for enhancement might include Incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the [Biodiversity Metric](#) and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government [Planning Practice Guidance](#).

11. Landscape

Landscape and visual impacts

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A (2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). [Planning Practice Guidance](#) confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

The National Policy Statement for the relevant sector might have stronger protections. The Energy National Policy Statement EN-1 gives significant protection including within the setting of the protected landscape. The latest versions should be checked as they are currently going through a review process.

Consideration should be given to the direct and indirect effects on this designated landscape and in particular the effect upon its purpose for designation. The management plan for the designated landscape may also have relevant information that should be considered in the EIA.

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape

character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced Design Principles [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

12. Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

13. Soils and Agricultural Land Quality

It is recognised that due to the nature of the development a good proportion of the agricultural land affected by the development will not be permanently lost. However, the large development area and 40 year development lifetime give rise to additional concern with regard to agricultural productivity. In order to both retain the long term potential of this land and to safeguard all soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its important functions and services (ecosystem services) as possible.

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line paragraphs 5.168, 5.167 and 5.179 of the NPS for National Networks. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g., one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

14. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)⁵. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#)

⁵ [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development
<https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions
<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

From: Diane Clarke <[REDACTED]> **On Behalf Of** Town Planning NWC
Sent: 16 November 2023 09:52
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Subject: PI - EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11 Notification
Network Rail comments

OFFICIAL

Planning Inspectorate – National Infrastructure Projects
EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11
Notification

Network Rail have no comments to make at this stage, and note that the impact of any glint/glare on the railway will be fully assessed.

We would appreciate an opportunity to review and comment on the detailed design once the scheme reaches that stage.

From

Diane Clarke
Town Planning Technician NW&C
AssocRTPI
Network Rail
Email: TownPlanningNWC@networkrail.co.uk

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office
Network Rail, Waterloo General Office, London, SE1 8SW.

From: Wyatt, Tom [REDACTED]
Sent: 04 December 2023 12:10
To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>
Subject: EN010158 - Scoping Opinion for Rosefield Solar Farm

Dear Ms Down

Thank you for consulting South Oxfordshire District Council in respect of the above. I can confirm that we have no comments to make in respect of this consultation.

Kind regards,

Tom Wyatt
Team Leader Development Management (East)

Customer service: 01235 422600

Please visit our websites: www.southoxon.gov.uk or www.whitehorsedc.gov.uk

To read our privacy policy, please go to this link for [South Oxfordshire](#) or this link for [Vale of White Horse](#)



UK Health
Security
Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN010158
Our Ref: 64782

Ms Alison Down
Environmental Impact Assessment Advisor
The Planning Inspectorate
Environmental Services
Temple Quay House
2 The Square
Bristol BS1 6PN

8th December 2023

Dear Ms Down

**Nationally Significant Infrastructure Project
Rosefield Solar Farm (Ref: EN010158)
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be

covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Air Quality

The applicant states that construction phase site-specific dust mitigation measures will be recommended based on the results of pre-mitigation dust impacts assessment, which will also be applied in the decommissioning phase where relevant. The mitigation measures will be incorporated into the Outline Construction Environmental Management Plan (OCEMP) and Outline Decommissioning Environmental Management Plan (ODEMP). UKHSA agrees that both dust and particulate emissions and traffic exhaust emissions should be scoped in for further assessment for the construction and decommissioning phases of the project owing to the proximity of human receptors to the site.

Recommendation

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e. an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

Land Contamination

UKHSA agrees that the assessment of potential land contamination associated with the old railway line in land parcel 3 should be scoped in for further assessment to determine the extent and severity of land contamination. However, the applicant has elected to scope land contamination associated with former agricultural activities to be scoped out. The applicant does not provide details regarding the risk assessment approach and possible mitigation measures for construction works encountering former agricultural activities such as foot and mouth pits, waste pits, pesticides, asbestos containing material (ACM).

Recommendation

A risk assessment and proposed mitigation measures for if land contamination associated with former agricultural activities should also be scoped in for further assessment alongside the further assessment of the old railway line in land parcel 3.

Major Accidents and Incidents

The applicant does not consider the risk or potential impacts of chemical/fuel storage or spillages as part of the incidents and accidents section (Section 5.5) of the Scoping Report. Additionally, the applicant elects to scope out further assessment of the risk of fires and the potential impacts on local receptors. The applicant does however suggest that a plume assessment will be undertaken, and this will be submitted in support of the Development Consent Order (DCO) and will be referenced in the air quality chapter of the ES. The applicant also states that the Fire and Rescue Service will be consulted as part of the DCO process.

Recommendation

Due to our experience with lithium-ion battery fires, the associated risks, and that there are receptors within 250m of the site, we would recommend fire is scoped in for further assessment. Therefore, it would be beneficial to see the outcome of the consultation with the Fire and Rescue Service alongside the plume assessment included in the ES rather than as a separate report. Additionally, the potential risk and mitigation of chemical/fuel storage and spillages should also be considered within the incidents and accidents chapter. It is therefore recommended that incidents and accidents are scoped in for further assessment.

Yours sincerely

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

From: Deputy Town Clerk <deputyclerk@winslowtowncouncil.gov.uk>

Sent: 29 November 2023 08:50

To: Rosefield Solar <Rosefieldsolar@planninginspectorate.gov.uk>

Cc: Town Clerk <townclerk@winslowtowncouncil.gov.uk>

Subject: EN010158 – Rosefield Solar Farm – Reg 10 Consultation and Reg 11 Notification

Dear Sirs,

Thank you for consulting Winslow Town Council on the information to be provided in this Environmental Statement.

I write to confirm that the Town Council does not have any comments.

Kind regards

Sean Carolan

Deputy Clerk

Winslow Town Council

28 High Street, Winslow, MK18 3HF

